

Development Committee



Agenda

Thursday, 8 October 2020 6.00 p.m.

Online 'Virtual' Meeting -

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

Membership to be appointed by the Annual Council Meeting on 30th September 2020

The deadline for registering to speak is **4pm Tuesday, 6 October 2020**

The deadline for submitting information for the update report is Noon
Wednesday, 7 October 2020

Contact for further enquiries:

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<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>

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

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Development Committee

Thursday, 8 October 2020

6.00 p.m.

APOLOGIES FOR ABSENCE

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

To elect a Vice – Chair of the Committee for 2020/21

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

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

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

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

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 18)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 17th September 2020



4. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 19 - 22)**

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 Development Committee and meeting guidance.

	PAGE NUMBER	WARD(S) AFFECTED
5. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS	23 - 32	
6. DEFERRED ITEMS	33 - 34	
6.1 Brunton Wharf Estate, Salmon Lane, London, E14	35 - 90	St Dunstan's

Proposal:

Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.

Recommendation:

Grant planning permission, subject to conditions and subject to a legal agreement



7. PLANNING APPLICATIONS FOR DECISION

91 - 96

7.1 13-15 Dod Street, London (PA/20/00123)

97 - 140

Mile End

Proposal:

Demolition of the existing office and job centre building.
Erection of building of up to 8 storeys comprising 86 residential units (Use Class C3) with basement car parking, associated hard and soft landscaping and infrastructure works.

Recommendation:

Grant planning permission with conditions and planning obligations.

7.2 Southern Grove Lodge, 58-60 Southern Grove, London, E3 4PN (PA/20/00788)

141 - 212

Mile End

Proposal:

Demolition of 1980s office building (including annex connection to Southern Grove Lodge) and construction of a part-4, part-5, part-6 storey Class C3 residential apartment block (to provide 42 units of affordable housing); change of use/conversion/refurbishment (including installation of replacement roofs/rooflights and windows) of Southern Grove Lodge into Class C3 residential use (to provide 36 private for sale units); provision of associated amenity areas, cycle and car parking (in the form of 5 x accessible parking bays), refuse/recycling stores and landscaping.

Recommendation:

Grant planning permission, subject to conditions.

Next Meeting of the Development Committee

Thursday, 5 November 2020



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Agenda Item 2

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 DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON THURSDAY, 17 SEPTEMBER 2020

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

Members Present:

Councillor Abdul Mukit MBE (Chair)
Councillor John Pierce (Vice-Chair)
Councillor Kahar Chowdhury
Councillor Dipa Das
Councillor Rajib Ahmed (Substitute for Councillor Mufeedah Bustin)

Other Councillors Present:

Councillor Sirajul Islam (Statutory Deputy Mayor and Cabinet Member for Housing)

Officers Present:

Jane Abraham	– (Housing Project Manager, Corporate Property and Capital Delivery)
Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Sally Fraser	– (Team Leader (East), Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Antonia McClean	– (Planning Officer, Place)
John Miller	– (Planning Officer, Place)
Gareth Owens	– (Daylight and Sunlight Consultant, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

Apologies:

Councillor Mufeedah Bustin
Councillor Leema Qureshi

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of interests in items on the agenda

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 9 July 2020 be agreed as a correct record and signed by the Chair.

3. 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

4. DEFERRED ITEMS

There are none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Existing garages, Vawdrey Close, London, E1 4UA (PA/20/00580)

Jerry Bell (Area Planning Manager (East), Planning Services, Place) introduced the application for the demolition of existing garages and construction of four new family-sized houses. It was reported that following the removal of the application from the August 2020 Committee agenda, due to an issue with the consultation, additional consultation had been undertaken and the results were noted in the update report.

Antonia McClean (Planning Services) presented the report, describing the proposals and the existing site.

Two rounds of consultation had been carried out. In response concerns had been raised regarding a number of issues. Details of how these would be managed were noted and set out in the report.

The Committee were advised of the key elements of the scheme including:

- That the development would result in the provision of 100% affordable rented housing with two dwellings designed for persons with autism.
- The standard of the accommodation would be high and included external amenity space.
- That the development would be of a good quality design and fit in with the area.
- That the development would provide a number of security features, including the provision of fob access to maintain access to Vawdrey Close.
- That the proposal also included measures to protect amenity whilst maximising sunlight and daylight levels.
- The site had a good PTAL rating and residents could apply for blue badge parking.
- There will be a net gain of biodiversity given the landscaping improvements.

In summary, whilst officers were mindful of the issues with the displacement of vehicles from garages, given the benefits of the scheme (including the provision of the affordable housing) Officers considered that the application was acceptable and should be granted permission.

The Chair invited the registered speakers to address the Committee.

Mashraf Ali and Abul Monsur spoke in objection to the application. They expressed concerns regarding the:

- The impact on the character and appearance of the area.
- Overdevelopment/overcrowding.
- The design and the scale of the scheme. It would be out of keeping with the area.
- Overshadowing and loss of privacy. The height would overshadow existing developments.
- Increased parking and traffic congestion due to the loss of the garages. It was explained that the garages were currently in use, therefore, their loss would result in parking displacement, and potentially increased parking on the pavement.
- The impact on access, (i.e. emergency access, deliveries and waste vehicle access). Concerns were expressed that the road was already very narrow leading to restrictions on access.
- Inadequate consultation.
- Loss of amenities

Anna Woodeson, Jane Abraham (Housing Project Manager, Corporate Property and Capital Delivery) and with the permission of the Chair, Councillor Sirajul Islam (Statutory Deputy Mayor and Cabinet Member for Housing and ward Councillor) spoke in support of the application. They highlighted the merits of the scheme including:

- The delivery of good quality environmentally friendly family homes that complied with policy. The accommodation comprised family sized housings for autistic persons. The development would deliver

affordable homes for local residents, that would help meet the housing needs.

- The retention and protection of the large Tree
- That in response to the consultation, the scheme had been amended to address issues and review the impact on parking displacement.
- Of the 14 garages, ten would be re -provide. The remaining garages used for storage or rented privately would not be provided.
- That the parking arrangements were in line with policy.
- That Highway Services had considered the scheme and found the servicing arrangements to be acceptable.

Questions to the applicant:

In response, the Committee asked questions about vehicle access, in view of the concerns about vehicles reversing on a narrow road and emergency access. It was considered that the delivery of housing on the site could improve the situation in this regard. The issues had been examined in detail and the Waste Services Team had no issues in regard to access for waste vehicles. The application should have no adverse impact on the pavement or the highway. Regarding the loss of garages, it was confirmed that of the 14 garages, 10 would be re - provided.

Regarding the landscaping improvements, it was proposed to provide such improvements up to the 'red line'. The Council could provide further improvements to the wider area under separate plans. A range of landscaping enhancements would be provided including: the provision of dense plants, resulting in a net uplift of biodiversity enhancements, alongside the retention of the tree.

In relation to the consultation issues, it was reported that the applicant had carried consultation in line with their original commitments.

In response to further questions, the speakers highlighted the growing need for new housing for people with autism. It was also noted that the local letting policy applied to this scheme, requiring that a percentage of the dwellings were let to local residents.

Questions to Officers

In response to questions, it was confirmed that the daylight and sunlight impacts had been carefully assessed and that the majority met the guidelines. It was also emphasised that the Council carried out two rounds of statutory consultation.

On a vote of 5 in favour and 0 against the Committee RESOLVED:

1. That, subject to any direction by the Mayor of London, planning permission is GRANTED at Existing garages, Vawdrey Close, London, E1 4UA for the

- Demolition of existing garages and construction of four new family-sized houses
- 2. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the matters set out in the Committee report

5.2 Land at Bancroft TMC and Wickford Street Garages, Wickford Street, London, (E1PA/19/02611)

Jerry Bell introduced this application for the demolition of Bancroft TMC building and Wickford Street garages and construction of a part-two, part-three and part-six storey mixed use development.

John Miller, (Planning Services) presented the report advising that the application related to the Bancroft TMC site and the Garages site. The following points were noted:

- That the proposed land use could be supported, given that the proposed residential use complied with policy and the quality of the replacement office/commercial space.
- The development would result in the provision of 100% affordable rented housing, resulting in a mixed and balance community in housing mix terms.
- The housing mix would be broadly in line with policy, including a number of wheelchair accessible units.
- The density of the scheme was in line with London Plan standards.
- There would be an overprovision of child play space, in excess of policy.
- The design would respond well to the surrounding area, and would be secure by design
- Whilst the scheme would result in a net loss of open space, the proposal sought to improve the offer. The wider landscaping plans included, hard and soft landscaping and child play space and biodiversity enhancements.
- In terms of amenity, the scheme had been designed to maximise separation distances, which were broadly in line with the Council's amenity policy. Therefore, the development would result in no undue amenity impacts.
- The impact on daylight and sunlight had been carefully assessed as detailed in the report. Whilst the scheme would result in localised impacts (particularly at Wickford House, and 64 -134 Cambridge Heath Road), the impacts were found to be acceptable given the context, as detailed in the report and the wider benefits of the scheme.
- The proposal would be acceptable with regard to highway and transportation matters including parking, access and servicing. The Council's Highway Officer had no concerns about the loss of parking bays and garages or the transport and highway issues in general.
- A range of contributions had been secured.
Officers were recommending the proposed development was granted planning permission.

It was noted that the objector registered to speak had decided to withdraw from addressing the Committee. With the Chair's permission, the applicant's representative, Viviana Vivanco was permitted to answer questions from the Committee.

In response to the presentation, the Committee asked questions about: the increase in residents from the development and the impacts from the scheme. It was confirmed that the density tests had been completed and that the density was in line with London Plan Standards.

Regarding the noise impact from the nearby railway track, it was noted that the submitted noise assessment had been carefully considered by the Council's noise officer and conditions would be secured to ensure that the impact on the most noise sensitive properties would be acceptable. Subject to the conditions, the officer considered that the plans were acceptable. In addition, the layout had been designed to position noise sensitive rooms away from tracks. It was also noted that the relationship between the development and the railway track was not an uncommon situation.

In relation to parking, it was noted that a Transport Survey had been carried out and anyone who used the garages should be able to park in the wider estate.

It was also confirmed that since the development provided 100% affordable housing, it is exempt from providing CIL contributions.

The Committee also asked questions about the tenure split given the slight overprovision of one bed units. Members also noted that the level of three bed units marginally fell below policy requirements. In response, the applicant's representative highlighted the high number of family sized units to be provided in the development. Due to the emphasis on this and the site constraints, it was noted that there would be a slight overprovision of one bed units. It was also pointed out that there was a need for one bed units and that the strategic provision of housing should result in the provision of a large number of family housing in the Borough.

On a vote of 5 in favour and 0 against the Committee **RESOLVED:**

1. That, subject to any direction by the Mayor of London, planning permission is GRANTED at Land at Bancroft TMC and Wickford Street Garages, Wickford Street, London, E1 for:
 - Demolition of Bancroft TMC building and Wickford Street garages and construction of a part-two, part-three and part-six storey building comprising Class D1/B1(a) community/office use at ground/first floor and 15 x Class C3 residential dwellings on the upper floors together with associated private amenity areas, cycle parking and refuse/recycling stores (Site 1) and a part 3 and part 5 storey building comprising 18 x Class C3 residential dwellings together with associated private amenity areas, cycle/blue badge car parking (in the

form of 3 x new accessible parking bays and 1 x replacement accessible parking bay) and refuse/recycling stores (Site 2) and new and enhanced public realm, associated hard and soft landscaping, new and improved vehicular and pedestrian access and associated highways improvements to Wickford Street.

2. Subject to the conditions set out in the Committee report

5.3 Brunton Wharf Estate, Salmon Lane, London, E14 (PA/19/02608)

Update report was tabled.

Jerry Bell introduced the application for the construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.

Sally Fraser (Planning Services) introduced the report, describing the site location and views from the surrounding area. Public consultation had been carried out, resulting in the receipt of 27 objections including a survey of residents opinion. A summary of the responses was noted.

The following issues were noted:

- In land use terms, the scheme will deliver 100% affordable housing with 50% of the units to be offered at the London Affordable rent and the remaining 50% at the Tower Hamlets Living rent.
- The scheme would deliver a broadly compliant housing tenure mix, with a minor deviation in policy.
- The housing would be of a high quality.
- There would be wheelchair accessible units and 3 disabled parking bays.
- In terms of the design, the 9 storey element would mark the corner of site. It had been through various iterations and the height had been reduced. It was considered that the development would fit well into the area with a strong architectural approach and robust material palette.
- In terms of the landscaping, the quantum of communal amenity space exceeded policy requirements. The proposed site wide landscaping works would enhance and expand upon the existing provision, for the benefit of existing and future residents
- The plans sought to provide a generous level of child space which was policy compliant in relation to new units.
- The application proposed changes to parking arrangements, including the relocation of parking spaces and revised on site serving arrangements, accessed off Yorkshire Road, which were supported.
- Details of the site wide security enhancements would be secured by condition. There would be no gates to the community garden.
- The impacts on neighbouring amenity had been carefully tested. It was considered that there would be no noticeable impacts to properties in terms of daylight, sunlight, overshadowing, outlook or enclosure.
- The public benefits of the scheme were noted.

Officers were recommending that the application was granted planning permission.

The Chair invited the registered speakers to address the Committee.

Ian Campbell, spoke in objection the scheme. He expressed concerns about the following issues:

- That the drawings were out of date on the Council's planning portal. They had been changed very recently with the loss of security features, visitor space and changes to the community food garden.
- Overdevelopment of the area and reduction in amenity space
- Size and height of the development.
- Fire access issues
- Increased noise.
- The plans should be deferred to allow further consideration to be given to the issues.

Simon Thorpe spoke in support of the application. He provided assurances about the stakeholder consultation. The feedback had informed the design of the proposal. He emphasised the merits of the scheme which included - the provision of affordable housing, estate improvements, new security features, improved access to the canal as well as the landscaping and child play space. The proposal had been evaluated by Officers and the sunlight/daylight impacts were found to be acceptable. There would be conditions to mitigate any impacts. He also underlined the developer's commitment to carrying out ongoing consultation to keep everyone informed.

With the permission of the Chair, Council Sirajul Islam spoke in support of the application. He advised that the development would contribute to the Council's housing targets. A percentage of the Housing would be let in accordance with the local lettings policy. He also highlighted a number of merits of the scheme and provided assurances regarding the mitigation measures.

Questions to Officers

The Committee asked questions about the removal of the gates from the plans to the community food gardens. It was confirmed that:

- The gates were originally proposed to restrict access to the inner parts of the site, and after discussions it was decided that the gates should be removed. Officers were of the view that other measures should be used instead in line with Council policy. There were many elements of the design that would enhance security. Conditions would be imposed to ensure that details of the landscaping were submitted and to ensure they were secure by design.
- It was also noted that the Management Plan could be amended to enable all residents to have freely available access to the food garden whilst preventing ASB.

- In response to further questions, Officers showed images of the layout of the scheme, including the food garden. This confirmed that the layout as proposed lacked a fence line.
- It was also noted that the food garden would remain in the existing location however with revised access arrangements, to allow residents to have free access to the gardens and the canal side garden.
- Access at present could only be secured currently through applying to the TRA.

Regarding the CCTV and linking this to the Borough system, it was noted that the conditions could be amended to ensure this.

Regarding the refuse arrangements for Anglia House, it was noted that it would remain as existing.

In response to questions about the changes to the plans, it was noted that the Council carried out consultation on material changes to the proposals. Only two non material changes to the plans had been made around the removal of gates to the garden and changes to the servicing arrangements.

Questions to objector,

In response to questions, Mr Campbell expressed concerns about the proposed relocation of the refuse area, given the additional walking distance for residents, particularly elderly residents. He also stressed the need for the gate to the food gardens prevent ASB, and the current arrangements to allow residents access. The garden was available to all, but was protected by a security gate, which could be accessed via the TRA.

Questions to applicant.

Mr Thorpe provided assurances about the plans to ensure the scheme was secure by design, and the provision of CCTV. The applicant was willing to ensure that this was connected to the Borough network. He also commented on the plans to allow free access to the reorganised food garden and the canal side amenity space.

The Committee also sought further clarify on the fire access issues.

In view of the issues raised, Councillor Dipa Das moved and Councillor John Pierce seconded a proposal that the consideration of the application be deferred for a Committee site visit.

On a vote of 3 in favour and 2 against the Committee **RESOLVED:**

1. That the application at Brunton Wharf Estate, Salmon Lane, London, E14 be **deferred** for a Committee site visit.

The meeting ended at 9.15 p.m.

Chair, Councillor Abdul Mukit MBE
Development Committee



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

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

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

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

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

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

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

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

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

What can be circulated?

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

How will the applications be considered?

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



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

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

How can I find out about a decision?

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

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

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

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 above guidance). 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 audio.

(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.
- The applicant or any supporters that have registered to speak to address the Committee.
- 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) Other voting methods may be used at the Chair's discretion
- The Democratic Services Officer will record the votes and confirm the results to the Chair.

<p>Non-Executive Report of the:</p> <p>Development Committee</p> <p>Thursday 8th October 2020</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Matthew Mannion, Head of Democratic Services</p>	<p>Classification: [Unrestricted]</p>
<p>Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings</p>	

Originating Officer(s)	Zoe Folley, Democratic Services Officer (Committees)
Wards affected	[All wards]

Summary

This report sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Development Committee for the Municipal Year 2020/21 for the information of members of the Committee.

Recommendations:

The Committee is recommended to:

To note the Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to this report.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for the information of the Committee and no specific decisions are required

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable to noting reports.

3. DETAILS OF REPORT

- 3.1 It is traditional that following the Annual General Meeting of the Council at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Quorum and Membership for the forthcoming Municipal Year. These are set out in Appendix 1 and 2 to the report respectively. The Membership is to be appointed by the Annual Council meeting on 30th September 2020.
- 3.2 The Committee's meetings for the year are set out in Appendix 3 to this report as agreed at the Council meeting on 30 September 2020.

3.4 In accordance with the programme, meetings are scheduled to take place at 6.00pm.

4. EQUALITIES IMPLICATIONS

4.1 When drawing up the schedule of dates, consideration was given to avoiding schools holiday dates and known dates of religious holidays and other important dates where at all possible.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 No implications arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no specific comments arising from the recommendations in the report. The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Full Council on 30 September 2020.

7. COMMENTS OF LEGAL SERVICES

7.1 The information provided for the Committee to note is in line with the Council's Constitution and the resolutions made by Council on 30 September 2020.

Linked Reports, Appendices and Background Documents

Linked Reports

None.

Appendices

Appendix 1 - Development Committee Draft Terms of Reference and Quorum

Appendix 2 - Development Committee Meeting Dates 2020/2021

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

None.

Officer contact details for documents:

- [N/A]

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1. Development Committee

<p>Summary Description: To determine applications for planning permission and listed building consent which have triggered over 20 representations (for or against) and/or that meet certain criteria with regards to size amongst other issues. Note that certain applications exceed the remit of the Development Committee and these are considered by the Strategic Development Committee.</p>	
<p>Membership: 7 Councillors (each political group may appoint up to 3 substitutes).</p>	
Functions	Delegation of Functions
<p>1. Applications for planning permission</p> <p>A. To consider and determine recommendations from the Corporate Director, Development and Renewal to GRANT planning permission for applications made under the Town and Country Planning Act 1990 (as amended); that meet any one of the following criteria:</p> <p>(i) Proposals involving the erection, alteration or change of use of buildings, structures or land with more than 35 residential units or live-work units.</p> <p>(ii) Proposals involving the erection, alteration or change of use of buildings, structures or land with a gross floor space exceeding 10,000 square metres.</p> <p>(iii) Retail development with a gross floor space exceeding 5,000 square metres.</p> <p>(iv) Proposals involving buildings on Metropolitan Open Land with a gross floor space exceeding 100 square metres.</p> <p>(v) If in response to the publicity of an application the Council receives in writing, by email or other electronic form 20 or more individual representations; or a petition (received from residents of the borough whose names appear in the Register of Electors, business addresses in the borough or local Councillors) raising material planning objections to the development, and the Corporate Director, Place considers that these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Place.</p> <p>B. To consider and determine recommendations from the Corporate Director, Place to REFUSE planning permission for</p>	<p>The Corporate Director, Place (or any officer authorised by her/him) has the authority to make decisions on planning matters with the exception of those specifically reserved to the Development Committee, unless:-</p> <p>(i) these are expressly delegated to her/him; or</p> <p>(ii) where it is referred to the Committee in accordance with Development Procedure Rule No 15</p>

<p>applications made under the Town and Country Planning Act 1990 (as amended), where in response to the publicity of an application the Council has received in writing, by email or other electronic form, more 20 or more individual representations supporting the development or a petition in the form detailed in part 1.A. (v) supporting the proposed development. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Place.</p> <p>C. To consider and determine recommendations from the Corporate Director of Place to GRANT permission for applications seeking minor material amendments to a planning permission previously determined by the Development Committee, where as a result of publicity any of the criteria in 1.A.(v) apply and the representations received relate directly to matters arising from the proposed amendments and not the original permission.</p>	
<p>2. Applications for listed building consent</p> <p>To consider and determine recommendations from the Corporate Director, Place to GRANT listed building consent for applications made under the Planning (Listed Buildings and Conservation Areas) Act 1990 where any of the criteria in 1.A.(i)-(v) apply; and/or an objection has been received from either the Historic Buildings and Monuments Commission for England (known as Historic England) and/or one of the statutory amenity societies and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p>	<p>As above including to refuse listed building consent.</p>
<p>3. Applications for hazardous substance consent</p> <p>To consider and determine recommendations from the Corporate Director, Place to GRANT hazardous substance consent for applications made under the Planning (Hazardous Substances) Regulations 2015 where the criteria in 1.A(v) apply and/or an objection has been received from any of the consultation bodies listed in the Regulations and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p>	<p>As above including to refuse hazardous substance consent.</p>
<p>4. Observations to other planning authorities</p> <p>To respond to requests for observations on planning applications referred to the Council by other local authorities, Development Corporations the Mayor of London, Government Departments statutory undertakers and similar organisations where the response would be contrary to policies in the adopted</p>	<p>As above</p>

development plan or would raise especially significant borough-wide issues.	
<p>5. General</p> <p>A. 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) where she/he considers it appropriate to do so (for example, if especially significant borough-wide issues are raised).</p> <p>B. To consider any matter which would otherwise be referred to the Strategic Development Committee but which the Corporate Director, Place, following consultation with the Chairs of both Committees, considers should more appropriately be considered by the Development Committee.</p>	None
Note - It shall be for the Corporate Director, Place to determine whether a matter meets any of the above criteria	
Quorum: 3 Members of the Committee	
<p>Additional Information:</p> <ul style="list-style-type: none"> • Constitution Part C Section 35 (Planning Code of Conduct) 	

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APPENDIX 2

SCHEDULE OF DATES 2020/21

DEVELOPMENT COMMITTEE

- Thursday 8th October 2020
- Thursday 5th November 2020
- Thursday 10th December 2020
- Thursday 21st January 2021
- Thursday 11th February 2021
- Thursday 11th March 2021
- Thursday 8th April 2021

Meetings are scheduled to take place at 6.00pm

It may be necessary to convene additional meetings of the Committee should urgent business arise. Officers will keep the position under review and consult with the Chair and other Members as appropriate.

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Deferred Items

1. INTRODUCTION

1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred. The following information and advice applies to them.

2. DEFERRED ITEMS

2.1 The following item is in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
17 th September 2020	(PA/19/02608)	Brunton Wharf Estate, Salmon Lane, London, E14	Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.	Formal Committee site visit

3. CONSIDERATION OF DEFERRED ITEMS

3.1 The following deferred application is for consideration by the Committee. The original reports along with any update reports are attached.

- Brunton Wharf Estate, Salmon Lane, London, E14

3.2 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

4. PUBLIC SPEAKING

4.1 As public speaking has already occurred when the Committee first considered these deferred items, the Council's Constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and presented in the "Planning Applications for Decision" part of the agenda. This is generally

LOCAL GOVERNMENT ACT 2000 (Section 97)

LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER THE ITEM DEFERRED REPORTS

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

where substantial new material is being reported to Committee and the recommendation is significantly altered.

5. RECOMMENDATION

- 5.1 That the Committee note the position relating to deferred items and to take any decisions recommended in the attached reports.



DEVELOPMENT COMMITTEE

8th October 2020

Report of the Corporate Director of Place

Classification: Unrestricted

Application for Planning Permission

[click here for case file](#)

Reference	PA/19/02608
Site	Brunton Wharf Estate, Salmon Lane, E14
Ward	St Dunstons
Proposal	Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.
Summary Recommendation	Grant planning permission, subject to conditions
Applicant	London Borough of Tower Hamlets
Architect/agent	Rivington Street Studio
Case Officer	Sally Fraser
Key dates	<ul style="list-style-type: none">- Application registered as valid on 05/12/2019- Letters sent to neighbours on 10/12/2019- Case deferred by the Development Committee on 17/09/2020- Members site visit on 28/09/2020

1. BACKGROUND

- 1.1 This application was considered by the Development Committee on 17th August 2020. At that meeting, Members listened to the officer's presentation and heard representations from an objector who spoke on behalf of the Brunton Wharf Estate Tenants Residents Association (hereafter the TRA). The discussion that followed, centred around the security gates which were removed from the scheme and in particular those to the food garden; the adequacy of the proposed CCTV and the acceptability of the altered refuse and recycling arrangements. Concern was also raised with regards to fire access to Caledonia House, with the development in place.
- 1.2 The application was deferred for a site visit, in order that Members could gain a full appreciation of the geography of the Brunton Wharf Estate and the impact of the proposed development on the existing residents.

2 UPDATED PLANNING ASSESSMENT

- 2.1 The Member site visit took place at 4pm on Monday 28th September 2020. This report specifically addresses concerns and queries raised at the previous committee meeting and at the subsequent site visit. This report should be read in conjunction with, and not in replacement of, the original report and the update report.

Security Gates

- 2.2 Security gates were originally proposed along the northern perimeter of the built form of the site and on the boundary of the food garden, which leads to the canal side garden. These gates were removed from the scheme on the request of officers. Whilst concerns regarding security and resident safety were recognised, the original report noted that policy does not support the creation of gated communities as a solution to antisocial behaviour. Instead, policy supports the provision of passive security measures to increase safety and the perception of safety.
- 2.3 Discussion at the previous committee meeting turned specifically to security for the Food Garden and canal side garden. Currently, this area is accessed via a locked gate and keys are distributed to residents on application to the TRA. Prior to the erection of the existing gate, residents had been disturbed by antisocial behaviour in that area. It was noted by officers at the meeting that this amenity area is located to the rear of the site and is not within sight of the public realm. Taking this into account and in response to residents concerns regarding antisocial behaviour and the importance of the Food Garden, it was suggested that, in this very specific instance, the gate and fencing on the perimeter of the Food Garden could be reinstated as part of the proposal, subject to a condition requiring submission of a Management Plan which would ensure that the amenity areas behind the gate would be accessible by all existing and future residents. Members were supportive of this suggestion.

Refuse and Recycling

- 2.4 Concern was raised at the committee meeting regarding the altered refuse and recycling arrangements for the exiting residents with the development in place, and specifically the longer walking distance to reach the recycling bins.
- 2.5 To reconfirm the existing refuse arrangements - Caledonia House and Cambria House have refuse chutes within the individual flats. This 'chute refuse' is then collected by the caretaker and taken to the central open area where it is stored prior to collection. Flats at Anglia House also have refuse chutes. Their chute refuse is taken by the caretaker to an external storage area on the northern perimeter of the site, adjacent to the ramp to the undercroft.

- 2.6 Recycling bins for all residents are currently located in the central open area.
- 2.7 With the development in place, there would be no change to the way in which the existing residents of the Estate dispose of their non- recyclable rubbish, as the chutes within the individual flats would remain. At Anglia House, the caretaker would continue to take chute refuse to the existing store on the northern perimeter, adjacent to the ramp to the undercroft. At Cambria House and Caledonia House, the caretaker would take chute refuse to the new refuse facility, in the ground floor of the new building.
- 2.8 Recycling bins for all existing residents would move to the ground floor of the new building, with the development in place. Consequently, the walking distance for residents to reach the recycling bins, would increase.
- 2.9 The image below illustrates the existing and proposed walking distances to the recycling bins.
- 2.10 The blue rectangle denotes the location of the existing recycling bins, for the whole estate. The red line indicates the path that residents of Anglia House currently take, to reach the recycling bins.
- 2.11 The green line shows the additional distance that the residents will travel, with the development in place.

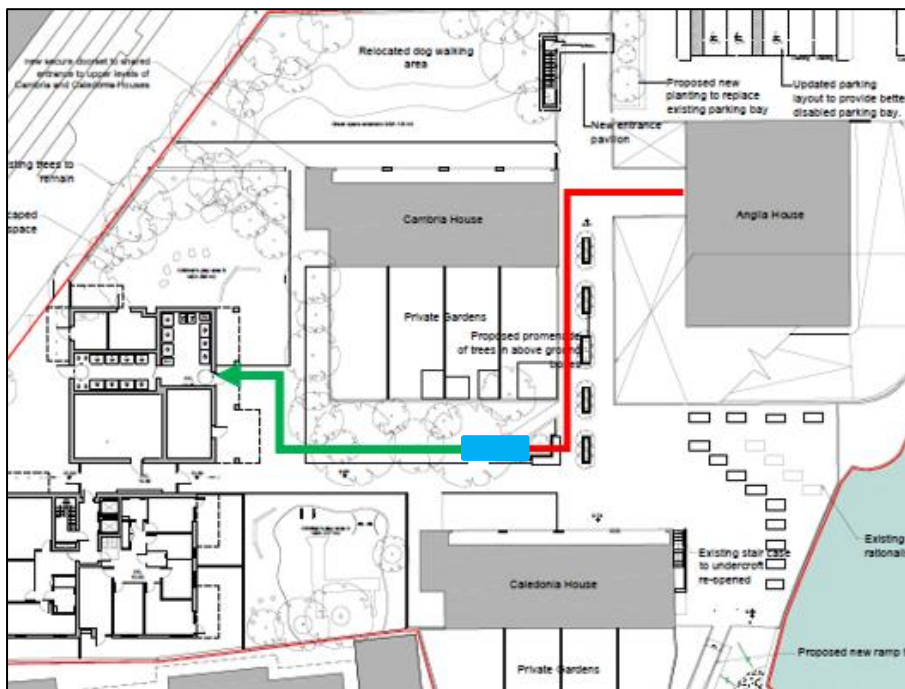


Figure 1 – Pathway to recycling bins, existing and proposed

- 2.12 Whilst it is acknowledged that residents will walk further to the recycling bins with the development in place, the additional distance is not excessive, and the new location remains within the Brunton Wharf site boundary. In addition, the existing residents will benefit from a newly landscaped and un- cluttered central area. The existing residents will also benefit from improved, secure recycling facilities. These factors, in addition to the wider public benefits of the scheme in providing 32 new affordable homes, weigh heavily in favour of the development and the proposal is considered to be acceptable in relation to its refuse and recycling provision, for both the existing and future residents of the estate.

CCTV

- 2.13 Site wide security enhancements are proposed, which have been developed in consultation with the Met Police. A condition would require the submission of details of all security measures, to ensure that the new building and the wider site meet Secure by Design Standards.
- 2.14 As part of the security measures, site wide CCTV is proposed. The specification of the system would be designed in consultation with the Designing out Crime officer. During discussion at Committee, it was suggested that the system should connect to the Borough wide CCTV system, for ease of access. The applicant agreed to this, and the existing condition relating to the submission of the site wide security measures, including the CCTV, would state that the proposed CCTV system shall connect to the Boroughs system. This will further enhance the safety and perception of safety of the existing and future residents of the Estate.

Fire Access

- 2.15 Concern was raised by Members on site with regards to access onto the site by emergency fire trucks, specifically in relation to Caledonia House, with the development in place.
- 2.16 As existing, there is a surface level car park on the south western corner of the site. This car park adjoins Caledonia House. The car park would be lost to the development and replaced by the proposed new building. Residents are concerned that the loss of this car park will impact the ability of the Fire Brigade to deal with an emergency at Caledonia House.
- 2.17 The scheme was developed at pre application stage in consultation with the London Fire Brigade. The London Fire Brigade was formally consulted upon submission of the formal application and they raised no objection to the scheme. Planning Officers have requested further explanation from Fire Brigade, in order to ascertain the reasoning that lead to that conclusion. Their response will be reported to Members at the committee meeting.

3 RECOMMENDATION

- 3.1 The issues raised at the previous committee meeting and the subsequent site visit have been considered and are addressed in this report. In light of our consideration, officers do not wish to change their original recommendation to GRANT planning permission, subject to the conditions outlined in the original report and subject to an additional condition requiring details and a Management Plan relating to the fencing and secure gate to the Food Garden.

Application for Planning Permission

[click here for case file](#)

Reference	PA/19/02608
Site	Brunton Wharf Estate, Salmon Lane, London, E14
Ward	St Dunstons
Proposal	Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.
Summary Recommendation	Grant planning permission, subject to conditions and subject to a legal agreement
Applicant	London Borough of Tower Hamlets
Architect	Rivington Street Studio
Case Officer	Sally Fraser
Key dates	<ul style="list-style-type: none">- Application registered as valid on 05/12/2019- Letters sent to neighbours on 10/12/2019.- Site Notice erected on 23/12/2019

EXECUTIVE SUMMARY

The application site comprises the Brunton Wharf estate. The site is bound by Salmon Lane to the north, Yorkshire Road to the West, the Regents Canal to the East and the Stephen Hawking School to the South.

The eastern edge of the site is located within the Regent's Canal Conservation area. The site does not contain any statutorily listed building, nor are there any within the vicinity of the site.

The site contains three residential buildings, of simple geometric form which, together, form a cohesive and visually aesthetic group. Anglia House is 16 stories high and Cambria House and Caledonia House are 4 stories high. The site contains some areas of pleasant green space. Other areas of hardstanding are unwelcoming and underused. There are 34 surface level car parking spaces on the site and an additional undercroft area, which was previously used for parking and is now used mainly for storage.

It is proposed to construct a residential building on the south west corner of the site, which is currently used as parking. The proposed building would comprise of 2 distinct blocks, of 9 and 4 stories high, with a design approach which continues the clarity and simple form of the existing buildings.

The scheme will deliver 100% affordable housing with 50% of the units to be offered at the London Affordable rent and the remaining 50% at the Tower Hamlets Living rent. The development forms part of the Councils housing delivery programme.

Site wide landscaping improvements are also proposed. The quantum of communal amenity space on the site would be increased and dedicated child play space introduced. New landscaping would include soft landscaped areas, significant tree planting, permeable paving and a new access ramp to the canal side garden

The proposed landuse is supported and would assist the Council in meeting its housing targets. In particular, the provision of 32 affordable dwellings would serve the needs of local residents.

The height and massing of the proposed new building would respond appropriately to the local context, with a strong architectural approach and robust material palette.

The proposed site wide landscaping works would enhance and expand upon the existing provision, for the benefit of existing and future residents. Proposed biodiversity enhancements are considered sufficient to meet policy requirements.

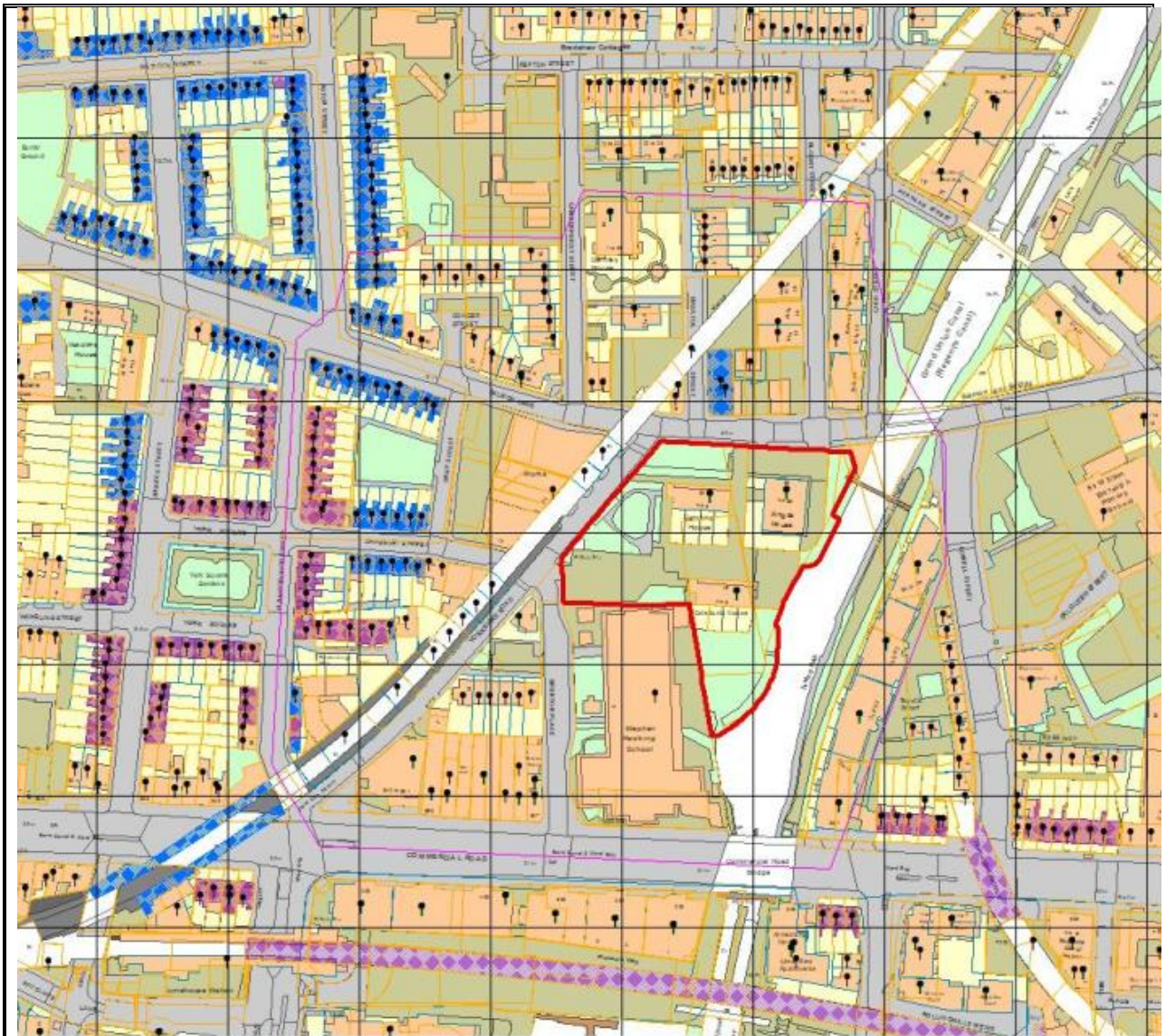
There would be no undue impacts on the residential amenities of the neighbouring occupiers, in relation to daylight, sunlight, overshadowing, outlook, or enclosure.

Parking and on- site servicing arrangements would minimise the impact on the surrounding road network during the operational phase of the development, subject to conditions and the submission of a Travel Plan. A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements.

This application has been considered against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission, subject to conditions and subject to a legal agreement.

SITE PLAN:



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




<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/19/02608</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 London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 29</p>



Figure 1 : Aerial View of the Site

1. SITE AND SURROUNDINGS

- 1.1 The application site is an irregularly shaped parcel of land, covering approximately 0.2 hectares. The site is bound by Salmon Lane to the north, Yorkshire Road to the west, Stephen Hawking School to the south and the Regents Canal to the east. To the south west of the site lies the residential block as 15 Brunton Place. The northern end of Brunton Place is closed off, with access only at its southern end.
- 1.2 The site comprises the Brunton Wharf Estate and contains three residential blocks – the 16 storey Anglia House; and Cambria House and Caledonia House, which are both 4 storeys high. There are a total of 82 residential flats on the site.
- 1.3 The existing buildings have architectural merit. Anglia House has a simple rectangular form, with concrete floorplates, punctuating balconies and a strong vertical emphasis. Caledonia House and Cambria House are similarly designed, with a simple rectangular form and a horizontal emphasis. Together, the buildings form an aesthetically distinctive and cohesive group. The principle material is dark brick with solid masonry strips and rendered banding.
- 1.4 Surrounding the buildings are areas of hard and soft landscaping. There is a grassed 'dog walking' area containing trees to the north west of the site and an area of hardstanding situated centrally within the site, which contains the refuse and cycle storage for Cambria House and Caledonia House. To the south east, there is 'Food Garden', which contains raised planters and a lower, grassed garden adjacent to the canal. These areas are accessed via a secured gate. Additionally, the ground floor units at Cambria House and Caledonia House have private gardens.
- 1.5 In terms of access and parking, there are 25 surface level car parking spaces for residents at the south west corner of the site, accessed off Yorkshire Road. At surface level to the north of Anglia House and accessed off Salmon Lane, lie 9 parking spaces. These spaces comprise 4 visitor parking spaces, 2 contractor bays, 2 disabled parking spaces and 1 loading bay. Also accessed off Salmon Lane is the vehicular entrance to an undercroft parking area which sits at the foot of Anglia House. This was historically used for parking but has become all but redundant and is now used partly for storage and is partly blocked off, creating an underused and unwelcome space.
- 1.6 The estate is permeable to pedestrians but suffers from poor legibility and a lack of definition between public, shared and private space. There is little in the way of natural surveillance and there is no formal child play space. Whilst there are areas of pleasant green space, other areas of hardstanding are unappealing, underused and cluttered with bin stores and cycle cages.
- 1.7 In terms of the built form surrounding the site, buildings range from 2 storey, historic terraced dwellings to high rise modern flatted developments. There are a mixture of residential, commercial and light industrial land uses in the vicinity. The Stephen Hawking School to the south comprises a large single storey building. An elevated railway line sits opposite the site on Yorkshire Road, with associated archways containing a number of different land uses.
- 1.8 The site has a PTAL rating of 5, which denotes very good transport accessibility. There is a commercial and transport hub some 250m to the south of the site on Commercial Road, with Limehouse station and the Limehouse Neighbourhood centre with its shops and services both in that area.
- 1.9 The eastern edge of the site is located within the Regents Canal Conservation Area. There are no statutorily listed buildings within proximity of the site, however to the north of the site on Salmon Lane is the Prince Regent Public House, which is included on Council's Local List of non-designated heritage assets.

2. PROPOSAL

- 2.1 The application proposes the erection of a part 4, part 9 storey building containing 32 self-contained flats. The building would be located on the existing resident's car park, on the south west corner of the site.
- 2.2 The new homes would be 100% affordable in tenure. 50% of the new homes would be charged at London Affordable Rent levels and 50% at the Tower Hamlets Living Rent levels.
- 2.3 The proposed building would comprise of two conjoined 'blocks'. The northern block would reach a height of 4 storeys whilst the southern block would reach a height of 9 storeys. A shared podium lobby would link the two blocks.
- 2.4 The architectural approach would reflect the simple lines of the existing buildings on the site, with a materials palette comprising of red/ brown brick, pale coloured pre cast concrete for the horizontal elements and balcony facings and recessed doors and windows and metalwork in a dark natural hue.
- 2.5 A central internal circulation core in the taller southern block would provide access to all floors via stairs and two lifts. A cycle store and refuse store would be located at ground floor level in the northern block. These stores would serve the new dwellings as well as the existing dwellings at Cambria House and Caledonia House. These rationalised arrangements would negate the need for the existing cycle and refuse stores which sit within the sites central open space. This would serve to reduce surface level clutter and provide additional space for expanded landscaped areas.
- 2.6 Primary pedestrian access to the new building would be from Yorkshire Road, with access also through the wider site and into the shared amenity spaces.
- 2.7 The 24 residents parking spaces which currently occupy the site of the new building would be relocated to the undercroft car park beneath Anglia House. This undercroft area would be upgraded with additional security measures and acoustic treatment and would, as a result, be brought back into its intended use.
- 2.8 It is proposed to expand and enhance the shared amenity spaces on a site wide basis for the benefit of the existing and future residents, through the introduction of new hard and soft landscaping to the centre and perimeter of the site, child play spaces, tree planting and a ramped access to the canal side garden.
- 2.9 To facilitate safe and convenient access into the undercroft area, a new pavilion structure is proposed on the northern boundary of the site with Salmon Lane.

3. RELEVANT PLANNING HISTORY

Application Site:

- 3.1 Cambria House, Caledonia House and Anglia House – Various minor applications approved relating to tree removal, timber window replacement and refurbishment works.

Neighbouring Sites:

- 3.3 PA/03/01209 (Stephen Hawking School): Erection of single storey front extensions to provide additional staff accommodation. Granted 15/10/2003

4. PUBLICITY AND ENGAGEMENT

4.1 Upon validation of the application, the Council sent consultation letters to 496 neighbouring occupiers on 6th December 2019. An advert was posted in the press on 19th December 2019 and a Site Notice was erected outside the site on 23rd December 2019.

4.2 A total of 24 letters of objection were received. The themes and issues raised can be summarised as follows:

- Daylight/Sunlight and Overshadowing Impacts;
- Lack of meaningful consultation and community engagement;
- Excessive scale and height of the proposed building
- Impacts on privacy, overlooking and sense of enclosure;
- Loss of a view
- Overcrowding on the site, and impact on the wellbeing of the existing residents
- Pressure on green areas, bike sheds, allotment boxes, infrastructure and amenities
- Impacts during the construction phase of the development including heavy traffic and increased pollution;
- Increased noise and congestion
- Lack of parking
- Concern with the accuracy of the submitted red line boundary
- Lack of detail with regards to proposed improvements – including fob access, child play space, CCTV, cycle store security and planter rationalisation
- Concern with regards to on- street refuse collection on Yorkshire Road
- Concern regarding how surface level parking would be protected for residents
- New parking arrangements north of Anglia house would make resident ‘drop off’ difficult
- Lack of disabled access to undercroft parking area
- Concern with regards to the location of the play space adjacent to a main road

Officer comment : A non material correction was made to the red line boundary since initial submission and now accurately depicts the application site. Other concerns will be addressed in the main body of the report)

4.3 One letter of support was received, which outlined general support for the proposal and its contribution to the provision of new affordable homes.

5. CONSULTATION RESPONSES

LBTH Transportation and Highways:

5.1 No objections to the proposal subject to requiring conditions in relation to the provision of a car free agreement, parking management plan accessible parking, cycle facilities, travel plan, S278 Agreement, demolition and construction management plan.

LBTH Affordable Housing:

- 5.2 No objections to the proposal. The proposal would deliver an 100% affordable rented housing scheme which is welcomed. The scheme would also be at the Borough's policy rental levels. The Council's unit mix policy is broadly met and is supported.

LBTH Occupational Therapy:

- 5.3 No objections to the proposal subject to modifications and further details to be submitted as part of condition requirements.

LBTH Waste Policy and Development:

- 5.4 No objections to the proposal subject to the latest British Standards being met. Condition to be included if approval is granted requiring a suitable waste strategy to be submitted and implemented.

LBTH Environmental Health (Odour/Pollution):

- 5.5 No objections to the proposal subject to conditions relating to the submission and implementation of a Construction Environmental Management Plan (CEMP).

LBTH Environmental Health (Air Quality):

- 5.6 No objections to the proposal subject to conditions being placed on consent relating to the mitigation of machinery, and the submission of an Air Quality Assessment and a Dust and Emissions Management Plan.

LBTH Environmental Health (Noise/Vibration):

- 5.7 No objection to the proposal subject to conditions requiring the internal layout of residential units to be in line with noise criteria and the submission of a suitable mitigation scheme.

LBTH Environmental Health (Contaminated Land):

- 5.8 No objections to the proposal subject to conditions relating to the submission of investigation and risk assessments for the site.

LBTH Biodiversity:

- 5.9 No objections to the proposal. Conditions required in relation to the provision of a minimum 3 bat boxes, the submission of biodiversity mitigation and enhancement and a method statement in relation to the eradication of Japanese Knotweed.

LBTH Policy:

- 5.9 No objections to the proposal. Clarification requested in relation to communal amenity space, child play space and overall height of the proposed building – these matters have since been addressed.

LBTH Energy Efficiency:

- 5.10 No objections to the proposal. Financial contribution of \$27,540 to be provided which would offset the residual emissions of the development.

LBTH Enterprise & Employment:

- 5.11 No objections to the proposal subject to the development including a 20% provision for local goods and services during construction as well as 20% provision for local construction phase workforce. A Financial contribution is also required with a figure of £10,092.00 to be provided for training and skills for local residents. A total of XX construction phase apprenticeships to be provided.

5.12 **LBTH Sustainable Urban Drainage/Flooding:**

No objections to the proposal subject to the conditional requirement of a SUDS scheme being provided and approved prior to superstructure works.

Environment Agency:

5.13 The Environment Agency advised that they would not be responding to the application.

Canal and River Trust:

5.14 The Regent's Canal is located to the south-east of the proposed development site. No objections to the proposal subject to conditions in relation to hard and soft landscaping detail, lighting and a Risk Assessment and Method Statement.

Thames Water:

5.16 No objections to the proposal.

Metropolitan Police (Designing Out Crime):

5.17 No comments received.

Historic England (GLAAS)

5.18 No objections to the proposal. No conditions are required.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Planning decisions must be taken in accordance with relevant policies in the Development Plan, unless there are material considerations which indicate otherwise.

6.2 The Development Plan documents relevant to the determination of this application comprise:

- The London Plan (March 2016)
- Tower Hamlets Local Plan 2031 (January 2020)

6.3 The key Development Plan policies relevant to the proposal are:

Land Use – LP3.3, LP3.8, LP3.9; TH S.H1, TH D.H7
(housing)

Design – LP7.1, LP7.2, LP7.3, LP7.4, LP7.5, LP7.6; TH S.DH1, TH D.DH2
(layout, townscape, appearance, public realm, safety)

Heritage – LP7.8; TH S.DH3, TH D.DH4
(historic environment)

Housing – LP3.5; TH S.H1, TH D.H2, TH D.H3, TH D.H7
(housing quality)

Amenity – LP7.6; TH D.DH8
(privacy, outlook, daylight and sunlight, noise, construction impacts)

Transport – LP6.9, LP6.10, LP6.13; TH S.TR1, TH D.TR2, TH D.TR3, TH D.TR4
(sustainable transport, highway safety and capacity, car and cycle parking, servicing)

Waste – LP5.17; TH D.MW3
(waste capacity and collection)

Environment – LP5.2, LP5.3, LP5.18, LP7.14, LP7.15, LP7.19; TH S.ES1, TH D.ES2, TH D.ES3, TH D.ES5, TH D.ES7, TH D.ES8, TH D.ES9
(air quality, biodiversity, contaminated land, energy efficiency and sustainability, sustainable drainage)

6.4 The new London Plan is currently in draft form. The weight carried by most emerging policies is substantial. Some policies are subject to Secretary of State Directions made on 13/03/2020 and these policies 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.

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

Land Use – H1, H4, H16 (previously H18), E3
(housing)

Design – D3, D4, D5, D8, D11
(layout, scale, public realm, safety)

Heritage – HC1
(historic environment)

Housing – H6, D6
(housing quality)

Transport – T5, T6, T6.1, T7
(car and cycle parking, servicing)

Environment
(air quality, biodiversity, energy efficiency and sustainability, sustainable drainage)

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2018)
- LBTH Planning Obligations SPD (2016)
- Regents Canal Conservation Area Character Appraisal and Management Guidelines (2007)
- Building Research Establishment (BRE) “Site layout planning for daylight and sunlight: a guide to good practice” (2011)
- British Standard EN 17037:2018 Daylight in buildings

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing

- iii. Quality & Standard of Accommodation
- iv. Design
- v. Heritage
- vi. Neighbouring Amenity
- vii. Transport and Servicing
- viii. Environment
- ix. Infrastructure Impact
- x. Planning Benefits
- xi. Equalities and Human Rights

Land Use

- 7.1 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan (2016) seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. Draft London Plan Policy H1 takes this further and sets out objectives to increase the supply of housing. It sets out a ten-year target of 66,000 new homes for London each year for at least 20 years.
- 7.2 Local Plan policy S.H1 seeks to achieve the housing target of 3,931 new homes per year across the borough. This will be achieved by ensuring that development does not undermine the supply of self-contained housing – in particularly family homes as well as providing affordable homes. Development is also expected to contribute towards the creation of mixed and balanced communities.
- 7.3 The application proposes the addition of 32 residential units and all new units would be provided as affordable housing, which is well supported at National, Regional and Local policy level. The building would be constructed on existing Council owned land within an existing Council housing estate.
- 7.4 The development would contribute to the Council's extensive housing objectives which are given great weight given the targets set by the Mayor of London in the Housing SPG (2016).
- 7.5 The subject site's location and good public transport accessibility has it well suited for an increase in residential density and the overall land use proposed is acceptable and in accordance with Development Plan policies.

Housing

- 7.6 Policy 7.2 of the London Plan (2016), and policy S.SG2 of the Tower Hamlets Local Plan seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 7.7 Policy S.H1 and D.H2 of the Tower Hamlets Local Plan provides guidance on the provision of affordable housing for developments on sites providing 10 or more new residential units. These policies seek a minimum 35% provision of affordable housing with a split of 70/30 between intermediate housing products and affordable rented units. These policies seek to address the Borough's Housing needs and in particular, affordable family housing. New housing should ensure communities are mixed, balanced and stable with the right range of housing products provided to meet locally assessed needs. Council's Local Plan contains the policy preferred unit and tenure mix for all new developments.

7.8 Policy D.H3 of the Tower Hamlets Local Plan sets out that at least 10% of residential units within a development must be built to housing standard M4 (3) 'wheelchair user dwellings' contained within part M of the building regulations. The remainder of units must be built to housing standard M4 (2) 'accessible and adaptable dwellings' of the standard. These requirements are reiterated within the Draft London Plan at Policy T5.

7.9 The application proposes the addition of 32 new residential dwellings, of which all would be provided as affordable.

7.10 The following table indicates the councils desired mix of dwelling sizes in the affordable rented tenure; and the mix of dwelling sizes this scheme proposes:

Unit Type	Desired Affordable Rent	Proposed Affordable Rent
1 bed	25%	8 (25%)
2 bed	30%	9 (28%)
3 bed	30%	9 (28%)
4 bed	15%	6 (16%)

7.11 As per the above table, there is broad compliance with the councils desired mix of unit sizes, with a slight under provision of 2 and 3 bed units and a slight over provision of 4 bed units.

7.12 The deviation from the preferred mix is not material in this instance, given the relatively small size of the scheme and the minor nature of the deviations. The Council's Housing Team have reviewed the proposal and have confirmed the appropriateness of the mix and their support for the development. The proposal would closely follow the LBTH requirement for the provision of 45% family sized units in the affordable rented tenure and in so doing, would provide much needed affordable rented housing for the Boroughs residents.

7.13 With regards to the breakdown of affordable products, the scheme would provide 50% of the units at London Affordable Rent levels and 50% of units at Tower Hamlets Living Rent levels, in line with the Council's Local Plan. This would ensure that an appropriate range of products are available to meet the ranging needs of the future occupiers.

7.14 Policy D.H2 states that there should not be an over-concentration of one type/tenure of housing in any one place. It is noted that the scheme only provides affordable rented dwellings. However, there are a wide variety of intermediate and market housing products available in the vicinity of the site. The number of affordable rented dwellings proposed here is relatively low, in the context of the urban area within which the site sits and the proposal would not undermine the councils aim to maintain mixed and balanced communities.

7.15 A total of 3 (approx. 10%) of the 32 residential units would be wheelchair accessible, in accordance with Part M 4(3) of the Building Regulations, which complies with policy requirements. Two of these units would be 3 or 4 bedrooled units, which addresses demands and needs. The remaining 29 units (approx. 90%) would be wheelchair adaptable, in accordance with Part M 4(2) of the Building Regulations.

Standard of Residential Accommodation

Planning Policy

- 7.16 Draft London Plan Policy D6 sets out that housing developments should be of high quality design and should provide adequately sized rooms with comfortable and functional layouts. This policy sets out that dwellings should maximise the provision of dual aspect dwellings, to provide sufficient daylight, sunlight, outlook and privacy. The London plan also contains minimum size requirements, in relation to internal areas and outdoor amenity areas.
- 7.17 London Plan policy 3.5 and Policy D.H3 of the THLP requires developments to be consistent with the London Plan requirements with regards to minimum floor to ceiling heights, minimum internal areas, the provision of outdoor amenity space, child play space and communal amenity space. These accessibility and amenity standards seek to ensure that an appropriate standard of living is provided for all future residents, and, specifically, to ensure the quality of affordable housing is not distinguishable from private housing.
- 7.18 The Government's Nationally Described Space Standards (2015) and the Mayor of London's Housing SPG (2016) provide detailed policy guidance on the minimum standards for residential developments.

Internal Space, Design Standards and Layout

- 7.19 The 32 residential units would be located on each of the proposed floors across each block. All units would be provided with outdoor private amenity space in the form of balconies or terraces, which would comply with relevant standards. A total of 29 of the 32 units would be double or triple aspect, including all units of two bedrooms and above. The 3, single-aspect units are one bedroom units, oriented east into the estate's shared central gardens. There are no north-facing single aspect units. The units would have good outlook from habitable room windows and good levels of privacy, given the buildings' location set away from the existing buildings on the site and given the absence of any offsite buildings in close proximity. The units have efficient layouts, with a functional arrangement of rooms.
- 7.20 Residential cores and lifts would be located within the southern block, with a shared lobby on the ground, first, second and third floors providing access to units located within the northern block. Residential access would be provided to the east and west of the ground floor shared lobby located between the two blocks. The core lobbies would be daylight at all levels.
- 7.21 Overall, the development would provide a good standard of internal accommodation for the future occupiers.

Communal Amenity Areas & Child Play Space

- 7.22 Local Plan Policy D.H3 requires the provision of a minimum 50sqm of communal amenity space for the first 10 units of a development and a further 1sqm provided for every additional unit. The proposed new building would provoke a minimum provision requirement of 72sqm of communal amenity space.
- 7.23 This Local Plan Policy also requires major developments to provide a minimum of 10sqm of high quality play space for each child, with the total child numbers to be calculated using the child yield calculator available on the Greater London Authority (GLA) website. The proposed new building would generate a child yield of 51, which requires a minimum 510sqm of play space.
- 7.24 It should be noted here that the new building would sit within the wider Brunton Wharf Estate and the scheme proposes site wide re- landscaping works. With the development in place, all community amenity space on the site would be accessible to all existing residents of the estate and the future residents of the new building. As such, the following paragraphs provide an assessment of the scheme in relation to the requirements of the new dwellings and an assessment on the acceptability of the new landscaping works for the existing residents of the Brunton Wharf estate.

- 7.25 The site currently provides approximately 2096sqm of communal amenity space for the existing 82 dwellings. This quantum far exceeds the figure of 122sqm that would be required, as a minimum, for a new build development of 82 dwellings.
- 7.26 The amenity space is made up of a canal side garden, food garden, a dog walking area and other areas of green space. The estate does not contain any existing formal children's play facilities.

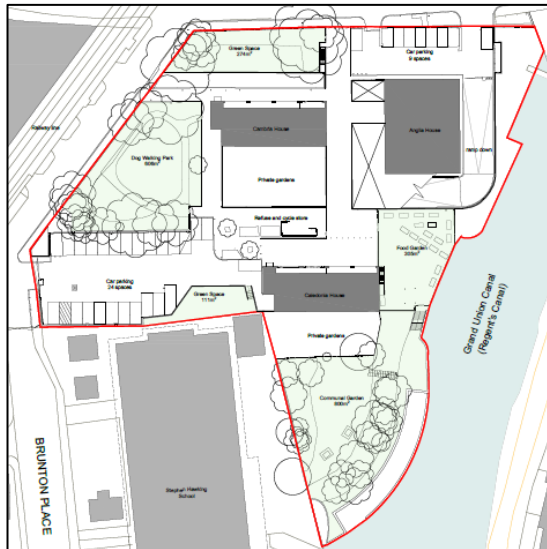


Figure 2 : Existing Shared Amenity Space



Figure 3 : Proposed Shared Amenity Space

- 7.27 The above slides show the communal amenity space provision on the site, as existing and as proposed.
- 7.28 The quantum of communal amenity space on the site as proposed and excluding child play space (which is proposed additionally and is discussed later), would be 2239sqm, which is an increase of 143sqm on the existing provision. This increase exceeds by a fair margin, the minimum communal space requirement provoked by the new dwellings. And, given that the new dwellings would be more than adequately provided for, the existing dwellings would be provided with slightly more communal amenity space than they currently have.
- 7.29 This increased quantum, notwithstanding that there would be a new building on the site, would be achieved primarily through the rationalisation of the sites central open space, by removing the existing bin and cycle stores and creating a new landscaped area which would extend north to include the central walkway. Landscaping works in this area would include permeable paving, the introduction of new pathways, tree planting and the addition of verdant planters to the walkway. In addition, the grassed area to the north of the site would be extended southwards to include an existing area of hardstanding and new planting would be introduced to the north of Anglia House, to soften the frontage with Salmon Lane. The communal space adjacent to the canal would be retained.
- 7.30 Full details of the proposed materials, landscape features and their location would be required by condition, to ensure that the quality of the landscaping follows through to the construction phase of the development and to ensure that the landscaping is maintained throughout the life of the development.
- 7.31 Turning now to the issue of child play space, to meet policy requirements in relation to the new building and to enhance play facilities for the whole site, the scheme proposes two formal child play space areas. One area would be located to the north of the new building covering 283sqm whilst another area would be located to the east of the development covering 227sqm. The total provision would equate to 510sqm, which is the minimum required by

policy, albeit the spaces would be shared with the existing residents. This provision would be in addition to the proposed 2239sqm of communal amenity space.

- 7.32 The play spaces would be conveniently located on the site, with good natural surveillance and level access. Additional details submitted by the applicant indicates that the play spaces will contain varied environments with formal play equipment and areas of natural play features. Full details, including detailed drawings, of the type, quantity and location of all proposed play equipment, lighting, benches, furniture and other hard and soft landscaping features will be requested by condition.
- 7.33 In conclusion, it is considered that the proposed landscaping scheme and child play space, in terms of its quantity and quality of provision, would provide improved and enhanced provision for the existing residents of the Brunton Wharf Estate. The proposed provision would meet and exceed the requirements provoked by the new dwellings.

Internal Daylight and Sunlight

- 7.34 The applicant has submitted an internal Daylight and Sunlight Assessment which relates to the recently published British Standard (BS EN 17037:2018 Daylight in buildings'. The Standard provides guidance on daylight requirements for new developments. The guidance recommends units achieve a minimum Median Daylight Factor (MDF) of 1.4% or more for kitchens, 1.1% for living rooms and 0.7% for bedrooms.
- 7.35 The report includes results for rooms located on the ground and first floor of the proposed building as rooms on higher floors would be less obstructed by neighbouring dwellings. Results also include rooms located on the fourth floor as this would include units and windows located in the taller southern building.
- 7.36 Of the 40 rooms assessed across the 3 floors, 2 rooms would not comply with the target MDF. An assessment for all rooms across the building was also carried out, based on the results of the three floors. The overall pass rate across the building would be 95%. There would be 3 LKD rooms and 3 KD rooms that would not comply.
- 7.37 In relation to Sunlight the British Standard (BS EN 17037) gives minimum, medium and high recommended levels for sunlight exposure. This is measured via the duration received to a point on the inside of a window on a selected date between February 1st and March 21st.
- 7.38 The sunlight assessment assumes a cloudless sky and therefore represents a maximum possible amount of sunlight. The assessment is undertaken using the calculation of sun position based on the geometrical equations in the Standard. The minimum sunlight target for sunlight exposure is 1.5 hours, the medium target is 3 hours and the high target is 4 hours.
- 7.39 Similar to the daylight assessment, the submitted sunlight assessment includes results for rooms located on the ground, first and fourth floors of the development. All flats on the three floors would have a habitable room which would receive the recommended minimum amount of sunlight. Other floors across the development would therefore be expected to also achieve this minimum requirement. There would also be appropriate general compliance with the medium and high targets.
- 7.40 The submitted results demonstrate that the daylight and sunlight received to the habitable rooms in the new building would comply, in the vast majority of cases, with the relevant standards. There would be marginal shortfalls in daylight targets to a minority of windows, however such results can be expected of a development in an urban area and the new building would provide, in the round and taking into account other standard of accommodation considerations, a high standard of accommodation for future occupiers.

Design and Appearance

Planning Policy

- 7.41 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.42 Chapter 7 of the London Plan sets out a range of policies seeking to ensure high quality living spaces. More specifically, policy 7.6 of the London Plan sets out that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. The highest quality materials and design should be incorporated.
- 7.43 Chapter 3 of the Draft London Plan similarly sets out policies and guidance on delivering London's growth through the designing of buildings.
- 7.44 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Developments should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.45 Policy D.DH2 of the Local Plan (2020) requires development to contribute to improving and enhancing connectivity, permeability and legibility across the borough. Developments should optimise active frontages towards public streets and spaces, provide clear definition of building frontage and massing and allow connection and continuity of pedestrian desire lines at a human scale.

Assessment

- 7.46 The existing estate contains three residential blocks, with distinctive red/ brown brick facades with concrete banding and balconies – ranging in height between 4 and 16 storeys. Together, the 3 buildings form a cohesive and visually aesthetic group. Landscaping around the buildings is spacious and there is significant scope for improvements to increase the use of the space. The image below shows the existing buildings on the site and the central open area.



Figure 4 : Existing Buildings within the Estate

- 7.47 The proposed new building would comprise of two linked blocks. The northern block would be 4 stories high and the southern block would be 9 stories high. The northern block would be balanced appropriately against the southern block and the building is, overall, well proportioned. The southern block would effectively mediate between the 16 storey Anglia House and the lower, 4 storey blocks at Cambria House and Caledonia House.
- 7.48 The image below is a CGI of the new building, looking north along Yorkshire Road. The proposed north/ south orientation of the building would provide greater definition to the Yorkshire Road frontage. The building would be set back from this frontage to create an open feel on the boundary and its elevations would be punctuated by concrete balconies, to provide interest and variation to its form. The building would, overall, sit well within the Yorkshire Road street scene.



Figure 5 : CGI of the proposed building, looking North along Yorkshire Road

- 7.49 The image below shows the site, with the new building shaded in blue. The building would sit comfortably within the site. Its location and footprint would ensure that the generous spacing seen between the existing buildings, would be replicated with the development in place. The buildings' location also maximises the available space on the remainder of the site to provide large, usable amenity areas for the benefit of the future and existing residents.



Figure 6 – New building shaded in blue

- 7.50 Surrounding developments contain a mix of building heights including the 10 storey Tequila Wharf development, the 11 storey Lascar Wharf and the 14 storey Iona Tower. Immediately to the south of the site is the Stephen Hawking SEN school which is a large single storey building. The massing and scale of the development is considered to be proportionate to the context of the surrounding area and would not be out of place in its setting.
- 7.51 Whilst the building would have a character of its own, it would continue the clarity and simple form of the existing buildings on the site. The scheme proposes a simple and robust palette of materials which would respond to the existing buildings, including red-brown facing brick, pale pre-cast concrete for balcony balustrades and horizontal banding on the building with metalwork for windows and doors which would be finished in a dark neutral tone. A more contemporary finish however is achieved through the form of the fenestration, the glazed link between the two blocks and depth to the façade from the string courses.
- 7.52 The suite of proposed materials would appropriately provide reference to the existing buildings on the site and surrounding area whilst being high quality and robust. The materials and overall appearance of the building would be consistent with guidance within the Development Plan. Further detail on material and finish samples will be requested as part of condition requirements.
- 7.53 A single storey pavilion structure is proposed on the northern frontage of the site with Salmon Lane. This would be a brick construction which would provide safe and convenient access to the undercroft parking area. It would also serve to signpost the northern entrance to the site.

- 7.54 Hard and soft landscaping, as discussed in more detail in the previous section, would be expanded and enhanced across the site, including large areas of plantings with a mix of native trees and plants. A biodiverse roof treatment on the new building would attenuate run off. The soft landscaping strategy would be in keeping with the Council's Biodiversity Strategy.
- 7.55 As originally submitted, the proposal included fob- access security gates along the northern perimeter of the built form of the site. These gates would have served to prevent public access to the internal parts of the site and the undercroft. The council does not support proposals to create private, gated communities. Such proposals cut off convenient, traffic free pedestrian routes and change the character of estates to one which is less accessible for residents, visitors and wider community. Following a recent discussion with the applicant's agent in this regard, the gates no longer form part of the proposal and the estate would remain publicly accessible.
- 7.56 It is understood that residents are concerned with regards to antisocial behaviour in and around the development and that the intention of the gates was to reduce this.
- 7.57 THLP Policy D.DH2 is supportive of approaches to sitewide design that helps improve safety and the perception of safety, including activating frontages, reducing clutter, softening landscaping and designing out concealment points. Many of these design features have been incorporated into the landscaping scheme proposed here and, if implemented, should improve safety and the perception of safety in and around the estate.
- 7.58 Policy D.DH2 explicitly asks developments to improve permeability and resists the creation of gated communities, as a solution to antisocial behaviour, for reasons of inclusion and accessibility.
- 7.59 The CGI below shows the proposed landscaping to the central open area of the site.



Figure 7 : CGI of Proposed Development - Looking West across the landscaped areas

7.60 The submitted approach, with removed gates, is supported and would ensure a high quality design response that would create attractive areas of public open space. The further development of the finalised landscaped design will be required as part of further planning conditions.

Conclusion

7.61 In terms of overall design, the development is well considered, appropriately detailed and would provide a building of suitable mass and scale for the site's location.

7.62 The suite of materials and design of the building would provide suitable reference to the past history of the surrounding area, whilst also ensuring a high quality, modern approach. The design of the building effectively meets Development Plan policy considerations and would make a positive contribution in the surrounds.

Heritage

7.63 Development Plan policies require development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Local Plan Policy S.DH3 requires development to protect and enhance the borough's conservation areas including their setting.

7.64 The eastern edge of the site lies within the Regents Canal conservation area, which includes the canal itself. The impact of the proposed development on its special character and setting, follows.

7.65 The Conservation area development policies and guidance are contained within the Regents Canal Conservation Area Character Appraisal and Management Guidelines. This document seeks to maintain a positive relationship between the buildings adjacent to the canal and seeks to ensure that the height and location of new buildings are carefully considered.

7.66 The proposed new building would be sited on the opposite side of the site to the conservation area. Given its modest scale in relation to surrounding buildings and the distance between the building and the canal, there would be no harm to the character or appearance of the Conservation Area with the development in place. The canal side amenity space would remain grassed and no built form is proposed in this area. There would be no harm to the openness or character of the conservation area, as a result of the landscaping works.

7.67 There are no listed buildings within the immediate vicinity of the site and consequently no impact on the setting of any listed buildings, with the development in place. There is a locally listed building on the north side of Salmon Lane. No significant development is proposed on this frontage and there would be no impact on its significance, with the development in place.

7.68 The proposed development would not harm the character or appearance of the Regents Canal Conservation area. The design approach pursued as part of the development is well considered and effectively responds to the significance of the conservation area.

Neighbouring Amenity

7.69 Development Plan policies seek to protect neighbour amenity in terms of privacy, noise and disturbance, daylight and sunlight, outlook and enclosure.

Daylight, Sunlight, Outlook and Enclosure

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

- 7.71 A number of residential properties surround the proposed new building. These properties were tested for daylight, sunlight and overshadowing impacts and the results submitted by the applicant in support of the application. The results have been independently reviewed on behalf of the Council by Delva Patman Radler.
- 7.72 For calculating daylight to neighbouring residential properties, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure to what extent existing windows retain the quantum daylight they currently receive.
- 7.73 BRE guidance in relation to VSC tests the amount of daylight striking the face of a window. The VSC of a window with the development in place should be at least 27%, or should not be reduced by more than 20% of its former value, to ensure sufficient light is still reaching the window. VSC is a metric that determines the amount of light falling on a particular point, in this case, on the centre point of the window. The calculations for VSC do not take into account window size, room dimensions or the properties of the window itself.
- 7.74 The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit, with the development in place, a reduction beyond 20% of the former value. NSL assesses where daylight falls within the room at the working plane (850mm above floor level in houses), Daylight distribution assessment is only recommended by the BRE Report where room layouts are known.
- 7.75 The technical analysis within the applicant's report demonstrates that 8 residential properties were tested. These properties include Anglia House, Cambria House, Caledonia House, 15 Brunton Place, 3-13 Brunton Place, 79 Salmon Lane, the Prince Regent (upper floors), Stephen Hawking School. A summary of results for each assessed property follows below.
- 7.76 There is no definitive categorisation for impacts that exceed BRE guidelines, however the following 'significance' criteria banding is used here, when summarising the overall daylight and sunlight effects to the surrounding properties;
- Negligible; 0-20% loss against existing
 - Minor adverse; 20-30% loss against existing
 - Moderate adverse; 30-40% loss against existing
 - Major adverse; >40% loss against existing
- 7.77 The following plan shows the location of the new building shaded blue and the tested properties, numbered 1 to 8. Tested windows at those properties are indicated by a green line (except for Cambria House – notwithstanding the indication of the plan, the windows tested were on the southern elevation of this block).



Figure 2 Neighbouring Developments Assessed

Anglia House

- 7.78 Anglia House is number '1', on the plan above. It is a 16 storey block of flats located with the Brunton Wharf estate, on the north east corner of the site. Internal layout plans for Anglia House were obtained from the Council's Public Planning Register were incorporated into the submitted model.
- 7.79 The tested windows were on the western elevation, at ground, first, second and third floors. Windows at higher levels would be less affected.
- 7.80 The submitted results indicate that 1 window out of the 19 (5%) windows tested for VSC, would not meet the BRE guidelines. That window is sited at first floor level and sits directly underneath a balcony. It would have a VSC with the development in place of 77%. This is only marginally below the recommended 80%.
- 7.81 An additional 'without balconies' assessment was carried out, which tests light that would be received to a window, if a balcony above that window were to be removed. The results were within BRE guidance. This demonstrates that the existence of balcony is a contributing factor to the loss of daylight. In addition, no other windows serving that flat would be adversely affected in terms of VSC and, in addition, daylight distribution results to that room and all tested rooms at Anglia House, would be compliant with BRE guidelines.
- 7.82 In relation to sunlight, all relevant rooms within Anglia House would be compliant with APSH targets.
- 7.83 In addition, given the distance of the proposed new building from the west facing windows at Anglia House, there would be no undue loss of outlook from those windows, nor would there be any undue sense of enclosure as experienced by the occupiers, with the development in place.
- 7.84 Overall, it is considered that there would be no adverse impact on light, outlook or enclosure, to the occupiers of Anglia House, with the development in place.

Cambria House

- 7.85 The Cambria House is number '2' on the above plan, and the south facing windows were tested.
- 7.86 All of the 24 habitable windows tested would comply with BRE guidance in relation to VSC. In relation to sunlight, all relevant rooms within the Cambria House Development would be compliant with APSH targets.
- 7.87 With regards to outlook and enclosure, the proposed new 4 storey block would sit, at its closest point, some 13m from the westerly most point of the southern façade at Cambria House. But it would sit at an oblique angle, to the south west, so there would be no built form directly facing their south facing windows. Likewise, the development would be visible from their private gardens, but it would be some distance away to the west and would not appear overbearing. Overall, there would be no undue loss of outlook from the south facing windows at Cambria House, nor would there be any undue sense of enclosure, with the development in place.
- 7.88 There would be no adverse impact on light, outlook or enclosure to Cambria House.

Caledonia House

- 7.89 Caledonia House is number 3 on the plan. Its north facing windows were tested.
- 7.90 All of the 16 habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.91 The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.92 The proposed building would sit some distance to the west of Caledonia House and there would be no built form directly facing their north facing windows or gardens. There would, as such, be no undue loss of outlook from those windows, nor would there be any undue sense of enclosure from their homes or gardens, with the development in place.
- 7.93 There would be no adverse impact on light, outlook or enclosure to Caledonia House, with the development in place.

15 Brunton Place

- 7.94 15 Brunton Place is number 4, on the plan. It is a low rise block of flats located to the south-west of the proposed building. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.95 The submitted results show that 2 out of the 8 (25%) windows tested for VSC would not meet the BRE guidelines. The 2 windows in questions would see VSCs with the development in place of 26.9% and 26.3%, which are marginally below the target 27%. These marginal losses cannot be considered to be material, nor to lead to a noticeable loss of daylight to the affected rooms. The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.96 The proposed new building would sit some 15m north east of 15 Brunton Place. Again, there would be no proposed built form which would directly face any windows at that property. Given this, and given the separation distance, it is considered that there would be no undue outlook or enclosure issues for the occupiers of that property, with the development in place.
- 7.97 The development would not adversely affect the occupiers of 15 Brunton Place, in terms of light, outlook or enclosure.

3-13 Brunton Place

- 7.98 3-13 Brunton Place is a terrace of residential properties located to the south of 15 Brunton Terrace.. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model. All of the 15 habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.99 The building does not contain any windows within 90 degrees of due south and as such, have not been assessed for sunlight impacts.
- 7.100 Given the distance of this building to the proposed development, there would be no adverse impacts in terms of light, outlook or enclosure, with the development in place.

79 Salmon Lane

- 7.101 The Development at 79 Salmon Lane is located to the north of the Proposed Development. All (3) of the habitable windows tested would comply with BRE guidance in relation to VSC.
- 7.102 In relation to sunlight, all relevant rooms within 79 Salmon Lane would be compliant with APSH targets.
- 7.103 Given the distance of this building to the proposed development, there would be no adverse impacts on outlook or enclosure, with the development in place.

8 The Prince Regent (upper floors)

- 7.104 The Prince Regent is located to the north of the proposed development. Whilst the site is occupied by a Public House, Council records indicate that residential accommodation is present. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.105 All (4) of the habitable windows tested would comply with BRE guidance in relation to VSC. In relation to sunlight, all relevant rooms within 79 Salmon Lane would be compliant with APSH targets.
- 7.106 Given the distance of this building to the proposed development, there would be no adverse impacts on outlook or enclosure, with the development in place.

Stephen Hawking School

- 7.107 The Stephen Hawking School is located to the south of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model. Whilst not residential premises, the school being an educational use is considered particularly sensitive and as such, the nearest windows on each floor have been analysed.
- 7.108 2 west facing windows were tested and results have demonstrated that each would comply with BRE guidance in relation to VSC. In relation to daylight distribution (NSL), submitted results demonstrate that BRE targets would be met.

No Sky-Line Results

- 7.109 As can be referenced from the assessment above, daylight distribution tests were only carried out for windows within Anglia House and the Stephen Hawking School, as floor layout information for other buildings were not available for assessment. Council's external consultant has considered daylight impacts in the absence of NSL results and has advised that given the orientation and distance of windows in relation to the proposed scheme, the proposal would be compliant with the BRE guidelines.

Conclusions

- 7.110 In summary, in relation to daylight, sunlight, outlook and enclosure, daylight and sunlight results demonstrate that there would be only minor discrepancies to a small minority of windows tested. The submitted assessment demonstrates that the proposed development has been appropriately designed.
- 7.111 When taken in the context of the transgressions from BRE guidance, the wider benefits of the proposed development and the existing site conditions, it is considered that the proposed development would not materially impact on daylighting or sunlighting conditions to surrounding properties, nor would there be any impacts on enclosure or outlook.

Overshadowing

- 7.112 In relation to the potential overshadowing of gardens and open spaces, BRE guidance sets out that at least half of an existing area should receive at least two hours of sunlight on the 21st March.
- 7.113 Three amenity areas were tested, which required testing by reason of their proximity to the proposed new building. These include the proposed play spaces to the east and north of the proposed building and the proposed biodiverse roof.
- 7.114 The submitted results demonstrate that, each area would receive 2 hours of sunlight on 21st March over 90% of their area, which far exceeds the BRE target.

Privacy

- 7.115 Local Plan policy D.DH8 seeks to maintain good levels of privacy and to avoid an unreasonable level of overlooking. A distance of 18 metres is promoted between windows of habitable rooms to ensure sufficient privacy from overlooking between habitable rooms of adjacent residential properties and private amenity areas.
- 7.116 In terms of neighbouring residential interfaces, Caledonia House and Cambria House are located within 18 metres of the proposed development to the east. Both of these buildings do not contain any west-facing windows and as such, there would be no overlooking concerns to existing habitable room windows. There would be an element of overlooking from east facing windows in the new 4 storey block, to the rear gardens of Cambria House. The distance between these gardens and the windows and balconies at the new development would be a minimum of 9m, but the new building sits due west of the gardens, which reduces the perception of overlooking. Any impact in this regard is similar to the impact in relation to Anglia House to the east, and not uncommon in an urban area.
- 7.117 In light of the constraints of the site and existing site conditions, it is considered that the design of the proposed building would not result in unacceptable levels of overlooking and would not unacceptably impact on neighbouring privacy.

Noise and Vibration

- 7.118 The application is supported by a Noise Assessment. The assessment highlights that external noise levels are high, towards a significant observable effect level, particularly from train and traffic noise. Council's Environmental Health (Noise) team has reviewed the assessment and has no objections subject to the submission of a satisfactory mitigation scheme.
- 7.119 Concern has been raised by neighbouring occupiers with regards to potential noise impacts from the undercroft parking area, to adjacent dwellings. A condition is recommended which would require details of sound travel reduction from the undercroft area, which would certainly be more intensively used with the development in place, to mitigate any noise impacts. Any

such mitigation would be required to be in place prior to first use of the undercroft parking area.

Construction Impacts

- 7.120 Demolition and construction activities are likely to cause noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to reduce these impacts to acceptable levels. These will control working hours and require the approval and implementation of Construction Environmental Management and Logistics Plan. The details so submitted and approved, would be required to be implemented in full for the life of the construction phase of the development.

Summary

- 7.121 Overall, the proposed development would not have an unacceptable adverse impact on the surrounding area in terms of daylight or sunlight conditions. The potential for overlooking has been addressed and sufficient distances and measures have been incorporated into the development. Overall there would be compliance with policy D.DH8 which seeks to protect the amenity of existing buildings and their occupants.

Transport

- 7.122 Development Plan policies promote sustainable modes of travel and seek to limit car parking and car use to essential user needs. These policies also seek to secure safe and appropriate servicing arrangements to ensure developments are managed effectively and efficiently.

Car Parking

- 1.123 In as far as the development pertains to the occupants of the proposed new dwellings, the development would be car free, unless under the Permit Transfer Scheme (PTS) which relates to existing parking permits.. The future occupants would be restricted, as is standard for new developments and as required by policy, from obtaining parking permits. This is with the exception of 3 disabled parking bays, which would be located on the Yorkshire Road frontage. As the development pertains to the existing occupiers of the Brunton Wharf estate, the on site parking arrangements would be altered, with the development in place.
- 1.124 There are 34 car parking spaces currently, on the existing site. 25 of these are located to the south-west of the site, in the proposed building's location, whilst a further 9 front onto Salmon Lane.

	Current	Proposed
Resident	25	25
Accessible / Disabled	2	6
Visitor	3	6
Contractor	2	1
Loading	2	4*

*Including a 2 vehicle loading bay on Yorkshire Road

Figure 8 Existing and Proposed Car Parking

- 7.125 With the development in place, the 25 existing spaces on the site of the proposed building would be reprovided in the undercroft area. An additional 6 visitor bays would be provided in the undercroft area. 6 parking bays would be provided fronting Salmon Lane. These would comprise 3 disabled parking bays, 2 loading bays and 1 contractor bay. With regards to the undercroft parking, it is noted that access would be via stairs only. The possibility of installing a lift was explored by the applicant, however it was concluded that given the constraints of the existing building and the layout of the undercroft area, it was not possible to do so. Whilst this is unfortunate and will limit access to the basement for some residents, it is noted that the scheme proposes 3 disabled parking bays at surface level, which would provide accessible and convenient blue badge parking. In addition, there is no policy requirement to reprovide the existing parking space. In the circumstances and given the constraints of the site, these arrangements
- 7.126 Council's Highways and Transportation team have reviewed the arrangements, in conjunction with the submitted Transport Statement and raised no objections.

Servicing and Deliveries

- 7.127 Development Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.128 As amended, on-site servicing for the new dwellings would be provided, accessed off Yorkshire Road. The proposed servicing area would be located on the western edge of the site. Entry and exit would be possible in forward gear and a swept path has been provided, based on an 11m refuse truck. The service area would not interfere with any designated amenity space or soft landscaped area and would provide safe servicing which would not prevent the free flow of traffic on the highway. Refuse collection for the new development and for Cambria House and Caledonia House would be carried out here. Refuse collection arrangements for Anglia House would remain as existing, from Salmon Lane.
- 7.129 The number of servicing vehicle movements is not expected to be increased as refuse collection for the new residential block will occur at the same time as for the existing buildings within the estate.
- 7.130 There is no objection to the proposed arrangements, as amended, subject to a condition requiring the submission of a Delivery, Servicing and Waste Management Plan and further details required by the Council's Waste Team. In addition, details regarding the surfacing and demarcation for the service area would be required, for the purpose of pedestrian safety on site.

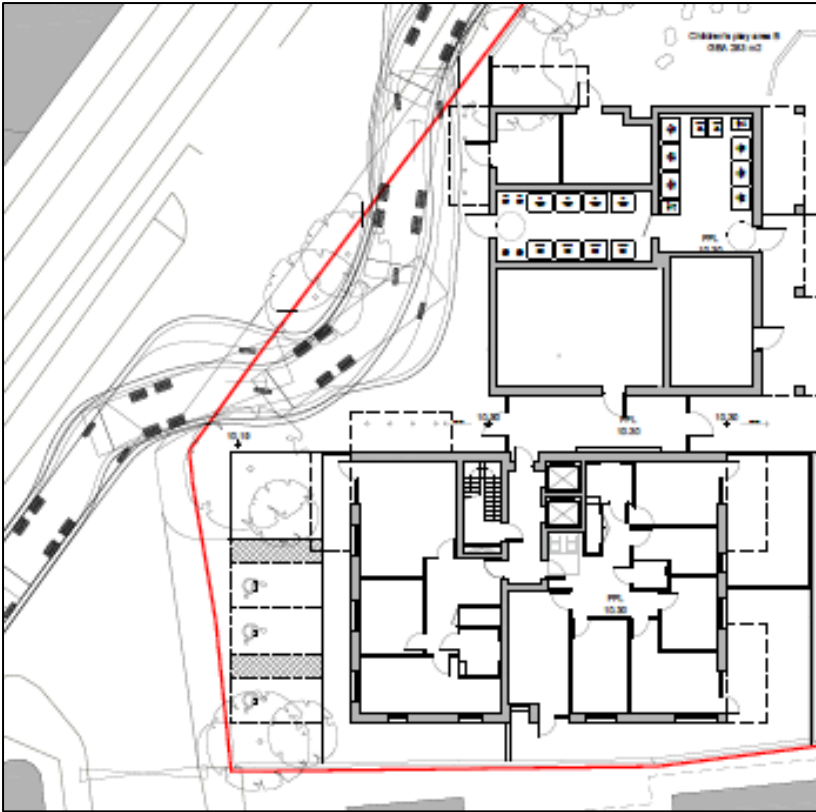


Figure 9 - Proposed Ground Floor Layout - Servicing Arrangements

Cycle Parking

- 7.131 The proposed new dwellings would generate a minimum requirement of 56 cycle spaces, to be provided in line with the up to date requirements of the Draft London Plan.
- 7.132 These spaces would be located within a dedicated storage area, on the ground floor of the northern block of the building. This would be accessible through the eastern and western entrance of the lobby. A separate storage area would be provided also within the northern block of the proposed building which would provide cycle store spaces for residents within the wider estate.
- 7.133 The proposed arrangement is acceptable and full detail on the cycle store arrangements will be secured as a condition requirement.

Trip generation

- 7.134 The submitted Transport Assessment considered the total trip generation for the development.
- 7.135 The assessment concluded that the proposed development has the potential to generate approximately 20 two-way trips during a typical weekday morning (AM Peak times between 08:00 and 09:00) and 27 during a typical weekday afternoon (PM Peak times between 15:00-16:00). The majority of these trips 79% would be made sustainability without the use of a car.
- 7.136 There is no objection to the trip generation details submitted as part of the development and the site and surrounding infrastructure network would sustain the net increase in trips.

Travel Planning

- 7.137 The applicant has submitted a preliminary Travel Plan. No objections were raised to this element by the Council's highways officer. A full travel plan would be secured by condition, to finalise its contents and to ensure implementation through to the operational phase of the development.

Demolition and Construction Traffic

- 7.138 Should the application be approved, the impact on the road network from demolition and construction traffic would be controlled by way of conditions requiring the submission and approval of Demolition and Construction Management Plans. The Demolition and Construction Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Environment

Energy Efficiency

- 7.139 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2015 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 7.140 The London Plan (2016) sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green)
- 7.141 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.142 The submitted Energy Statement prepared by Scott White and Hookins (May 2020) sets out how the applicant has sought to meet the CO₂ emission reduction policy requirements through energy efficiency measures, efficient services and renewable energy generation technologies.
- 7.143 The on-site CO₂ emission reduction is anticipated to be 73% against the building regulation baseline. It is recommended that the delivery of the CO₂ emission reductions is secured via Condition.
- 7.144 A financial payment of £27,540 is required to offset the residual CO₂ emissions to 100%. In light of this, the proposal complies with policy D.ES7.

Air Quality

- 7.145 Development Plan policies require major developments to be accompanied by assessments which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.146 The application is accompanied by an Air Quality Assessment. The assessment concludes that the air quality impact from the development will be acceptable. This has been reviewed by

Council's Air Quality team where no objection was raised. Conditions would be necessary to limit the impact on local air quality as a result of the construction phase of the development. These conditions will monitor and control any site dust generated whilst also ensuring construction plant and machinery is carried out in accordance with guidelines.

Biodiversity

- 7.147 Policy D.ES3 requires development to provide net gains in biodiversity which contribute to the Local Biodiversity Action Plan (LBAP). The application site is adjacent to the Regents canal, which is part of a Site of Importance for Nature Conservation.
- 7.148 The submitted Ecological Assessment has identified a number of key findings, opportunities and improvements possible for the site. The site itself has not been identified as having existing significant biodiversity value, however its importance given its proximity to the Regents Canal is noted. Council's Biodiversity Officer has reviewed the proposal and is satisfied that subject to conditions, the proposal would be acceptable from a biodiversity standpoint.
- 7.149 Biodiversity landscape measures included within the proposal include a net increase in green space, a biodiverse green roof, native trees, bat and swift nest boxes, terraces and bug houses. The aforementioned measures are welcomed and would contribute well to the Council's Biodiversity Action Plan objectives.
- 7.150 Further enhancements and net gains on the site would be possible through conditions which would require the provision of a biodiversity mitigation and enhancement strategy and further information regarding the control of Japanese Knotweed and planting details. These details will be assessed at condition stage.

Flood Risk & Drainage

- 7.151 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage. The application site is located within Flood Zone 1. The application is supported by a Sustainable Urban Drainage Strategy.
- 7.152 Council's Sustainable Urban Drainage Officer reviewed the submitted documents and had no objections. Flooding risk and the urban drainage impacts of the development are acceptable and would be secured via condition.

Land Contamination

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

Infrastructure Impact

- 7.154 The development would be liable for Tower Hamlets CIL of £9,177.70 and Mayor of London CIL of £17,134 however given that the scheme is 100% affordable, the applicant would be liable for CIL relief.

8. HUMAN RIGHTS AND EQUALITIES

- 8.1 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.
- 8.2 The proposal does not raise any unique human rights or equality implications. The balance between individual rights and the wider public interest has been carefully considered and is acceptable.
- 8.3 The provision of residential units, within the development meets inclusive access standards and 10% of units would be wheelchair accessible. These design standards offer significant improvements in accessibility and would benefit future residents or visitors with disabilities or mobility difficulties, and other groups such as parents with children or the elderly. The proposed affordable housing would be of particular benefit to the groups that are socioeconomically disadvantaged.
- 8.4 The proposed development would not result in adverse impacts upon equality and social cohesion.

9 RECOMMENDATION

- 9.1 That **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

9.2 Financial Obligations

- a. £10,092 towards construction phase employment skills training
- b. £121,683.89 towards end-user phase employment skills training
- c. £125,460 Carbon offsetting obligation

9.3 Non-Financial Contributions

- 1. 100% Affordable housing
 - 16 units Tower Hamlets Living Rent
 - 16 units London Affordable Rent
 - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- 2. Access to employment
 - 20% of goods, services and construction force phase workforce to be secured locally
 - 2 construction phase apprenticeships
- 3. Transport matters:
 - Car Free development
- 4. Compliance with Considerate Constructors Scheme

10. PLANNING CONDITIONS

Compliance

- 1. 3 years deadline for commencement of development
- 2. Development in accordance with approved plans
- 3. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice

- b. Standard hours of construction and demolition
 - c. Air quality standards for construction machinery
 - d. Ground-borne vibration limits
 - e. Noise pollution limits.
4. External Lighting

Pre-commencement

- 5. Piling
- 6. Energy and efficiency standards
- 7. Air quality emission standards for boilers & CHP
- 8. Contaminated Land
- 9. Eradication of Japanese Knotweed
- 10. Provision of an Air Quality and Dust Management Plan
- 11. Construction Environmental Management Plan and Construction Logistics Plan
- 12. Noise Mitigation Scheme

Pre- Superstructure Works

- 13. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements
- 14. Play space details
- 15. Shopfront and Residential Entrance Details
- 16. SUDS
- 17. Details of external facing materials and architectural detailing
- 18. Biodiversity Mitigation and Enhancements
- 19. Details of cycle parking
- 20. Secure By Design Standards

Pre-occupation

- 21. Disabled Car Parking and Parking Management Plan
- 22. Delivery, Servicing and Waste Management Plan
- 23. Details of 10% Accessible Rooms
- 24. Secure by Design Accreditation

Appendix 1 – List of drawings and documents

Drawings:

- BRW_RSS_00_00_DR_0501 D03
- BRW_RSS_00_XX_DR_1001 D01
- BRW_RSS_00_XX_DR_1002 D01
- BRW_RSS_00_XX_DR_1003 D01
- BRW_RSS_00_XX_DR_1004 D01
- BRW_RSS_00_00_DR_1051 D01
- BRW_RSS_00_00_DR_1200 D04
- BRW_RSS_00_00_DR_1201 D10
- BRW_RSS_00_00_DR_1202 D08
- BRW_RSS_00_00_DR_1203 D05
- BRW_RSS_00_00_DR_1210 D08
- BRW_RSS_00_00_DR_1211 D04
- BRW_RSS_00_00_DR_1212 D01
- BRW_RSS_00_00_DR_1213 D01
- BRW_RSS_00_00_DR_1214 D02
- BRW_RSS_00_00_DR_1219 D03
- BRW_RSS_XX_XX_DR_1301 D01
- BRW_RSS_XX_XX_DR_1301 D02
- BRW_RSS_XX_XX_DR_1401 D04
- BRW_RSS_XX_XX_DR_1402 D05
- BRW_RSS_XX_XX_DR_1403 D05
- BRW_RSS_XX_XX_DR_1404 D04
- BRW_RSS_XX_XX_VS_8001 D01
- BRW_RSS_XX_XX_DR_8002 D01
- BRW_RSS_XX_00_DR_8003 D01
- BRW_RSS_00_00_DR_1230 D01
- BRW_RSS_00_00_DR_1231 D01
- BRW_RSS_00_00_DR_1250 D02
- BRW_RSS_ZZ_ZZ_DR_1410 D01
- BRW_RSS_ZZ_ZZ_DR_1430 D01
- BRW_RSS_ZZ_ZZ_DR_1431 D01
- BRW_RSS_XX_XX_DR_7001 D01
- BRW_RSS_XX_XX_DR_7002 D01
- BRW_RSS_XX_XX_DR_7003 D01
- BRW_RSS_XX_XX_DR_7004 D01

Documents:

- Design & Access Statement – Rivington Street Studio (November 2019)
- Planning Statement – Rivington Street Studio (December 2019)
- Air Quality Assessment – agb Environmental (December 2019)
- Foul Sewerage and Utilities Assessment – Scott White and Hookins (November 2019)
- Environmental Noise Survey and Acoustic Design Statement Report – Hann Tucker Associates (October 2019)
- Construction Management Plan – Southdownssafety (November 2019)
- Arboricultural Impact Assessment – agb Environmental (September 2019)
- Sustainability and Energy Statement – Scott White and Hookins (May 2020)
-
- Transport Statement – Cottee Transport Planning (December 2019)
- Train Induced Noise and Vibration Assessment Report (Hann Tucker Associates (October 2019)
- Statement of Community Involvement – Rivington Street Studio – November 2019
- Ecological Impact Assessment – agb Environmental (April 2019)
- Phase 1 Geoenvironmental Desk Study – agb Environmental (April 2019)
- SUDS Report – Scott White and Hookins (December 2019)
- Daylight and Sunlight Assessment (Internal and External) – BRE (December 2019)

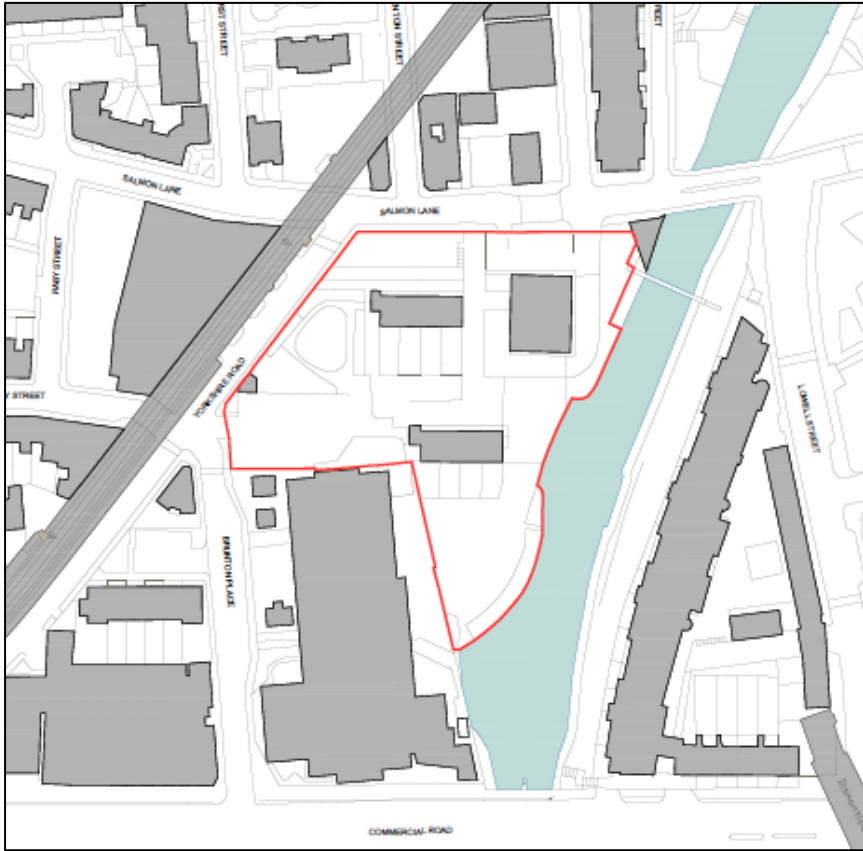
Appendix 2 – Selected Plans and Elevations



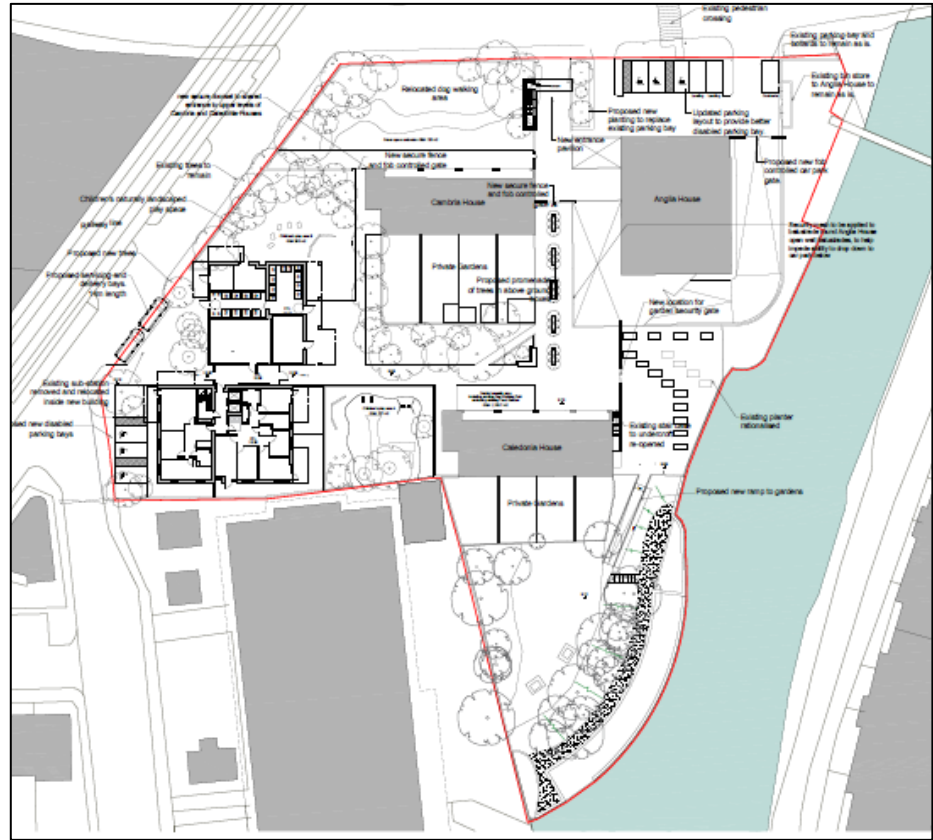
Photograph of the existing car park off Yorkshire Road – Site of the new building



Photograph looking east, into the site, showing the 3 existing building and the western car park



Existing Site Plan



Proposed Site Plan – showing location of new building



CGI of the new residential building – looking north along Yorkshire Road



Proposed Eastern elevation, with Anglia House and Cambria House behind



Proposed Eastern elevation – with outline of Anglia House and Cambria House in the background



Proposed new Pavilion at the Northern end of the site



Proposed amenity space



Proposed new landscaping in the central part of the site, looking west



Proposed Aerial View, from the north west



Site Notice

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DEVELOPMENT COMMITTEE

Thursday, 17 September 2020 at 6.00 p.m.

Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

UPDATE REPORT

This meeting is open to the public to attend.

Contact for further enquiries:

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agenda:



For further information including the Membership of this body and public information, see the main agenda.

1.1 Update report

PAGE NUMBER(S)	WARD(S) AFFECTED
3 - 6	

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UPDATE REPORT, DEVELOPMENT COMMITTEE. 17th September 2020

Agenda item no	Reference no	Location	Proposal / Title
5.3	PA/19/02608	Brunton Wharf Estate, Salmon Lane, E14	Construction of a part-four and part-nine storey building comprising 32 x Class C3 residential dwellings, hard and soft landscaping works, security enhancements, and the re-opening of an existing undercroft parking structure.

1 CORRECTIONS, ADDITIONS AND CLARIFICATIONS

1.1 To be inserted at paragraph 3.2, the following text:

PF/19/00137 (Brunton Wharf Estate): Construction of a new residential block at the west end of the estate. Estate-wide enhancement of the hard and soft landscaping. First pre application meeting held in July 2019.

1.2 To be inserted at the end of paragraph 4.2, the following text:

The applicants Statement of Community Involvement indicates that community consultation events were held in the Estate Community Room on 24th/ 27th April 2019; 19th/ 22nd June 2019; 7th/10th August 2019 and 6th/ 19th November 2019.

1.3 Paragraph 5.10 to be amended to read:

No objections to the proposal. Financial contribution of £27,540 to be provided which would offset the residual emissions of the development.

1.4 Paragraph 5.11 to be amended to read:

No objections to the proposal subject to the development including a 20% provision for local goods and services during construction as well as 20% provision for local construction phase workforce. A Financial contribution is also required with a figure of £10,092.00 to be provided for training and skills for local residents. A total 2 construction phase apprenticeships to be provided. The development does not provoke a contribution towards end- user phase employment skills training.

1.5 Paragraph 5.17 to be amended to read:

The Met Police confirm that they met with the project architects to discuss their intention around security and Secured by Design. The Met Police raise no objection to the proposal, subject to a condition which requires compliance with Secured by Design standards, both for the new building and the wider site. They advise that the developer incorporate a series of recommendations into the scheme, in relation to the vehicular access gate, communal entrance doors, pedestrian access to the undercroft, brick detailing, the void above the undercroft, external lighting, CCTV, refuse stores and cycle storage.

Officer Note: Conditions requiring details relating to these recommendations, and the submission of the relevant Certificate of Compliance, are recommended.

1.6 New paragraph 5.19 inserted, to read:

London Fire Brigade

No objection raised.

1.6 Paragraph 7.55 to be amended to read:

As originally submitted, the proposal included fob- access security gates along the northern perimeter of the built form of the site. These gates would have served to prevent public access to the internal parts of the site. The council does not support proposals to create private, gated communities. Such proposals cut off convenient, traffic free pedestrian routes and change the character of estates to one which is less accessible for residents, visitors and wider community. Following a recent discussion with the applicant's agent in this regard, the gates no longer form part of the proposal and the estate would remain publicly accessible. This is with the exception of the proposed gates to the undercroft parking, which remain part of the scheme and which are considered acceptable, given that they would provide security for the parking area and would not inhibit pedestrian access to the site. It should be noted that these gates have, on request, been reduced in height to 2m, to ensure that they have an acceptable visual impact.

Paragraph 7.125 to be amended to read:

With the development in place, the 25 existing spaces on the site of the proposed building would be re-provided in the undercroft area. As originally submitted, an additional 6 spaces in the undercroft were to be designated for Visitor parking. The councils Highways Team objected to the designation of these spaces for visitor use, given that the undercroft would be accessible only with a fob and given that such provision does not have policy support. As such, these spaces no longer form part of the scheme. 6 parking bays would be provided fronting Salmon Lane. These would comprise 3 disabled parking bays, 2 loading bays and 1 contractor bay. Upon discussion with the applicant's agent, it was established that the loading bays could be used by residents, wishing to drop- off and unload, before moving to a residents bay. With regards to the undercroft parking, it is noted that access would be via stairs only. The possibility of installing a lift was explored by the applicant, however it was concluded that given the constraints of the existing building and the layout of the undercroft area, it was not possible to do so. Whilst this is unfortunate and will limit access to the basement for some residents, it is noted that the scheme proposes 3 disabled parking bays at surface level, which would provide accessible and convenient blue badge parking. In addition, there is no policy requirement to reprovide the existing parking spaces. In the circumstances and given the constraints of the site, these arrangements are considered to be acceptable.

1.7 Paragraph 9.2 to be amended to read:

Financial Obligations

a. £10,092 towards construction phase employment skills training

b. £27,540 Carbon offsetting obligation

1.8 Appendix 1 – List of drawings numbers for approval to be amended as follows:

- BRW_RSS_00_00_DR_A_0501 D03
- BRW_RSS_00_XX_DR_A_1001 D01
- BRW_RSS_00_XX_DR_A_1002 D01
- BRW_RSS_00_XX_DR_A_1003 D01
- BRW_RSS_00_XX_DR_A_1004 D01
- BRW_RSS_00_00_DR_A_1051 D01
- BRW_RSS_00_00_DR_A_1200 D04
- BRW_RSS_00_00_DR_A_1201 D10¹
- BRW_RSS_00_00_DR_A_1202 D08⁹
- BRW_RSS_00_00_DR_A_1203 D05⁶
- BRW_RSS_00_00_DR_A_1210 D08
- BRW_RSS_00_00_DR_A_1211 D04
- BRW_RSS_00_00_DR_A_1212 D01
- BRW_RSS_00_00_DR_A_1213 D01
- BRW_RSS_00_00_DR_A_1214 D02³
- BRW_RSS_00_00_DR_A_1219 D03¹
- BRW_RSS_XX_XX_DR_A_1301 D04²
- BRW_RSS_XX_XX_DR_A_1304² D02
- BRW_RSS_XX_XX_DR_A_1401 D04
- BRW_RSS_XX_XX_DR_A_1402 D05
- BRW_RSS_XX_XX_DR_A_1403 D05⁶
- BRW_RSS_XX_XX_DR_A_1404 D04⁵
- BRW_RSS_XX_XX_VS_A_8001 D01
- BRW_RSS_XX_XX_DR_A_8002 D01
- BRW_RSS_XX_00_DR_A_8003 D01
- BRW_RSS_00_00_DR_A_1230 D01
- BRW_RSS_00_00_DR_A_1231 D01
- BRW_RSS_00_00_DR_A_1250 D02
- BRW_RSS_ZZ_ZZ_DR_A_1410 D04³
- BRW_RSS_ZZ_ZZ_DR_A_1430 D01
- BRW_RSS_ZZ_ZZ_DR_A_1431 D01
- BRW_RSS_XX_XX_DR_A_7004 D01
- BRW_RSS_00_00_DR_A_1240 D01

2.0 ADDITIONAL REPRESENTATIONS

2.1 Three additional letters of objection were received, post publication of the report. The additional comments raised are summarised below:

- Concern that a consultation letter was not received
- Noise impacts on the future occupiers of the new building, fronting Yorkshire Road
- Request for the committee meeting to be postponed, given a lack of meaningful engagement with residents
- Proximity of proposed residential windows to the playground at Stephen Hawking School
- Increase in residents on the site may lead to an increase in antisocial behaviour

- Security gates have been removed from the scheme – they would have prevented anti-social behaviour on the estate.
- The new bin store would be a very long walk for Anglia House residents
- Noise from the more intensively used undercroft
- Concern that proposed landscape improvements would not follow through to implementation.

(Officer Note: Contact was made with the resident in relation to the concern regarding lack of receipt of their consultation letter. A consultation letter was sent to the occupier on 10/12/2019. Refuse arrangements for Anglia House would remain as existing, the development in place.)

3.0 RECOMMENDATION

- 3.1 Officer recommendation remains that planning permission should be GRANTED for the reasons set out in the main report and all conditions/obligations.



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

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

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

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

The Local Development Plan and Other Material Considerations

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

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

Local Finance Considerations

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

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

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

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

Listed Buildings and Conservation Areas

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

Trees and Natural Environment

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

Crime and Disorder

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

Transport Strategy

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

Equalities and Human Rights

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

Environmental Impact Assessment

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

Third Party Representations

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

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

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide. The BRE Guide does not form part of the Development Plan and compliance is not a statutory requirement.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; or
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



DEVELOPMENT COMMITTEE

[8th October 2020]

Report of the Corporate Director of Place

Classification: Unrestricted

Application for Planning Permission

[click here for case file](#)

Reference	PA/20/00123
Site	13-15 Dod Street, London
Ward	Mile End
Proposal	Demolition of the existing office and job centre building. Erection of building of up to 8 storeys comprising 86 residential units (Use Class C3) with basement car parking, associated hard and soft landscaping and infrastructure works.

Summary Recommendation Grant planning permission with conditions and planning obligations.

Applicant Telereal Investment Properties Limited

Architect/agent Collado Collins Architects/ Montague Evans

Case Officer Victoria Coelho

Key dates

- Application registered as valid on 17/01/2020
- Public consultation finished on 23/03/2020
- Affordable housing offer revised on 19/08/2020

EXECUTIVE SUMMARY

The proposed development comprises the erection of a residential building of two blocks, six storeys fronting Dod Street and 8 storey fronting the Limehouse Cut linked by a four storey block. The development would provide 86 residential units.

The existing building on site provides office accommodation associated with a Job Centre, the loss of which has been justified on the basis that the current office accommodation is unsuitable for continued employment use, and the benefits of the provision of residential accommodation in this location outweigh the benefits of continued employment use.

The scheme provides 29% affordable housing by habitable room, including a variety of unit typologies across both tenures. The accommodation is considered to be of a high standard, providing good floor to ceiling heights, internal spaces and private and communal amenity space. There are no northern single aspect units, and the units which are single aspect will benefit from views across the Limehouse Cut.

The height, massing and design are considered to appropriately respond to the local context. The building is considered to deliver high quality design which would positively contribute to the area, whilst preserving the character and appearance of the adjoining Limehouse Cut Conservation Area. The demolition of the existing, unattractive building and erection of a building of a greater quality will enhance the setting of the attractive warehouse buildings adjacent to the site. In addition, the scheme enhances the public realm and provides an enhanced and generous access to the Limehouse Cut.

The development would not have an unduly detrimental impact on the character and appearance of the Limehouse Cut (including the conservation area, flood risk and water quality or biodiversity subject to the securing of floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath, improvements to local signage and way finding through conditions and a legal agreement. The improvements to the pedestrian access to the Limehouse Cut are a significant benefit.

In terms of daylight and sunlight, the proposal does not result in any unacceptably significant material reductions to sunlight and daylight levels in reference of the BRE Guidance to existing properties, and provides good daylight and sunlight within the development.

Car and cycle parking and servicing are considered to be acceptable and submission of a Travel Plan and Servicing and Delivery Plan would be secured by conditions.

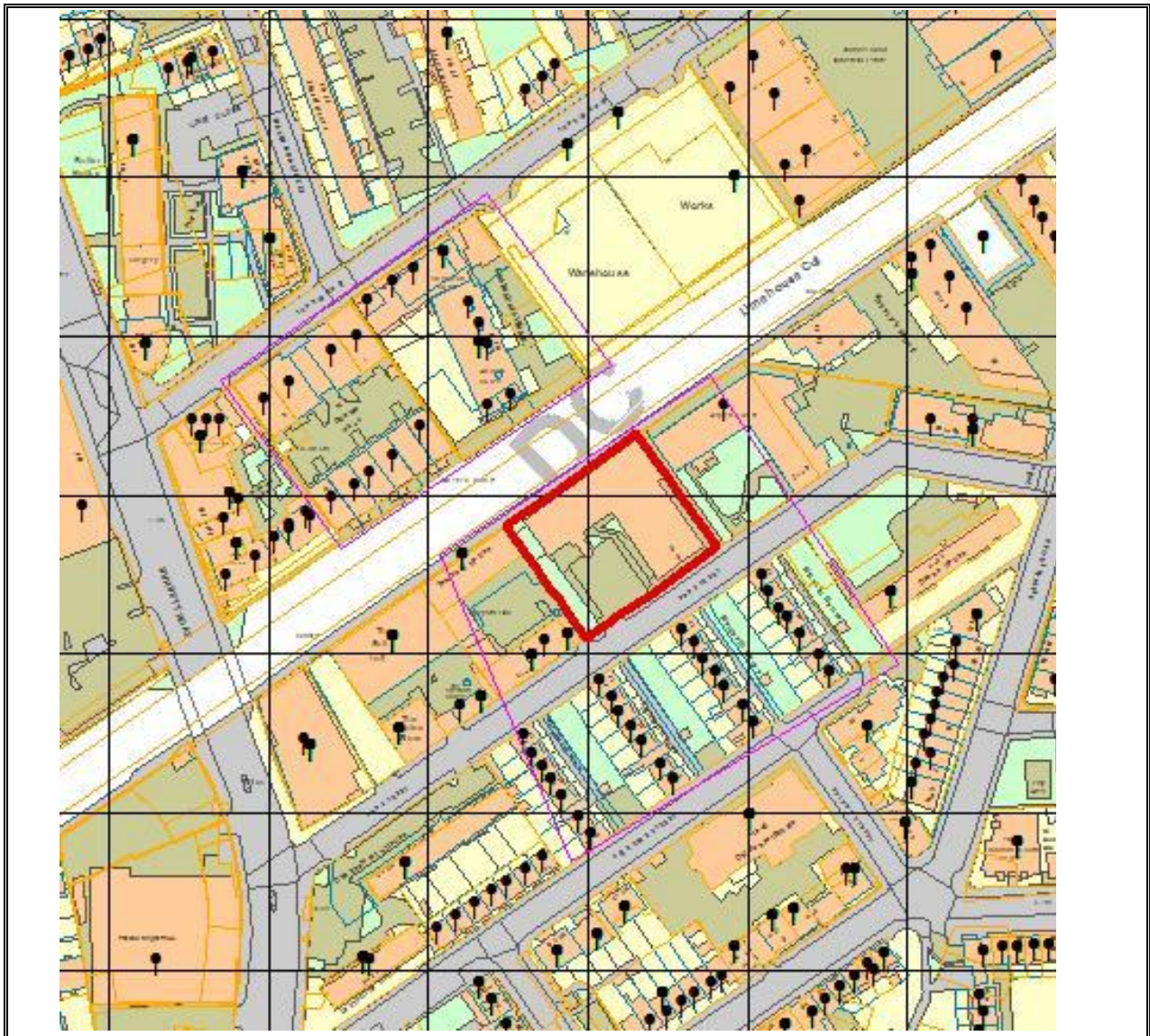
A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements. A carbon off setting contribution will be secured via a legal agreement.

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








This application has been considered against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission.

SITE PLAN



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<ul style="list-style-type: none">  Planning Application Site Bound:  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/19/01760</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises the Job Centre and commercial office building (Use Class B1) to the north side of Dod Street, bound to the north by the Limehouse Cut.
- 1.2 The site comprises two buildings, a single storey (double height) Job Centre building fronting Dod Street and a three storey office building adjacent to the Cut. It is understood that the Department for Work Pensions intend to vacate the site and relocate their services within the Borough.
- 1.3 The site is bound on three sides by the Limehouse Cut Conservation Area although does not form part of the designation. To the east of the site is a low rise later living home and to the west a number of attractive Victorian warehouse buildings.
- 1.4 The site is within the designations of; CIL Residential Zone 2; Flood Risk Zone 2 The site is adjacent to the Limehouse Cut which is designated as Metropolitan Open Land, a Site of Importance for Nature Conservation, part of the Limehouse Cut Conservation Area and as a main River. The flood defence associated with the Cut, runs along the northern boundary of the site.



Figure 1 Ariel view of the site.



Figure 2. Map of Conservation Area. Site in blue.

2. PROPOSAL

- 2.1 The proposals comprise the demolition of the existing building, and the erection of a residential development comprising 86 residential units. The building would be of two blocks, with a four storey link. The blocks would be of 6 storeys fronting Dod Street and 8 storeys fronting the Limehouse Cut. A landscaped courtyard will be provided within the site between the two blocks, as well as an improved pedestrian link from Dod Street to the Limehouse Cut and wider public realm improvements. The existing building benefits from a basement, which is to be retained.
- 2.2 The scheme will provide 23 affordable homes which represents a 29% affordable housing contribution by habitable room.

3. RELEVANT PLANNING HISTORY

3.1 PA/19/01935 – Prior Approval Granted 01/11/2019

Application for Prior Approval under Part 3 Class O of the Town and Country Planning (General Permitted Development Order) 2015 for the change of use from Offices (Use Class B1a) to 35 residential units (Use Class C3).

4. PUBLICITY AND ENGAGEMENT

4.1 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since mid 2019.

4.2 As detailed in the submitted Statement of Community Involvement (SCI), the applicant has engaged with neighbouring occupiers and stakeholders. Along side public exhibitions, the applicant has engaged directly with Aspen Court Care Home. The approach to community consultation is outlined in the SCI whereby letters were issued to residential properties, as well as a freephone telephone enquiry line and postal feedback.

4.3 Neighbouring owner/occupiers were notified by post, in total 135 letters were sent. Additional neighbour letters were sent on 24/02/2020 after comments were raised advising that properties within Burdett Wharf had not received notification of the application.

4.4 3 site notices were displayed in the immediate vicinity of the site on 29/01/2020 and a press advert published on 30/01/2020.

4.5 A total of 10 representations were received, from residents living in Ancora House, Coalmakers Wharf (Thomas Road), Chaldron Court (Thomas Road), Menteth House (Dod Street), Paisley Court (Dod Street) and Aspen Court Care Home. Objections have also been received from the Burdett Wharf Tenants and Residents Association.

4.6 In summary, the following issues were raised:

- The height of the development is not appropriate in terms of the Limehouse Cut Conservation Area. The development should not exceed 5 storeys which is the height of the neighbouring building.
- Amenity impacts on nearby residential developments, including loss of light as a result of the height of the development. In addition, the views that existing surrounding occupiers benefit from will be obscured.
- Amenity impacts on the adjoining later living home (Aspen Court Care Home) including insufficient separating distance between residential windows and amenity spaces, direct overlooking into the amenity spaces.
- The development does not provide enough separation from the canal or sufficient biodiversity improvements.
- Additional residential units will result in road traffic congestions and result in overpopulation which could not be supported by the existing infrastructure.
- Construction impacts, including disruption to residents from road/pavement blockage, restriction of the canal path during works, construction vehicles, parking pressures and noise.
- The development would lead to an increase in anti-social behaviour, which there is not the capacity to police, through creation of shadowed spaces.

- Electric Vehicle Chargers should be provided for all parking spaces to future proof the development.

4.7 It is noted that one comment received is generally in favour of increasing housing provision in London and that the redesign of the building from pre-application to reduce the height is well-received in terms of mitigating daylight and sunlight impacts.

4.8 A number of the responses received suggested that the scheme should provide further high quality landscaped public amenity space, services for existing residents such as cafes, health centres, sports facilities and a new footbridge across the canal.

5. CONSULTATION RESPONSES

EXTERNAL CONSULTEES

Canal and Rivers Trust

5.1 The Canal and Rivers Trust requested an assessment of the impact of the development on daylight and sunlight reaching the Limehouse Cut Canal, including it's towpath before they were able to provide a substantive response.

5.2 Officers requested the above from the applicant. This information was provided and the Canal and Rivers Trust reconsulted.

5.3 In response, the Canal and Rivers Trust require conditions and developers contributions to address the impact of the development on the character and appearance of the Limehouse Cut (including the Conservation Area), flood risk and water quality, biodiversity, construction and use of the Limehouse Cut as a sustainable transport route.

5.4 The contributions required include floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath and improvements to local signage and way finding.

5.5 Officers recommend the requests are secured by conditions and a S106 legal agreement.

Crime Prevention Design Advisor

5.6 A condition is recommended to require the development to achieve a Certificate of Compliance to a Secured by Design Scheme.

5.7 Officers recommend a condition to secure the above.

5.8 Environment Agency

5.9 The Environment Agency raised objection to the proposals as submitted on the following grounds:

- Encroachment; the building sits more than 1m riverward of the existing building which would restrict essential maintenance and emergency access to the flood defences.
- The proposals would have a structural dependence on the flood defence which is not acceptable.
- The applicant has failed to demonstrate the flood defence has a residual life equal or greater than that of the development.
- The applicant has failed to include details of how and when the flood defences are going to be raised to the TE2100 levels of 6.1m AOD to ensure that they will continue to protect the proposed development from flooding.

- A lack of information has been submitted on the proposed drainage strategy.

5.10 In response to the objections raised, the applicant has engaged with the Environment Agency to resolve their concerns. The basement level of the development has been set back from the flood defence to maintain the building line as existing, with the upper floors cantilevered over the flood defence whilst maintaining structural independence.

5.11 In terms of access and maintenance the Environment Agency are satisfied that with the provision of a setback at basement level, and the provision of double access doors within the basement that in the case of emergency, access could be provided to the flood defence for maintenance and repair.

5.12 With regards to the raising of the flood defence and its residual life, the applicant has submitted further information to demonstrate how the defence will be raised to the required levels and has made a commitment to carry out the required works.

5.13 Following reconsultation with the Environment Agency, they raise no objection to the proposals subject to conditions.

Historic England (Archaeology)

5.14 It is advised that the development could cause harm to archaeological remain and field evaluation is needed to determine appropriate mitigation. A two stage archaeological condition could provide an acceptable safeguard.

5.15 Officers recommend a condition to secure the submission of a written scheme of investigation prior to an demolition and if heritage assets of archaeological interest are identified, the submission of a further written scheme of investigation.

Port of London Authority

5.16 The Port of London Authority raise no in principle objection to the development. It is requested that a Construction Logistics Plan and Delivery Servicing Plan are secured by condition which shoe consideration of the use of nearby waterways, and should maximise water transport for bulk materials during demolition and construction phases.

Officers recommend a condition to secure details of the above.

Thames Water

5.17 Thames Water raise no objection. A condition is recommended to require the submission of a piling method statement prior to commencement of works.

5.18 Officers recommend a condition to secure details of the above.

Transport for London

5.19 The proposals to widen and improve the quality of the public footpath from Dod Street to the Limehouse Cut are welcomed.

5.20 The development is largely car-free with the exception of 9No. Blue Badge Spaces within the basement. This is within the London Plan standards. The quantum of long and short stay cycle parking complies with the London Plan policies. Further information is required in regards to the exact dimensions of the cycle parking spaces. The access arrangements for long-stay cycle parking require sharing access with blue badge and delivery vehicles and appear convoluted requiring navigation of more than two sets of doors to access the internal lift and external exit. Long stay cycle parking arrangements should therefore be reconsidered.

- 5.21 A delivery and servicing plan and construction logistics plan should be secured prior to commencement of works on site.
- 5.22 A travel plan should be secured by condition to support sustainable and active travel.
- 5.23 Officers recommend a condition to secure further cycle parking details, a delivery and servicing plan and construction logistics plan and a travel plan.

INTERNAL CONSULTEES

LBTH Air Quality

- 5.24 The air quality assessment should contain an air quality neutral assessment, at the moment it doesn't. Major developments must demonstrate neutrality according to the relevant approved methodology published by the Mayor which supports the London Plan 'Air Quality Neutral Planning Support Update: GLA 80371' (2014) (or any more recent guidance)
- 5.25 There is no objection to the application subject to receiving an updated AQ report which includes an acceptable air quality neutral assessment. Construction plant and machinery and dust control measures should be secured via condition.
- 5.26 Officer recommend that an air quality neutral assessment is secured by condition, as well as construction plant and machinery and dust control details.

LBTH Biodiversity

- 5.27 Biodiversity requested, in addition to the desk based ecology assessment submitted, a proper preliminary ecological assessment including an assessment of the potential for the existing building to support bat roosts, before the application is determined. This was due to the sites location adjacent to the Limehouse Cut, which is known to be used by commuting and foraging bats.
- 5.28 The ecological assessment found negligible potential for bat roosts in the existing buildings. The application site is immediately adjacent to the Limehouse Cut. The canals in the borough are known to be used by foraging and commuting bats. Any significant increase in light spill onto the canal could have adverse impacts on bats, but no external lighting is proposed along the edge of the site nearest the canal. The loss of existing vegetation will be a very minor adverse impact on biodiversity.
- 5.29 Officers recommend that details of further biodiversity enhancements are secured via condition.

LBTH Employment and Enterprise

- 5.30 Proposed employment/enterprise contributions at construction phase:
The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The Economic Development Service will support the developer in achieving this target through providing suitable candidates through the Workpath Job Brokerage Service.

To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Economic Development Service will support the developer to achieve their target through ensuring they work closely with the council's Enterprise team to access the approved list of local businesses.

The Council will seek to secure a financial contribution of £31,372 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.

Proposed employment/enterprise contributions at end-use phase:

There is no end use obligations

LBTH Energy Efficiency/Sustainability

- 5.31 The submitted Energy Statement (Cudd Bentley – December 2019) sets out the proposals to reduce energy demand through energy efficiency measures and renewable energy technologies (including 29.24kWp Photovoltaic array and Air Source Heat Pumps) and deliver the following CO2 emissions:

Baseline – 88.21 tonnes CO2 per annum

Proposed Scheme – 40.30 tonnes CO2 per annum

The total on-site site wide CO2 emission reduction is anticipated to be 54.31% against the building regulation baseline utilising SAP 10 carbon factors.

The proposals are for a 47.90 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £114,855 to offset the remaining 40.30 tonnes CO2 and achieve net zero carbon. It is recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate the anticipated savings have been delivered on-site. This calculation has been based on the SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

Officers recommend a condition to require the submission of a post construction energy assessment. A carbon offsetting payment will be secured through the S106 legal agreement.

LBTH Environmental Health (Contaminated Land)

- 5.32 Contaminated officers raise no objection, subject to standard conditions.
- 5.33 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Noise)

- 5.34 The acoustic report that has been submitted is satisfactory. A condition is recommended to require the submission of sound insulation and ventilation strategy prior to commencement of the development and a compliance condition to ensure that any services, plant or equipment are a level at least 10 dB below the lowest representative existing background noise level.

5.35

LBTH Housing

- 5.36 LBTH Housing initially commented on the application and stated that the applicant is proposing 86 residential units and 16 affordable housing units which equates to 21% by habitable room. All affordable units (ref. Financial Viability Appraisal (FVA) and Planning Statement para 5.49) are proposed as intermediate shared ownership housing. We understand the applicant has submitted a FVA and we await the assessment outcome from

our (LBTH) viability team to ensure that the quantum of affordable housing proposed on this site is reasonably maximised.

Affordable rented

- 5.37 There are no affordable rented units within this scheme. The policy requirement is 1B (25%), 2B (30%), 3B (30%) and 4B (15%). We will await the outcome of the FVA.

Intermediate

- 5.38 The applicant is proposing 16 intermediate shared ownership units. The breakdown of the proposed unit mix is 1B2P 5no (31%), 2B4P 9no (56%) and 3B5P 2no (13%). The policy requirement is 1B (15%), 2B (40%), 3B+ (45%). We will await the outcome of the FVA.

Market

- 5.39 With regard to the market housing mix the applicant is providing 1B 37no (53%), 2B 33no (47%) and 3B+ 0no. The applicant does not meet policy which is 1B (30%), 2B (50%) and 3B+ (20%).

Wheelchair units

- 5.40 The policy requirement for wheelchair housing is 10%. The development is proposing 86 units and 10% of this total is 8.6. As outlined in the FVA the applicant is providing 8 wheelchair accessible units.
- 5.41 Please can the applicant provide:
- Tenure type floorplans
 - Wheelchair unit schedule and for each unit to clearly show the tenure type and is it is fully accessible as per Part M4(3)
- 5.42 We're unable to support this application and will await feedback of the FVA assessment. We need to understand the reason regarding the lack of affordable rented units and the unbalanced unit mix proposed across all tenures.

LBTH Transportation & Highways

Car Parking

- 5.43 Further details are required for the proposed car park including dimensions of bays and width/gradient of access ramp, how it will be managed and how servicing vehicles will access for deliveries. A condition will be required ensuring that all parking associated with this development will be restricted for the use of Blue badge holders who are resident within the development.

Servicing

- 5.44 Further details required in terms of servicing and how delivered will be able to take place from the basement.

Cycle Parking

- 5.45 The proposed cycle parking numbers marginally exceeds the minimum standards. The application proposes 5 Sheffield stands (for up to 10 cycles), whilst this is welcomed, LBTH

Highways would wish to see a greater provision to ensure that adapted / larger cycles can be accommodated. This is in order to promote inclusivity.

- 5.46 Detailed, scale drawings are required showing all of the cycle storage types and locking mechanisms. Detailed information of the cycling strategy is required, this will need to include (but not limited to):
- What is the access route to the residential core(s) from the cycle stores?
 - What is the access arrangement to the cycle stores - from the public highway? Including door widths, corridor widths, lift dimensions, etc...
- 5.47 All cycle parking provision must adhere to the London Design Guide Standards.

Highway Issues and Other

- 5.48 The crossover as shown on both the existing and proposed plans is incorrect. It shows that there is a shared access with the neighbouring property on the west of the site.
- 5.49 Additionally, the existing crossover would need to be reduced in width if the only vehicle access is to the basement. This will form part of a S278 agreement along with other potential works.
- 5.50 As this is proposed to be a car free development we request that a CPZ permit free agreement is secured via S106 (or other legal means as determined by the case officer).
- 5.51 A full and robust Construction Management Plan is required to be secured via condition. This will need to be submitted to LBTH prior to commencement of ANY works but once a Principal Contractor has been appointed. All phases of demolition and construction will need to be considered and detailed.
- 5.52 A framework Serving strategy is required now and a full Site Management Plan will be required as a condition.

LBTH Waste

Bin Stores

- 5.53 The bin store is required to be designed in accordance with the latest British Standard BS5906 and Waste management in buildings – Code of practice and Building Regulations 2000, Part H6.
- 5.54 Ensuring the bin store is large enough to store all containers with at least 150mm distance between each container and that the width of the door is large enough with catches or stays. The bin store must also be step free.

Waste Capacity

- 5.55 The applicant is required to provide details of the waste capacity required for this proposed development per each waste stream.

Waste Collection Service

- 5.57 The applicant is required to provide information where the waste collections vehicle will park to load and unload this proposed development. Currently there are residential bays outside this proposed development.

Dropped Kerb

- 5.58 The applicant is required to provide dropped kerb minimum 1.2 meters wide at the locations of where the waste collection vehicles will service the waste in the case where there are stepped surfaces or no existing dropped kerb.

Internal Storage

- 5.59 All residential units are required to be provided with internal waste storage preferably within the kitchen units with the following capacity:

Refuse – 40 litres
Recycling – 40 litres
Food waste – 23 litres

- 5.60 Waste Policy and Development requires the above point to be addressed before we can be supportive of the application.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Local Plan 2031

6.3 The key development plan policies relevant to the proposal are:

6.4

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

- Local Plan policies – S.H1, D.H2, D.H3
- London Plan policies – LP3.3-9, LP3.10-13, LP3.14-15

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

- Local Plan policies - S.SG1, D.EMP3
- London Plan policies – LP3.14, LP4.2

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

- Local Plan policies - S.DH1, D.H2, S.DH3, D.DH4, D.DH6
- London Plan policies – LP7.1 - 7.8

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

- Local Plan policies - D.DH8
- London Plan policies – LP7.6, LP 7.14, LP7.15

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

- Local Plan policies - S.TR1, D.TR2, D.TR3 D.TR4
- London Plan policies – LP 6.1, LP6.3, LP6.5- LP6.13

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

- Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES7, D.ES2, D.ES9, D.ES3, D.ES4, D.ES5, D.ES7, D.ES8
- London Plan policies – LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21,

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2018)
- Historic England Heritage Supplementary Guidance (Various)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2016)
- Limehouse Cut Conservation Area Character Appraisal and Management Guidelines (2011)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

7.1 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29.

Redevelopment of existing employment floorspace

7.2 The existing site comprises a B1 use, and as such is defined as an employment use. Local Plan Policy D.EMP3 resist the loss of active and viable employment floor space. The site is not within a designated employment location and as such part 2 of the policy is relevant.

7.3 The policy states that development should not result in the loss of viable employment floorspace except where active marketing over a continuous period of 24 months has been provided, or where it has been 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 the benefits of the alternative use would outweigh the benefits of employment use.

7.4 The office buildings on site are currently occupied by the Job Centre Plus and the Department for Work and Pensions. The current occupiers are due to vacate the site and relocate their services to Mansell Street, E1. The applicant has not provided any marketing evidence however a report has been undertaken to evaluate the existing condition of the office accommodation. The report concludes that in its current state, the office accommodation is unsuitable compromised office space, and this is further compounded by its location within a predominately residential area, and by comparison to other office accommodation within the borough, the low levels of public transport accessibility.

7.5 The conclusion of the report submitted demonstrates that the existing building is not desirable or viable for continued employment use, consistent with the requirements of policy D.EMP3. The benefits of the alternative use of the site for housing, and given the site is not located within an employment location, outweighs the loss of the office floorspace in this instance. The loss of the office use is acceptable in this instance, and complies with the relevant policies as mentioned.

Housing

7.6 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29.

Housing Mix

7.7 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. Policy D.H2, as detailed in the above section, also seeks to secure a mixture of small and large housing and Policy D.H3. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).

7.8 The table below details the overall proposed mix of the scheme:

Tenure	1-bed (2 hab room)	2-bed (3-hab room)	3-bed (4 hab room)	4-bed	Total
Market	33	30	0	0	63
Affordable	5	9	2	0	16
Intermediate	4	3	0	0	7
Total	42 (48.84%)	42 (48.84%)	12(13.95%)	0	86

Affordable Housing

7.9 The London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and provides that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period which can be expressed in absolute terms or as a percentage.

7.10 Draft New London Plan Policy H6 outlines the threshold approach to affordable housing for housing schemes greater than 10 units. The policy sets the threshold level of affordable housing at 35%. Applications not meeting the 35% threshold are not eligible for the Fast Track Route, and will be viability tested with early and late stage reviews secured by way of legal agreement subsequent to consent.

7.11 Council Local Plan Policy D.H2 sets the requirements of affordable housing provision within developments in the Borough, in terms of quantum, standard and provision. Development within the Borough is required to provide 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units within this offering.

7.12 The application provides the following contribution towards affordable housing on the site, across both intermediate (shared ownership) and affordable rented products:

Tenure	1-bed (2 hab room)	2-bed (3 hab room)	3-bed (4 hab room)	Total
Affordable Rent	5 (10hr)	9 (27hr)	2 (8hr)	16 (45hr)

Intermediate	4 (8hr)	3 (9hr)	0	7 (17)
Total	9	12	2	23

- 7.13 Of the total 86 units within the scheme, 23 are affordable, with an overall affordable housing contribution of 29% by habitable room at a tenure split of 73:27 in favour of affordable rent. The scheme falls short of the overall contribution required to meet the policy test of 35% of Policy D.H2 while falling marginally short in the tenure split of 70:30 as outlined within the same policy. In addition, the scheme falls short of draft New London Plan policy H6 also requiring 35% affordable housing. As such, the scheme requires the undertaking of a Financial Viability Appraisal on submission to meet both policy tests.
- 7.14 In considering the affordable housing mix, the applicant has submitted financial viability appraisals of the scheme in line with the above London and Local Plan policies due to its non-compliant provision of 29% affordable housing and failure to deliver a policy compliant mix.
- 7.15 The submitted Financial Viability Appraisal (FVA) prepared by Montagu Evans, and independently reviewed by BNP Paribas post-submission, concluded that the affordable housing provision of 19% together with a surplus of £0.29m for payment in-lieu was the viable position for the proposed development. However, the affordable housing proposal did not include any affordable rented units which was of concern. Officers did not support the proposed affordable housing provision of this level which is significantly lower than the required minimum of 35% and was considered not to have maximised the affordable housing on site.
- 7.16 In response, the applicant has taken a commercial decision to increase their affordable housing provision from 21% by hab room to 29% by hab room. In addition, the number of affordable rented units proposed has increased from 0, to 16. Given the viability constraints, officers consider that the proposed affordable housing is the maximum reasonable level the development can provide. Furthermore, an early stage viability review will be secured to ensure t that should there be any uplift in value, the maximum reasonable amount of affordable housing provision can be secured.
- 7.17 Part 3 of D.H2 sets out the expected housing mix within the three residential tenures expected within large scale developments, as detailed below. This policy seeks to ensure a mixture of small and large housing types, including family homes, based on the Council's most up to date Strategic Housing Market Assessment (2017).

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

Figure 3 : Housing mix targets (Policy D.H2)

7.18 The table below compares the affordable housing schedule within the scheme against the preferred mix within Local Plan Policy D.H2:

Tenure	1-bed	2-bed	3-bed	4-bed	Total
Affordable Rent	5 (30%)	9 (56%)	2 (12%)	0 (0%)	16
	+5%	+26%	-18%	-15%	
Intermediate	4 (57%)	3 (42%)	0 (0%)		7
	-42%	+2%	-45%		

7.19 The development does not represent a compliant housing mix across both tenures. Within the affordable rented product, there has been a considerable overprovision 2 bedrooms units, with an under provision of larger family sized units. In contrast, the intermediate product significantly under provides on 1 bedroom units, and no family sized units are provided in this tenure. It is however noted that the revised affordable housing offer represents a 73:27 ratio skewed towards affordable rented units, considerably closer to the policy split of 70:30 outlined in Policy D.H2 when compared with the initial offer supported by the FVA that proposed no affordable rented units. Furthermore, the prioritisation of larger family units, including a wheelchair unit in the affordable rented tenure is particularly favourable.

Wheelchair Accessible Housing

7.20 Policy 3.8 of the London Plan and Policy D.H3 require that 10% of all new housing is designed to meet housing standard M4(3) for wheelchair accessibility, with the remainder of dwelling built to be accessible and adaptable dwellings in line with housing standard M4(2). 9 wheelchair accessible homes are proposed which amounts to approximately 10% of the total units. Of this total, 3 are delivered within the affordable housing and the remaining 6 are within the market units.

7.21 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Nine secure disabled accessible car parking spaces would be provided within the existing basement which is accessed from Dod Street.

Quality of Residential Accommodation

7.22 GLA's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is "*fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime*". The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.

7.23 Policy D.H3 of the Tower Hamlets Local Plan require that all new residential units must meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The policy also highlights the requirement that affordable housing not be of a distinguishable difference in quality.

- 7.24 All of the proposed units meet the London Plan Space Standards with a number exceeding the minimum requirements. All units have appropriate floor-to-ceiling heights in line with the 2.5m standard outlined within the GLA's Housing SPG. No floor would have more than 8 units per core, again in accordance with the SPG.
- 7.25 With regard to the affordable housing, all of the units meet the London Plan standards and is indistinguishable in both access and arrangement to that of the market housing.
- 7.26 As confirmed by Environmental Health Officers, the new residential units will not be subjected to unacceptable noise or air quality conditions. Conditions will be placed on consent to ensure that new accommodation is constructed to appropriate British Standards with regard to acoustic insulation, while a further submission with regards to an air quality assessment submission will be conditioned on consent.

Daylight, Sunlight & Overshadowing

- 7.27 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.28 The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.29 The applicant has submitted a Daylight and Sunlight Assessment of the scheme, undertaken by Consil, in support of the application. The Assessment has been independently reviewed on behalf of the Council.

Daylight

- 7.30 Of the proposed 222 rooms assessed, 184 (83%) will meet the recommended BRE guidelines for average daylight factor (ADF). All 132 bedrooms within the scheme would meet the 1% target value. 3 of the 4 (75%) living rooms tested would meet the 1.5% target value. 2 of the 4 (50%) kitchens and 47 of the 82 (57%) LKDs tested would meet the 2% target value. If we take the lower target value of 1.5% for LKDs, 64 (78%) would comply.
- 7.31 Where the recommended ADF target values are not met, the rooms are commonly located behind recessed balconies or have overhanging balconies above, both of which hinder the access of light. This is particularly true of room R7 on the first floor and room R6 on the second floor, both LKDs, which have the lowest ADF values at 0.38% and 0.53% respectively.
- 7.32
- 7.33 In addition, where a room does fall below the guidelines, other rooms within the unit generally meet or exceed their recommended target value.
- 7.34 On balance, the daylight results to the proposed units to be in line with a proposed scheme of this size and in an urban location such as this.

Sunlight

- 7.35 The report submitted by the applicant has tested all windows for sunlight, regardless of orientation. Of the 222 rooms that have been tested, 83 (37%) will comply with the BRE

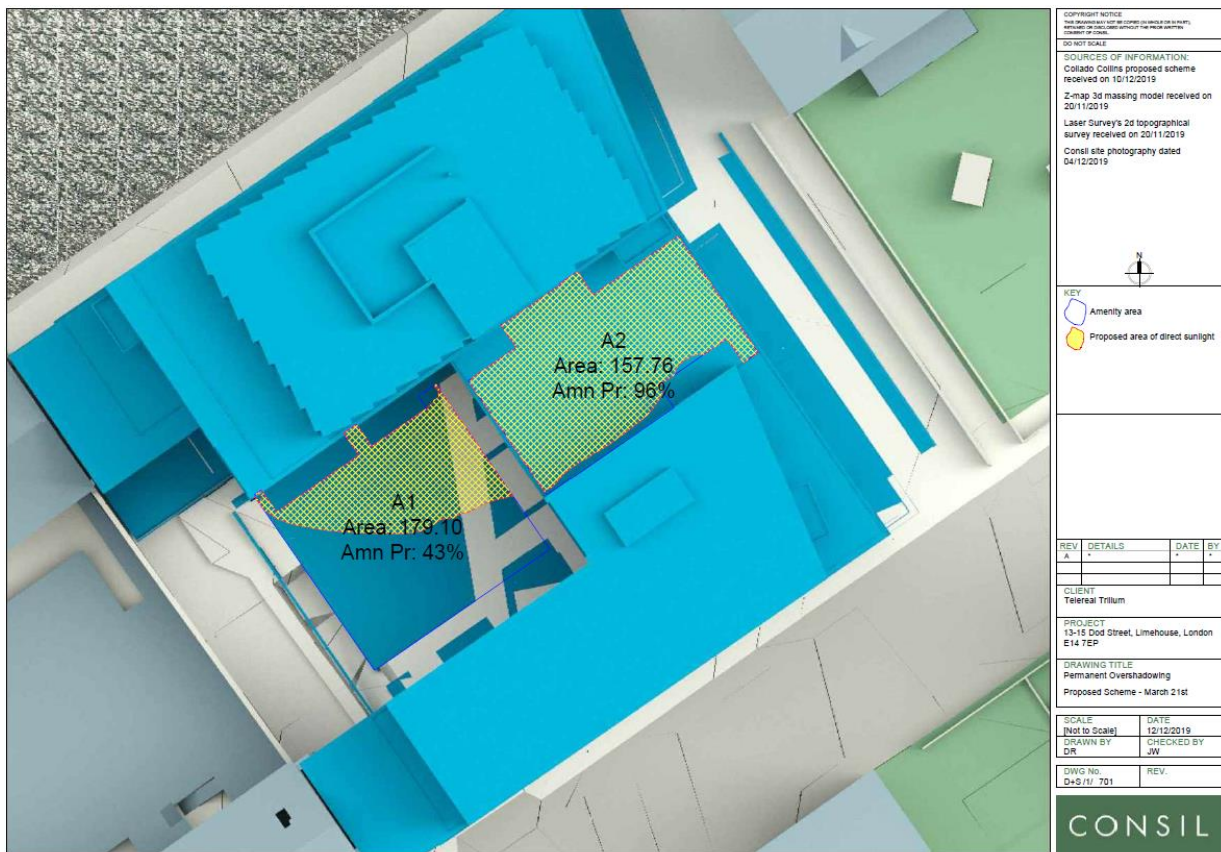
guidelines for APSH and 102 (46%) will receive the recommended 5% during the winter months. All 4 living rooms would meet the guidelines.

7.36 Of the 139 rooms that do not comply for APSH, 80 are bedrooms, 57 are living/kitchen/diners and 2 are kitchen/diners. The rooms that do not meet the guidelines have windows that are typically northeast or north-west facing and/or are set behind recessed balconies. This means that rooms will receive little or no sunlight in some cases, however the transgressions are balanced against the quality of the private amenity space that it provided. Where rooms do face 90° of due south the sunlight results are generally good.

7.37 On balance, taking in to account the amenity space provision, the sunlight levels received by the residential units are acceptable and would provide a reasonable standard of accommodation in this regard.

7.38 *Overshadowing/Amenity Spaces*

7.39 The overshadowing results demonstrate that on 21 March amenity area A2 would fully comply with the recommended 2 hours of sun to 50% of its area. Amenity area A1 falls below at 43%. The below image shows the location of the amenity spaces, with area A1 located at ground floor level within the central courtyard and A2 located on the roof of the four storey link,



7.40 Consil have carried out an additional overshadowing assessment on 21 June to demonstrate the maximum sunlight achievable in summer.

7.41 This demonstrates that both amenity areas would receive 2 hours of sun to 100% of their area. On balance, and considering the proposed units also benefit from private amenity in the form of balconies, it is considered that the sunlight to the proposed communal amenity spaces to be acceptable.

Communal Amenity Space & Play Space

7.42 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies, they should have a minimum width of 1500mm. The proposal provides private amenity space, in the form of balconies and terraces to all of the flats would comply with the above quantitative standards.

7.43 Part 5c and d of D.H3 requires communal amenity space and child play space for all developments with ten or more units. The communal amenity space requirement for this development is 126sqm. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.

7.44 The development proposes a total quantum of 399sqm of communal amenity space and child play space combined in the form of a landscaped areas with a courtyard in the centre of the site between the two residential blocks and a roof terrace to the link building. The quantum of the provision would comply with the minimum requirement.

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

Age Group	Quantity	Area Required (sqm)
Years 0 – 4	10	100
Years 5 – 11	7	70
Years 12 – 18	4	40
Total	21 children	210sqm

7.46 As detailed above the development is predicted to yield 20 children and therefore 210sqm of child play space is required, split across the different age groups set out in the GLA’s Play and Informal Recreation SPG (2012).

7.47 In total, the development provides 399sqm of communal landscapes areas, in which the required play space will be accommodated. It is envisaged that the play provision would be provided on the central courtyard and as such it is recommended that full details of the play spaces are secured via condition.

7.48 It is also noted that the site is within 75m of Bartlett Park, and 800m of Mile End Park, which provide an additional off-site provision of play space for those in the 12+ age range.



Figure 4 : Ariel view including communal amenity space

Design & Heritage

- 7.49 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.50 Policy S.DH3 of the Local Plan (2020), policy 7.8 of the London Plan (2016) and policy HC1 of the New Draft London Plan (2019) require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 7.51 The site is located at the north of Dod Street, and is immediately adjacent to the Limehouse Cut Conservation area on its other three sides. Limehouse Cut is immediately adjacent to the north. There is a pedestrian link to the east of the site between Dod Street and Limehouse Cut. To the west is a fine three-and-half-storey high-ceiling brick warehouse.
- 7.52 The buildings along Dod Street are predominantly three to six storeys high, with two six-storey blocks at both ends of the street, stepping down to three- or four-storey buildings immediately adjacent to the site. The existing buildings opposite Dod Street have flank or poorly defined frontage. Therefore, it is supported that development on this site should reinstate street frontage and reinforce street activity.

Heritage and Conservation

- 7.53 Although not within a Conservation Area, the site is bound on three sides by the Limehouse Cut Conservation Area. Due regard is given to the relationship between the proposed

development and the setting of the Conservation Area given the Conservation Area boundary runs along the north, east and west boundaries.

- 7.54 Of particular note is the widening and improvement of the pedestrian link which forms part of the Conservation Area. The Conservation Area Appraisal notes that 'where new development is proposed, proper consideration should be given to the opportunities to frame the waterspace, central to the character of the Conservation Area, and optimise views of it. This element of the scheme will enhance the character and appearance of then Conservation Area'.

Layout

- 7.55 The ground floor layout provides one main entrance lobby facing Dod Street and another entrance facing the widened publicly accessible pedestrian link at the east side, which is fully supported.
- 7.56 The Design and Conservation Officer raises concerns with regards to the two ground floor units facing Dod Street which are considered to be overly exposed as no defensible space is provided. This is due to reasons driven by the continuity of building lines along the streetscape and the relationship with the adjacent buildings.
- 7.57 It is recommended that details are secured via condition regarding how the boundary treatment is provided to mitigate the privacy issues for the ground floor windows facing Dod Street and for the private amenity arranged along the widened public pedestrian link.

Townscape, Massing and Heights

- 7.58 The scheme proposes a c-shaped layout with a communal courtyard and a significant set back from the eastern boundary to provide a more generous and inviting pedestrian pathway linking Dod Street and Limehouse Cut. It has two taller volumes, facing Dod Street and Limehouse Cut respectively, which are connected by additional lower volumes which provides a coherent height to the immediately adjacent warehouse to the east.
- 7.59 On the canal side, there are two towers (of nine storeys and eleven storeys respectively) at the junction of the canal and the main road, Burdett Road. On the same side (south) of the canal adjacent to the development site, the buildings are predominantly two to four storeys stepping up to a seven storey building at the corner turning which leads to Stainsby Road. On the north side of the canal, the building heights are varied, from four-storeys to new developments featuring a seven-storey flank facade with an additional set-back floor on top.
- 7.60 The proposed massing and heights of 8 storeys to the Limehouse Cut and 6 storeys to Dod Street are considered to be appropriate for the site context. While the proposed heights of the two taller volumes are slightly more prominent than the adjacent rooflines of the streetscape, they are justified as a prominent corner by providing a generous and inviting pedestrian link from Dod Street to the canal side. To Dod Street the scheme relates well to the immediately adjacent warehouse, to provide a coherent roofline, which strengthens the harmonious streetscape, and also respects the hierarchy of stepped down building heights.



Figure 5 : Ariel view

Appearance & Materials

- 7.61 The proposed elevation design applies an approach that incorporates a grid frame with a recessed infill of brickwork, in addition to the arch features facing Dod Street. The concept of which is supported by the Design and Conservation Officer in principle. The special featuring of arches to the Dod Street elevation that respond to the adjacent warehouse is welcomed.
- 7.62 Full details regarding the composition, proportion and sub-division of the grid, infill brickwork, arch and opening elements, will be conditioned, in order to clarify their relationships in terms of architectural articulations and visual effects, including 'robustness' or 'depth', recess, window reveal, sub-division, gap and change of materials.
- 7.63 In order to ensure that the top floor set back level does not appear crude and industrial, full details of the proposed materials, including details of the design features including the metal cladding and 'wave' will be secured via condition.



Figure 6 – Dod Street approach (East)

Landscaping & Public Realm

- 7.64 As reference above, the proposals include significant improvements to the existing pedestrian link between Dod Street and the Limehouse Cut. The building line of the proposed development is set back from the existing building line and boundary with the link to provide a greater area of space which in turn opens up the pathway. The below images demonstrate how views to and from the Limehouse Cut will be improved.
- 7.65 Full details of hard and soft landscaping within the development will be secured by condition, as well as a number of improvements to the Limehouse Cut including signage and wayfinding for pedestrians to further ensure that the development contributes to the character and appearance of the Limehouse Cut Conservation Area.



Figure 7 – Dod Street to Limehouse Cut Pedestrian Link (Dod Street)



Figure 8 – Dod Street to Limehouse Cut Pedestrian Link (Limehouse Cut)

Archaeology

7.66 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. Although the site does not lie within an Archaeological Priority

Area but virtue of the size of the scheme it has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

- 7.67 GLAAS have identified that remains of eighteenth and nineteenth century industry that developed along the Limehouse Cut may be preserved at the site. Early mapping shows that the area was occupied by rope walkers and later a cabinet makers. The underlying geology of Kempton Park Gravels and Langley Silts has a high potential for early prehistoric remains.
- 7.68 GLASS consider that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. It is concluded that given the nature of the development, and that the basement is existing, and the constraints of the site, a condition could provide an acceptable safeguard.
- 7.69 A condition is recommended to secure firstly, evaluation to clarify the nature and extent of surviving remains, following by, if necessary, a full investigation.

Neighbour Amenity

- 7.70 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions through policy D.DH8 of the Tower Hamlets Local Plan.

Daylight and Sunlight

- 7.71 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011)
- 7.72 The submitted daylight/sunlight assessment does not set significance criteria against the assessment results. The assessment has been independently reviewed by Delva Patman Redler who consider that whilst significance criteria are more appropriate for an environmental statement, the following significance criteria should be used against the results in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.
- 7.73 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.74 Sunlight is assessed through the calculation of annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter for each window within 90 degrees of due south (i.e. those windows which receive sunlight).

The daylight and sunlight impacts of the development has been assessed in the report prepared by Consil. This report has been independently reviewed on behalf of the Council. The results of which are discussed below. The report identified 6 neighbouring residential properties surrounding the site that are likely to experience a material reduction in daylight and sunlight from the proposed development. These are: Aspen Court

- Minchin House
- Menteach House
- Trendell House
- Paisley Court & Ripon Court
- Ancora House & Chaldron Court



Figure Surrounding building tested by Consil

Trendell House

7.75 Of the 24 windows assessment for VSC, 23 comply with BRE Guidelines. The window that falls below the recommended target value serves a ground floor bedroom window on the flank elevation facing the site. This window experiences a 23% reduction from the existing figure, a minor adverse impact.

7.76 For NSL, all rooms in Trendell House fully comply with the guidelines. Overall, the impact on this property is negligible.

Paisley Court and Ripon Court

7.77 Of the 61 windows assessed for VSC, 59 comply with the BRE guidelines. The 1 window that falls below at Paisley Court serves a room alongside 2 other windows. The BRE guide suggest taking a mean VSC figure in this instance, which equates to a reduction of 15.6% from the existing figure, which meets the guidelines.

7.78 The 1 window in Ripon Court that falls below the guidelines already experiences a low existing VSC figure of 2.37% so any reduction from the would be exaggerated. The actual reduction of 1.38% VSC is not considered to be material.

- 7.79 The NSL for these buildings results in 37 of the 39 rooms tested would comply with BRE guidelines. The 2 rooms that fall below are located within Paisley Court and experiences a 23% and 27% reduction from the existing figures, which is a minor adverse impact.
- 7.80 Overall, the impacts on Paisley and Ripon Court are minor adverse.
- 7.81 *Ancora House and Chaldron Court*
- 7.82 Of the 125 windows assessed for VSC, 116 comply with the BRE guidelines. Of the 9 windows that fall below, 7 would experience minor adverse impacts, 1 would experience a moderate adverse impact and 1 would experience a major adverse impact.
- 7.83 For NSL, all rooms tested would fully comply with the guidelines. Overall, the impact on Ancora House and Chaldron Court are minor adverse.

Neighbouring Sunlight

- 7.84 The windows that face 90 degrees of due south within all neighbouring properties have been assessed for sunlight. The results demonstrate that all windows will meet the recommended BRE guidelines for Annual Probable Sunlight Hours (APSH). The impact of the proposed scheme in sunlight terms is therefore negligible.

Neighbouring Overshadowing

- 7.85 An overshadowing analysis for the neighbouring amenity spaces within Aspen Court, Ancora House and Chaldron Court have been undertaken.
- 7.86 The results demonstrate that all amenity areas considered will receive the recommended 2 hours of sunlight to at least 50% of their area when the development is complete. The impact on shadowing is therefore considered to be negligible.

7.87 Privacy and Overlooking

- 7.88 In terms of overlooking, the most sensitive closest residential building to the site is the adjoining later living home (Aspen Court Care Home) which lies to the east of the site. The application site and Aspen Court are separated by the pedestrian link between Dod Street and the Limehouse Cut, the proposed scheme would see a separating distance of 10m.
- 7.89 The adjoining Aspen Court is an L-shaped building with courtyard that occupies the western corner adjacent to the pedestrian route. The courtyard is recreational space for the residents. The proposed building would flank this courtyard with residential windows up to fourth floor level, as well as with the roof terrace proposed to link building.
- 7.90 The proposals would result in a degree of increased overlooking to the adjoining site compared to the existing situation. However, by virtue of the separating distance between the two, this would not result in an unduly detrimental impact on amenity. It is recommended that details of privacy screening to the roof terrace are secured by condition, to mitigate against any perceived sense of overlooking when the terrace is in use.
- 7.91 With regards to the residential buildings to the west of the site, no residential windows are proposed on the boundary ground to fourth floor level, at fifth floor and above a sufficient set back is provided to reduce potential overlooking. Again, it is recommended that details of privacy screening to the outdoor amenity space, namely a fourth floor level and above are secured via condition.

Summary

- 7.92 Officers have outlined any potential adverse impacts on neighbours and are satisfied that these are not significant to warrant refusal, taking into consideration the public benefits of the scheme such as the provision of new housing and enhanced public realm. For the reasons above, the proposed development would be acceptable in terms of its impact on neighbouring amenity and would comply with policy D.DH8.

Noise & Vibration

- 7.93 Council's Environmental Health Officers have reviewed the accompanying acoustic report and consider the report to be satisfactory. Conditions are recommended to require full details of each buildings sound insulation and ventilation strategy prior to commencement and for new fixed building services plant and equipment to be designed to at least 10dB below the lowest existing background noise.

Construction Impacts

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

Transport

- 7.95 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.

Vehicular, pedestrian and cycle access

- 7.96 The proposals utilise the existing sites basement which has ramp access from Dod Street. Vehicles and Cycle will access the basement via the ramp where the car and cycle parking is located.
- 7.97 In terms of pedestrians, the ground floor layout provides one main entrance lobby facing Dod Street and another entrance facing the widened pedestrian link at the east side. The widening of the pedestrian link is welcomed in terms of pedestrian movement.

Deliveries & Servicing

- 7.98 The delivery and servicing strategy for the scheme includes the provision of a commercial vehicle parking space in the basement, which is of a size which can accommodate vehicles (large vans) seen delivering to existing properties along Dod Street.
- 7.99 This space would be provided for delivery drivers on a booking system managed by the on-site facilities management team.
- 7.100 Officers recommend securing a full detailed delivering and servicing plan via condition.

Car Parking

- 7.101 The development would be 'car free' with the exception of nine disabled car parking spaces provided within the existing basement. This is in line with policy D.TR3 of the Local Plan (2020).
- 7.102 Draft New London Plan Policy T6.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this

to increase by an additional 7% as needs require it. The application provides 10% blue badge spaces in line with the 10% of wheelchair accessible units that are provided within the development, this is given that the existing basement offers car parking spaces which the applicant has utilised as part of the proposals.

7.103 The provision of 10% electric charging points to the accessible spaces would be required and secured by condition.

7.104 The development remains car free within the exception of blue badge space, which will be secured through S106 legal agreement to the consent.

Cycle Parking and Facilities

7.105 The proposals provide 162 long stay cycle parking spaces in the form of two separate cycle stores within the basement, including 10 spaces provided in Sheffield stands. The provision exceeds the minimum standards set out in the Local Plan and the London Plan which is welcomed.

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

7.107 Travel Plan

7.108 In line with the recommendation of Transport for London, a Travel Plan will be secured via condition and monitored via S106 agreement.

Environment

Energy & Environmental Sustainability

7.109 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2016 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

7.110 Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean); and
- Use Renewable Energy (Be Green)

7.111 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.

7.112 The CO₂ emission reduction is anticipated to be 54.31% against the building regulation baseline which is compliant with policy requirements. The proposals are for a 47.90 tonnes/CO₂ reduction in on-site emissions and would result in a carbon offsetting contribution of £114,855 to offset the remaining 40.30 tonnes CO₂ and achieve net zero carbon. It is

recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate the anticipated savings have been delivered on-site. This calculation has been based on the SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

- 7.113 Subject to appropriate Conditions securing the energy proposals and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals are in accordance with adopted policies for CO2 emission reductions.

Air Quality

- 7.114 Policy D.ES2 of the Local Plan (2020) and policy 7.14 of the London Plan (2016) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.115 The application is accompanied by an Air Quality Assessment which seeks to demonstrate compliance with Development Plan policies. Environmental Health Officers consider the balance of the assessment acceptable; however note that an air quality neutral assessment has not been made.
- 7.116 As such, the officer advises that a condition must be imposed on the consent requiring an addendum assessment which includes an air quality neutral assessment and also consider assessment of construction dust impacts.
- 7.117 The air quality officer also requests further conditions and an informative which require environmental details of construction phase and construction dust control.

Waste

- 7.118 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.119 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of bin storage size and servicing arrangements by condition the proposal is acceptable. The provision of a dropped kerb to allow for waste collection will be secured through a legal agreement,

Biodiversity

- 7.120 Policy D.ES3 of the Local Plan (2020) and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value and contribute towards the Local Biodiversity Action Plan (LBAP).
The application site consists largely of existing buildings and hard surfaces, with only small amounts of amenity grassland and ornamental shrubbery. The ecological assessment found negligible potential for bat roosts in the existing buildings. The application site is immediately adjacent to the Limehouse Cut. The canals in the borough are known to be used by foraging and commuting bats. Any significant increase in light spill onto the canal could have adverse impacts on bats, but no external lighting is proposed along the edge of the site nearest the canal. The loss of existing vegetation will be a very minor adverse impact on biodiversity.
- 7.121 Policy D.ES3 requires biodiversity gains from developments. The Design & Access Statement indicates green and brown roofs, as well as areas of ornamental planting on roof terraces. The green/brown roofs should be biodiverse roofs designed in accordance with best practice guidance published by Buglife, not sedum roofs which are of very limited biodiversity value. Ornamental planting would be of biodiversity value if it includes a good range of nectar-rich plants.

7.122 Other biodiversity enhancements which would be appropriate here include the installation of bat boxes and nest boxes for birds such as house sparrow, house martin and swift. These would contribute to targets in the Local Biodiversity Action Plan. Full details of biodiversity enhancements will be secured through condition.

Flood Risk & Drainage

7.123 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments. Policy D.OWS4 requires development adjacent to the borough's water spaces to demonstrate no loss or covering of the waterspace, no adverse impacts including biodiversity, amenity and character, enhancement of the ecological, biodiversity and aesthetic quality of the water space and it must provide suitable setbacks from the water space edges to mitigate flood risk and to allow riverside walkways and canal towpaths.

7.124 The existing building line of the site, is setback by 3m from the boundary wall between the site and the Limehouse Cut which is a formal Tidal Flood Defence. The proposed development at basement level would maintain this set back, with the upper storeys encroaching towards the line of the flood defence, although they would be structurally independent of it. The Environment Agency are satisfied, on the basis that the development is structurally independent of the flood defence, and double doors are provided within the basement to allow for access to the flood defence in emergency situations, that the development would continue to allow for adequate space for inspections, maintenance and repair.

7.125 In accordance with the Environmental Agencies TE2100 Plan, the flood defences will be to be raised by a level of 6.1mAOD to ensure that they will continue to protect the proposed development from flooding for the lifetime of the development. The flood risk assessment submitted demonstrates that it is feasible to raise the height of the flood defence to 5.6m AOD by 2065 and 6.1m AOD by 2100 as this falls within the lifetime of the development.

Land Contamination

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

Infrastructure Impact

7.127 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £815,400 and Mayor of London CIL of approximately £326,169. It is important to note that these figures are approximate. This will likely change given indexation is linked to the date planning permission is granted.

7.128 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.

7.129 Furthermore, a new homes bonus will be applied; however at present the figure has not been calculated.

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

- £31,372.00 towards construction phase employment skills training
- £114,855 toward carbon emission off-setting.

Human Rights & Equalities

- 7.131 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.
- 7.132 The proposed new residential accommodation meets inclusive design standards and 9 of the new homes will be wheelchair accessible, 9 within the affordable tenures, and 9 disabled car parking spaces provided. These standards would benefit future residents, including disabled people. The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.
- 7.133 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

- 8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- a. £31,372 towards end-user phase employment skills training
- b. £17,280 toward carbon emission off-setting
- c. £500 monitoring fee per heads of term

8.3 Non-financial obligations:

- a. Affordable housing (29% by habitable room)
 - 8 units at London Affordable Rent
 - 8 units at Tower Hamlets Living Rent
 - 7 units as Shared Ownership
 - Early Stage Review
 - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- b. Access to employment
 - 20% local procurement
 - 20% local labour in construction
- c. Transport matters:
 - Car Free development
 - Residential Travel Plan
 - S278 Agreement
 - public access through the pedestrian link from Dod Street to Limehouse Cut
- d. Compliance with Considerate Constructors Scheme

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

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:

Pre-commencement

4. Submission of piling method statement.
5. Submission of air quality neutral assessment.
6. Submission of Construction Environmental Management Plan and Construction Logistics Plan
7. Details of Land Contamination Remediation if found
8. Details of biodiversity enhancements including floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath and improvements to local signage and way finding.
9. Details of external facing materials and architectural detailing.
10. Details of privacy screening to northern elevation at fourth floor level.
11. Submission of Communal Amenity and Play Management Plan
12. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting
13. Play space details
14. Details of cycle parking in the basement including access arrangements and signage.
15. Details of waste storage and management plan
16. Submission of Surface water - Drainage Strategy
17. Disabled Car parking
18. Electric vehicle charging points
19. Submission of Delivery, Servicing and Waste Management Plan
20. Inclusive Access
21. Plant and Machinery
22. Details of Water Efficiency Measures
23. Details of Insulation and Overheating
24. Submission of an archaeology written scheme of investigation.

Occupation

25. Submission of Secured by Design compliance certificate.
26. Submission of contamination verification report
27. Submission of post construction energy assessment.

Prior to completion

28. Wheelchair Unit Marketing

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Requirement for Environmental Permit

APPENDIX 1

Drawings

Existing - Site Location Plan E0-001 P2
Existing - Site Plan E1-001 P2
Existing - Demolition plan E1-100 P2
Existing - Context Section E2-100 P2
Existing - Context Elevation E3-100 P2

Proposed - Site Plan P1 -001 P2
Proposed - Block Basement plan P1 -099 P3
Proposed - Ground Floor Plan P1 - 100 P2
Proposed - First Floor Plan P1 - 101 P2
Proposed - Second and Third Floor Plan P1 - 102 P2
Proposed - Fourth Floor Plan P1 - 104 P2
Proposed - Fifth Floor Plan P1 - 105 P2
Proposed -Sixth Floor Plan P1 - 103 P2
Proposed - Seventh Floor Plan P1 - 103 P2
Proposed - Roof Plan P1 - 103 P2
Proposed - Detailed Basement Plan P1 - 199 P3
Proposed - Detailed Ground Floor Plan P1-200 P2
Proposed - Detailed First Floor Plan P1-201 P2
Proposed - Detailed Second Floor Plan P1-202 P2
Proposed - Detailed Third Floor Plan P1-203 P2
Proposed - Detailed Fourth Floor Plan P1-204 P2
Proposed - Detailed Fifth Floor Plan P1-205 P2
Proposed - Detailed Sixth Floor Plan P1-206 P2
Proposed - Detailed Seventh Floor Plan P1-207 P2

Proposed - Tenure Plan - Ground Floor P1-300 P1
Proposed - Tenure Plan - First Floor P1-301
Proposed - Tenure Plan - Second Floor P1-302
Proposed - Tenure Plan - Third Floor P1-303
Proposed - Tenure Plan - Fourth Floor P1-304
Proposed - Tenure Plan - Fifth Floor P1-305
Proposed - Tenure Plan - Sixth Floor P1-306
Proposed - Tenure Plan - Seventh Floor P1-307

Proposed - Context Section P2-100 P2
Proposed - Detailed Section AA P2-200 P3
Proposed -Detailed Section BB P2-200 P2
Proposed -Detailed Section BB P2-200 P2
Proposed -Context Elevations P3-100 P2
Proposed - Detailed Elevation - Dod Street P3-200 P2
Proposed - Detailed Elevation - Limehouse Cut P3-201 P2
Proposed - Detailed Elevation - Side Elevation P3-202 P2
Proposed Typical Flat Layouts P4-100 P2
Proposed M4(3) Flat Layouts P4-101 P2
Proposed M4(3) Flat Layouts P4-102 P2
Proposed Detailed basement plan with indicative dims P4-200 P2
Proposed Waste Strategy P4-300 P1

Submission documents

CONSIL Daylight and Sunlight Report December 2019
Collado Collins Design and Access Statement January 2020
RPS Heritage, Townscape & Visual Impact Assessment December 2019
Montagu Evans Planning Statement January 2020
Sharps Redmore Acoustic Report November 2020
REC Air Quality Assessment December 2019
Cudd Bentley Energy Statement December 2019
Cudd Bentley Mechanical, Electrical and Public Health Design December 2019
Scott White and Hookins Phase 1 Desktop and Utilities Study December 2019
BECG Statement of Community Involvement December 2019
Montagu Evans Financial Viability Assessment January 2020

Post Submission documents

Delva Patman Redler Review of Daylight and Sunlight Report March 2020
RPS Ecological Appraisal April 2020
RPS Framework Delivery And Servicing Management Plan June 2020
RPS Transport Technical Note June 2020
Scott White and Hookins Flood Risk Assessment July 2020
BNP Parabis Review of Viability Assessment February 2020
Montagu Evans Response to Viability Review March 2020
BNP Parabis Review of Viability Assessment March 2020
Montagu Evans Response to Viability Review June 2020
BNP Parabis Response to Viability Assessment July 2020

Figure 2 – Proposed Section A-A

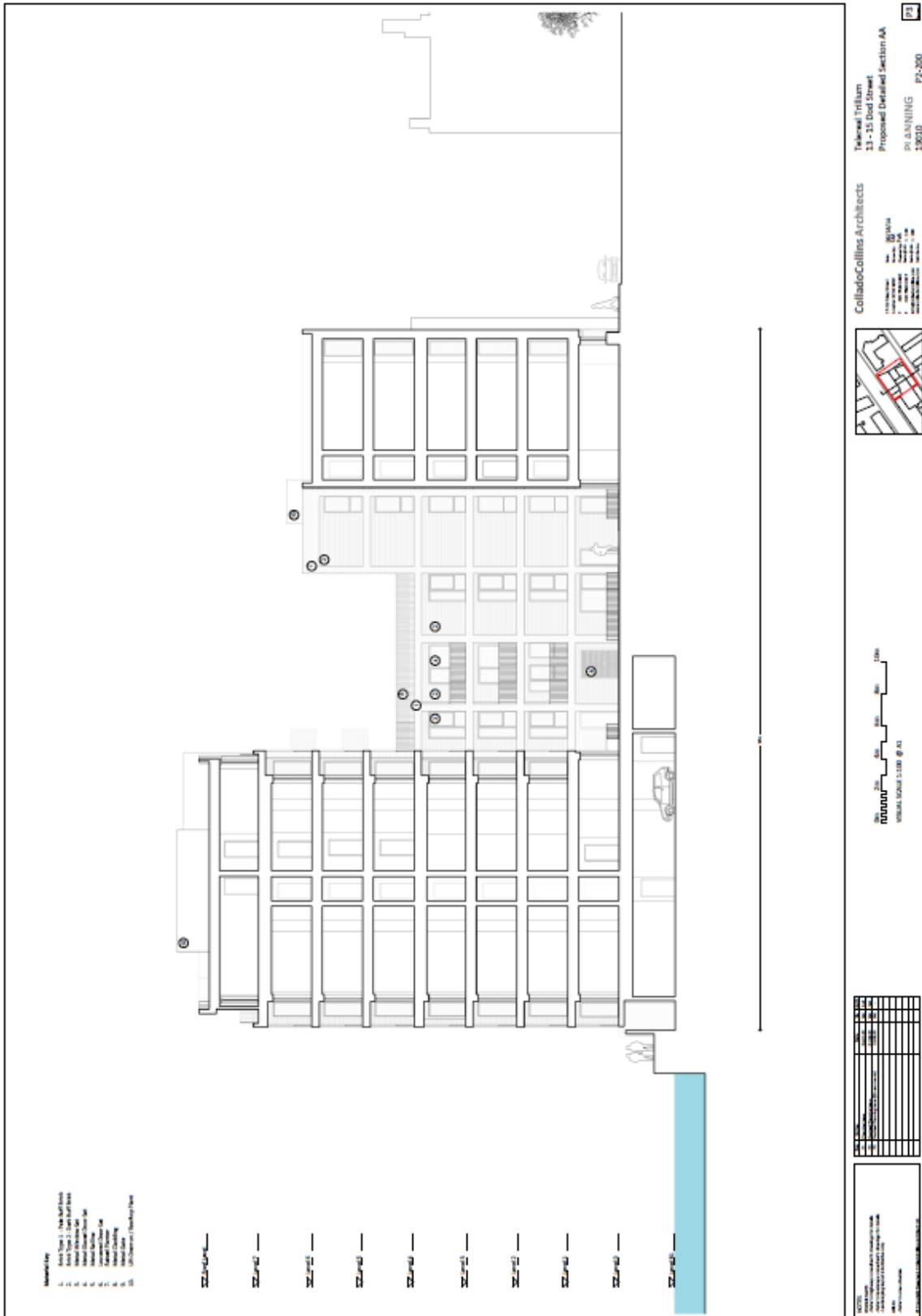


Figure 4 – Proposed 4th Floor Plan

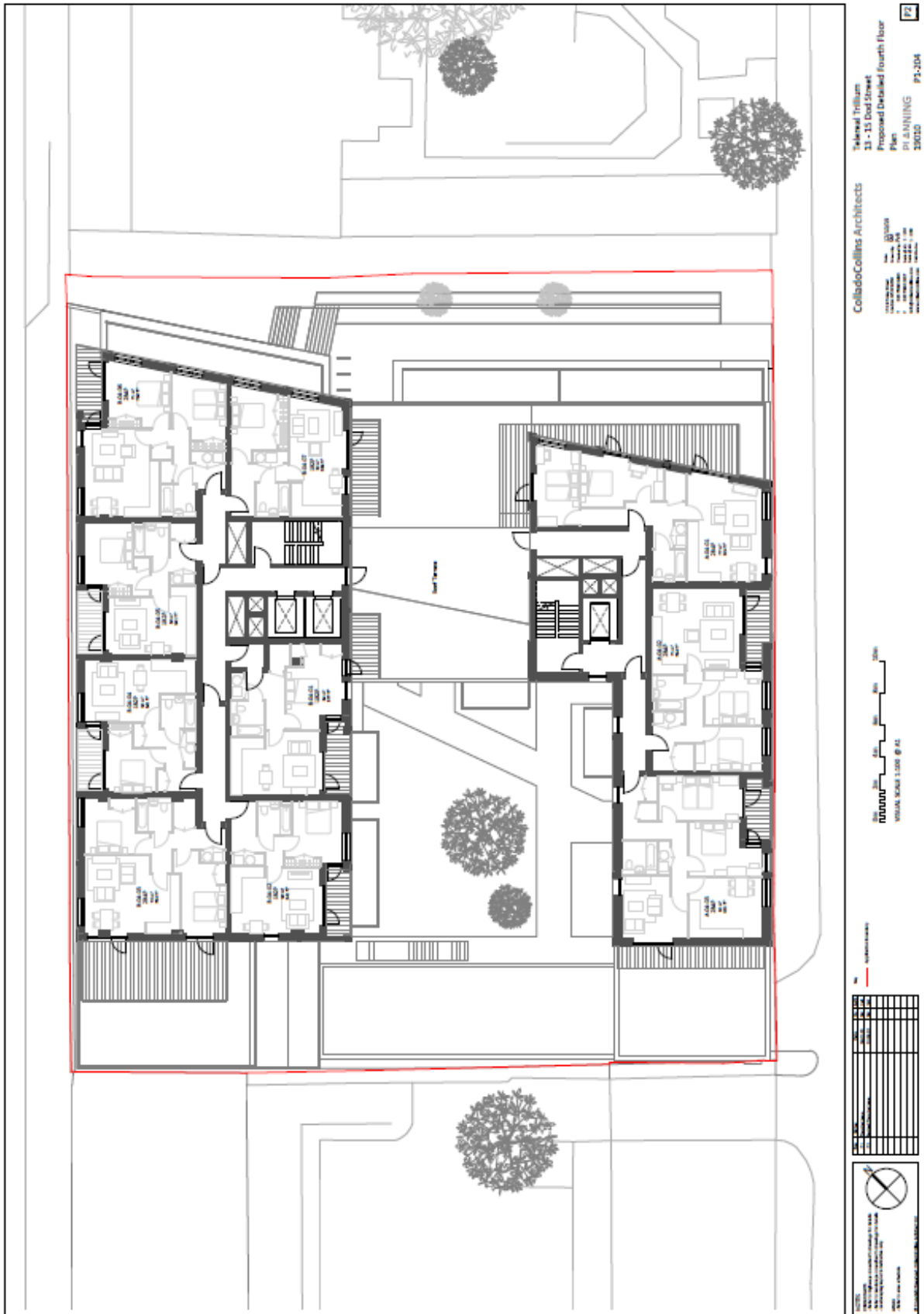


Figure 5 – Proposed Elevation (Dod Street)





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

Reference	PA/20/00788
Site	Southern Grove Lodge, 58-60 Southern Grove, London, E3 4PN
Ward	Mile End
Proposal	Demolition of 1980s office building (including annex connection to Southern Grove Lodge) and construction of a part-4, part-5, part-6 storey Class C3 residential apartment block (to provide 42 units of affordable housing); change of use/conversion/refurbishment (including installation of replacement roofs/rooflights and windows) of Southern Grove Lodge into Class C3 residential use (to provide 36 private for sale units); provision of associated amenity areas, cycle and car parking (in the form of 5 x accessible parking bays), refuse/recycling stores and landscaping.
Summary Recommendation	Grant planning permission, subject to conditions.
Applicant	London Borough of Tower Hamlets
Architect/Agent	Renew Planning
Case Officer	Nelupa Malik
Key dates	<ul style="list-style-type: none">- Application registered as valid on 16/04/2020- Letters sent to neighbours on 30/04/2020

EXECUTIVE SUMMARY

The application site measures 0.5 hectares in area and comprises Southern Grove Lodge; a Victorian former workhouse constructed in c1872 and a 1980s office building currently occupied by Veolia who are due to relocate to their depot in Blackwall. Southern Grove Lodge was previously in office use however the building has been vacant for a period of at least 13 years.

Southern Grove Lodge is a non-designated heritage asset and part of the site which includes the former workhouse and the eastern boundary of the application site falls within the Tower Hamlets Cemetery Conservation Area.

The site is bound by 3/4-storey Victorian dwellings to the east in Brokesley Street and 4-6 storey residential flatted developments running from north to west comprising Tracy House, Buttermere House, Coniston House and Derwent House. To the south of the site is the Beatrice Tate Special Educational Needs School.

This application proposes to demolish the existing office building occupied by Veolia and construct a part 4,5 and 6-storey residential building in the northern part of the site. The block (identified as Block A) will accommodate 42 residential units, all of which will be affordable. Southern Grove Lodge (identified as Block B) will be refurbished and converted to provide 36

residential units for private sale. This application has been submitted by the Council as part of the Council's housing delivery programme.

The scheme will deliver 63% affordable housing based on habitable rooms, providing a tenure split of 71:29 between affordable rent and intermediate and in favour of affordable rent. Block A will provide 15 units at London Affordable Rent, 15 units at Tower Hamlets Living Rent and 12 units at London Living Rent.

In land use terms, the loss of office floorspace is a policy conflict however this is considered to be justified and outweighed by the existing low occupancy levels of the office building, the underutilised nature of the site as a whole and the planning benefits which would result from the proposed development. The development would contribute to the broader regeneration of the area and assist in the delivery of much needed new and affordable housing thus contributing to meeting the Council's housing targets and increasing the Borough's housing stock.

The design, height, scale, form and massing of Block A will be contemporary, modern and sensitively responds well to Southern Grove Lodge; thus preserving this heritage asset. The character and appearance of both Southern Grove Lodge and the Tower Hamlets Conservation Area will be enhanced as a result of the proposals.

Within Southern Grove Lodge, 12 units will have minor shortfalls in internal floorspace standards and none of the dwellings in this building would have access to private amenity provision. However, Officers accept that the need to retain the former workhouse building, with limited internal structural and external changes has resulted in design constraints. All the dwellings within Block A will meet London Plan standards for internal floorspace and private amenity provision.

Similarly, due to constraints within Southern Grove Lodge, the development is unable to provide 10% wheelchair housing (6% provided) across the site, however 12% (5 units) of the total number of units within Block A will be wheelchair accessible.

The proposal would provide communal amenity space and dedicated children's play area in accordance with the minimum policy requirements. The scheme would provide 275sqm of communal amenity space and 559sqm of children's play. There would be a marked improvement in the general soft and hard landscaping quality of the site with a strategy that incorporates biodiversity enhancements including the provision of new trees, bird nesting and bat roosting boxes, a living roof and an excellent range of nectar plants and meet policy requirements.

The proposal is not considered to have any material impact on the amenities enjoyed and living standards of neighbouring occupiers in relation to matters concerning daylight, sunlight, overshadowing, outlook or sense of enclosure.

The proposal would be 'car free' with the exception of 5 blue badge spaces and cycle parking will be provided in accordance with the current London Plan and Draft London Plan requirements. The site has an excellent Public Transport Accessibility Level (PTAL) of 6a and therefore the car free nature of the development is supported. Of the blue badge spaces, 1 will be fitted with an active electric vehicle charging point (equating to 20%) whilst the remaining spaces (equating to 80%) will be installed with passive infrastructure in accordance with Draft London Plan requirement.

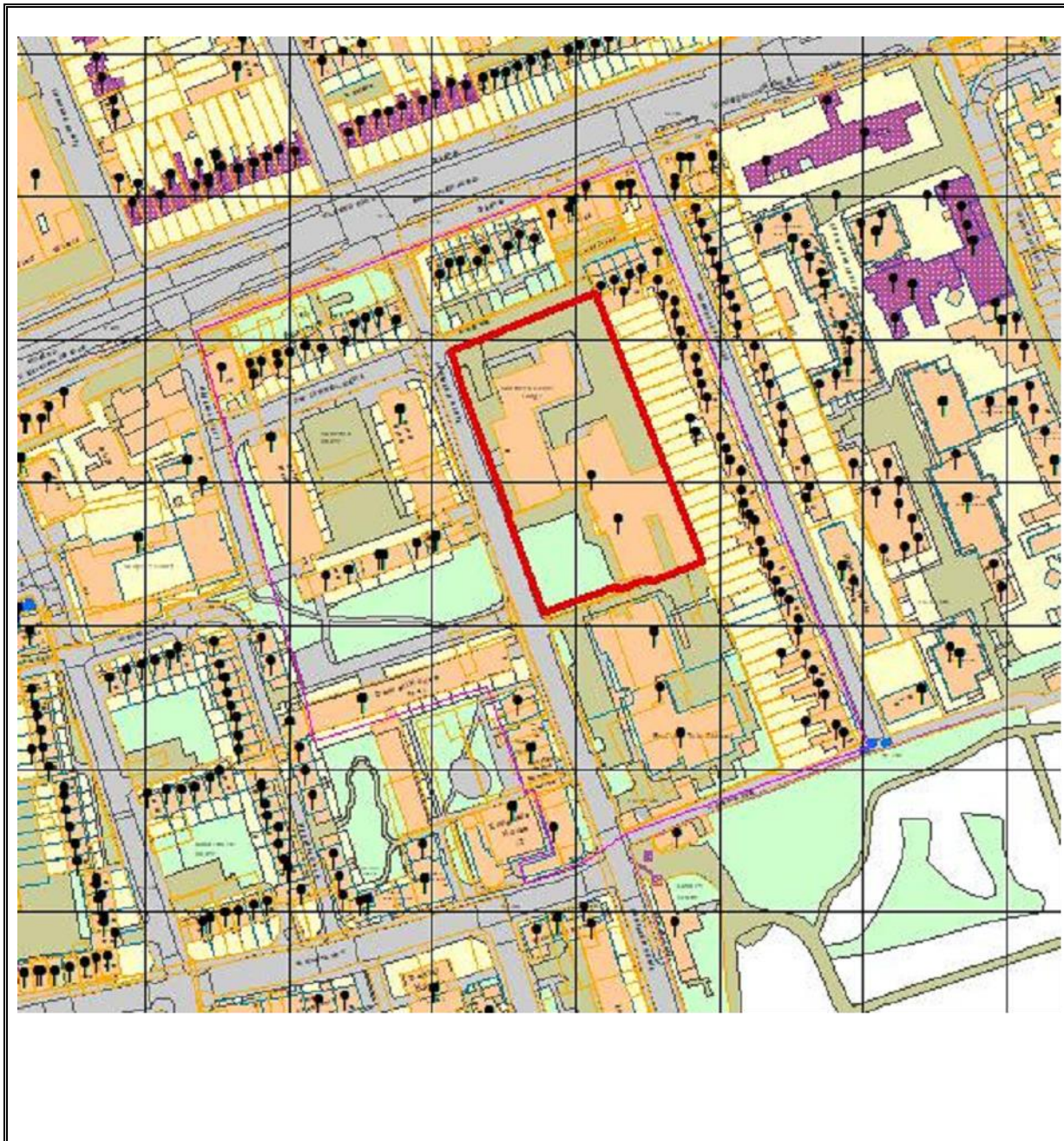
Delivery and servicing for the development will take place either from Southern Grove or from within the development site however full details of this will be secured via a condition requiring a delivery, servicing and waste management plan.

The proposal achieves an on-site reduction in carbon dioxide emissions of 76.3% thus exceeding the policy requirement for a minimum of 45% reduction in carbon dioxide emissions through on-site provision.








The application has been considered against the Council's adopted planning policies contained in the London Borough of Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission, subject to conditions.

SITE PLAN:



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/20/00788</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 London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 29 September</p>

1. SITE AND SURROUNDINGS

- 1.1 The application site measures approximately 0.5 hectares and is located directly east of Southern Grove. The site is rectangular in shape and is occupied by two buildings; Southern Grove Lodge, a detached Victorian building positioned at the southern end of the site and comprises a former workhouse (formerly known as the Whitechapel Union workhouse), designed by architect Richard Robert Long and constructed in c.1872. The northern part of the site accommodates a 4-storey late 20th century constructed office block. The office block is physically connected to the western elevation and the northern wing of the workhouse via a single storey link extension. The office building is currently partially occupied by Veolia who have largely relocated to their Blackwall Depot.
- 1.2 Southern Grove Lodge is a 3-storey building with a twin-gabled central entrance block flanked by northern and southern wings constructed from London Stock brick with slate roofs. Behind the central entrance block is a 3-storey 'E' wing (designed by Bruce J Capell and constructed in 1898) which includes a ground-floor dining hall. There is also a single storey extension to the south-east, containing a kitchen, scullery and boiler house.
- 1.3 In the latter part of the 19th century the workhouse was extended to provide two 'pavilion' blocks positioned to the north and south of the main building and further expansion included the erection of two x 3-storey lavatory towers at the end of the two wings of the main central block. By the late 1960s, the surrounding area was subject to substantial post-war redevelopment. Whilst the main Victorian building survived, the pavilion blocks and ancillary buildings were demolished by the early 1970's. The Victorian building has been vacant since 2007 having last been used by the Council for office accommodation. An aerial view of the site and the red-line boundary can be seen in figures 1 and 2 below.

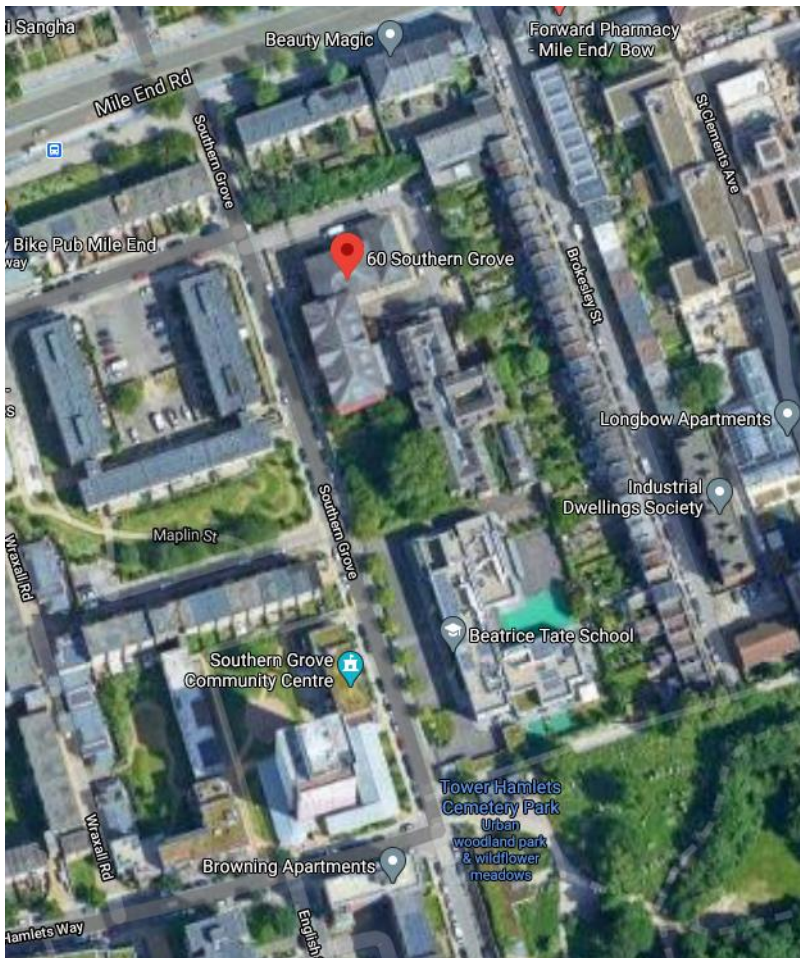


Figure 1: Aerial View of the Site.

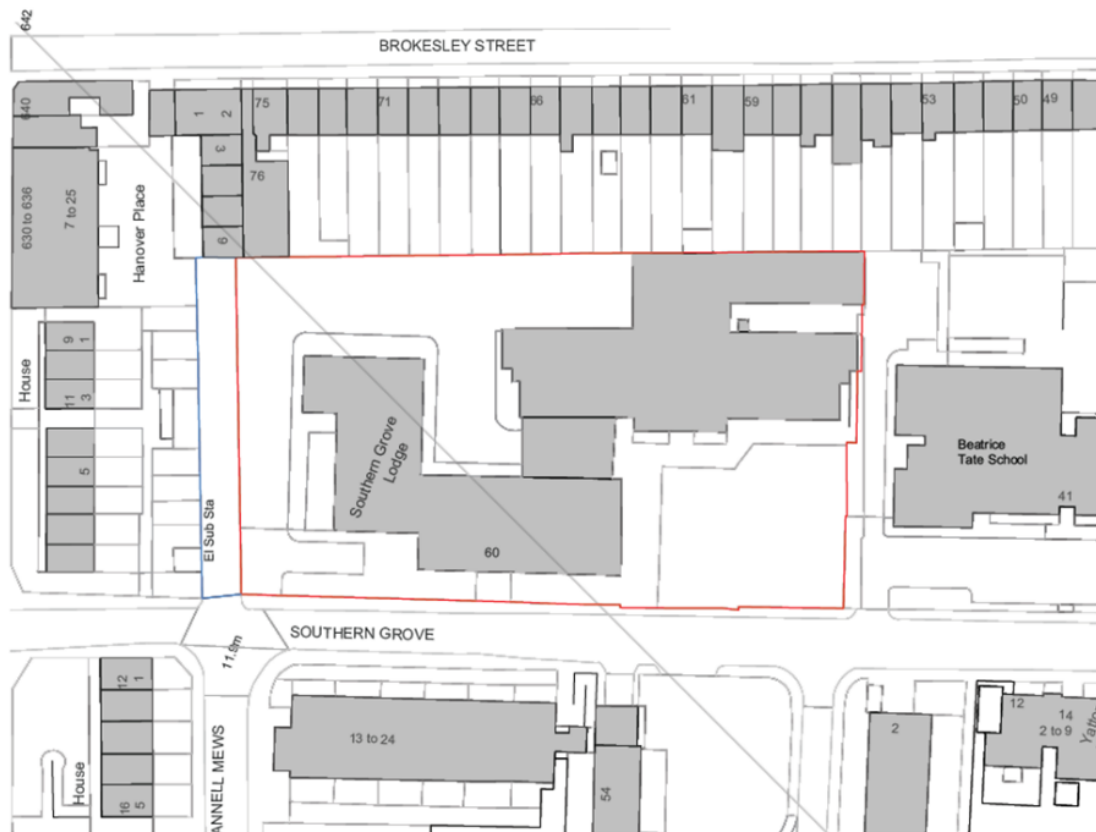


Figure 2: Existing Site Plan.

- 1.4 The remainder of the site comprises a mixture of hardstanding areas for servicing and vehicular access/parking and soft landscaping on the south-western part of the site. Vehicular access to the site is obtained via an access point off Southern Grove at the far north-western corner of the site.
- 1.5 The surrounding area comprises a number of residential flatted blocks including Tracy House and Buttermere House; both 4-storey buildings to the north and north-west of the site respectively and face onto Mile End Road. On the opposite side of Southern Grove are Coniston House; a 4-storey building to the west and Derwent House; a 6-storey building to the south-west of the application site. Buildings located further south-west include Yatton House; a 4-storey building which occupies the Southern Grove Community Centre at ground level and Ennerdale House; a 19-storey residential tower block.
- 1.6 The entire eastern boundary of the application site adjoins the rear gardens of Brokesley Street which is defined by a long terrace of 3-4-storey Victorian Houses. The southern boundary of the site adjoins the northern boundary of the Beatrice Tate School; a 3-storey Special Educational Needs school. The school site sits directly north of Tower Hamlets Cemetery Park.
- 1.7 Southern Grove Lodge and the entire eastern boundary of the application site lies within the Tower Hamlets Cemetery Conservation Area. Whilst not locally or statutorily listed, Southern Grove Lodge is a non-designated heritage asset. The office building occupied by Veolia lies outside of the Conservation Area. The Conservation area also includes the Victorian dwellings in Brokesley Street and Tower Hamlets Cemetery. The boundary walls and Cemetery entrance gates fronting Southern Grove and running along the southern edge of the Beatrice Tate School are listed.

- 1.8 There are no other listed buildings within the immediate vicinity of the site however, the St Clements Hospital site located at least some 70 metres to the north-east contains two grade II listed buildings and listed Ironwork and railings. There are also a number of listed buildings on the northern side of Mile End Road. The boundary of the Conservation Area and nearby listed buildings can be seen in the figure 3 below:

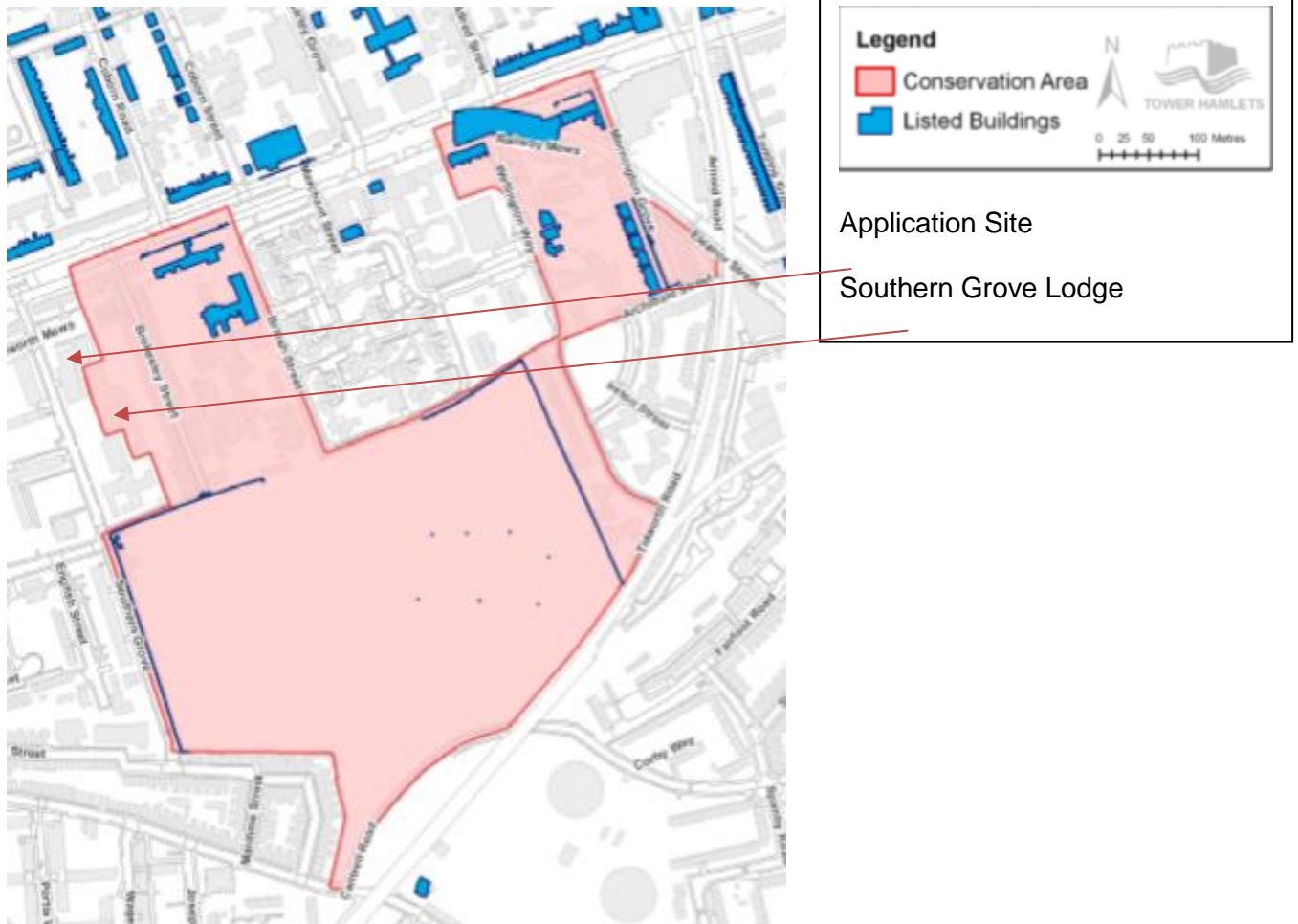


Figure 3: Tower Hamlets Cemetery Conservation Area Boundary

- 1.9 The site has a PTAL (Public Transport Accessibility Level) of 6a which is excellent on a scale of 0-6b; with 0 being the worst. Mile End station is located within approximately 12 minutes walking distance to the north-west. A number of bus routes are served by bus stops along Mile End Road within close proximity of the site.

2. PROPOSAL

- 2.1 This application relates to the demolition of the existing office block and the construction of a part 4, 5 and 6-storey residential building. This building is identified as Block A for the purpose of this application. Block A will be located on the northern end of the site and will provide 42 residential units comprising 9 x 1-bed, 14 x 2-bed, 14 x 3-bed and 5 x 4-bed flats. All the units within Block A will be affordable comprising a mixture of affordable rented and intermediate tenure.
- 2.2 The proposal also seeks the change of use, refurbishment and conversion of Southern Grove Lodge to provide 36 dwellings comprising of 9 x studios, 10 x 1-bed, 13 x 2-bed and 4 x 3-bed flats. Southern Grove Lodge is identified as Block B for the purpose of this application. All the units within Block B will for private sale on the open market.

- 2.3 Block A will be constructed in two yellow toned bricks intercepted with a brown/red rainscreen cladding to provide visual breaks within the massing of the built form. The 6th floor of Block A will be recessed and cladded in the same rainscreen cladding.
- 2.4 External alterations to Southern Grove Lodge include making good the northern wing on the western elevation of the building where the current Veolia office building physically joins Southern Grove Lodge. All the windows and doors will be replaced by double glazed timber framed windows and doors and painted dark grey.
- 2.5 The cycle parking for the development will be located in two key storage areas both within the building envelope of Block A. However, it should be noted that the cycle parking storage for Southern Grove Lodge will not be accessible by occupiers of Block A.
- 2.6 The remainder of the site seeks to provide amenity areas comprising a mixture of communal amenity areas, children's play space and general landscaping. 5 blue badge parking spaces will be provided on-site.



Figure 4: CGI of proposal viewed from Southern Grove.

3. RELEVANT PLANNING HISTORY

3.1 Application Site:

PA/20/00634 – Temporary use of the site for two years to house a two-storey modular building prototype. Permitted 04/06/2020.

PA/19/00245 - x1 London Plane Tree - to be re-pollarded back to its previous pruning points at approx. 4m from ground level x1 False Acacia Tree - reduce uneven crown and reduce its

height Felling of x7 Wild Cherry Trees, x1 Holm Oak Tree and x1 Laural Tree. Permitted 26/02/2019.

PF/19/00140 – Preapplication: Proposed redevelopment comprising demolition of existing office block and development of a residential apartment block (of affordable housing) and change of use/conversion of Southern Grove Lodge into housing (in the form of private rented sector).

PA/03/01770 – Submission of sample window pursuant to condition 3a of conditional permission dated 24th October 2003, reference PA/03/1254. Permitted 06/01/2004.

PA/03/01254 – Installation of replacement UPVC windows. Permitted 24/10/2003.

PA/03/00636 – External kitchen extraction system from ground floor level to roof level (retrospective planning application). Application withdrawn.

PA/99/01068 – Temporary location of portacabin in rear car park area for office accommodation. Permitted 19/11/1999.

PA/99/00756 – Approval of details pursuant to Condition 2 (details of enclosure of the ventilation equipment and details of sound attenuation measures) of planning permission dated 21 April 1999 reference no. TH5840/PA/99/00070. Permitted 03/08/2000.

PA/99/00070 – Installation of ventilation equipment and alterations to façade of building. Permitted 21/04/1999.

PA/73/00572 – Erection of day centre for the elderly. Permitted 07/02/1973.

PA/72/00581 – Erection of 35-bed Home and Social Centre for the younger Physically Handicapped at Southern Grove Lodge, Southern Grove, Tower Hamlets. Permitted 14/04/1972.

PA/68/00529 – The change of use of part of Southern Grove Lodge, Southern Grove, Tower Hamlets, on the upper part of the central block, from residential accommodation to office floor space not exceeding 8,597 sq.ft. Permitted 21/05/1968.

PA/52/00748 – The carrying out of war damage repairs to the church, The City of London and Tower Hamlets Cemetery, Southern Grove, Stepney, to the extent of £6881-14-10. Permitted 29/05/1952.

PA/51/00779 - The erection and retention, for a limited period, of a single-storey pre-fabricated building on a site in SOUTHERN GROVE, STEPNEY, as shown on plans Regd. No. 29690. 24/04/1952.

PA/49/00997 – The execution of alterations and repairs to the Southern Grove (Hamlets Cemetery) wall, Stepney, in the sum of £1,593.14s. Permitted 01/03/1949.

3.2 Neighbouring Sites:

PA/17/02373/A1- Construction of 2-storey roof extensions to Buttermere House, Coniston House, Derwent House, Windermere House and Loweswater House: residential conversion of ground level garages to Windermere House and Wentworth House and Wentworth Mews; infill units to Levels 1-4 of Windermere House to provide a total of 142 new dwellings: access and servicing including car parking spaces for disabled motorists; cycle parking spaces and incidental works. Permitted 14/01/2020.

4. PUBLICITY AND ENGAGEMENT

- 4.1 Upon validation of the application, the Council sent out consultation letters to 260 nearby owners and occupiers on 30th April 2020. An advert was posted in the press and a Site Notice was displayed outside the site.
- 4.2 One letter of support was received stating that this is a welcomed development on a neglected site.
- 4.3 Three letters of objection have been received. The themes and issues raised can be summarised as follows:
- Right to Light under “The 1832 Act” will be affected.
 - Overshadowing to objector’s property.
 - Loss of daylight/sunlight.
 - Loss of air.
 - Overlooking and loss of privacy.
 - Increase in anti-social behaviour as a result of amenity areas being open to the general public.
 - The trees proposed are not evergreens and not suitable to preserve privacy levels.
 - The development will disturb and result in the loss of bird nests in neighbouring garden.
 - Noise pollution from construction works.

Officer Comment:

The objection relating to “The 1832 Act” refers to common law Prescription Act 1832 and is a civil matter that is not legislated by Planning Legislation. As such, no weight can be given to this objection. The proposal will not result in the loss of air. There is no evidence to suggest that this proposal will result in anti-social behaviour. This is a speculative objection that limited weight can be given to. Notwithstanding this, the development will need to ensure that standards relating to Secure by Design are met, and this will be secured via planning condition. The landscaping strategy for the development including the species of trees are supported by the Council’s Biodiversity Officer. There is no evidence to suggest that the development will materially impact on bird nests present in neighbouring gardens. Matters relating to loss of sunlight/daylight, overlooking and loss of privacy are considered in the main body of this report. A scheme of this nature would inevitably result in some disturbance from construction works however this would be temporary in nature and cease on completion of the development. Measures to mitigate against noise pollution will be secured via condition.

- 4.4 The applicant undertook two public consultation events on 18th and 20th July 2019 which was held on site within the Veolia office building. 24 members of the public attended the events in total.
- 4.5 The scheme has evolved through pre-application discussions with planning officers since July 2019.

5. CONSULTATION RESPONSES

Internal Consultees

LBTH Building Control

- 5.1 No comments received.

LBTH Design and Conservation

- 5.2 The Whitechapel Union Workhouse was built c1872. After becoming a hospital, it was used as council offices for some years. An office building was built to the north of the older building in the 1980's connected to it by a flat roofed single storey structure.
- 5.3 The surviving Workhouse building is included within the Tower Hamlets Cemetery Conservation Area. The building is considered to be a non-designated heritage asset. The former Workhouse is of three storeys with a pitched slate roof. The main facade faces Southern Grove and is symmetrical with a central entrance door. The centre of the building is emphasised by twin gables and a distinctive rooftop cupola. The building is of brick with robust details characteristic of the period in which it was built. The windows are sashes in a variety of designs.
- 5.4 The Victorian buildings comprise the main block of 1872 designed by Richard Robert Long along with late nineteenth century alterations carried out by Bruce J Cappell in the form of towers accommodating lavatories and rear extensions including the dining hall, kitchens, scullery and boiler house.
- 5.5 The building is an important part of the Tower Hamlets Cemetery Conservation Area. The Tower Hamlets Cemetery Conservation Area boundary is drawn tightly around the former Victorian workhouse. Post war housing blocks are located to the east and north of the site. The western end of a Grade II listed early nineteenth century, three storey terrace (within the Tredegar Square Conservation Area) is visible in views north along Southern Grove and the Grade II listed brick boundary wall of Tower Hamlets Cemetery is a minor element in views to the south. The rear of terraced houses on Brokesley Street are to the east of the former workhouse – these are included within the Tower Hamlets Conservation Area. Immediately to the south of the site is the recently built Beatrice Tate School.
- 5.6 The construction of the office block at the northern end of the site, in the 1980's, harmed the setting of the Victorian building. The newer building of red brick with red metal window frames and external brise soleil-type elements, sits very uncomfortably in relation to the symmetrical facade of the Victorian building – partially obscuring the northern end of the symmetrical frontage.
- 5.7 There is much scope to significantly improve the setting of Southern Grove Lodge. In the current proposal, the 1980's office building is demolished. A new block to the north of the Victorian building is positioned so as to reveal the full width of the historic facade enabling much better appreciation of the building from Southern Grove. Sympathetic repairs/reinstatement will be necessary following removal of the single storey link between the 1980's office block and the Victorian building. The proposed new block is mostly built of brick. It is sensitively located, of simple design and would form a relatively modest neighbour to the retained Victorian building. The proposed block, replacing the 1980's office block does not harm the setting of nearby heritage assets and improves the setting of the Workhouse. It is proposed to convert the Victorian buildings into residential accommodation.
- 5.8 Existing window openings are retained and to replace the window frames. Original windows should be retained and repaired wherever possible. It is proposed to undertake works to the existing roof structure. The extent of replacement of the structure is not fully clear. Existing slates should be reused where possible, supplemented with matching natural slates as necessary.

- 5.9 The existing main entrance would continue to serve as the main entrance of the proposed residential block. At present there is a poorly designed ramp at the main entrance of the Victorian building, there is significant scope to create a more sympathetic entrance arrangement.
- 5.10 A new central path would lead up to the main entrance from Southern Grove, emphasising the symmetry of the historic facade. The area immediately in front of the central element of the Victorian building has been designed as a small formal garden. It is unfortunate that there would be some car parking in front of the northern part of the Victorian building. Railings are proposed along the edge of the site.
- 5.11 The development would enhance the character and appearance of the conservation area by restoring the exterior of the Victorian building and by removing the unattractive 1980's office building. Detailed design would be important, and conditions should be attached to any permission in order to secure the necessary quality. The new building better reveals the significance of the surviving Victorian Workhouse.

LBTH Transportation and Highways

- 5.12 All future residents will be subject to a 'Permit Free' agreement (excepting Blue badge holders and those who may qualify under the Permit Transfer Scheme) restricting them from applying for parking permits on the public highway.
- 5.13 The offer to provide 3-year car club membership is not supported as the Council no longer incentivises car use and would not push for this to be included. However, it is noted that the car club bays are existing.
- 5.14 Five accessible parking bays are proposed, and these should be on a lease use and not sold and allocated on need. It should be noted that not all blue badge holders require wheelchairs and the bays should be allocated on a need's basis.
- 5.15 The parking spaces appear quite distant from some of the units and it would appear that to access the units from the car park some residents would need to exit the site and use the Southern Grove footway via the vehicle crossover. The applicant should ensure that level access is provided from vehicle to door and we would wish to see an access plan showing how residents with a parking space (concentrating on the WCH initially) can easily access these spaces.
- 5.16 The accessible bays should be available to all tenures and should planning permission be granted we will require a condition which restricts their use to their approved use only for registered blue badge users associated with the development only and not to be rented or sold for users outside the development. These bays are also to be retained and maintained for their approved use only for the life of the development.
- 5.17 With regards cycling the applicant is proposing to provide to the Intend to Publish London Plan Standards.
- 5.18 The plans do not show two separate stores as mentioned but one large store. Only one store has space for larger / adapted cycles, and we would expect access to larger spaces to be made more widespread.
- 5.19 The stores, like the parking, are some distance from some of the units, particularly those in the southern side of the site. Cycle provision should, amongst other things, be convenient and this does not appear to be the case. The applicant should identify how the cycle stores are accessed from the more distant parts of the site and whether this distance places a barrier on their use?

- 5.20 In terms of servicing the applicant undertook good pre-application discussions with the Highways Group on this aspect and the proposals are generally acceptable.
- 5.21 There are proposed changes to the highway layout in terms of removal of existing crossovers, provision of a new crossover and changes to the on-street parking layout (resulting in the net removal of one parking bay on Southern Grove) and ensuring a level surface is provided for accessing the parking bays along the public highway. These changes will require funding via the applicant through a s278 agreement with the Highways Authority. The applicant is required to agree a scheme of highway works with the Highway Authority.
- 5.22 The applicant needs to consider the demolition and construction aspects of this site and is required to submit a Demolition and Construction Management Plan as a condition to any planning permission which may be granted. No works should start on site until this plan is agreed with the Local Planning Authority/Highway Authority.

Officer Comment:

The applicant has provided access plans as requested by the Highways Team. The Highways Officer has advised that whilst there is still concern that there are no cycle stores closer to the southernmost core, as the arrangement has been informed by design in the pre-application process that this is accepted.

LBTH Affordable Housing

- 5.23 This scheme proposes a 64% quantum of affordable housing, by habitable rooms, this is well above the Council's minimum 35% and aspirational 50% and it therefore supported.
- 5.24 The tenure split between the rented and intermediate at 72:28 is broadly in line with the Council's 70:30 policy. Given the generous overall quantum of affordable housing being proposed, the marginal deviation is acceptable.
- 5.25 The applicant as agreed that the rented units will come forward in line with the Council's requirement for 50% to be at London Affordable Rents and 50% at Tower Hamlets Living Rents. The rent levels are:

London Affordable Rent (exclusive of service charges)

1bed	£155.13 per week
2bed	£164.24 per week
3bed	£173.37 per week
4bed	£182.49 per week

Tower Hamlets Living Rents (inclusive of service charges)

1bed	£197.18 per week
2bed	£216.90 per week
3bed	£236.62 per week
4bed	£256.33 per week

- 5.26 Should permission be granted; these are the values that will need to be captured in the s106 agreement.
- 5.27 The intermediate provision on this scheme will come forward as London Living Rent. This is a product we want to see more of in the borough especially for larger units as it would be a more affordable option than shared ownership.

- 5.28 The unit mix within the rented would see a 23% provision of one beds against a policy target of 25%, a 30% provision of two beds against a policy target of 30%, 30% provision of three beds against a 30% target and 17% provision of four beds against a 15% target. This mix is broadly in line with Council targets and supported.
- 5.29 The unit mix within the intermediate is for a 17% provision of one beds against a 15% target, a 42% provision of two beds against a 40% target and a 42% provision of three beds against a 40% target. The mix within the intermediate mix is broadly compliant with Council targets.
- 5.30 There are no wheelchair units proposed in the market tenure. This is due to the fact that all of these units are in a building that contained a Victorian Workhouse (Block B). With the constraints of the building and the need to conserve it during the conversion, it would not be possible to deliver suitable wheelchair units in this building.
- 5.31 However, all of the affordable units will come forward as new build in Block A and here there will be 5 wheelchair units. This equates to 12% of the affordable units. The provision will contain 2 two bed units and 2 three bed units for rent as well as 1 two bed intermediate unit. It should be ensured that the wheelchair units for rent are compliant with Part M 4 (3) (2) (b) of Building regulations.
- 5.32 The Council's Occupational Therapists will need to be consulted on the design and layouts for each rented wheelchair unit type. Given that this a Council led scheme providing family sized wheelchair units on the ground floor, it is imperative that the design and layouts meet the needs of the Occupational Therapists.

Officer Comment:

It should be noted that subsequent to receipt of the above comments the submitted schedule of accommodation has been updated to reflect the accurate number of habitable rooms. As such the proposal would provide 63% affordable housing based on a 71:29 split between affordable rent and intermediate and in favour of affordable rent. The full assessment of the affordable housing breakdown and unit mix is considered in the housing section of this report. The Council's Occupational Therapists have been consulted separately and have no objections to the proposal.

LBTH Viability

- 5.33 The scheme broadly meets the requirement for a fast track application (i.e. it does not need to undergo scrutiny from the Viability Team or its consultants, as the Council is satisfied that the proposed scheme is to deliver an acceptable, policy-compliant level of affordable housing) provided there are no further amendments and clarification is provided in relation to the fast track exceptions.
- 5.34 To qualify for fast track, normally a proposal would have to deliver a minimum of 35% affordable housing on a habitable room basis. However, this site is owned by LBTH (publicly owned) and as such the minimum provisions required for fast track is 50% (this scheme is proposing 64% Affordable Housing on-site according to the schedule). Furthermore, the following requirements must also be met for the scheme to be fast tracked:
- 5.35 Affordable Housing Tenure Split – The proposal must meet the Council's tenure split requirements between affordable rented products (70%) and intermediate products (30%). Within the affordable rented product, the split must be 50:50 between TH Living Rent and London Affordable Rent products. This scheme is proposing 72% affordable rented products and 28% intermediate products, which is not absolutely compliant therefore Development Management can exercise discretion.

- 5.36 Unit Size Mix – The proposal should meet the Council’s unit size requirements for both market and affordable elements as outlined in the Local Plan. There is a degree of flexibility to this aspect subject to the approval of the Council’s Strategic Housing Team.
- 5.37 Any application proceeding via fast track must be subject to an early-stage review if it is not implemented within two years. Therefore, provision for this must be included in the Section 106 agreement.

Officer Comment:

- 5.38 *The early stage review mechanism shall be secured via condition.*

LBTH Occupational Therapists

- 5.39 The proposed wheelchair user units have been reviewed by the Occupational Therapists and no objections have been expressed to the proposal.

LBTH Enterprise and Employment

- 5.40 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The Economic Development Service will support the developer in achieving this target through providing suitable candidates through the Workpath Job Brokerage Service.
- 5.41 To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Economic Development Service will support the developer to achieve their target through ensuring they work closely with the council’s Enterprise team to access the approved list of local businesses.
- 5.42 There will be an obligation to deliver 6 apprenticeships during the construction phase.
- 5.43 The Council will seek to secure a financial contribution of £25,812.00 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.
- 5.44 There is no requirement for end use obligations.
- 5.45 Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works.

Officer Comment:

The above obligations will be secured via condition.

LBTH Waste Policy and Development

- 5.46 The proposal is showing an area identified for refuse. It is advisable that the applicant should make use of the Local Service Plan 2031 - Waste collection standards. This will show of more specific details for refuse, recycling and compostable waste capacity with further collection information as a requirement.

LBTH Environmental Health (Air Quality)

- 5.47 The submitted report is satisfactory in terms of its conclusion regarding air quality impact on the proposed development, that the levels will be below the national air quality limit values. The report recommends that low NOx boilers will be used for heating to comply with the GLA SPG on Sustainable Design and Construction. This should be secured by conditioned. Also request conditions requiring the submission of a Construction Environmental Management and Logistics Plan and details of all plant and machinery to be used in the construction phase of the development.

LBTH Environmental Health (Contaminated Land)

- 5.48 No objections to the proposal subject to conditions relating to the submission of a site investigation report, a risk assessment of the site and a remediation strategy and verification report have been submitted to for approval by the Council.

LBTH Biodiversity

- 5.49 The main building, Southern Grove Lodge, has a number of features which could support roosting bats. To avoid any potential harm to bats, works to the roof and roof voids will need to be undertaken carefully, with tiles and roof lining removed by hand, under the supervision of a licenced bat worker. Furthermore, if restoration work has not commenced by spring 2021, repeat emergence and re-entry surveys should be undertaken before work commences. This should be secured by a condition.

The Ecological Appraisal refers to holes in active use by foxes close to the southern end of the existing office building. Before any building or earthworks in this vicinity, precautions will need to be taken to ensure no foxes are trapped underground in contravention of the Wild Mammals (Protection) Act 1996.

The existing trees, shrubs and tall herbaceous vegetation could support nesting birds. Clearance should be undertaken outside the nesting season, or a survey for nesting birds undertaken before clearance.

The loss of the existing habitat on site, including scrub, grassland and ruderal vegetation, will be a very minor adverse impact on biodiversity, which can easily be mitigated in the landscaping of the development.

There is no documentation about green roofs. The proposed new building has flat roofs on three levels, two of which have photovoltaics (PVs) proposed. Biodiverse green roofs should be included, to meet both the biodiversity and living building requirements of D.ES3. Biodiverse green roofs can be combined with PVs (bio-solar roofs are now relatively mainstream), and the green roof can enhance the performance of PVs by lowering ambient temperature. Additionally, or alternatively, a biodiverse roof could be installed on the section of roof not proposed for PVs.

The proposed landscaping is generally rather formal but includes 3 species of native trees and an excellent range of good nectar plants, both of which will contribute to objectives in the Local Biodiversity Action Plan.

Other biodiversity enhancements which would be appropriate here include roosting features for bats, as recommended in the Ecological Appraisal, and nest boxes for birds such as swift and house sparrow.

The Biodiversity Officer has no objections to the proposal subject to conditions securing ecological mitigation and enhancements such as details of living roofs, bird nesting and bat roosting boxes and measures to prevent harm to bats and wild mammals.

Officer Comment:

The plans have been revised to now incorporate a living roof the full details of which will be secured by condition. All other suggested conditions will also be imposed.

LBTH Energy Efficiency

- 5.50 The energy officer is satisfied with the proposed Energy Strategy. The proposals are for a 113.7 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £100,890 to offset the remaining 35.4 tonnes CO2 and achieve net zero carbon. Conditions are requested securing the carbon offsetting contribution, the submission of a zero carbon futureproofing statement and a post construction energy assessment including 'as built' calculations to demonstrate the reduction in CO2 emissions have been delivered on-site.

LBTH Health Impact Assessment Officer

- 5.51 The health and infrastructure baseline have not been identified, nor has the public health profile. The use of a quality assessment framework (such as Ben Cave's review package for HIA reports of development projects) would have highlighted the need to identify the baseline in order to conduct the assessment. Each question is answered with statements and policy standards identified, but some of the responses are not detailed enough to demonstrate how the proposed development has explored possibilities to maximise health benefits on the site.
- 5.52 Healthy living: There is concern that 10 of the 36 units will fall short of the London Space place standard . Even if minor (1-2 sqm) , the HIA argues that the compromise had to done in view of heritage value of the building. Human health must be more important than heritage value, in particular as the Space place standard set the lower threshold acceptable. Confirmation is required if the 10 units falling short of the place standard are all affordable units which would affect the poorest residents.
- 5.53 Cycle parking: the proposal meets the minimum standards and is car free, reducing the historic car use of the site.
- 5.54 Open space: the proposal meets minimal standards but there is no actual detail. It would have been useful to have maps attached to the HIA to understand (even as an outline) what the plan is for open space. With open space and in particular green spaces so significant for people's mental and physical health, in particular where human density is high, HIA should be more detailed on interventions/design planned and how they integrate into the scheme as well as into the neighbourhood.
- 5.55 There is a lack of clarity as to whether the size of the open space will be reduced and by how much and also have an explanation as to why a smaller space will meet needs of the future residents? An assessment of the infrastructure baseline in the impact area would have helped appraise whether the needs of the residents are met (either on the site being developed or in the vicinity).
- 5.56 The HIA does not detail whether the new scheme will have an impact on healthcare services or on educational needs of the new resident population. This is an important aspect of a housing scheme, in particular one which delivers on affordable housing to ensure that the more deprived community has easy access to such services. The HIA refers to the issues being reviewed internally by the Council. The HIA should be able to identify future needs, based on a prediction of the future resident population (in this case, those with low disposable income who might also

experience other deprivation factors). The healthcare baseline should have been identified and the HIA could have informed the Council's internal review.

- 5.57 Overall, the development's positive outcome is to provide much needed affordable homes. However, it is difficult to evaluate how the design of the scheme will promote health, reduce health inequality. Of particular concern is that standards are not met in 10 homes and also the loss of open spaces with no details on design, aesthetics, how the scheme helps new residents integrate into the neighbourhood and access services and amenities.

Officer Comment:

The applicant has responded to the HIA Officer stating that "the provision of affordable housing does not put added pressure on healthcare services or educational provision, because these households are already residents in the borough, albeit in unsatisfactory housing, and accessing these services. In terms of the private market housing, the Council's current CIL regime would cater for any improvements that may be identified as being needed to the wider community infrastructure in the area. The site has excellent transport links, being less than 100 yards from a bus stop on the main road, and 5 minutes' walk from Mile end underground station; and is close to a local supermarkets for the purchase of fresh produce. In this latter respect, there is a Tesco Express approximately 300m-350m to the northeast on Mile End Road and Co-op approximately 325m away to the northwest and also on Mile End Road". The HIA Officer has accepted this and considers the response to be satisfactory. Matters relating to design, provision of and internal space standards are considered in the design section of this report.

LBTH Infrastructure Planning

- 5.58 No comments to make.

LBTH CIL Team

- 5.59 The proposed development would be liable for Community Infrastructure Levy (CIL) in accordance with the Tower Hamlets CIL Charging Schedule and Mayor of London's CIL2 Charging Schedule. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

The site is located in the borough's Zone 3 and MCIL2 charging area Band 2.

As social housing provision is expected on site, it is anticipated the landowner assumes liability for the levy and submits a claim Form 10 for social housing relief prior to commencement of development. The claimant should provide a map showing where on the site social housing will be built.

Existing building floorspace can be taken into account when calculating the CIL charge. For these buildings to qualify for demolition and/or retained credit, sufficient evidence must be provided to demonstrate lawful use of any part of the building for a prescribed period of time. Detailed floorplans must also be provided for the CIL Team to validate.

LBTH Sustainable Urban Drainage (SUDS)

- 5.60 No objections to the proposed drainage strategy provided that a condition is imposed requiring the submission of a surface water drainage scheme for the site.

External Consultees:

Metropolitan Police (Designing Out Crime Officer)

- 5.61 No objections to the proposal subject to a condition requiring the submission of details of security measures demonstrating that principles of secure by design have been included in the scheme.

Thames Water

- 5.62 No objections to the proposal subject to a condition requiring the submission of a Piling Method Statement and informatives in respect of minimising risks to public sewers, requirement for a Groundwater Risk Management Permit and matters concerning discharge to a public sewer.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

Development Plan

- 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 adopted Development Plan comprises:

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

- 6.3 The key adopted Development Plan polices relevant to the determination of this proposal are:

Land Use – LP3.3, LP3.8, LP3.9, LP4.1, LP4.2, TH D.EMP3, TH S.H1.

(Loss of Office and Housing)

Design – LP7.1, LP7.2, LP7.3, LP7.4, LP7.5, LP7.6; TH S.DH1, TH D.DH2.

(Layout, Townscape, Appearance, Public Realm, Safety)

Heritage – LP7.8; TH S.DH3.

(Historic Environment)

Housing – LP3.4, LP3.5, LP3.10, LP3.11, LP3.12, LP3.13; TH S.H1, TH D.H2, TH D.H3.

(Affordable Housing and Housing Quality)

Amenity – LP7.6; TH D.DH8.

(Privacy, Outlook, Daylight and Sunlight, Noise, Construction Impacts)

Transport – LP6.3, LP6.9, LP6.10, LP6.13; TH S.TR1, TH D.TR2, TH D.TR3, TH D.TR4.

(Sustainable Transport, Highway Safety and Capacity, Car and Cycle Parking, Servicing)

Waste – LP5.17; TH D.MW3.

(Waste Capacity and Collection)

Environment – LP5.2, LP5.3, LP5.4, LP5.5, LP5.6, LP5.7, LP5.9, LP5.10, LP5.11, LP5.13, LP5.14, LP5.18, LP5.21, LP7.14, LP7.15, LP7.19; TH S.ES1, TH D.ES2, TH D.ES3, TH D.ES4, TH D.ES5, TH D.ES6, TH D.ES7, TH D.ES8, TH D.ES9, D.ES10.

(Air Quality, Biodiversity, Contaminated Land, Energy Efficiency and Sustainability, Sustainable Drainage)

6.4 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 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.

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

Land Use – H1, E1
(*Housing, Office Use*)

Design – D1, D3, D4, D5, D8, D11
(*Layout, Scale, Public Realm, Safety*)

Heritage – HC1
(*Historic Environment*)

Housing – H5, H6, H10, D6
(*Affordable Housing and Housing Quality*)

Transport – T5, T6, T6.1, T7
(*Car and Cycle Parking, Servicing*)

Environment – SI1, SI2, SI8, SI3, SI12, SI13,
(*Air Quality, Biodiversity, Energy Efficiency and Sustainability, Sustainable Drainage*)

Other Policies and Guidance

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2019)
- LBTH Planning Obligations SPD (2016)
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)

7. PLANNING ASSESSMENT

The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Quality of Accommodation
- iv. Design

- v. Landscaping and Biodiversity
- vi. Heritage
- vii. Amenity
- viii. Transport and Servicing
- ix. Environment
- x. Infrastructure Impact
- xi. Equalities and Human Rights

LAND USE

Loss of Employment

- 7.1 Policy 4.1 of the London Plan promotes the continued development of a strong, sustainable and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of amongst other things; type, size and cost. Policy 4.2 of the London Plan encourages the renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility. Policy E1 of the Draft London Plan seeks to amongst other things, retain existing viable office floorspace outside of town centre locations or designated office locations.
- 7.2 Policy D.EMP3 of the Local Plan seeks to protect employment floorspace within Preferred Office Locations, Local Industrial Locations, Strategic Industrial Locations and Local Employment Locations. Outside of the above designated employment areas, development should not result in the net loss of viable employment floorspace except where they:
- a) provide evidence of active marketing over a continuous period of at least 24 months at a reasonable market rent which accords with indicative figures, or
 - b) provide robust demonstration 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 proposal would result in the loss of employment floorspace as a result of both the demolition of the 1980's office building (3,477sqm GIA) and the conversion of Southern Grove Lodge to residential use. The Council has identified this site as being key to contributing to the delivery of new and affordable housing in the Borough. As such, no marketing evidence has been submitted with this application for its reuse for employment purposes.
- 7.4 Whilst, the proposal would result in the net loss of employment floorspace, the site has very low level of employment occupancy and in reality, the buildings on site are very much underutilised. Southern Grove Lodge has been vacant for a considerable number of years and Officers consider that the length of vacancy (13 years) and the neglectful condition of the building due to the absence of use and activity is indicative of its unviability for employment reuse. In terms of the 1980's office building, the remaining functions within the building are largely administrative with the submitted planning statement suggesting that Veolia are no longer occupying any parts of the building beyond first floor level.
- 7.5 Officers consider that there are clear planning benefits from the proposal which would outweigh the need to retain the existing employment floorspace, the majority of which has benefited from limited employment activity. These benefits include the following:

- The scheme would provide much needed new housing, contributing to achieving the Borough's housing targets.
- The scheme would deliver a high proportion of affordable housing, exceeding Local Plan and National Planning Policy requirements.
- The scheme would reactivate and bring back into use Southern Grove Lodge; a valued heritage asset in the Borough. Given the prolonged period of time the building has already been vacant, to insist upon the retention of the employment floorspace could further extend the vacancy period of this building.

7.6 The above themes are discussed in greater detail in relevant sections of this report. The applicant has also advised that the delivery of the above planning benefits is contingent on the demolition of the 1980's office building. This would allow for revenue generated from the market housing within Southern Grove Lodge to assist in offsetting the cost of demolishing the Veolia building and constructing Block A, thus enabling the amount of new homes being delivered and the level of affordable housing proposed. It would not be viable to provide any affordable housing within Southern Grove Lodge due to physical constraints of and the need to preserve the historical and heritage integrity of the building.

7.7 Officers consider that were this site and in particular the 1980's building to attract potential occupiers for employment use, there is the very real possibility that given the dated appearance of the building and the likely absence of facilities compatible with the modern day contemporary office environment; notwithstanding the absence of any supporting robust evidence with regard to the viability of bringing this site back into employment use; it would not be unreasonable to assume that it may be desirable and more cost effective to demolish and rebuild rather than retain, expand and refurbish.

7.8 This approach could also have implications in respect of other Local Plan policies and in particular, policies S.EMP1 and D.EMP2; both of which give a clear policy direction that new employment floorspace should be steered towards the Borough's designated employment locations to support, protect and enhance their role and function in London's global economy. The existing employment floorspace in this location is something of an anomaly, given the predominantly residential character of the immediate vicinity. As such, any new employment uses may generate associated activities which may not be compatible with the prevailing residential character of the area.

7.9 On balance therefore, the loss of employment floorspace is accepted and appropriately justified given the site-specific characteristics and circumstances. Officers are satisfied that there is limited, if any, reasonable prospect of the site being reused for employment purposes.

Principle of Housing

7.10 The National Planning Policy Framework (NPPF) (2019) seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 117 specifically sends a core message to ensure that previously developed land (brownfield land) is effectively reused.

7.11 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. Residential development should enhance the quality of local places and take account the physical context, character, density, tenure and mix of the neighbouring environment and as a minimum incorporate the space standards and more detailed requirements, as outlined in the Housing Supplementary Planning Guidance.

7.12 Policies GG2, GG4, D2, D3, D4, H1 and H10 of the Draft London Plan outlines comparable messages to the adopted London Plan with regard to the need for more and good quality homes. Draft London Plan policy H1 in particular, sets a ten-year target for net housing

completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) between 2019/20 and 2028/29.

- 7.13 At the local level, 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.
- 7.14 The site has no policy designations precluding the redevelopment of the site for residential purposes and the provision of the net gain of 78 new dwellings of which 42 dwellings would be affordable 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 is therefore supported and considered acceptable in land use terms.

HOUSING

Housing Mix

- 7.15 Policy 3.8 of the London Plan sends an overarching strategic message that Londoners should have a genuine choice of homes that they can afford, and which meet their requirements for different sizes and types of dwellings in the highest quality environments. As such new developments should offer a range of housing choices, in terms of the mix of housing sizes and types. This message is similarly reinforced in Draft London Plan policy H10 which promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods.
- 7.16 At the local level, 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. This will be achieved through amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in part 3 of policy D.H2 of the Local Plan.
- 7.17 The proposed unit and tenure mix are set out below in Table 1 as an assessment against policy D.H2.

		Market Housing			Affordable Rent			Intermediate		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	9	9	25%	/	/	/	/	/	/	/
1-bed	19	10	28%	30%	7	23%	25%	2	16%	15%
2-bed	27	13	36%	50%	9	30%	30%	5	42%	40%
3-bed	18	4	11%	20%	9	30%	30%	5	42%	45%
4-bed	5	/	/	/	5	17%	15%	/	/	/
Total	78	36	100%	100%	30	100%	100%	12	100%	100%

Table 1 – Proposed Unit and Tenure Mix against Policy D.H2.

- 7.18 With regard to the market housing mix, there would be an under provision of 2-bed (-14%) and 3-bed (-9%) units and 25% of the private housing mix includes studio flats for which there is no policy requirement across all tenures. However, as all the market housing would be contained within the converted building, Officers acknowledge that the number and mix of units have largely been informed by the physical constraints of the building and the steer given by the Council's Design and Heritage Officer during pre-application discussions to retain the existing building, minimise alterations, and the requirement to utilise the building's existing core internal physical arrangement and structures such as corridors and columns etc. Members are also advised that the number and mix of private housing in this instance are required specifically to enable the delivery of affordable housing which exceeds policy requirement. Officers therefore accept the non-compliance with the private housing mix targets set in policy D.H2.
- 7.19 With regard to the affordable rented and intermediate tenures, for the 1-bed units, there would be a marginal under provision in the affordable rent tenure (-2%) and marginal over provision in the intermediate tenure (+1%). There would be a marginal over provision of 2-bed units (+2%) and an under provision of 3-bed units (-3%) in the intermediate tenure. However, the proposal would provide for policy compliant 3-bed units (30%) and an above standard provision of 4-bed units (17% equating to an over provision of +2%) in the affordable rent tenure. Officers consider that given the Borough's pressing need for larger family homes, particularly in the affordable rent tenure, the housing mix is acceptable, and the proposal would broadly be compliant with policy, resulting in negligible deviation from the policy targets in the affordable rent and intermediate tenures.
- 7.20 The Council's Housing Team have confirmed that the proposed unit mix across each tenure would be broadly compliant with local plan policy and is therefore supported.

Affordable Housing

- 7.21 Policy 3.12 of the London Plan states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. However, policies H4 and H5 of the Draft London Plan seeks greater certainty in the delivery of affordable housing and sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable. It is therefore expected that major developments which trigger affordable housing requirement, provides affordable housing through the threshold approach to applications.
- 7.22 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 (a) meet or exceed 35% or 50% (on public land) affordable housing provision without public subsidy, (b) provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the relevant borough and the Mayor and (c), have sought to increase the level of affordable housing beyond 35% or 50% by accessing grant are not required to submit viability information. Schemes that follow this approach are deemed to be eligible for the 'Fast Track' route and are expected to be subject to an early viability review, but this is normally only triggered if an agreed level of implementation is not made within two years of planning permission being granted.
- 7.23 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 rooms.
- 7.24 The scheme provides 237 habitable rooms in total of which 149 habitable rooms would be affordable representing 63% with the remaining 88 habitable rooms being for private sale representing 37% and as such exceeds the minimum 50% provision required by Local Plan and London Plan policies. The tenure split for the affordable housing element would be 71:29 in favour of affordable rented units (106 habitable rooms) to intermediate (43 habitable rooms) and

therefore only marginally deviates from the required 70:30 split, however this is considered to be broadly acceptable. The proposal is therefore considered to be eligible for the 'Fast Track' route and thus the submission of a Financial Viability Appraisal is not required in this instance. A condition will secure that an early stage review will be triggered if an agreed level of progress on implementation is not made within 2 years of the permission being issued. The detailed affordable housing breakdown is set out below in Table 2 below.

	Tower Hamlets Living Rent Units	London Affordable Rent Units	London Living Rent	Total
Studios	0	0	0	0
1 Bed	3	4	2	11
2 Bed	4	5	5	12
3 Bed	5	4	5	14
4 Bed	3	2	0	5
Total Units	15	15	12	42
Total Habitable Rooms	56	50	43	149

Table 2: Proposed Breakdown in Affordable Housing Units

7.25 In line with policies S.H1 and D.H2 of the Local Plan, the affordable rented units would be split 50:50 between London Affordable Rent and Tower Hamlets Living Rent. The rent levels for each product would be set as follows:

London Affordable Rent (exclusive of service charges)

1bed £155.13 per week
 2bed £164.24 per week
 3bed £173.37 per week
 4bed £182.49 per week

Tower Hamlets Living Rents (inclusive of service charges)

1bed £197.18 per week
 2bed £216.90 per week
 3bed £236.62 per week
 4bed £256.33 per week

7.26 In conclusion, the affordable housing provision is welcomed and supported by Officers and the proposal is therefore considered to provide an acceptable provision of affordable housing, contributing to the Borough's much needed affordable housing stock consistent with the requirements of Local Plan and national planning policy.

QUALITY OF ACCOMMODATION

Housing Standards

7.27 The Greater London Authority's (GLA) Supplementary Planning Guidance (SPG) for Housing sets a clear priority to improve the quality of housing standards. In this regard the SPG aims to

ensure the delivery of new housing across all tenures is fit for purpose in the long term comfortable, safe, accessible, environmentally sustainable, and spacious enough to accommodate the changing needs of occupants throughout their lifetimes. As such the Housing SPG provides focused guidance and sets specific standards with regards to how places are shaped and designed including public, private and communal open space, children's play and recreation space, the design of entrances and approach to entrances, frontages to developments, accessible housing, internal and external layout, number of units per core and circulation space amongst other things.

- 7.28 At the national level, the 'Technical Housing Standards – Nationally Described Space Standard' sets the expected minimum internal space required within new dwellings, across all tenures. It sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights.
- 7.29 London Plan policy 3.5 and Draft London Plan policy D4 seek for new housing to achieve internal space standards in line with those set at national level. Policy D4 of the Draft London Plan also sets out the importance for homes across London to be designed to a high quality. In this regard new homes should have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes.
- 7.30 Policy 3.8 of the London Plan and policy D5 of the Draft London Plan states that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings).
- 7.31 The above targets are reflected at the local level by policy D.H3 of the Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan, with particular regard for 2.5 minimum floor to ceiling heights and the provision of 10% wheelchair housing. Policy D.H3 also requires that affordable housing should not be externally distinguishable in quality from private housing.
- 7.32 As discussed earlier, the affordable units will be separated entirely from the private for sale units. In this instance, Officers accept that this is necessary given the constraints of the site and the requirement for the private units within the converted former workhouse to be the driver for the delivery of the affordable housing units.

Block A

- 7.33 All the flats within Block A would meet or exceed the minimum gross internal floor area for the defined level of occupancy for each flat type. Private amenity space in the form of ground floor level patio areas or upper level balconies which meet the minimum requirement would also be provided. Balcony and patio areas range from between 5sqm to 54sqm with some of the wheelchair accessible units in particular benefitting from private amenity areas well above the minimum requirement.
- 7.34 Floor to ceiling heights for the flats within Block A would be 2.5 metres and the number of dwellings per core would not exceed 8 as required by Standard 12 of the Mayor of London's Housing SPG. All the units within Block A would either be dual aspect or triple aspect, providing good outlook, lighting and natural surveillance across a communal amenity area which the building semi 'wraps' around.
- 7.35 Overall, Block A is considered to provide good quality residential accommodation, providing future occupiers of the development with very good living conditions.

Block B

7.36 In terms of Block B, 12 of the 36 dwellings do not comply with the 'Technical Housing Standards - Nationally Described Space Standard' as required by the London Plan. These are set out in the table below with their reason for non-compliance.

Unit Type and Occupancy Level	Number of Units	Reason for Non-compliance	Proposed	Policy Requirement
Flat Type K - 2B4P	1	Shortfall in GIA Floor Area	68sqm	70sqm
Flat Type L - 2B4P Duplex	1	Shortfall in Floor to Ceiling Height	2.4sqm	2.5sqm
Flat Type M - 1B2P Duplex	1	Shortfall in Floor to Ceiling Height	2.4sqm	2.5sqm
Flat Types N and U - 2B3P	3	Shortfall in GIA Floor Area	59.5sqm	61sqm
Flat Type P - 1B2P	3	Shortfall in GIA Floor Area	48sqm	50sqm
Flat Type W - 2B4P	1	Shortfall in Floor Area for 1 Bedroom	10.5sqm	11.5sqm
Flat Type X - 2B3P	2	Shortfall in GIA Floor Area	60sqm	61sqm
	Total Units: 12			

Table 3: Units falling below Technical Housing Standards

7.37 In addition to the above, the development conflicts with relevant policies in Block B in terms of the following:

- Direct private amenity space would not be provided for any of the flats.
- There would be no wheelchair user dwellings (Part M4(3) of the Building Regulations).
- 4 units do not meet Part M4(2) of the Building Regulations and therefore do not provide step-free access.
- There would potentially be over 8 units being accessed from the main central core.
- 21 of the flats will be single aspect of which 7 would be north-east facing.

7.38 The compromise in housing standards is attributed to a number of factors. Underpinning this is the need to retain the former Victorian workhouse building with minimal physical internal and external alterations. Owing to the special characteristics of the building, the provision of upper level balconies would have undermined the external appearance of the building. Any ground floor amenity areas would have required new openings in the form of new doors, and this would compromise the existing fenestration arrangement and symmetry of the building. With specific reference to unit types L and M identified in the table above, Members are advised that these are duplex units incorporating the existing basement of the building and therefore has an existing ceiling height of 2.4 metres.

7.39 Internally, the building is generally constructed from load bearing masonry with timber floor and roof structures. The building has a central fairly narrow concrete corridor that spans the entire distance of the building from the northern to southern wings. There are three staircases which

exists from this corridor; one located centrally and the remaining two located in each of the wings. The proposed internal layout and flat arrangement has been informed by these existing features and structures thus resulting in more than 8 flats on each floor potentially being accessed from the main central staircase core and the absence of any wheelchair user units in Block B.

- 7.40 The four units that do not meet Part M4(2) (Accessible and Adaptable Dwellings) of the Building Regulations are located on the eastern wing at first and second floor levels. The eastern wing on these two floors sits 2.2 metres higher than the main floor levels and thus the four flats across these floors would only be accessible via stepped access. However, the Mayor of London's Housing SPG acknowledges that Part M of the Building Regulations do not generally apply to dwellings resulting from conversions or a change of use and therefore in this instance the units that are Part M4(1) compliant are accepted.
- 7.41 The applicant has also advised that the requirement to improve the thermal efficiency of the building through the use of additional insulation material, upgrade of the external walls, floors, roof and windows to significantly improve upon the building's existing u-values (the measure of a building's thermal performance) has also contributed to the shortfall in housing standards to provide better levels of insulation and reduced heating demand during the cooler months.
- 7.42 In conclusion, whilst there are shortcomings in the scheme with regards to housing standards in relation to Block B, these shortfalls are minor for each dwelling in question. The mix of accommodation within Southern Grove Lodge has been predicated by its existing form and layout which has constrained the opportunity to provide policy compliant dwellings. Officers consider that the need to preserve this heritage asset and the delivery of the high proportion of much needed affordable housing is considered to outweigh the transgressions from relevant planning policies discussed above. As these dwellings are for private sale, ultimately potential occupiers of the converted building will make a considered and deliberate choice to live in these units and as such in view of the above, it is considered that a compromise in this instance is necessary if the vacant building is to be refurbished, brought back into active use and the deliver the amount of affordable housing proposed for this development. Officers consider therefore that on balance, the proposal is acceptable.

Wheelchair Accessible Housing

- 7.43 For reasons considered earlier in the housing standards section of this report, wheelchair accessible housing would not be provided in Block B. In terms of Block A, there would be 5 wheelchair accessible units which equates to 6% of the total provision of dwellings across the scheme and as such falls below the minimum 10% as required by London Plan policy 3.8.
- 7.44 However, proportionately compared to the number of total units within Block A (42 units) only, the provision would equate to 12% within Block A. All of the wheelchair accessible units are generous in size (ranging between 86sqm to 118sqm in GIA) and designed to accommodate occupancy levels of at least 4 persons for which there is a pressing need for. As such the proposed wheelchair accessible provision is considered to be acceptable. A condition on the planning permission will secure the delivery of the wheelchair accessible units.

Private and Communal Amenity Space and Children's Play Space

Private Amenity Space

- 7.45 Policy D.H3 of the Local Plan requires that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Balconies and other private external spaces should have a minimum width and depth of 1500mm.

7.46 For reasons set out earlier in this report, there would be no private amenity space provided for the dwellings within Block B.

7.47 In terms of Block A, all the dwellings would provide private amenity space in the form of either ground level patio areas or upper level balconies in accordance with the minimum space standards required by Local Plan and London Plan policies and the Housing SPG.

Communal Amenity Space

7.48 Policy D.H3 (Part C) of the Local Plan requires that for major developments (10 residential units or more) communal amenity space should be provided. The provision should be calculated based on 50sqm for the first 10 units with an additional 1sqm for every additional unit thereafter. The proposal is therefore required to provide 118sqm of communal amenity space.

7.49 The scheme provides 275sqm of communal amenity space which substantially exceeds the minimum requirement. There will be a central ‘courtyard’ communal area measuring 135sqm which the building form of Block A wraps around. The ‘courtyard’ area would be well overlooked with opportunities for direct and passive surveillance. Three smaller areas equating to a total provision of 140sqm are also proposed towards the north-eastern part of the site and between the eastern flanks of both buildings and the rear boundary of the terraced houses along Brokesley Street.

7.50 The communal areas located along the north-eastern boundary would not achieve the same level of surveillance. However, in light of the physical constraints of the site, the offering of communal amenity provision in excess of the minimum requirement and the absence of any private amenity provision for the flats in Block B, Officers consider that on balance that the communal amenity area in this location is acceptable. The detailed design elements of the communal amenity areas would be secured via the imposition of a suitable condition.

Children’s Play Space

7.51 Policy 3.6 of the London Plan seeks to ensure that development proposals that include housing make provision for good quality accessible play and informal recreation provision for all ages taking into account the projected child population generated from the scheme. The Mayor’s Supplementary Planning Guidance Providing for Children and Young People’s Play and Recreation sets out guidance to assist in this process. This is similarly emphasised in Draft London Plan policy S4.

7.52 At the local level, policy D.H3 of the Local Plan requires major developments to provide a minimum of 10sqm of high-quality play space for each child. The Tower Hamlet’s child yield calculator should be used to determine child numbers in a development. The child yield and required associated children’s play for the development is set out in the table below:

Age Group	Child Yield	Area Required (sqm)	Area Proposed (sqm)
Aged 0-4	20	199	199
Aged 5-11	17	170	170
Aged 12-18	18	182	190
Total	55 Children	550	559

Table 4: Child Yield and Required Play Provision.

7.53 The development will meet the minimum children’s play provision and marginally exceed this by 9sqm. The areas of play are largely located on the south-western corner of the site, between Southern Grove and in front of Southern Grove Lodge and essentially forming the foreground to the converted building. Some of the play provision (50sqm) would also be located in the north-eastern corner of the site near the smaller communal amenity areas and again site constraints

have informed the need to locate some of the play provision away from the largely open and overlooked areas. It should be noted however, that the smaller play provision would be dedicated to older children aged 12-18 years and as the overall provision of play would exceed policy requirement, Officers consider that on balance the play strategy is acceptable. The detailed elements of the play areas would be secured via the imposition of a suitable condition.

Daylight and Sunlight for Proposed New Development

- 7.54 Policy D.DH8 of the Local Plan seeks to ensure that amongst other things, adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development are achieved. The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF) and No Sky Line (NSL).
- 7.55 BRE guidance specifies ADF target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. Modern developments within urban locations typically contain combined kitchen/diners or a combination of kitchen/diner/living room areas. The principle use of a room designed in such a manner is as a living room and accordingly it would be reasonable to apply a target of 1.5% to such rooms. This approach is accepted by the BRE guidelines provided that kitchens are directly linked to a well-lit space.
- 7.56 Members are advised that a new UK adopted European Standard for assessing daylight within buildings was published in 2018; BS EN 17037:2018: Daylight in Buildings. The new standard replaced BS 8206-2:2008 which is referenced in the BRE guidance. Until such a time the BRE guidance is updated to reflect the new standard, there is common understanding that both standards can be used to calculate daylight provision within new dwellings. Under the new standard, there are 2 assessment methods that can be used to calculate daylight; target daylight factor or target illuminance. For the purpose of this application target illuminance has been adopted which recommends that target illuminance dependant on room use be achieved over 50% of a room area for 50% of daylight hours. The target illuminances are 100lx for a bedroom, 150lx for a living room and 200lx for a kitchen. Where one room serves more than a single purpose, the target illuminance is that for the room type with the highest value.
- 7.57 With regard to assessment of sunlight, the BRE guidance states that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probable sunlight hours (APSH), including at least 5% annual probable sunlight hours in the winter months (WPSH) between 21 September and 21 March.
- 7.58 Where sunlight levels fall below the suggested level, a comparison with the existing condition is reviewed and if the ratio reduction is within 0.8 (equivalent to a 20% reduction) of its former value or the reduction in sunlight received over the whole year is 4% or less, then the sunlight loss will not be noticeable. It is also important to note that BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. The guidelines further state that kitchens and bedrooms are less important in the context of considering sunlight, although care should be taken not to block too much sun.
- 7.59 The applicant has submitted 2 Daylight/Sunlight reports which have been produced by Avison Young. The first report assesses daylight and sunlight within the development based on the BRE guidance. The second report assesses daylight within the scheme using the new standard BS EN 17037:2018. A further 2 addendum letters provides results for 6 bedrooms at mezzanine level within Southern Grove Lodge that were originally discounted due to the assumption that they relied on artificial lighting, when in fact they do benefit from natural light

and an assessment of overshadowing of the amenity areas. All the assessments have been reviewed independently by Delva Patman Redler.

Assessment of Daylight/Sunlight against BRE Guidance

58-60 Southern Grove – Block A

- 7.60 In relation to daylight, the ADF analysis demonstrates that 154 of the 165 rooms tested (93.3%) would comply with the BRE guidelines. Of the 11 rooms that fall short, 9 are bedroom windows of which 6 rooms look into the internal courtyard and are located beneath an overhanging balcony/walkway and so by design of the building access to daylight is limited and the remaining 3 are also similarly restricted by recessed and overhanging balconies. The ADF values for these bedrooms range between 0.14% to 0.77% where the ADF target level is 1%. It is acknowledged however, that as bedrooms, the BRE guidance sets a naturally lower expectation for daylight and the main living spaces within these units would all receive good levels of daylight.
- 7.61 The other 2 rooms that fall short relate to kitchens which have an ADF value of 1.68% and 1.85% respectively against the ADF target of 2% for kitchens. The kitchens in question are small galley kitchens rather than large traditional family kitchens with seating and as such they are functional spaces rather than main habitable rooms. The assessment identifies that whilst these rooms do not achieve their target of 2%, they are well-lit given their functional use. The rooms also satisfy the NSL test and achieve daylight to at least 85% of the room.
- 7.62 In terms of the NSL analysis, the results demonstrate that 128 rooms of the 165 rooms tested (78%) would comply with the BRE guidelines whereby direct daylight at worktop height (850mm from finished floor level) would be distributed to at least 80% of each room in question. The 9 bedrooms that failed to meet the ADF mentioned above are included in the rooms that fall short and these bedrooms achieve NSL values of between 6.71% and 36.96%. Where other rooms do not meet the guidelines, they are generally obstructed by overhanging balconies/walkways.
- 7.63 It should be noted however, that of the 37 rooms that fall below the NSL target, 23 would achieve direct sky visibility to within 50-79% and this is considered to be reasonable for an urban location. Moreover, 28 of the 37 rooms are bedrooms which have a lower expectation for daylight.
- 7.64 In relation to sunlight, 88 applicable rooms within Block A are located within 90° due south and 57 rooms (65%) would comply with the BRE guidelines and have at least 1 window achieving 25% APSH. 22 of the 31 rooms that do not meet the guidelines are bedrooms, which have a lower requirement for sunlight. The remaining 9 rooms include 5 kitchen/diners and 4 living rooms, however where the recommended standard is not met in these rooms it would be in the other main living space within the relevant unit. 75 rooms would meet the guidelines for winter sun with 12 of the 13 rooms that do not meet the guidelines being bedrooms which have a lower requirement for sunlight with the remaining 1 room being a living room.

Southern Grove Lodge – Block B

- 7.65 With regard to Southern Grove Lodge, the ADF analysis demonstrates that 92 of the 93 rooms tested (98%) would comply with the BRE guidelines. The room that falls below standard is a bedroom located on the mezzanine level and would achieve an ADF value of 0.46% and thus has a lower expectation of daylight. However, it should be noted that this room would achieve an NSL value of 97.74% and is only served by 1 window.
- 7.66 In terms of NSL analysis, the assessment demonstrates that 91 of the 93 rooms tested (98%) would comply with the BRE guidelines. The 2 rooms that fall below the target level are bedrooms located at basement level where access of daylight is restricted by lightwells.

- 7.67 In relation to sunlight, 60 applicable rooms have been tested and of these, 52 (87%) would comply with the BRE guidelines and have at least 1 window achieving 25% APSH. 7 of the 8 rooms that do not meet the guidelines are bedrooms which have a lower requirement for sunlight. The remaining room is a living room/diner which falls short of the recommended target at 20% APSH. However, the adjacent kitchen which serves the unit would meet the guidelines. 57 rooms (95%) would meet the guidelines for winter sun, with the 3 rooms that fail all being bedrooms; 2 of which are basement level rooms and the remainder at first floor level.

Assessment of Daylight Results against Target Illuminance (New Standard: BS EN 17037:2018)

58-60 Southern Grove – Block A

- 7.68 In relation to Block A, of the 165 rooms tested, 139 rooms (84%) would meet their target illuminance value. Of the 26 rooms that fail to achieve their target values, 6 relate to combined Living/Kitchen/Diners (L/K/Ds). Three of these L/K/Ds achieve just below 50% of the room area lit to 200lx, ranging between 41.6% to 49.3% with the remainder achieving areas of 23.8% to 30%. The submitted assessment highlights that the primary uses for these rooms are the living/dining spaces which have a target of 150lx. Therefore, if this target was applied to reflect the primary use of these rooms, the percentage areas achieving the target would be higher.
- 7.69 Three kitchen/dining rooms fall short of 50% of the area lit to 200lx, ranging between 36.6% to 48.0%, 3 living/dining rooms achieve values ranging between 41.2% to 45% and 2 small kitchens achieve lux values of 24.4% and 33.35% of the area for 50% of the time. The assessment confirms that the majority of these rooms will achieve 200lx to large areas of the room and only marginally falls below the 50% target time and therefore target illuminance is achieved for significant parts of the day. 12 bedrooms will also fall short of achieving 50% of the room area lit to 100lx for 50% of the available hours, however as previously highlighted, bedrooms are given less importance in the room hierarchy in the BRE guidelines. Generally speaking, the rooms that fall below are those located underneath overhanging balconies/walkways which hinder access of daylight.

Southern Grove Lodge – Block B

- 7.70 In relation to Block B, of the 93 rooms tested, 77 (83%) meet their target illuminance value. Of the 16 rooms that fall short, 5 relate to L/K/D of which 2 marginally fall short of achieving 50% of the area lit to 200lx at 44.0% and 47.5% with the remainder achieving levels ranging between 25.4% to 35% of the area. However, as per Block A the assessment highlights that the primary uses for these rooms are the living/dining spaces and therefore if the target of 1.5lx was applied the percentage areas achieving the target would be higher.
- 7.71 One kitchen falls short of the target of 200lx achieving 33% of the area lit, however the assessment considers that this kitchen should not be considered as a 'habitable' space. The kitchen in question measures 9sqm and has no seating capacity. 7 studio rooms will be below the target value of 200lx for the prescribed period of time, however 4 of these rooms achieve at least 44% of the room area. The assessment applies the same rationale as L/K/D rooms and considers that a target of 150lx is more appropriate thus if this target was applied, a greater number of rooms would achieve the 50% area threshold. The remaining rooms that do not comply would be bedrooms and considered to be "less important" by the BRE guidelines.

Assessment of Sunlight/Overshadowing to Amenity Areas

- 7.72 The assessment of sunlight and overshadowing to the amenity areas within the development has been undertaken in accordance with the BRE guideline '2 hours sun on ground' test , on 21

March (Equinox). The BRE guidelines recommend that at least 50% of the amenity area should receive at least 2 hours of sunlight on 21 March.

- 7.73 The assessment identifies 8 amenity areas (figure 5 below) denoted as Areas 01 to 08 with Areas 01,03,04 and 08 comprising general amenity spaces, Areas 02 and 07 forming designated amenity space for 12-18 year olds, Area 05 comprises amenity space for 0-4 year olds and Area 06 comprises amenity space for 5-11 year olds.
- 7.74 The sunlight assessment demonstrates that with the exception of Area 04 all the spaces will far exceed the BRE recommendation of 50% sunlit, with all achieving in excess of 90% sunlit.
- 7.75 Area 04 falls below the BRE recommended guidelines with only 2.82% sunlight for 2 hours on 21 March. The assessment considers however that as this space represents one of four accessible amenity spaces designated for the same use that it would be reasonable to consider the sunlight available to these four spaces combined.
- 7.76 The total area for Areas 01, 03, 04 and 08 is 275sqm and 224sqm (81.5%) of this combined area will receive 2 hours of sunlight on 21 March and therefore the assessment concludes that when considered holistically, the general amenity spaces combined satisfies the BRE recommendations.
- 7.77 Delva Patman Redler are in general agreement with the conclusions drawn and do not consider that the assessment of Area 04 in combination with the general amenity areas 01,03 and 08 are unreasonable. Overall, it is considered that the amenity areas would provide good levels of sunlight to residents of the development.

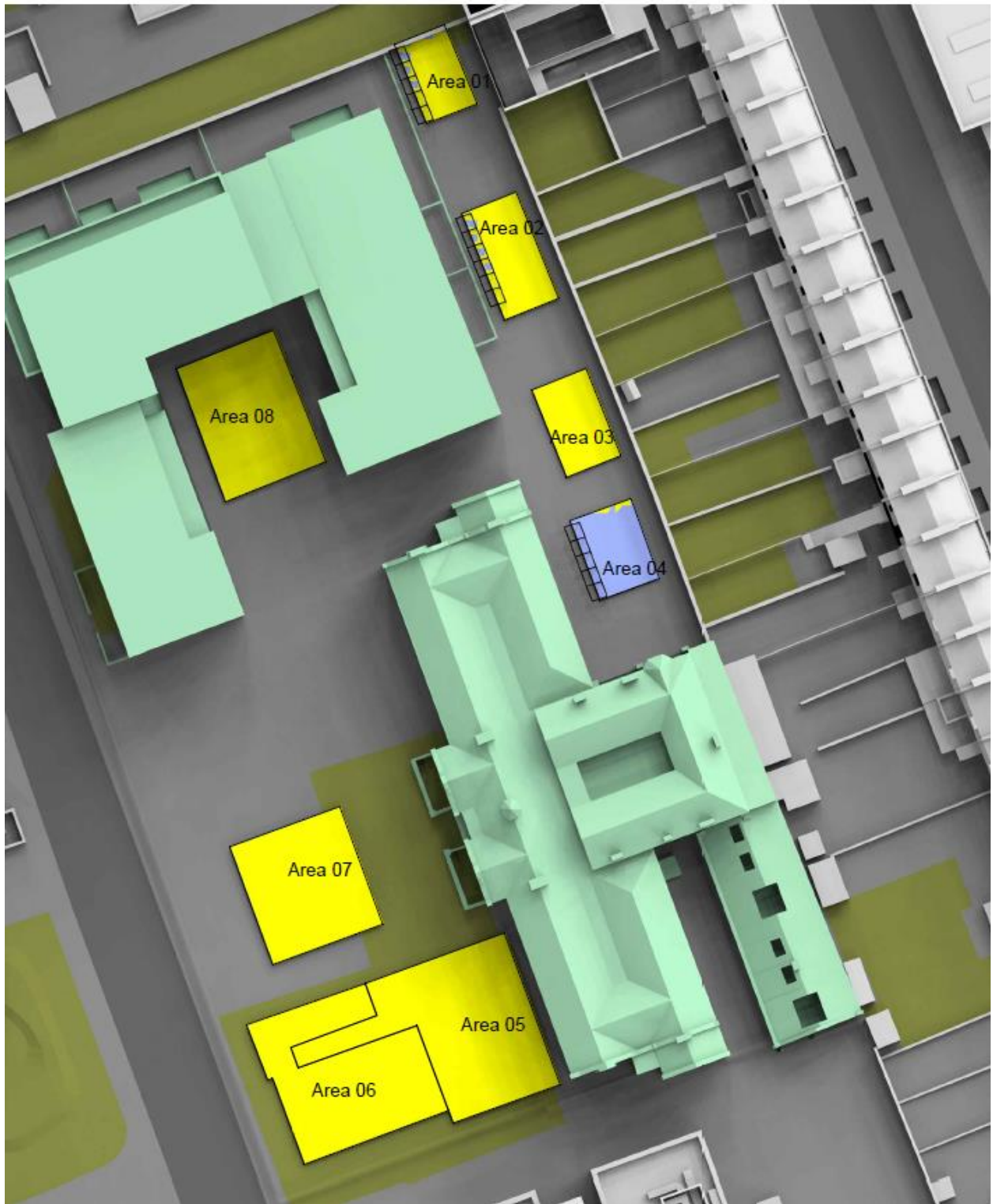


Figure 5: Assessment of Sunlight over Amenity Areas.

Conclusion on Daylight/Sunlight for Proposed Development

- 7.78 In conclusion, the development is considered to provide good levels of daylight and sunlight to both buildings and good levels of sunlight to the amenity areas. The proposed daylight results demonstrate that the new dwellings would receive good levels of daylight that are commensurate with an urban location such as this and are therefore considered acceptable.
- 7.79 In terms of sunlight received to the proposed dwellings, despite the transgressions all units within both buildings would receive adequate sunlight to at least 1 main living space and therefore sunlight provision is considered acceptable.
- 7.80 The submitted daylight/sunlight assessment has been independently reviewed by Delva Patman Redler and there have been no concerns raised to dispute the findings of the submitted daylight/sunlight assessment. Where transgressions have been justified in the assessment, Delva Patman Redler considers them to be fair and accepted under the BRE guidance.

DESIGN

- 7.81 The NPPF, policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan and policies D1, D2, D3, D4 and D7 of the Draft London Plan emphasises the expectation for high-quality design in all developments.
- 7.82 Specifically, policy 7.4 of the London Plan requires development to have regard to the form, function and structure of the local context, scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, that new development should build on the positive elements that can contribute to establishing an enhanced character for future function of the area. Policy D1 of the Draft London Plan reiterates these objectives.
- 7.83 At the local level, policy S.DH1 of the Local Plan echoes strategic objectives and 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. Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability and legibility across the Borough. Local Plan policy S.DH3 seeks to preserve or, where appropriate, enhance the Borough's heritage assets in a manner appropriate to their significance.

Density

- 7.84 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that Local Planning Authorities should set their own approach to housing density to reflect local circumstances.
- 7.85 Policy 3.4 of the London Plan sets out a density matrix as a guide to assist in judging the impacts of a scheme. It is based on the setting and public transport accessibility level (as measured by TfL) of the site. Whilst the policy guides Local Planning Authorities to resist proposals which compromise the policy, the policy also states that it is not appropriate to apply the matrix mechanistically.
- 7.86 Unlike the adopted London Plan, there is no density matrix in the Draft London Plan. Instead, Policy D3 of the Draft London Plan seeks to ensure that development proposals make the most efficient use of land and states that sites must be developed at the optimum density, with a design-led approach to optimising density.
- 7.87 Policy D.DH7 of the Local Plan requires that where residential development exceeds the density set out in the London Plan, it must demonstrate that the cumulative impacts have been considered (including its potential to compromise the ability of neighbouring sites to optimise densities) and any negative impacts can be mitigated as far as possible.

- 7.88 Based on the characteristics of the site, the density matrix in the London Plan identifies the site as being appropriate to provide 200-700 habitable rooms per hectare (hr/ha) or 55-225 units per hectare (u/ha). The proposal would have a density of 478 hr/ha or 156 u/ha and therefore comfortably sits within the appropriate density range. This density is as expected given the heritage constraints of the site which have informed the design proposals. This is discussed in greater detail in the design and heritage sections of this report.

Height, Scale, Massing and Layout

- 7.89 The proposed site layout has been informed by the need to retain Southern Grove Lodge and as such the broad location of buildings on the site would loosely replicate the existing arrangement with new building (Block A) sited directly to the north-west of the retained Victorian former workhouse. The proposed site layout is established on the key principles of providing an open site with generous shared landscaped areas in front of Southern Grove Lodge, a courtyard in front of Block A and general landscaping within the remaining spaces between the two buildings. Access paths are also incorporated within the site boundary layout.
- 7.90 The courtyard by Block A and the landscaped area in front of Southern Grove Lodge will incorporate children's play space provision as discussed earlier in this report. Along the eastern boundary, provision of communal amenity space and children's play would be provided for the sole use of residents of the development. 5 blue-badge spaces are proposed to be provided directly north of the landscaped area fronting Southern Grove Lodge.
- 7.91 In terms of Block A, the building composition consists of two elements. The first being three 'L'-shaped blocks which connect together to form an enclosure around the new courtyard. The longest elevations of each block will front Southern Grove to the west, the rear of Tracy House to the north and the rear gardens of dwellings in Brokesley Street to the east. The blocks fronting Southern Grove and facing the rear of Tracy House would be 5-storey whilst the block facing towards Brokesley street would be 4-storey.
- 7.92 The second element is an additional prominent set-back storey on the north-western corner of the building. The building height therefore will range between 4-6 storey resulting in a stepped and varied roof line. The overall height of the new building will reach 20.22 metres (31,675 AOD) to parapet level.
- 7.93 In terms of Southern Grove Lodge, there are no extensions or fundamental structural alterations proposed to increase the scale, form or massing of this building.
- 7.94 The height, scale, massing and layout principles of the development are generally supported by Officers and represent a considered approach which ensures that the two buildings sit well in relation to each other, without the new building undermining the presence of Southern Grove Lodge; an important heritage asset. Notably, the layout arrangement would enhance the appearance of Southern Grove Lodge in the street scene. This is further discussed in more detail in the heritage section of this report.
- 7.95 Within the wider context there are examples of buildings of comparable height predominantly ranging between 4-6 storeys. Tracy House, Buttermere House and Coniston House; all 4-storey buildings and Derwent House at 6-storey are immediate points of reference. Members are reminded that Buttermere House, Coniston House and Derwent House have planning permission to increase the height of these buildings by an extra 2-storeys.
- 7.96 Overall, it is considered that height, scale and massing and layout of the proposal would be acceptable subject to the proposal providing a quality detailed design response that would be appropriate its location.

Appearance and Materials

Southern Grove Lodge

7.97 As previously highlighted, no extensions are proposed to Southern Grove Lodge and there would be limited change to the external fabric of the building. Externally, the building is characterised by a strong grid pattern made up through a symmetrical fenestration arrangement, inset bays, brick detailing and variation in brick types and colour. The principle elevation fronting Southern Grove is the most symmetrical elevation save for where the existing office building physically connects to the building. Alterations proposed as part of the refurbishment works to Southern Grove Lodge will consist of the following:

- Roof will be fully replaced due to its poor condition. However, existing roof slates will be retained where possible.
- Replacement of decorative vents and existing rooflights over secondary staircases with contemporary methods of ventilation.
- Replacement of lantern rooflight over the existing kitchen extension with lantern rooflights of similar style and detail. These new rooflights will be located within the replacement roof to coordinate with the proposed new internal layout.
- All windows and doors will be replaced with double glazed timber and painted dark grey to correspond with windows in the new building.
- The ground floor façade on the left hand side of the west elevation where the existing office building joins will be fully restored with matching brickwork and detailing of the matching bays on the right hand side of the main entrance.
- Brickwork to be washed and cleaned.

7.98 The retention of existing roof slates where possible is supported and where this cannot be achieved, a condition will secure that new roof slates will be of a specification to be a close match to the existing. The Heritage Statement acknowledges that whilst the rooflights are of little value, the removal of the decorative vents across the building will lead to a degree of harm to the significance of the heritage asset through the loss of an original decorative element. However, the Heritage Statement considers that the broader architectural integrity of the austere Victorian design is maintained, and the loss of the original vent features is balanced against the heritage-specific benefits of bringing the conversion forward.



Figure 6: Photo of Decorative Vents and Rooflights.

- 7.99 In terms of the replacement of windows and doors, the Heritage Statement considers that this would enhance the architectural significance of the site and create a more uniform and holistic appearance. The use of a darker colour and tones for windows and doors would reflect the more austere aspects of the building's history yet incorporate modern design to the building which reflects contemporary residential accommodation.
- 7.100 The alterations and refurbishment work proposed to Southern Grove Lodge are supported and welcomed by Officers and are considered to be a respectful and sensitive response which would successfully reactivate this distinctive building of historical significance.

58-60 Southern Grove – Block A

- 7.101 With regard to Block A, the design and appearance of the building will be contemporary and modern with the core material comprising two brick tones for each of the three 'L'-shaped blocks which form the building. A lighter brick is intended to be the principle brick to reflect the light tones of London Stock brick used in the local area whilst the second darker brick seeks to draw upon the darker tones of the Victorian workhouse building. At ground floor level it is proposed to alternate the two brick types between courses to provide a subtle plinth feel to the building.



Figure 7: Proposed Elevation Detail of Block A from Southern Grove.



Figure 8: Proposed Block A Elevation Detail in Context when Viewed from Southern Grove.

- 7.102 The palette of materials includes the use of rainscreen cladding arranged in a vertical pattern in a red-brown colour thus providing a contrast to and demarcation between the three core blocks. The same rainscreen cladding is intended to be used for the recessed 6th floor element and the decking access on the courtyard facing elevations of the northern and western blocks.
- 7.103 The building incorporates a varied fenestration arrangement with windows and inset balconies articulated with recesses and inset brickwork. The building seeks to adopt the strong grid pattern of the Victorian workhouse through the rhythm and regularity of the fenestration arrangement and configurations of openings and recesses. The northern elevation of the building facing Tracy House will incorporate projecting balconies which are simplistic in design, comprising powder coated metal vertical bar balustrade railings. The same balustrade will be used for the recessed balconies. The new building will be sited closer to Southern Grove than the existing building, thus activating the frontage along Southern Grove and this is welcomed by Officers.

Proposed materials (clockwise from top left):
 main brickwork; warm-toned zinc; RAL 3007 aluminium windows
 within zinc clad areas; RAL 7011 aluminium windows within brick
 clad areas; brick used as alternate courses at ground floor.



Figure 9: Proposed Palette of Materials for Block A.

- 7.104 Overall, Officers consider the proposed materiality of the proposed building would be acceptable and the design and appearance of Block A would make for a complementary modern contrast to the adjacent Victorian building. The proposal would accord with design policies contained both within the Local Plan and London Plan.

Safety and Security

- 7.105 The reactivation of the street frontage of the site along Southern Grove will enhance safety and security within the locality. The design and layout of the development within the site boundary will provide opportunities for passive surveillance on the ground and from the buildings. The majority of the amenity and play areas will be accessible by members of the public however the smaller areas of children's play and amenity space along the eastern boundary will be gated. Whilst Officers do not usually support the provision of gated amenity areas, in this instance the areas in question are towards the rear of the site and fairly tucked away. As such there is limited opportunity for natural surveillance and therefore it is considered that in this instance the provision of a gate for this area would be justified.
- 7.106 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and a condition will be imposed ensuring that the development is designed to Secure by Design standards and achieves accreditation.

Design Conclusions

- 7.107 In conclusion, Officers consider that the development is a considered and appropriate design response providing a new building of suitable mass and scale for the site's location yet respects the setting of the non-designated heritage asset and the Conservation Area.
- 7.108 The appearance of the development and the proposed palette of materials for both buildings would be of a good design quality which would provide a positive contribution in the street scene and the context of the surrounding area.

LANDSCAPING AND BIODIVERSITY

- 7.109 Policy 5.10 of the London Plan and policy G1 of the Draft London Plan expects development proposals to integrate green infrastructure from the offset in the design process to contribute to urban greening.
- 7.110 Policy 7.19 of the London Plan and policy G6 of the Draft London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible.
- 7.111 At the local level, policy D.DH2 of the Local Plan promotes the use of using high quality paving slabs, bricks and pavers for footways, parking spaces and local streets to create attractive, accessible, comfortable and useable development. Soft landscaping should be maximised to soften the streetscape and provide visual and environmental relief from hard landscaping, buildings and traffic. Policy D.ES3 of the Local Plan seeks to protect and enhance biodiversity in developments by ensuring that new developments maximise the opportunity for biodiversity enhancements, proportionate to the development proposed.
- 7.112 The site in its current format is very much a story of "two halves" with the frontage to Southern Grove Lodge providing a spacious and open feel which is enhanced by the existing soft landscaping and the 2 protected trees directly in front of the building albeit, this part of the site is currently enclosed by hoardings. In contrast, the existing office building and the surrounding hardstanding area for associated car park is quite stark and crude which is exacerbated by the limited and sparse planting along the western boundary fronting Southern Grove.
- 7.113 The initial landscaping strategy proposed for the site seeks to deliver coherent useable spaces that provides well defined circulation routes which clearly separates pedestrian and vehicular movement. There would be legible connectivity between the communal and children's play space fronting Southern Grove Lodge and the wider areas of communal amenity space deeper

within the site. The strategy would cohesively and holistically connect the two parts of the site together and this is welcomed by Officers.

- 7.114 In terms of hard landscaping, the strategy would consist of block paving to parking bays, paving to communal courtyard areas and external spaces, slab paving to patio areas, resin bound gravel forming part of the children's play area and Bitmac surfacing for the vehicular access route. The use of furniture will include timber cube seats, timber seating, raised planters with integral seating to the courtyard space, timber natural play elements, boulders and natural play elements. The hard landscaping proposals will clearly be a marked improvement from the current status.
- 7.115 There would be a notable improvement in soft landscaping with the introduction of new hedges; along the northern boundary and at various points within the site, planter beds, grassed areas and areas of rain garden planting mix thus incorporating principles of sustainable drainage into the strategy.
- 7.116 The soft landscaping strategy will incorporate the provision of 36 new trees of which 26 will comprise native species; Field Maple, Common Alder and Whitebeam planted at 18-20cm girth (extra heavy standard). The remaining trees planted will be smaller trees commonly known as the Juneberry. 9 Field Maples will be planted along the western boundary of the site fronting Southern Grove thus creating a tree-lined boundary on the most public facing and visible boundary of the site. 5 Common Alders will be planted along the eastern boundary of the site thus assisting in softening the visual appearance of the development when viewed from the dwellings in Brokesley Street. For Member information, trees planted at 18-20 cm girth tend to grow to an average height of 4-5 metres. The two protected trees (London Plane and Black Locust) in front of Southern Grove Lodge will also be retained as part of the proposals.
- 7.117 The scheme will also include other biodiversity and ecological enhancements in the form of a Bauder biosolar green roof on the roof of the block fronting Southern Grove. For Member information, a biosolar green roof is an integrated mounting solution that allows living roofs and PV panels to occupy the same area of roof space with the front edge of the PV panels set at around 300mm above the level of the substrate thus allowing for liberal growing room for the vegetation.
- 7.118 The submitted ecological appraisal has identified that the scheme could enhance opportunities for bird nesting and bat roosting, and this is supported by Officers and will be secured via condition.
- 7.119 Officers welcome the robust landscaping, ecological and biodiversity enhancements proposed for the site. The site currently has low ecological value and its biodiversity will be greatly enhanced through the proposed tree planting and landscaping. The Council's Biodiversity Officer supports the initial landscaping strategy and confirms that an excellent range of nectar planting would be provided, and the ecological mitigation and enhancements are supported. Full details of landscaping proposals including details of living roofs, bird nesting and bat roosting boxes will be secured via condition.
- 7.120 Overall, the proposal is considered to be compliant with Local Plan and national planning policies with regard to matters concerning landscaping and biodiversity.

HERITAGE

- 7.121 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions, with respect to any buildings or other land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.122 Paragraphs 193 of the NPPF similarly emphasises that great weight should be given to the conservation of designated heritage assets. This is irrespective of whether any potential harm

amounts to substantial harm, total loss or less than substantial harm to its significance. Similarly paragraphs 194-198 of the NPPF sends comparable messages, however emphasises that where a proposed development will lead to specifically substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 7.123 Policies 7.8 and 7.9 of the London Plan seek to ensure that heritage assets are identified, valued, conserved, restored and re-used where appropriate to play a positive role in place shaping. This is echoed by policy HC1 of the Draft London Plan.
- 7.124 At the local level in policy S.DH3 of the Local Plan requires proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.
- 7.125 As highlighted earlier Southern Grove Lodge is a non-designated heritage asset and whilst the application site in its entirety does not sit within The Tower Hamlets Conservation Area, the Victorian building and the eastern boundary of the site are included.
- 7.126 The closest listed buildings and structures to the site are the Grade II listed buildings of the former St Clements Hospital site to the north-east and the Grade II boundary wall, gates and gate piers of the Tower Hamlets Cemetery to the south of the application site and abuts the southern boundary of the Beatrice Tate school.
- 7.127 The Tower Hamlets Cemetery Conservation Area Character Appraisal identifies that the area *“was designated in November 1987 and is centred around the Victorian cemetery park in Bow. Bounded by Mile End Road to the north, the Conservation Area borders on the British Estate (built to replace the terraced row houses cleared in the 1970s) and includes the surviving residential townscapes of Brokesley Street and Mornington Grove, the St Clements Hospital site and Wellington Primary School”*.
- 7.128 The application has been accompanied by a Heritage Statement prepared by the Heritage Collective. The Heritage Statement identifies that the Conservation Area derives its heritage interest from a combination of factors including:
- the 19th century expansion and evolution of Mile End and Bow which draws together illustrative examples of Victorian public institutional architecture, transport infrastructure and a purpose-designed cemetery and,
 - the legacy from three highly significant developments of the Victorian period; namely the evolution of advancements in technical engineering (i.e. for the underground), the necessary provisions of public amenities to cope with the rapidly expanding industrial-era population and the specific focus on the broader public developments of the 19th century evolution enhanced and complemented by the construction of associated new housing.
- 7.129 Whilst the built form of the Conservation Area is influenced primarily by popular Victorian classical revival styles, the Heritage Statement emphasises that the application of this approach varies across the Conservation Area for example, the ornate Italianate design of the Bow Road Infirmary (later St Clements Hospital) contrasts with the more austere styling of Southern Grove Lodge. Similarly, the houses of Mornington Grove are grander than the smaller, but characterful and well-articulated terraces of Brokesley Street.
- 7.130 In consideration of the Conservation Area, the Heritage Statement suggests that the contribution of its setting is greater in some parts than others given key areas have undergone extensive post-war redevelopment. In particular reference to Southern Grove, the Heritage

Statement reflects on the fact that Southern Grove has seen almost a wholesale erosion of its 19th century streetscape with the primary remnants being the former workhouse and the boundaries of the cemetery with Southern Grove predominantly comprising of buildings which are 20th century in character with the visibility of the former workhouse significantly reduced by the presence of buildings of greater visual mass.

- 7.131 In terms of the former workhouse specifically, the historical significance of this building reflects the harder attitudes towards social welfare provision that developed through Victorian utilitarian ideals where workhouses adopted strict and harsh regimes. Typically, the internal layout of such buildings was standardised revolving around a plan with wings emanating from a central hub to allow for segregation by gender for example, which were reflective of Victorian utilitarian ideals. The common plan for the mid-19th century workhouses was an entrance range, the main building and an infirmary; this was known as a the 'corridor plan'. Due to deficiencies and growing criticisms of this layout, the 'corridor plan' was replaced by the 'pavilion plan' with separate blocks.
- 7.132 Southern Grove Lodge was originally designed as a corridor-plan but by the 1890s had evolved into a pavilion plan complex. The pavilion wings and all other ancillary buildings have subsequently been removed with the remaining building signifying a very late example of the corridor plan. Architecturally this is expressed to the exterior through the architectural interplay between the central core of the building and the side wings. The finer architectural details of the building comprise a more austere classical revival style, which reflects the economical approach to workhouse design that was common in this era. The building is constructed primarily with a stock brick, has a simple and symmetrical proportioned form with two wings flanking the central bay and a strong fenestration grid set into articulated recessed bays, creating a strong austere regulated form. The architectural language of the building, therefore, speaks to its origins and purpose and provides a key surviving example of 19th century public institutional architecture in the townscape.



Figure 10: Late 19th Century Photo showing the Central Block and North Pavilion Block.

- 7.133 The heritage appraisal considers that the existing modern office building on the site undermines the significance of the contribution of the former workhouse to the Conservation Area. The office building is of no architectural merit, has an overpowering bulk and mass, has no historic

interest and as such detracts from the setting of Southern Grove Lodge and by extension the Conservation Area. Officers concur with the appraisal set out in the Heritage Statement and find that the existing buildings on the site are clearly at odds with each other and this is exacerbated by the fact that the office building connects to and directly obscures the northern half of the Victorian building where it faces Southern Grove.

- 7.134 The office building has very little design quality, is very much “of its time” and is somewhat incongruous in appearance next to the Victorian building. Not only is the character and appearance of the Victorian building undermined but given that the northern half of the building is obscured by the office block, the symmetry of the building is substantially depreciated in the street scene. Subsequently, the current building arrangement is considered to negatively impact on the character of the heritage asset and the setting of the Conservation Area.
- 7.135 The demolition of the office building would immediately increase the prominence of the Victorian building along Southern Grove and crucially reveal views to its northern wing. The proposed new building will be located on the northern part of the site, moving built form away from the front elevation of Southern Grove Lodge. This allows the Victorian building to develop a significantly better visibility from the public vantage point, greater revealing and enhancing appreciation of the workhouse’s design and the integrity of the original corridor plan and austere architectural pattern.



Figure 11: Existing West Elevation in Context.



Figure 12: Proposed West Elevation in Context.

- 7.136 Officers agree with the Heritage Statement’s assessment and conclusions drawn and consider that the scheme has been carefully designed to capitalise on the opportunity to enhance the setting of the heritage assets and key to this in the first instance has been the removal of the office block.
- 7.137 The design, scale and massing of the development is considered to be acceptable and would not detract from the character and appearance of Southern Grove Lodge. The proposed new building provides a contemporary design response that avoids a pastiche development incorporating replica 19th century detailing.

- 7.138 The detailed elements of the development with regard to height, scale, massing and design have been discussed earlier in the design section of this report. Officers have considered the submitted Heritage Statement and are of the opinion that the proposed development would not result in any harm to but would in fact enhance the setting of the Tower Hamlets Cemetery Conservation Area. The proposal is not considered to impact on the setting of any nearby listed building or the listed boundary wall, gates and gate piers of the Tower Hamlets Cemetery.
- 7.139 In reaching this conclusion, Officers have paid special attention to the desirability of preserving or enhancing the character or appearance of the Tower Hamlets Cemetery Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

AMENITY

- 7.140 Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 80 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.
- 7.141 Policies 7.1 and 7.6 of the London Plan state that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking.
- 7.142 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. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space, private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

Daylight and Sunlight

- 7.143 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.144 For calculating daylight to neighbouring properties affected by the proposed development, the BRE contains two tests which measure diffuse daylight (light received from the sun which has been diffused through the sky). These tests measure whether buildings maintain most of the daylight they currently received.

Test 1 is the vertical sky component (VSC) which is the percentage of the sky visible from the centre of a window.

Test 2 is the No Sky Line (NSL)/Daylight Distribution (DD) assessment which measures the distribution of daylight within a room where internal room layouts are known or can be reasonably assumed.

- 7.145 In respect of VSC, daylight may be adversely affected if after a development the VSC is both less than 27% and less than 0.8 times its former value.
- 7.146 In terms of the NSL calculation, daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.

- 7.147 The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south. Sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between 21 September and 21 March, receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
- 7.148 The submitted daylight/sunlight assessment does not set significance criteria against the assessment results. The assessment has been independently reviewed by Delva Patman Redler who consider that whilst significance criteria are more appropriate for an environmental statement, the following significance criteria should be used against the results in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.
- Reduction of 0% to 20%: negligible impact
 - Reduction of 20% to 30%: minor adverse impact
 - Reduction of 30% to 40%: moderate adverse impact
 - Reduction of more than 40%: major adverse impact
- 7.149 Delva Patman Redler have therefore applied the significance criteria against the results of the submitted daylight sunlight assessment based on the above values.
- 7.150 The daylight and sunlight report identify 8 neighbouring 'blocks' of properties and 40 gardens and open spaces surrounding the site that require consideration in relation to daylight, sunlight and overshadowing. Delva Patman Redler consider the scope of the assessment to be acceptable. The following blocks of properties have been assessed:
- 1 to 16 Buttermere House – to the north
 - 1 to 16 Tracy House – to the north
 - 7 to 25 Hanover Place - to the north
 - 1 to 6 Hanover Place (Second Floor) – to the north
 - 63 – 76 Brookesley Street – to the east
 - 26 to 54 Nailsea Square – to the south-west
 - 1-56 Derwent House – to the south
 - 13-66 Coniston House – to the west

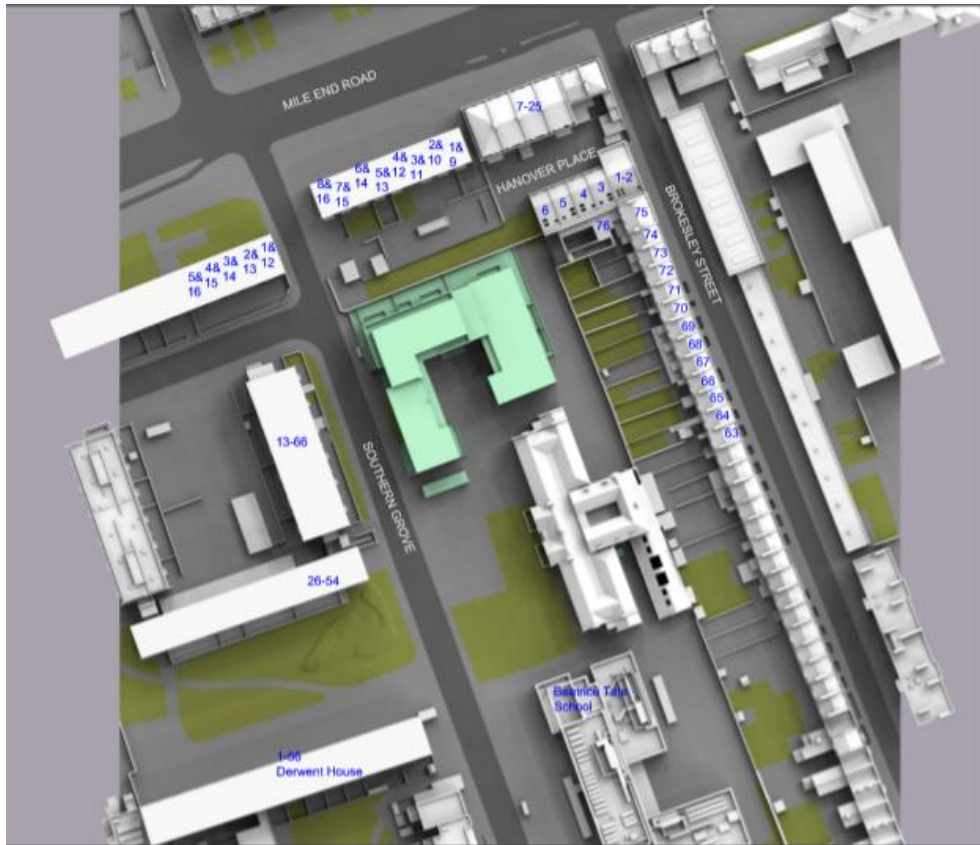


Figure 13: Plan view of neighbouring buildings in relation to proposal.

7.151 The results of the assessment for each block are summarised below:

1 to 16 Buttermere House

7.152 Buttermere House is a 4-storey building containing duplex flats and the results indicate that all the windows except one poorly lit secondary window to each Living/Dining room satisfies the VSC test by either retaining 27% VSC or 0.8 of their former value. The windows that fail have reductions ranging from 23.01% to 34.12%, however the rooms in question are served by multiple windows of which 1 at least would exceed 27% VSC. All windows also satisfy the test for NSL by retaining 0.8 of their former value.

7.153 In respect of sunlight, the APSH results indicate that all the windows will either retain 25% annual and 5% winter sunlight, 0.8 their former value. The results for this block are considered to represent negligible impact.

1 to 16 Tracy House

7.154 Tracy House is a 4-storey building containing duplex flats and 48 windows serving 32 rooms have been assessed. 27 windows will retain either 27% VSC or 0.8 of their former value. Of the windows that fail, 4 windows serve a room that is also lit by a second window that satisfies guidelines and combined, the rooms maintain good access to daylight. 14 windows are marginally above 20% loss (0.8 of their former value) with reductions ranging between 21% to 27.99% and the remaining 3 windows will see a more noticeable change with reductions ranging between 31.3% to 32.97% however in all three instances they are one of two windows serving the room and the combined contribution from both windows maintain good access to daylight.

7.155 The results for this block are considered to represent minor adverse impact with rooms located on the ground and first floors across most of the elevation affected. The transgressions are due

to the proposed massing coming closer to the northern boundary and are magnified by self-obstructing features such as overhangs and overhead balconies. All the windows would satisfy the test for NSL by retaining 0.8 of their former value.

- 7.156 In respect of sunlight, the AP SH results indicate that all windows will retain the guidance of 25% annual and 5% winter sunlight or 0.8 their former value and therefore satisfy the guidelines.

7 to 25 Hanover Place

- 7.157 This block is located to the north-east of the proposed development with rear windows facing south-east predominately towards the rear gardens of Brokesley Street. The daylight assessment confirms that all windows and rooms satisfy the BRE guidelines for VSC and NSL by either retaining the guideline criteria or 0.8 of their former value. The results are considered to represent negligible impact.

- 7.158 In respect of sunlight, the AP SH results indicate that all windows will retain the guidance of 25% annual and 5% winter sunlight or 0.8 their former value and therefore satisfy the guidelines.

1 to 6 Hanover Place

- 7.159 This block is located to the north-east of the proposed development at the junction between Hanover Place and Brokesley Street. These properties do not have windows directly facing the development and are served by roof lights on their southern elevations. The daylight assessment confirms that all windows and rooms satisfy the BRE guidelines for VSC and NSL by either retaining the guideline criteria or 0.8 of their former value. The results are considered to represent negligible impact.

- 7.160 In respect of sunlight, the AP SH results indicate that, with the exception of loss of 1% winter sunlight to one window, all windows will retain the guidance of 25% annual and 5% winter sunlight or 0.8 their former value.

63 to 76 Brokesley Street

- 7.161 These Victorian terraced houses are located to the east of the proposed development, with rear windows facing west towards the development. As no material massing changes are proposed to Southern Grove Lodge, the scope of the assessment has been limited to those properties with a view of the new block.

- 7.162 The daylight assessment confirms that all windows and rooms satisfy the BRE guidelines for VSC and NSL by either retaining the guideline criteria or 0.8 of their former value. The results are considered to present negligible impact.

- 7.163 In respect of sunlight, the AP SH results indicate that, with the exception of winter sunlight reductions to four windows ranging between 1% to 3%, all windows will retain the guidance of 25% annual and 5% winter sunlight or 0.8 their former value.

1-56 Derwent House

- 7.164 Derwent House is located to the south of the proposed development, on the opposite side of Southern Grove, with windows facing north towards the proposed development. It should be noted that the proposed massing of the new building is further removed from this block, when compared to the existing office building.

- 7.165 The daylight assessment confirms that all windows and rooms satisfy the BRE guidelines for VSC and NSL by either retaining the guideline criteria or 0.8 of their former value. The results are considered to present negligible impact.

7.166 In respect of sunlight, none of the windows that look directly towards the development are orientated 90° of due south and therefore in accordance with the guidelines, the assessment has not been considered further.

26-54 Nailsea Square

7.167 This block of flats is located to the south of the proposed development and on the opposite side of Southern Grove, orientated east-west. There are a limited number of windows facing towards the proposed development and the assessment is limited to the rooms at the east end of the block.

7.168 The daylight assessment confirms that all windows and rooms satisfy the BRE guidelines for VSC and NSL by either retaining the guideline criteria or 0.8 of their former value. The results are considered to present negligible impact.

7.169 In respect of sunlight, none of the windows that look directly towards the development are orientated 90° of due south and therefore in accordance with the BRE guidelines, these have not been considered further.

13-66 Coniston House

7.170 This block comprising duplex flats is currently arranged over four storeys and is located to the west of the proposed development and on the opposite side of Southern Grove, orientated north-south. The building has planning permission for a further two floors and the massing of the additional floors has been included to determine the impact to neighbouring properties. However, these have not been assessed for VSC and NSL results as they will only be an improvement upon the floors below and as such will not be materially affected.

7.171 In terms of VSC results, 60 windows serving 48 rooms have been assessed. When considering the average VSC figure per room, 32 rooms (67%) would fully comply with BRE guidelines. The rooms that fail would experience minor adverse impacts of between 20.74% and 29.28%. These rooms are located on the ground to second floors at the northern end of the block and the transgressions are as a result of the proposed massing moving closer towards the boundary on Southern Grove, whereby the existing massing is currently set back. All the windows that do not meet the guidelines would achieve retained VSC levels of between 20.04% and 26.55% which could be considered reasonable for an urban environment such as this.

7.172 In relation to NSL test, 38 of the 48 rooms tested (79%) would fully comply with the BRE guidelines. Of the 10 rooms that do not meet the recommended guidelines, 2 would experience a minor adverse impact, 6 a moderate adverse impact and 2 a major adverse impact. 9 of these rooms would continue to see direct sky to be between 52.46% and 75% of their area at working plan height which could be considered reasonable for an urban environment. The remaining 1 room would see direct sky to 49.59% of its area.

7.173 Overall, the impact of the development to this block in relation to daylight is considered to be minor to moderate adverse.

7.174 In respect of sunlight, none of the windows that look directly towards the development are orientated 90° of due south and therefore in accordance with the BRE guidelines, these have not been considered further.

Overshadowing

7.175 In respect of overshadowing to neighbouring gardens and amenity areas, the guidelines require that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21 March to

appear adequately sunlit throughout the year. If as a result of new development an existing garden or amenity area does not meet the above, and the area that can receive 2 hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

- 7.176 In terms of the overshadowing analysis, 40 amenity areas within the vicinity of the proposed development have been identified. These are the garden areas to the south of Tracy House and Buttermere House, the rear gardens to the dwellings in Brokesley Street to the east, the amenity spaces to the south of Nailsea House and the rear yards to Coniston House to the west.
- 7.177 The overshadowing results confirm that all external amenity areas assessed will satisfy the BRE guidelines by virtue of either retaining sunlight to over 50% of the area, 0.8 of their former value or experience no change as a result of the proposals. The impact of the development on neighbouring amenity areas in respect of overshadowing is therefore considered to be negligible.

Conclusions on Daylight, Sunlight and Overshadowing.

- 7.178 In conclusion, the daylight assessment demonstrates that 6 of the 9 properties assessed would experience a negligible impact and 2 would experience a minor adverse impact. Assessment of sunlight and overshadowing impacts demonstrates that there would be a negligible impact on neighbouring properties as a result of the proposals.
- 7.179 The submitted assessment has been independently reviewed by Delva Patman Redler and have been found to be acceptable. Where transgressions have occurred, these have largely been as a result of existing constraints on neighbouring buildings such as overhead balconies. Notwithstanding this, the Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.
- 7.180 In taking all the above into account and the wider benefits of the proposal, the proposal is not considered to result in any material loss of daylight, sunlight and overshadowing detrimental to the living standards and amenities enjoyed by neighbouring occupiers and as such the development is considered to be acceptable on matters relating to daylight, sunlight and overshadowing. .

Overlooking, Loss of Privacy and Outlook.

- 7.181 Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.
- 7.182 In respect of the proposed development, the notable neighbouring blocks within the immediate surrounding context of the development to consider are the dwellings in Brokesley Street, 1 to 16 Tracy House, 1 to 16 Buttermere House, dwellings in Hanover Place, 13-66 Coniston House and the Beatrice Tate School.

Brokesley Street

- 7.183 The proposed new building will be set back from the north-eastern boundary with the rear gardens of the dwellings in Brokesley Street by approximately 10 metres. In terms of Southern

Grove Lodge, the single storey rear kitchen element abuts the north-eastern boundary whilst the first and second floors (of the 'E' wing) are set back from the boundary by between approximately 3-3.2 metres.

- 7.184 The rear gardens of the dwellings in Brokesley Street generally measure between approximately 19.3 – 19.5 metres deep. Numbers 56-67 Brokesley Street (consecutive) are sited directly opposite Southern Grove Lodge whilst numbers 69-76 Brokesley Street (consecutive) are sited directly opposite new Block A.
- 7.185 There will be sufficient separation distance between Block A and most of the dwellings directly opposite the new block to maintain privacy and overlooking levels. The exception being number 76 Brokesley Street which will be have a separation distance of 11 metres from Block A, however there are no windows proposed on the north-eastern elevation of Block A that would be sited directly opposite to number 76 Brokesley Street and equally there are no windows on the southern-western elevation of number 76 Brokesley Street.
- 7.186 Some of the dwellings in Brokesley Street particularly opposite Southern Grove Lodge have been extended to the rear at ground floor level thus reducing the rear garden depths to between 14-16 metres. However, given the setback of the upper floors of the building and that the development does not introduce any additional windows and/or openings to Southern Grove Lodge; thus creating greater opportunities for overlooking and loss of privacy than that which currently exists (albeit it is acknowledged that the building has remained unoccupied for a prolonged period of time), the overall separation distance between the development and the dwellings in Brokesley Street is considered to be acceptable.

1-6 and 7-25 Hanover Place

- 7.187 In respect of 1-6 Hanover Place, this block is sited to the north-east of the application site and all windows on the southern elevation of this block are in the form of rooflights in the roof of these dwellings. As such it is not considered that this block would be impacted upon in terms of overlooking and loss of privacy.
- 7.188 In terms of 7-25 Hanover Place, this building is sited to the north-east and at an oblique angle to Block A. There would be a separation distance of approximately 28 metres from the nearest corner of Block A closest to this building and as such there would be no material overlooking or loss of privacy to these occupiers.

1 to 16 Tracy House

- 7.189 Tracy House is sited directly to the north of Block A and there would be a separation distance of approximately 28 metres and as such there would be no material overlooking or loss of privacy to these occupiers.

1 to 16 Buttermere House

- 7.190 Buttermere House is sited at an oblique angle north-west of Block A and there would be a separation distance of approximately 24 metres from the nearest corner of Block A closest to this building. Therefore, sufficient distance will be maintained to protect privacy levels, particularly given the oblique orientation of this building in relation to Block A.

13 to 66 Coniston House

- 7.191 Coniston House is sited directly west of the application site and on the opposite side of Southern Grove. There would be a separation distance of approximately 20 metres and therefore it is considered that acceptable levels of privacy and overlooking would be maintained.

Beatrice Tate School

- 7.192 The Beatrice Tate School is sited within close proximity of the southern elevation of the former workhouse and there would be a separation distance of approximately 8.6 metres between the flank elevation of the southern wing of Southern Grove Lodge and the north-western elevation of the school building. However, the windows on the north-west elevation of the school building serve voids over a ground level pool and an activity studio and therefore there would be no material loss of privacy or overlooking to these windows.
- 7.193 The school grounds have a hard surfaced play/pitch area sited to the north-east of the school plot which is sited between approximately 12-14 metres south-east of the southern elevation of Southern Grove Lodge. As such there may be some oblique overlooking to this area of the school grounds however, there would be no new opportunities for overlooking introduced in this building and in an urban context such as this it is not unusual for residential dwellings to be in close proximity to school sites thus inevitably resulting in some levels of overlooking. Overall, on balance it is considered that sufficient distance would be maintained to avoid detrimental levels of loss of privacy to the school.

Conclusion

- 7.194 In summary it is considered that the proposed development has been designed having regard to neighbouring buildings and the amenities enjoyed by neighbouring occupiers. Sufficient separation distances would be maintained between the proposed development and neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

Noise and Vibration

- 7.195 The application has been accompanied by an Environmental Noise Assessment which demonstrates that technical compliance is achieved with regards to relevant planning policies to ensure that all future residents will enjoy a satisfactory standard of living accommodation within the dwellings, whilst also safeguarding existing background noise levels through appropriate mitigation measures.
- 7.196 No objections have been received from Environmental Health Noise Team. Conditions will be imposed accordingly to ensure that a suitable noise environment is maintained to neighbouring occupiers during the construction period of the development.

Construction Impacts

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

TRANSPORT AND SERVICING

- 7.198 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.
- 7.199 Policy 6.3 of the London Plan and policies T1 to T6.1 of the Draft London Plan seek to ensure that impacts on transport capacity and the transport network, at local, network-wide and

strategic level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network.

- 7.200 These messages are similarly echoed in local plan policies S.TR1, D.TR2 and D.TR3 which 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. Policy S.TR1 particularly promotes the need to prioritise pedestrians and cyclists as well as access to public transport, including river transport, before vehicular modes of transport.

Vehicular and Pedestrian Access

- 7.201 The site has a PTAL (Public Transport Accessibility Level) of 6a on a scale of 1 to 6 where 6b is considered excellent. Mile End Station providing access to the London Underground Network via the Central, District and Hammersmith & City lines is located within 240 metres walking distance to the west of the site on Mile End Road. Bow Church Station is also located within 800m to the east of the site (10 minutes walking distance) providing access to the Docklands Light Railway (DLR) between Stratford and Lewisham.
- 7.202 Southern Grove runs in a north to south orientation with two-way movement between Ropery Street to the south and the A11 Mile End Road to the north. A 20mph speed limit is in place and speed humps are present near to the Beatrice Tate School. Permit holder bays are provided on both sides of the carriageway alongside lengths of single yellow lines. The site is located within controlled parking zone B2 which controls parking between the hours of 08:30 and 17:30 Monday to Friday. Loading/unloading is permitted on yellow lines in close proximity to the site for up to 40 minutes during the hours of control to accommodate servicing requirements.
- 7.203 The site is easily accessed by all modes with networks of footpaths, cycle facilities and access to public transport facilities mentioned above within close proximity of the site. Key locations of Bow, Mile End, Bromley-by-Bow and Stepney Green are located within a 20 minute walking distance from the site. The Transport Assessment identifies that Burdett Road, Hamlet Way and Campbell Road are routes signed or marked for use by cyclists whilst Bow Common, St Paul's Way and Stepney Road are routes recommended by cyclists. Furthermore, Cycle Superhighway 2 (CS2) runs along Mile End Road between Whitechapel and Stratford, whilst CS3 is located to the south and runs between Tower Gateway and Barking.
- 7.204 The application site currently has a vehicular crossover accessible from Southern Grove at its most northern point allowing access to the site's existing car park. Pedestrian access is also provided directly from the pavement to the office building.
- 7.205 The existing vehicular crossover will be removed, and the highway reinstated whilst a new vehicular access point will be provided centrally to access the blue badge spaces within the development. The new vehicular crossover will result in the loss of 2 on-street parking spaces to facilitate the development. However, there is the potential to provide a replacement on-street parking space directly north of the new crossover.
- 7.206 In terms of pedestrian access arrangements, key internal routes within the development demarcated by a combination of resin bound gravel surfacing or paving will direct pedestrians towards entrances to buildings.
- 7.207 Overall, the access arrangements to the site are considered to be satisfactory. The Highways Officer has reviewed the access arrangements and has expressed no objections. The

proposed works to the highway will require the applicant to enter into a Section 278 agreement under the Highways Act 1980 and this will be secured by condition.

Car Parking

- 7.208 The development would essentially be 'car free' with the exception of five blue badge spaces within the site boundary. These are located directly south of the vehicular access route into the site.
- 7.209 The 'car free' nature of the proposed is supported in policy terms and occupiers of the development would be required to enter into a 'permit-free' agreement preventing residents from obtaining a parking permit for on-street parking within the Borough. This will be secured via condition. It should be noted that the applicant had initially proposed to provide a 3-year car club membership to future residents for existing car clubs operating in the vicinity of the site however in light of the Council's commitment to reducing reliance on the use of the car as the primary mode of transport and the absence of support for this offer from the Highway's Team, Officers do not consider that this should be a direction that should be pursued further and therefore would not be seeking to secure this through the planning permission.
- 7.210 Draft London Plan policy T6.1(G) seeks to ensure that blue badge parking spaces are provided for 3% (3 spaces required) of the total number of units from the onset of the development. The applicant is required to demonstrate via a Parking Design and Management Plan how an additional 7% of dwellings could be provided with a blue badge space. The scheme proposes 5 spaces (6%) from the offset and therefore this is in accordance with the Draft London Plan and this will be allocated based on an assessment of needs. The 4% future provision of blue badge spaces will be secured via a Parking Design and Management Plan.
- 7.211 In accordance with Draft London Plan policy T6.1(C), 20% (1 parking space) shall be fitted with an electric vehicle charging point with passive provision for all remaining spaces. This will be secured via condition.

Servicing and Deliveries

- 7.213 The servicing arrangement for the site including waste collection would utilise the proposed vehicular access path within the development as an internal loading area. Equally the single yellow lines outside the site boundary would be available for loading/unloading. Waste collection for Block B will occur within the site boundary from a waste collection point adjacent to the blue badge spaces whilst waste from Block A can be collected from the street with the refuse store fronting Southern Grove.
- 7.214 It is noted that the location of the refuse storage provision for the Southern Grove Lodge falls outside the building envelope and this will result in carry distances from the units within the converted former workhouse exceeding 30 metres. Part H of the Building Regulations requires that carry distances should not *usually* exceed 30 metres (excluding any vertical distance). However, the approved Building Regulation document reference to *usually* infers that a certain amount of flexibility can be applied. In this instance due to the site constraints, and discussions held with the Building Control Team during the pre-application stage, the location of the refuse stores for the units of Southern Grove Lodge was accepted as being the only reasonable location to provide refuse facilities for Block B.
- 7.215 The servicing strategy for the site is considered to be acceptable in principle and supported by the Highways Officer. In the absence of detailed comments from the Waste Team in respect of this proposal, Officers consider that it would be prudent to impose a condition requiring the submission of a Waste and Serving Management Plan.

Cycle Parking

- 7.216 Policy 6.9 and Table 6.3 of the London Plan and policy D.TR3 of the Local Plan requires that across the development a minimum of 128 long stay and 2 short stay cycle parking spaces are provided. Policy T5 and Table 10.2 of the Draft London Plan requires that 138 long stay and 3 short stay cycle parking spaces are provided.
- 7.217 For units within Block A cycle parking provision should equate to a minimum of 75 spaces and for Block B this should equate to 53 spaces based on current London Plan Standards. The provision increases to 80 spaces for Block A and 58 spaces for Block B based standards set in policy T5 and Table 10.2 of the Draft London Plan.
- 7.218 The development seeks to provide 139 cycle parking spaces predominantly in 2 locations for cycle stores. Block A will contain two cycle stores; of which one will make provision for 40 spaces for the affordable units whilst a larger store will serve both blocks. A smaller area accommodating 4 spaces for larger non-standard sized cycles will also be dedicated for Block A. The second larger store will be subdivided internally to accommodate cycle parking for both blocks and make provision for 36 spaces (Block A) and 53 spaces (Block B) respectively. A further 6 spaces will be provided within the building envelope of Block B. In accordance with the London Cycling Design Standards (LCDS), 5% of the number of spaces for each block will comprise spaces to accommodate larger cycles to ensure that a diverse range of cycle parking spaces are provided rather than wholly two-tier racks. 4 short-stay cycle parking spaces will also be provided. The total provision is therefore in accordance with current London Plan and Draft London Plan policies.
- 7.219 Officers acknowledge that it is not ideal that the cycle parking spaces for Southern Grove Lodge (with the exception of 6 spaces) are contained in Block A, however this is due to the physical constraints of the building envelope of the former workhouse building. Officers have liaised with the Designing Out Crime Officer who has advised that they have undertaken previous discussions with the applicant, and it is their understanding that the larger store would be separated internally by robust cages/mesh screens and accessed by two separate doors by occupiers of each respective block.
- 7.220 The Designing Out Crime Officer considers that if external security tested doors, recordable access control (in accordance with Secured by Design) together with supporting CCTV, appropriate lighting and active estate management is in place, then these shared cycle spaces can be appropriately managed between the two blocks. Officers will be imposing a condition requiring the submission of details of measures demonstrating how Secured by Design measures are being incorporated into the scheme.

Trip Generation

- 7.221 The submitted Transport Statement has undertaken a standard TRICS-based assessment of the proposed development to determine the anticipated level of traffic generation relative to the existing office use.
- 7.222 The TRICS data for the existing office use has the potential to generate 106 two-way person movements in the typical weekday AM Peak Hour (08:00-09:00), 104 two-way person movements in the PM Peak Hour (17:00-18:00) and 970 two-way person movements across the entire day. Most trips to the office are made by public transport modes with 60 trips during the AM Peak Hour, 59 trips during the PM Peak Hour and 548 trips across the day. The office space is predicted to also receive 27 car trips during the AM Peak Hour, 28 car trips during the PM Peak Hour with a total of 243 car trips across the day.
- 7.223 In contrast to the above the proposed residential development will have significantly reduced trips generating 36 person movements in the AM Peak Hour, 30 person movements in the PM Peak Hour and 337 person movements across the day. The assessment considers that the

majority of trips to and from the site will be undertaken by public transport, in particular Underground services, which would generate 16 total trips during the AM Peak Hour, 14 total trips during the PM Peak Hour and 153 total trips across the day period. Car trips will account for 25 trips across the day with circa 2-3 car trips during the AM and PM Peak Hours.

- 7.224 In terms of delivery and serving trip generation, trip generation has been calculated using the City of London's Loading Bay Reckoner metric of 0.22 deliveries per 100sqm. When applied to the total office floor area of 3,477sqm, this is likely to generate 8 delivery/servicing vehicles or 8 arrivals and 8 departures. It is anticipated that 5% of the total servicing vehicles will be OGV's (Ordinary Goods Vehicles) with the remaining 95% LGVs (Large Goods Vehicles).
- 7.225 The residential units are expected to generate a demand for circa 10 delivery/servicing vehicles per day however the Transport Statement considers that this is not considered to have an impact on the highway network. It is anticipated that 5% of the total servicing vehicles will be OGV's with the remaining 95% LGVs.
- 7.226 In summary, the development will result in a betterment in terms of total trip generation during the AM Peak Hour, the PM Peak Hour, across the day and would be substantially less than the current baseline position particularly in respect of person movement and car trips across the day. Overall, there is no objection to the assessment provided and it is not considered that the proposal will detrimentally impact on the local highway network.

Travel Plan

- 7.227 The application has been accompanied by residential Travel Plan which has been reviewed by the Highways Officer. All residents of the development will be made aware of the Travel Plan and be provided with a Welcome Pack which will contain amongst other things, a summarised version of the Travel Plan, its purpose, key benefits and sustainable transport information. Residents will also be encouraged to use sustainable modes of transport and information to residents encouraging sustainable modes of transport will be conveyed to residents via notice boards in common areas, newsletters and post, emails and text alerts and website. A condition will be imposed requiring that the development is implemented in accordance with the approved Travel Plan.

Demolition and Construction Traffic

- 7.228 The Construction Environmental Management Plan secured via a planning condition would need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Summary

- 7.229 In summary, subject to securing relevant conditions identified above, the proposal is supported in terms of transport matters and promotes sustainable modes of transport. The proposal is not considered to have any material impact on pedestrian or vehicular safety or result in undue pressure on the local highway network in accordance with policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies 6.1, 6.3, 6.8-6.13 of the London Plan (2016).

ENVIRONMENT

Energy Efficiency and Sustainability

- 7.230 At the national level, the NPPF sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate. In this regard, the planning system should help to amongst other things, shape places in ways that contribute to radical reductions in greenhouse gas emissions and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.
- 7.231 At the strategic level, Chapter 5 of the London Plan and Chapter 9 of the Draft London Plan require development to contribute to mitigation and adaptation to climate change. Specifically, policy 5.2 of the London Plan and policy SI2 of the Draft London Plan requires development proposal to make the fullest contribution to minimising carbon dioxide emissions with policy SI2 specifically identifying that major development should be net zero-carbon. This means reducing greenhouse gas emissions and minimising energy demand in accordance with the following hierarchy:
1. Be Lean: Use Less Energy
 2. Be Clean: Supply Energy Efficiently
 3. Be Green: Use Renewable Energy
 4. Be Seen: Monitor and Report
- 7.232 At the local level, the national and strategic messages are similarly echoed in policies S.ES1 and D.ES7 of the Local Plan. Policy D.ES7 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.
- 7.233 The application has been accompanied by an Energy Statement which demonstrates that the development is anticipated to achieve a site-wide reduction in carbon dioxide emissions of 76.3% through the adoption of passive and active design measures (Be Lean), the use of photovoltaic panels (41kWp Photovoltaic array) and the use of Air Source Heat Pumps (ASHP) to provide renewable energy (Be Green). The application site is located in an area where there is currently no feasibility of connecting to an existing heating and cooling network (Be Clean) and therefore no carbon savings can be achieved for this step of the energy hierarchy.
- 7.234 The Energy Statement identifies an annual baseline emission rate of 149.1 tonnes after each step of the Energy Hierarchy for the development using SAP10 factors. The proposal results in 113.7 tonnes of regulated CO₂ savings on-site with 35.4 tonnes to be off-set through a carbon offsetting contribution of £100,890 to achieve net zero carbon for the development and deliver a policy compliant scheme. The carbon offset contribution will be secured via condition.

Summary and Securing the Proposals

- 7.235 It is considered that the proposals are in accordance with adopted policies for sustainability and CO₂ emission reductions and it is recommended they are secured through appropriate conditions to deliver:
- Submission of a Zero Carbon Futureproofing Statement.
 - Submission of post construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO₂ emissions have been delivered on-site.

Air Quality

- 7.236 Policy 7.14 of the London Plan emphasises the importance of tackling air pollution and improving air quality and states that development proposals should minimise increased

exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas). Similarly, policy SI1 of the Draft London Plan states that all development should be air quality neutral as a minimum. At the local level, policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral' standard.

- 7.237 The submitted Air Quality Assessment has assessed the potential air quality impacts of the proposed development both during the construction and operational phases. The assessment demonstrates that the substantially reduced number of traffic movements that are forecast to be generated from the development relative to the current use would have a positive impact on local air quality to the point that transport-related emissions can be considered to be air quality neutral.
- 7.238 A detailed dispersion modelling has been undertaken of the proposed development to predict pollutant concentrations at the proposed development. The assessment indicates that concentrations of NO₂, PM₁₀ and PM_{2.5} will be well within the short-term air quality objectives. The proposed development will not, therefore, result in new exposure to poor air quality.
- 7.239 Heat and hot water will be provided by ASHPs in conjunction with low NO_x gas boilers. The boilers will be compliant with the GLA emission limits set out in the Sustainable Design and Construction SPG. The building-related emissions have been assessed as Air Quality Neutral.
- 7.240 The Council's Air Quality Team have reviewed the assessment and concur with its findings that air quality impacts will be below the national air quality limit values. No objections have been raised subject to conditions relating to construction environmental management and logistics plan, emissions from construction plant and machinery and low NO_x boilers.

Flood Risk & Drainage

- 7.241 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated by policy SI13 of the Draft London Plan and at local level by policies D.ES4 and D.ES5 which seek to reduce the risk of flooding.
- 7.242 The proposal would increase the permeability of the site through enhancements identified earlier in the landscaping and biodiversity section of this report thus complying with Local Plan policy requirement for incorporating principles of sustainable urban drainage. The site is located in Flood Zone 1 and therefore has low risk of flooding however a detailed surface water drainage scheme will be secured by condition.

Land Contamination

- 7.243 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition approval process and will ensure that the site is made safe prior to any construction or demolition works taking place.

INFRASTRUCTURE IMPACT

- 7.244 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £235,544.11 and Mayor of London CIL of approximately £93,656.82 (inclusive of social housing relief and exclusive of indexation).

7.245 This would result in a total CIL payable of £329,200.93. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement of the development following the grant of planning permission.

7.246 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.

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

- £25,812.00 towards construction phase employment skills training.
- £100,890.00 towards carbon offsetting.

7.248 The following non-financial obligations will also be secured:

1. Housing

- 63% Affordable Housing by habitable room (42 units)
- 15 units Tower Hamlets Living Rent
- 15 Units London Affordable Rent
- 12 Units London Living Rent
- Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)

2. Access to Employment

- 20% of goods, services and construction phase workforce to be secured locally.
- 6 construction phase apprenticeships.

3. Transport Matters

- Car and Permit Free
- Scheme of Highway Works

4. Compliance with Considerate Constructors Scheme

HUMAN RIGHTS & EQUALITIES

7.249 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.

7.250 The proposed new residential accommodation meets inclusive design standards and 12% of the new homes in Block A will be wheelchair accessible all of which will be within the affordable tenure and 5 blue badge spaces are provided. It is acknowledged however, due to the constraints of the existing Victorian building that wheelchair accessible units are unable to be provided in Block B. However, the scheme overall would benefit future residents, including people with disabilities, elderly people and parents/carers with children. The development will also secure cycle parking in accordance with the London Design Cycling Standards to enable cycle parking for different user groups i.e. wider cycle parking spaces to accommodate non-standard sized cycles.

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

8. RECOMMENDATION

8.1 That **conditional planning permission is GRANTED** subject to the following conditions:

Compliance

1. 3 years deadline for Commencement of Development.
2. Development in Accordance with Approved Plans.
3. Personal Permission.
4. Restrictions on Demolition and Construction Activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice
 - b. Standard hours of construction and demolition
 - c. Air quality standards for construction machinery
 - d. Ground-borne vibration limits
 - e. Noise pollution limits.
5. External Lighting.
6. Wheelchair Accessible Units.
7. Precautions to Prevent Harm to Bats (Southern Grove Lodge).
8. Timing of Vegetation Clearance (Breeding Birds).
9. Cycle Parking
10. Travel Plan
11. Air Quality Emission Standards

Pre-Commencement

12. Avoidance of Harm to Wild Mammals.
13. Piling.
14. Construction Environmental Management Plan and Construction Logistics Plan.
15. Construction Plan and Machinery (NRMM).
16. Contaminated Land
17. Details of External Facing Materials and Architectural Detailing (Southern Grove Lodge).
18. Financial Contributions.
19. Non-Financial Contributions (Access to Employment and Transport Related).
20. Non-Financial Contributions (Housing).
21. Early Stage Viability Review.

Pre- Superstructure Works

22. Details of Landscaping including Hard and Soft Landscaping, Maintenance Plan, Lighting, Boundary Treatment and any Street or Play Furniture.
23. Play and Communal Amenity Area Details.
24. Biodiversity Mitigation and Enhancements.
25. SUDS.
26. Details of External Facing Materials and Architectural Detailing (Block A).
27. Secure by Design Standards.

Pre-Occupation

28. Accessible Car Parking, EVCP and Parking Management Plan.
29. Delivery, Servicing and Waste Management Plan.
30. Energy and Efficiency Standards.
31. Secure by Design Accreditation.

9. INFORMATIVES

1. Development is Liable for CIL
2. Street Naming and Numbering
3. Thames Water - Groundwater Risk Management Permit, minimum pressure/flow rate.
4. Building Control
5. S278
6. Fire and Emergency
7. Footway and Carriageway
8. Hours of Work for Demolition and Construction Activities
9. Designing out Crime

APPENDIX 1 – LIST OF DRAWINGS AND DOCUMENTS

Drawings:

6941_Underground_R0 – Underground Survey
6941_Basement_R0 – Basement Sheet 1 of 2
6941_Basement_R0 – Basement Sheet 2 of 2
6941_Elevations_R2 – Elevations Sheet 1 of 6
6941_Elevations_R2 – Elevations Sheet 2 of 6
6941_Elevations_R2 – Elevations Sheet 3 of 6
6941_Elevations_R2 – Elevations Sheet 4 of 6
6941_Elevations_R2 – Elevations Sheet 5 of 6
6941_Elevations_R2 – Elevations Sheet 6 of 6
6941_Ground_R0 – Ground Floor Sheet 1 of 3
6941_Ground_R0 – Ground Floor Sheet 2 of 3
6941_Ground_R0 – Ground Floor Sheet 3 of 3
6941_First_R0 – First Floor Sheet 1 of 2
6941_First_R0 – First Floor Sheet 2 of 2
6941_Second_R0 – Second Floor Sheet 1 of 2
6941_Second_R0 – Second Floor Sheet 2 of 2
6941_Roof_R0 – Roof Survey Sheet 1 of 2
6941_Roof_R0 – Roof Survey Sheet 2 of 2

2785_SKE_100000_C – Location Plan
2785_SKE_100001_A – Proposed Demolition Plan
2785_SKE_100001_C – Existing Site Plan

2785_GAD_140000-C – Existing Elevations
2785_GAD_140010_D – Proposed Elevations Sheet 1 of 2
2785_GAD_140011_B – Proposed Elevations Sheet 2 of 2
2785_GAD_140012_A – Proposed West Elevation Detail
2785_GAD_140020_A – Proposed West and North Elevations
2785_GAD_140021_A – Proposed East and South Elevations
2785_GAD_150000_A – Proposed Section A-A

1621-GA-100 Revision B – Landscape GA
1621-GA-101 Rev A – Open Space Strategy Diagram
1621-PP-300 Revision B – Planting Plan

2785_GAD_120010_P – Proposed Ground Floor Site Plan
2785_GAD_12011_K – Proposed First Floor Site Plan
2785_GAD_120012_J – Proposed Second Floor Site Plan
2785_GAD_120013_J – Proposed Third Floor Site Plan
2785_GAD_12014_J – Proposed Fourth Floor Site Plan
2785_GAD_120015_G – Proposed Fifth Floor Site Plan
2785_GAD_120016_D – Proposed Roof Plan
2785_GAD_120020_E – Proposed Tenure Allocation GA Plans

2785_GAD_120021_A – Proposed Block A Residential Unit Plan 1B2P
2785_GAD_120022_C – Proposed Block A Residential Unit Plan 2B3P
2785_GAD_120023_C – Proposed Block A Residential Unit Plan 2B4P
2785_GAD_120024_C – Proposed Block A Residential Unit Plan 3B5P
2785_GAD_120025_A – Proposed Block A Residential Unit Plan 3B5P

2785_GAD_120026_C – Proposed Block A Residential Unit Plan 3B6P
2785_GAD_120027_B – Proposed Block A Residential Unit Plan 4B6P
2785_GAD_120030_F – Proposed Block A Ground Floor Plan
2785_GAD_120031_D – Proposed Block A First Floor Plan
2785_GAD_120032_C – Proposed Block A Second Floor Plan
2785_GAD_120033_C – Proposed Block A Third Floor Plan
2785_GAD_120034_D – Proposed Block A Fourth Floor Plan
2785_GAD_120035_D – Proposed Block A Fifth Floor Plan

2785_GAD_120036_B – Proposed Block B Basement Floor Plan
2785_GAD_120037_C – Proposed Block B Ground Floor Plan
2785_GAD_120038_B – Proposed Block B First Floor Plan
2785_GAD_120039_B – Proposed Block B Second Floor Plan
2785_GAD_120040_B – Proposed Block B Roof Plan
2785_GAD_120060_B – Proposed Block B Residential Unit Plan 1B1P
2785_GAD_120061_B – Proposed Block B Residential Unit Plan 1B2P
2785_GAD_120062_B – Proposed Block B Residential Unit Plan 2B3P
2785_GAD_120063_B – Proposed Block B Residential Unit Plan 2B4P
2785_GAD_120064_B – Proposed Block B Residential Unit Plan 2B4P Duplex
2785_GAD_120065_C – Proposed Block B Residential Unit Plan 3B5P
2785_GAD_120066_B – Proposed Block B Residential Unit Plan 3B5P Duplex

2785_GAD_120072_C – Proposed Cycle Storage Access
B202057PV-20200603 – PV Layout Plan

2785_SKE_500062_A – Computer Generated Image Street View Facing North East
2785_SKE_500063_A – Computer Generated Image Site View Facing North
2785_SKE_500064_B – Existing Elevations Mark-Up

Documents:

Planning Statement produced by Renew Planning dated April 2020.
Health Impact Assessment Produced by Renew Planning dated April 2020.

Design and Access Statement produced by Architecture PLB dated April 2020.

Heritage Statement produced by Heritage Collective dated April 2020 report ref: 05127.

Planning Daylight & Sunlight Report Rev A produced by Avison Young dated April 2020.
Supplementary Internal Daylight Assessment produced by Avison Young dated April 2020.
Internal Daylight Amenity Addendum Letter produced by Avison Young dated 22nd July 2020.
Sunlight Assessment Addendum Letter produced by Avison Young dated 27th August 2020.

Arboricultural Assessment produced by FPCR Environment and Design Ltd dated March 2020.
Ecological Appraisal produced by FPCR Environment and Design Ltd dated March 2020.

Environmental Noise Assessment produced by XCO2 dated April 2020.
Air Quality Assessment produced by XCO2 dated April 2020.
Energy Statement produced by XCO2 dated April 2020.
Sustainability Statement produced by XCO2 dated April 2020.
Utilities Statement Report produced by XCO2 dated April 2020.

Report on Preliminary Investigation produced by Ian Farmer Associates

Stage 2 Fire Strategy produced by Elementa dated 25 March 2020.

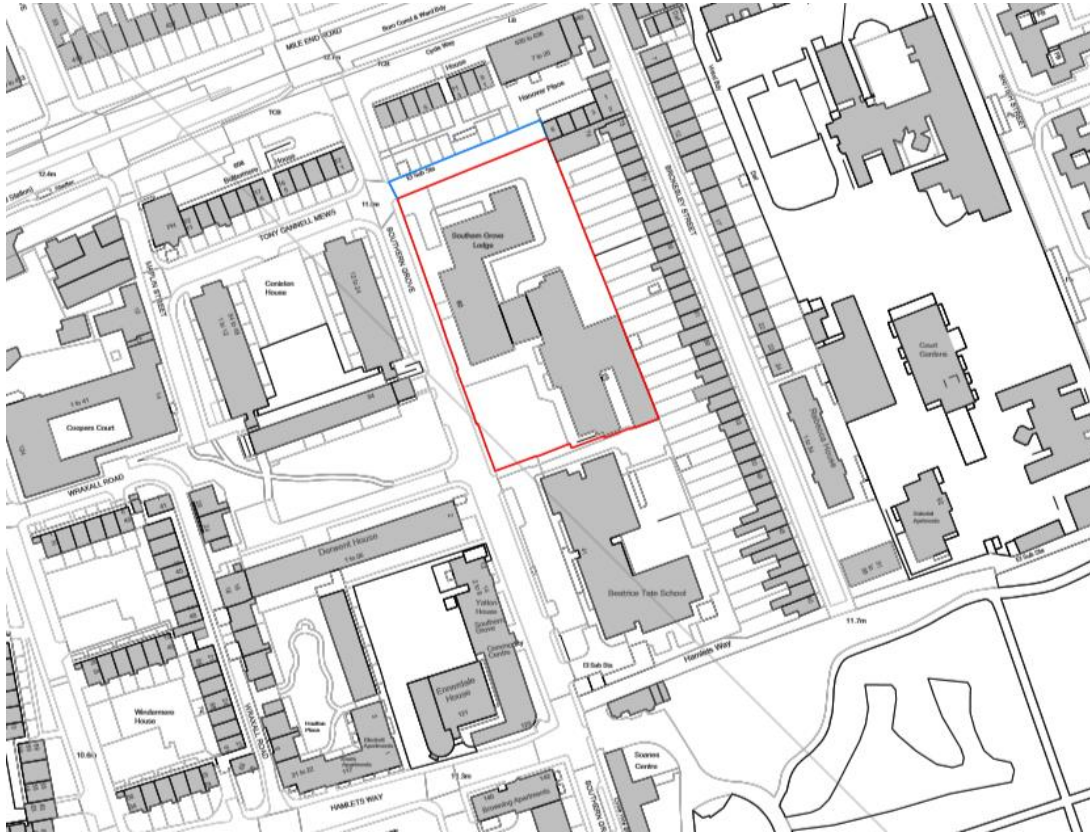
Residential Travel Plan produced by Caneparo Associates dated March 2020.
Transport Statement produced by Caneparo Associates dated March 2020.

SUDS Report/Flood Risk Assessment Version 3 produced by Graphic Structures dated March 2020.

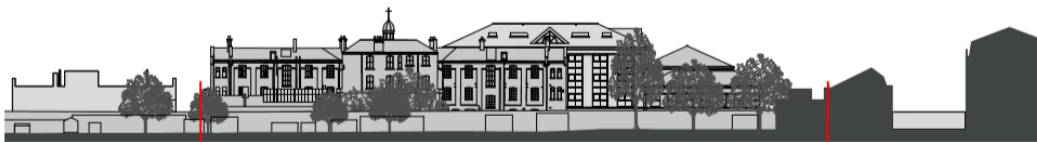
Schedule of Accommodation: 2785_SCH_460004_T Rev T dated 24.07.20.

APPENDIX 2 - SELECTION OF PLANS AND IMAGES

Existing Site Location Plan:



Existing Elevations:



Existing East Elevation



Existing West Elevation



Existing South Elevation



Existing North Elevation

Proposed Elevations:



A-A
West Elevation



B-B
North Elevation



C-C
East Elevation



D-D
Courtyard East Elevation



E-E
Courtyard South Elevation



F-F
Courtyard West Elevation

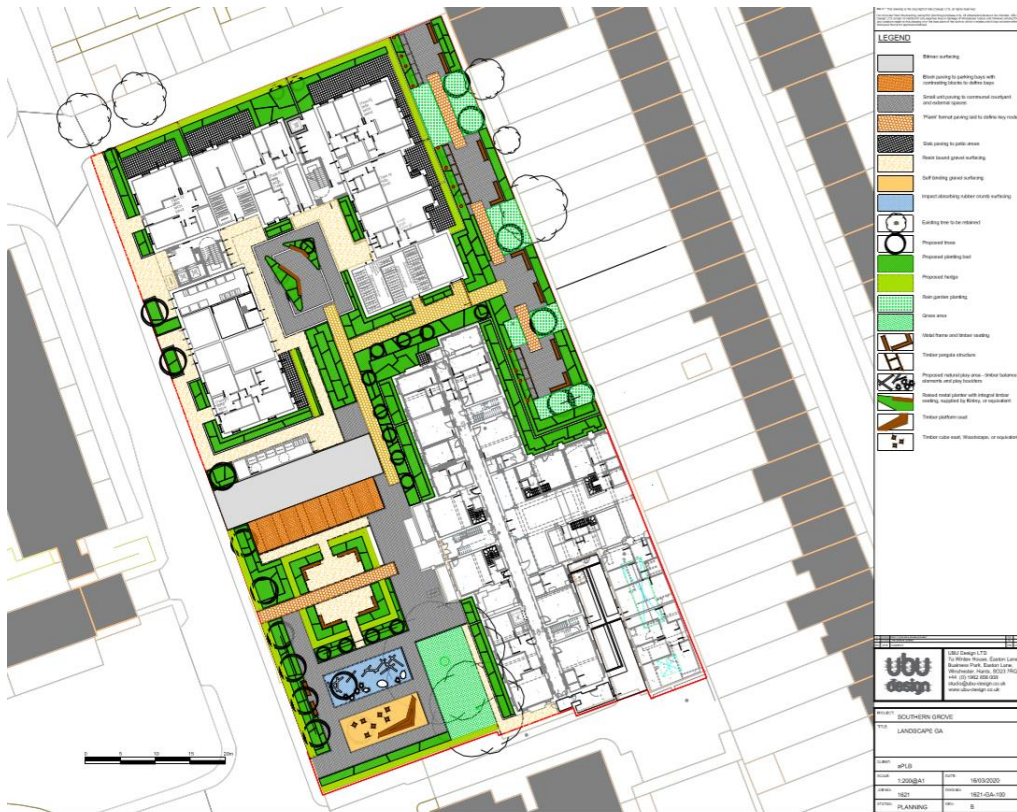
CGI Street View Facing North East:



CGI View Within Site Facing North:



Proposed Landscape Plan:



Proposed Communal Amenity and Children's Play Strategy:



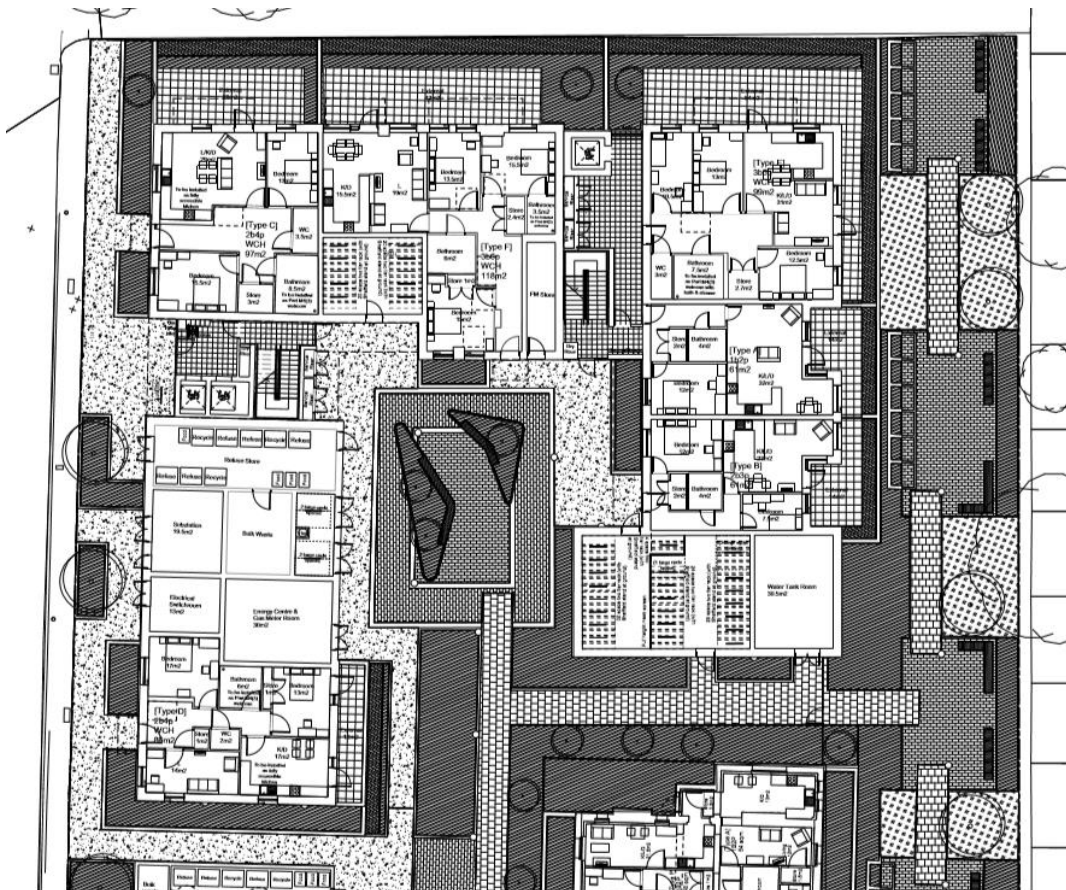
Photos of Southern Grove Lodge:



Photo of Existing Office Building:



Typical Floor Plan – Block A (Ground Floor):



Typical Floor Plan – Southern Grove Lodge

