

STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 21 May 2020 at 5.30 p.m.
Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

The meeting is open to view online

Members:

Chair: Councillor John Pierce
Vice Chair : Councillor Abdul Mukit MBE
Councillor Kevin Brady, Councillor Val Whitehead, Councillor Zenith Rahman,
Councillor Rabina Khan, Councillor Sabina Akhtar and Councillor Tarik Khan

Substitutes:

Councillor Dipa Das, Councillor Dan Tomlinson and Councillor Leema Qureshi

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Tuesday, 19 May 2020**
Please contact the Officer below to register. The speaking procedures are attached
The deadline for submitting material for the update report is **Noon Wednesday, 20 May 2020**

Contact for further enquiries:

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

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users

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (Pages 5 - 6)

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

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

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

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 7 - 12)

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

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 16)

To RESOLVE that:

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

PAGE NUMBER	WARD(S) AFFECTED
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4. DEFERRED ITEMS

There are none.

5.	PLANNING APPLICATIONS FOR DECISION	17 - 22	
5 .1	Islay Wharf, Lochnagar Street, PA/19/01760	23 - 82	Lansbury
<p>Proposal:</p> <p>Demolition of existing warehouse building and redevelopment the site for mixed use development comprising two blocks ranging in height between 12 storeys and 21 storeys, accommodating 351sqm of flexible uses classes (Class A1, A2 B1, D1, D2) on ground floor and mezzanine with associated public realm works and residential accommodation (Class C3) the upper floors providing 133 residential units.</p> <p>Officer recommendation:</p> <p>Grant Planning Permission subject to conditions</p>			
5 .2	55-56 Chamber Street, London, E1 8BL (PA/19/02837)	83 - 140	Whitechapel

Proposal:

Redevelopment of the former railway sidings and outbuilding, including demolition of outbuilding, to allow for mixed-use development in two buildings, comprising a part 10, part 11 storey building providing office floorspace (Use Class B1) at ground and first floor and serviced apartments (Use Class C1) on the upper floors and a 2 storey office building (Use Class B1).

Officer recommendation:

Grant planning permission with conditions and planning obligations

Next Meeting of the Strategic Development Committee

Wednesday, 17 June 2020 at 6.30 p.m. to be held in Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS 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 DPI dispensation or for an interest to be treated as sensitive interest.

(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.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 17 MARCH 2020

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

Members Present:

Councillor Kevin Brady
Councillor Val Whitehead
Councillor Zenith Rahman
Councillor Rabina Khan
Councillor Tarik Khan
Councillor Dipa Das (Substitute)

Other Councillors Present:

None

Apologies:

Councillor John Pierce
Councillor Abdul Mukit MBE
Councillor Sabina Akhtar

Officers Present:

Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Piotr Lanoszka	– (Regeneration Manager, Place)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
Zoe Folley	– (Committee Officer, Governance)

Election of Chair for the meeting

In the absence of the Chair and the Vice Chair of the Committee, the Committee agreed the appointment of Councillor Kevin Brady to act as the Chair for the meeting

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of interest.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 12th February 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) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

There were no items.

5. PLANNING APPLICATIONS FOR DECISION

5.1 267-269 East India Dock Road (PA/19/01838)

Update report tabled.

Jerry Bell, (Applications Team Leader), introduced the application for internal and external alterations to the existing residential units at no. 267 East India Dock Road and proposed erection of a 163-bedroom hotel with associated works.

Piotr Lanoszka (Planning Services), presented the application, describing the site location and the character of the area in the Crisp Street District Centre. The site had good transport links and had been assessed as unsuitable for a residential development due to the air quality issues. Members also noted the scheme layout. There had been consultation on the application resulting in 2 representations in objection and 1 in support and the issues raised were noted.

It was noted that:

- That the proposed hotel use complied with the policy. A hotel led use would therefore be a suitable use for this site
- The regeneration benefits of the application were strong, including the creation of jobs and increased footfall to the area, that would benefit the local economy.
- The design of the building, (comprising a tower and a podium) would fit in and enhance the area. Details of the materials were noted
- The height of the building when viewed from outside All Saints Churchyard would be broadly the same as the apparent height of the Blackwell Reach Development. The proposals had been assessed in relation to the new Tall Building Zones in the new Local Plan. It was considered that the proposal met the criteria for tall buildings outside the tall building zone, with the exception of part 3 b, regarding strategic infrastructure. However, given the mitigating factors set out in the report and the merits of the application, it was considered that this deficiency is not sufficient enough to warrant refusal. The update report summarised the urban design case for the proposal as a landmark of district importance to mark the eastern end of the Chrisp Street District Centre and provided a detailed assessment of the proposal in relation to the tall buildings policy.
- Whilst a number of neighbouring residential properties would experience moderate to major adverse impacts in terms of daylight levels it was considered that the residual levels would remain reasonable for a dense urban location, as detailed in the daylight and sunlight assessment.
- Given the measures to protect privacy and the angle of inter-visibility, it was considered that the impacts in terms of privacy and overlooking would be limited.
- The site had good transport links and would be car free with the exception of the provision of 2 accessible disabled spaces. A Travel plan would be secured to control coach parking and other issues.
- A range of planning obligations would be secured.
- Officers were recommending that the permission was granted subject to satisfactory completion of an archaeological borehole assessment, conditions and planning obligations as set out in the report and stage 2 referral to the Mayor of London.

The Chair invited registered speakers to address the Committee.

With the permission of the Chair, a representative of Mrs Nilufar Chowdhury, the registered speaker, addressed the meeting. They expressed objections about:

- Noise from construction works to their nearby property, especially in view of the recent problems with disturbance from construction impacts
- Impact on privacy given the proximity of their windows to the development.
- Overshadowing and light loss.
- That a hotel would be out of keeping with the surrounding residential area.
- Increased parking and highway congestion from use of the hotel.

Narinder Assi addressed the meeting on behalf of the applicant. He reported the following issues.

- That the current site was an eyesore and the proposal represented a good opportunity to regenerate a site given its lack of ability to provide residential housing.
- That the design of the proposal had evolved over time.
- There had been two rounds of consultation. The scheme had been amended to address the concerns regarding the height of the scheme and also to provide such measures as obscure glazing to address amenity issues
- The Greater London Authority broadly supported the scheme.
- That the proposal would have no sign impact on the highway and supported sustainable forms of transport

Committee's Questions to Officers.

The Committee asked questions about: the GLA's and the LBTH Design Officers comment on the development and the height of the development.

In response it was noted that:

- Given the characteristics of the site, Officers considered that the height of the building was acceptable. The report set out a number of the site specific reasons for approving this scheme on this site. Future applications would need to be considered on their merits.
- That Officers were mindful of the difficulties in providing a residential scheme on the site and the extent of the mitigation that would be required to minimise the impacts.

In response to further questions about the impacts from the scheme, Officers provided assurances regarding the following matters:

- That if granted, the construction impact would be managed by condition.

- The Council had a 24hour noise complaint hot line and that Environmental Health had powers to act in this regard.
- Given the site's location in a busy area, especially the existing frontage, the impact on the area should be limited, especially along the quieter streets.
- That the parking restrictions on the highway would prevent increased parking.
- That the comments regarding energy efficiency measures could be managed through conditioning a revised Energy Statement
- That given the mitigation to safeguard against a loss of privacy and manage overlooking, the impacts in this regard should be limited. For example there would be opaque glazing at certain floors and the angles of the windows would also mean that the impacts would not be significant.
- In relation to the objector's property, Officer's explained in further detail the impact of the assessment of the properties most affected and their location. Generally they would be acceptable. In respect of any sun/lights and daylight impacts the Planning Inspector in the recent Whitechapel Estate scheme planning inquiry had recently confirmed that similar residual levels were acceptable, in assessing that scheme.
- That the development should benefit the local economy by providing additional visitor numbers.
- Officers also clarified the waste management arrangements.

In response to further questions, it was noted that Council Officers monitored the non - financial obligations regarding access to employment and apprenticeship places.

Questions to the applicant.

In response to questions about the GLA design comments, Narinder Assi provided an update regarding the discussions with the GLA to clarify certain elements of the revised scheme, particularly relating to the entrances. The GLA were now satisfied that the proposals were acceptable. He also outlined the measures to address the comments of the LBTH Design Officer.

On a vote of 4 in favour, and 2 against, the Committee **RESOLVED:**

1. That subject to any direction by the Mayor of London following the Stage 2 referral process, planning permission is **GRANTED** at 267-269 East India Dock Road (PA/19/01838) for the following:
 - (Amended description): Internal and external alterations to the existing residential units at no. 267 East India Dock Road and proposed erection of a 163-bedroom hotel (C1 use class) comprising of a part four, and part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, car and bike parking and landscaping.

2. Subject to a borehole assessment being carried out and the prior completion of a legal agreement to secure the planning obligations set out in the Committee report.
3. That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission if borehole assessment is not carried out/outcome is such that planning permission should be refused.
4. 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

The meeting ended at 8.10 p.m.

Chair,
Strategic Development Committee



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 5 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. 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.

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'.	 Scan this code to view the Committee webpages.
The Rules of Procedures for the Committee are as follows: <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).	 Council's Constitution

Public Information – ‘Accessing and Participating in Remote’ Meetings

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

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

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

Publication of Agenda papers and meeting start time.

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

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

How can I watch the Committee meeting?

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

How can I register to speak?

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

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



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.

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

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

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

Listed Buildings and Conservation Areas

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

Trees and Natural Environment

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

Crime and Disorder

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

Transport Strategy

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

Equalities and Human Rights

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

Environmental Impact Assessment

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

Third Party Representations

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

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

Daylight, Sunlight and Overshadowing

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

General comments

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



[click here for case file](#)

Application for Planning Permission

Reference	PA/19/01760
Site	Islay Wharf, Lochnagar Street
Ward	Lansbury
Proposal	Demolition of existing warehouse building and redevelopment of the site for mixed use development comprising two blocks ranging in height between 12 storeys and 21 storeys, accommodating 351sqm of flexible uses classes (Class A1, A2, B1, D1, D2) on ground floor and mezzanine with associated public realm works and residential accommodation (Class C3) on the upper floors providing 133 residential units.
Summary Recommendation	Grant Planning Permission subject to conditions
Applicant	SN Developments Ltd
Architect/agent	DGA, Montagu Evans
Case Officer	James Woolway
Key dates	Application validated 29/08/19 Public consultation finished on 02/10/19

EXECUTIVE SUMMARY

The proposed development comprises the erection of a part-12, part-21 storey residential building which would provide for 133 new residential units and 351sqm of flexible commercial space at ground and mezzanine level.

The development is considered to positively contribute to the broader regeneration of the Lower Lea Valley and Ailsa Street Site Allocation, and provides a significant opportunity to enhance an underutilised site through securing public access along the River Lea and to future bridge connections across to Newham.

In land use terms, given the site's location within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area, a proposed high density residential scheme is considered appropriate for this location. As such the delivery of a high density

housing scheme is considered acceptable and in keeping with Policies S.H1 of the Tower Hamlets Local Plan (2020), Policy 3.3 of the London Plan (2016) and draft New London Plan Policy H1.

The scheme provides for 35.5% 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 for generous floor to ceiling heights, internal spaces and private and communal amenity. There are no northern single aspect flats and 71% of units are dual aspect across all tenures.

The height, massing and design are considered to appropriately respond to the local context. The building is considered to deliver a unique and high quality design which would be a positive contribution to the area, and form part of an emerging cluster of tall buildings which provide a distinctive character to the locality and skyline. The detailed architecture is considered to be of exceptional quality and has been developed significantly through pre-application, design review and submission.

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 Guide to existing or consented neighbouring properties, and provides excellent daylight and sunlight within the development.

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

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








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. A further financial contribution will be secured to enhance parks within the locality.

On balance, the development is considered to provide a substantial opportunity to enhance an underutilised site within an area suffering from deficiencies in design quality, accessibility and affordable housing and as such represents a positive contribution to the area in line with Development Plan policies.

SITE PLAN



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<p> Planning Application Site Bound:</p> <p> Other Planning Applications</p> <p> Consultation Area</p> <p> Land Parcel Address Point</p> <p> Locally Listed Buildings</p> <p> Statutory Listed Buildings</p>	<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>	 TOWER HAMLETS London Borough of Tower Hamlets
	<p>Scale : 50m grid squares</p>	<p>Date: 13 May 2020</p>

1 SITE AND SURROUNDINGS

- 1.1 The application site is approximately 1,000sqm and at present accommodates a large two-storey warehouse and forms part of a broader industrial area located adjacent to the Lea River. The site is accessed at the eastern terminus of Lochnagar Street which directly connects to the A12 approximately 150m from the site.
- 1.2 The majority of the existing use of the site is industrial (B8), with a small section of the site consented for as a place of worship (D1). While unspecified as to how long, this portion of the site has been vacant for quite some time.
- 1.3 The site lies immediately adjacent to the River Lea, and acts as a keystone within the Ailsa Street Site Allocation between two large development sites (aerial below). The first being Ailsa Wharf to the north which has consented in 2018 under PA/16/02692 will accommodate 785 new homes, significant open space, and over 2,000sqm of commercial floor space. The second is immediately to the south of the site and is the former Poplar Bus Depot which is a live application (PA/19/02148) seeking consent for a mixed use redevelopment to provide 547 new homes and almost 3,500sqm of commercial floor space.



Figure 1: South-west aerial view of site

- 1.4 While the site forms part of a historic industrial area spanning from Leven Road Gasworks to the waste disposal site north of Ailsa Wharf, it is noted that the prevailing character of the locality is emerging as residential in nature with large residential estates to the west and south of the site.
- 1.5 While not within a designated Conservation Area, or adjacent to one, to the immediate western boundary of the site is the Grade II listed Bromley Hall School for the Physically Handicapped which was designed and built in the 1960s as one of the earliest bespoke schools for the disabled. It is of note that consent to expand and redevelop the school pursuant to PA/16/00884 lapsed in November 2019. The closest Conservation Area is the Limehouse Cut CA, which is approximately 200m to the north of the site.
- 1.6 The prevailing PTAL of the site is 1a, with the closest public transport interchange being bus stop M, 200m from the site, which provides the southbound D8 service to

Crossharbour with the opposing service on the western side of the A12 providing a northbound service to St Leonard's Wharf. The 309 bus service is also available on Zetland Road which provides transport to Bethnal Green and Canning Town.

- 1.7 The closest rail services to the site are available from Langdon Park DLR, approximately 800m walking distance, and Bromley-by-Bow underground station which is approximately 1,000m walking distance. The DLR services provide north and southbound links to Stratford and Canary Wharf, while Bromley-by-Bow provides east and westbound services between Upminster, Hammersmith and Richmond by way of the Hammersmith and Fulham, Circle and District lines.
- 1.8 The site is located within the Poplar Riverside sub-area (as below) of the Mayor's Lower Lea Opportunity Area, as detailed in the 2007 adopted strategic plan for the area. The plan provides an overarching strategic vision for the delivery of 32,000 new homes within the area, with the sub-area detailing Islay Wharf as an identified area for housing. Importantly, the plan identifies a bridge crossing between the Borough and Newham which abuts Islay Wharf's northern boundary. The delivery of this bridge is secured by way of Ailsa Wharf's S106 legal agreement, and is anticipated to be submitted for planning in the near future.

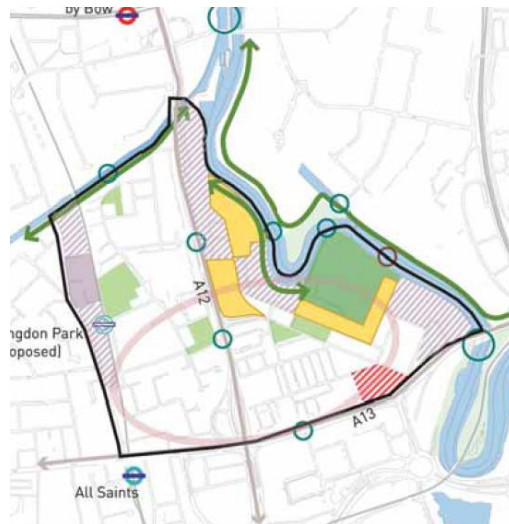


Figure 2: Poplar Riverside Sub-Area, Lower Lea Valley Opportunity Area

- 1.9 Other notable planning designations affecting the site include its siting within an Archaeological Priority Area, Floodzone 2/3 which designates it as 'more vulnerable' and as a Site of Importance for Nature Conservation due to its proximity to the River Lea.

2. PROPOSAL

- 2.1 The application proposes the demolition of existing structures on the site, and a residential-led redevelopment of the site accommodating 133 new homes and 351sqm of flexible commercial space within a part-12, part-21-storey (overall AOD +80.8m) tower. A single-storey podium element abuts the southern boundary shared with the Poplar Bus Depot site within which the refuse storage and internal servicing requirements are accommodated with dedicated child play space to the roof.
- 2.2 The building will contribute to a collection of tall buildings emerging along the River Lea within the Ailsa Street Site Allocation, located between two significant development sites at the former Poplar Bus Depot and Ailsa Wharf. The tower is designed with generous 3.3m

floor to floor heights, high quality materials reflective of the local character as well as cascading fenestration and balconies providing further visual interest.

- 2.3 The scheme will provide 31 affordable homes representing a 35.5% contribution by habitable room.
- 2.4 The commercial spaces within the scheme are provided through two units across ground and mezzanine levels, providing activation and visual interest to the north, east and western frontages.
- 2.5 The scheme provides a substantial public realm offering, with notable contributions to the north and east of the site to accommodate the provision of the Riverside Path along the Lea, as well as that of the bridge landing to connect to Newham to the north abutting Ailsa Wharf. The public realm will create a generous separation between Ailsa Wharf and the scheme, providing a broad pedestrian and cycling entrance to the future bridge.
- 2.6 Access to the site is from Lochnagar Street which terminates at the doorstep of the development. While the scheme will be car-free for residential and commercial purposes, three enclosed blue badge bays have been provided at the western edge of the development for use by occupants of Islay Wharf.
- 2.7 Servicing is managed by way of a loading back at the south-western corner of the site, accessed from Lochnagar Street. The bay has direct access to refuse collection at the ground floor of the tower and podium.

3 RELEVANT PLANNING HISTORY

Islay Wharf, Lochnagar Street

PF/16/00123 – Pre-Application Closed 20/1/2018

Proposed demolition of existing building and redevelopment to create new build, 17 storey apartment blocks including associated hard and soft landscaping.

PF/11/00193 – Pre-Application Closed 17/01/2012

Change of use of part of the existing premises from B8 (Warehouse) to D1 (Place of Worship).

PA/12/01174 – Permitted 07/08/2012

Retrospective application for the change of use of part of the existing premises from B8 (warehouse) to D1 (place of worship)

PA/80/00650 – Permitted 18/07/1980

Use as warehouse for confectionary distribution.

PA/6300396 – Permitted 19/12/1963

Erection of roof over existing yard, alterations and extension to the existing workshop to form new offices and toilets and alteration of existing access of premises.

Ailsa Wharf, Ailsa Street (most relevant only)

PA/18/03461 – Permitted 16/01/2020

An application for a minor material amendment to planning permission PA/16/02692 dated 2nd October 2018 in respect of amendments to the internal layouts and external elevations of Blocks IJKL, EFGH and M and to the footprint and layout of all basements, together with

amendments to the residential tenure mix by block and the detailed design of the landscaping and public realm.

PA/16/02692/A1 – Permitted 02/10/2018

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

PA/87/00762 – Permitted 18/09/1987

Use as a waste transfer station.

Former Poplar Bus Depot, Leven Road

PA/19/02148 – Pending Decision

Part retention, part alteration, and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 547 residential units (Class C3), 3,492sqm (GIA) of flexible space comprising of a mix of: office; retail; professional services; restaurant/bar; community space; and leisure space (Classes B1, A1, A2, A3, A4, D1 and D2) within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works.

PL/88/00105 – Permitted 19/09/1989

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

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 961 planning notification letters were sent to nearby properties on 03.09.19. Five site notices were displayed around the site (as identified below) on 11.09.19 and a press notice was advertised on 12.09.19.



Figure 3: Consultation boundary & site notice locations mark by blue dots

- 4.2 Three objection letters were received in response to notification and publicity of the application.
- 4.3 The comments raised in objection to the proposal are summarised as follows:
- Scale out of character with area
 - Parking stress
 - Detraction from local shops and services
 - Daylight and sunlight impacts to Ailsa Wharf
 - Reliance on Ailsa Wharf open space
 - Construction impacts
 - Environmental impacts (wind and DSL)
 - Privacy (overlooking)
- 4.4 It is noted that within the one of the objections that the individual making representation is supportive of the following:
- Delivery of affordable housing
- 4.5 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring landowners, including those at Ailsa Wharf and the Poplar Bus Depot. It is noted that a series of joint pre-application meetings were held at Council offices

that the applicants for both Islay Wharf and Poplar Bus Depot attended on 28 March 2019 and 15 April 2019.

- 4.6 Furthermore, the submitted SCI outlines the approach towards community consultation whereby the applicant issued letters to residential properties within a pre-defined radius around the site. It is noted that the immediate locality is devoid of existing occupants, given the function of both Ailsa Wharf and the application site.
- 4.7 Therefore, given the limited existing community within the application site and immediately adjacent that the consultation on the scheme undertaken by applicants is satisfactory and complements the obligatory statutory consultation undertaken by the Council.
- 4.8 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since early 2019.

5 CONSULTATION RESPONSES

Internal Consultees

LBTH Transportation and Highways

- 5.1 Highways officers raised initial objection to the quantum and mix of cycle stores provided and details of the draft Travel Plan. Officers are supportive of the car-free nature of the development, and seek to impose a number of conditions on consent and legal obligations within the S106.
- 5.2 It is noted these comments have been addressed during application stage, and the recommended conditions and obligations will be secured through the consent.

LBTH Waste Policy and Development

- 5.3 Waste officers raise no in-principle objection to the proposed refuse storage and servicing strategy, submit to the submission of details.
- 5.4 Officers consider that these details can be satisfactorily secured via condition on the consent through standard waste management conditions.

LBTH Environmental Health (Air Quality)

- 5.5 Air Quality officers raise no objection, subject to the submission of an Air Quality Addendum as part of a condition, in addition to further standard conditions. The Addendum must consider use-phase air quality impacts against the most up to date GLA and Local Policies and to also include an assessment of dust impacts during construction phase.
- 5.6 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Noise/Vibration)

- 5.7 Noise officers raise no objection, subject to standard conditions and imposition of operating hour controls on commercial units.
- 5.8 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Contaminated Land)

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

LBTH Sustainable Urban Drainage (SUDS)

- 5.11 SUDS officers raise concern with regard to flood data, and maintenance of flood defences, in alignment with objections raised by the Environment Agency. They also recommend a surface water drainage strategy be conditioned on consent.
- 5.12 It is noted these issues have been resolved during application stage, and the recommended condition will be imposed on consent.

LBTH Biodiversity

- 5.13 Biodiversity officers have made a number of observations about the proposed scheme, while noting that overall the scheme provides a significant amount of biodiversity enhancements to the site and broader locality.
- 5.14 Biodiversity officers highlight the lack of detail provided with regard to the nesting of Black Redstarts, as well as a number of broader comments relating to the proposed vegetation within the landscaping.
- 5.15 Officers advise of 3 pre-commencement conditions which would address the observations made, and further landscaping conditions will be included to ensure that any proposed soft landscaping would accord with the Borough's biodiversity and ecology aims and contribute where possible to the Local Biodiversity Action Plan (LBAP).

LBTH Housing

- 5.16 Housing officers, while supportive of the quantum of affordable housing provided, raise concern with regard to tenure and unit mix as submitted.
- 5.17 As detailed in the below Housing section, following the submission of a revised tenure and mix and the independent review of the scheme's viability it is considered, on balance and with regard to the scheme's overall viability, as acceptable.

LBTH Energy Efficiency

- 5.18 Energy officers advise that a carbon off-setting contribution of 117,000 will be required to be tied to the legal agreement to offset against the Council's 0% carbon policy.
- 5.19 Officers also seek further details on how the development will meet the energy hierarchy goals as outlined within Policy S12 of the draft New London Plan.
- 5.20 Contribution will be tied to legal agreement on consent, and further information has been submitted to comply with the requirements of Policy S12 and D.ES7.

LBTH Enterprise and Employment

- 5.21 Enterprise and Employment officers advise of financial obligations to be secured within the S106 legal agreement. Details and figured are included in Section 8.2 of this report.

LBTH Occupational Therapists

- 5.22 No comments received.

Officer note: Despite the lack of consultation response received, officers will be imposing a condition on consent requiring the submission of wheelchair accessible housing details and securing the proposed 10% wheelchair homes as part of a non-financial obligation within the S106.

LBTH Viability

- 5.23 Viability officers, and external consultants, have assessed the submitted Financial Viability Assessment as prepared by Montagu Evans and have determined the findings to be fundamentally sound subject to minor amendments as detailed in the Affordable Housing section of this report.
- 5.24 As the scheme fails to meet draft New London Plan Policy for 50% affordable housing on industrial sites, viability officers require early and late stage review mechanisms within the S106.
- 5.25 The recommended review mechanisms will be included within the agreed S106.

LBTH Policy

- 5.26 Policy officers raise concern with the shortfall of child play space on site, housing mix, loss of employment and D1 community use as detailed within the below sections of this report.

Officer comment: It is considered that further revisions and submissions during the application stage, as well as the considered merits of the application, have satisfactorily addressed policy concerns as detailed in the body of this report.

LBTH Town Centres

- 5.27 No comments received.

LBTH EIA (Microclimate)

- 5.28 Objection raised by internal EIA officer due to the lack of wind-tunnel testing undertaken by the scheme, and the failure to incorporate adjoining schemes sufficiently.
- 5.29 Subsequent wind-tunnel testing was undertaken by the applicant and submitted in January 2020 which identified mitigation measures to be incorporated within the scheme.
- 5.30 EIA officer considered this further detail satisfactory; however noted that the mitigation measures implemented within the scheme have not been tested themselves.
- 5.31 It is considered that a suitably worded condition requiring testing of these measures prior to commencement satisfactorily addresses these outstanding points.

LBTH Public Health

- 5.32 Initial objection raised by HIA officer due to the submission of a rapid Health Impact Assessment, and not detailed as required by policy D.SG3 for GLA referable schemes. The consultee raised concern with the level of detail in the submission, and the failure to use community consultation to inform the HIA.
- 5.33 A subsequent 'detailed' HIA was submitted by the applicant in January 2020 which provided greater detail than the originally submitted rapid HIA.
- 5.34 It is considered that at present, due to the lack of concrete guidance available through LBTH Public Health as referenced within the policy, that the revised HIA provided adequate details on the health impacts of the scheme despite the methodology not meeting the detailed criteria.

External Consultees

Environment Agency

- 5.35 Objections raised by the Environment Agency with regard to the submitted Flood Risk Assessment with specific regard to flood details, outfalls and flood defence detailing.

- 5.36 The applicant has since satisfied these concerns as raised by the Environment Agency and detailed within the Flood Risk and Drainage section of the report. A condition, as recommended by the Environment Agency, will be tied to the consent requiring further outfall and flood defence details prior to commencement.

Historic England

- 5.37 Advised that no comment to make, and to refer to LPA Conservation Officer guidance in determining the application.

Greater London Archaeological Advisory Service (GLAAS)

- 5.38 No objection.

London City Airport

- 5.39 No objection, subject to conditions.
5.40 Conditions will be adopted on consent.

Thames Water

- 5.41 No objection, subject to conditions and informative requiring details of piling methodology, and water network upgrades.
5.42 Conditions and informative will be adopted on consent.

Transport for London – Land Use Planning

- 5.43 Transport for London officers initially raised concern with regard to details of cycle storage and access, accessible parking provision and details of the submitted Transport Assessment.
5.44 The subsequent submission of revisions to the Transport Assessment and cycle storage arrangements have been considered by TFL officers to broadly address the bulk of their concerns and have recommended a series of conditions and obligations.
5.45 As detailed in the below Transport section, the remaining outstanding issues are considered on balance as acceptable with regard to accessible parking and cycle detailing. The recommended conditions and obligations, with the exception of highway improvement works, will be adopted on consent.

Greater London Authority

- 5.46 As highlighted within their Stage 1 response, the GLA is supportive of the principle of development and its urban design response. They raise concerns with regard to transport details (as confirmed by Transport for London), details on sustainability and energy. GLA notes that the affordable housing provision would fall short of the Mayor's draft industrial land provision of 50% and would as such require review mechanisms within the S106.
5.47 Following the submission of further details, and as detailed in the below Energy and Transport sections, the applicant is considered to have addressed the issues as raised by the Greater London Authority in their Stage 1 response.
5.48 The GLA will have a further opportunity to review the revised details at Stage 2

Metropolitan Police (Designing Out Crime)

5.49 Concerns raised with regard to the integration of Secure by Design principles within the design, recommends revisions and condition on consent.

5.50 Revisions submitted during application stage address these concerns, with the remainder of the points able to be addressed by Secure by Design Accreditation through condition on consent.

London Fire Brigade

5.51 No comments received.

Canal and River Trust

5.52 No comments to make.

Natural England

5.53 No comment to make.

National Air Traffic Services (NATS)

5.54 No objection.

London Borough of Newham

5.55 No comments received.

Port of London Authority (PLA)

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

5.57 Consideration of water by freight will be secured through the submission of a Construction Logistics plan post-consent and a condition requiring the installation of riparian life-saving equipment will be included on consent.

London Legacy Development Corporation (LLDC)

5.58 No comments received.

6 RELEVANT PLANNING POLICIES AND DOCUMENTS

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

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

6.3 The adopted Development Plan comprises:

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

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

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

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

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

- Local Plan policies - S.SG1, D.TC3, S.EMP1, D.EMP2, D.SG3, D.CF2
- London Plan policies – LP3.14, LP4.7, LP2.13, LP2.16

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

- Local Plan policies - S.DH1, D.DH2, S.DH3, D.DH4, D.DH6
- London Plan policies – LP7.1 - 7.8

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

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

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

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

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

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

- 6.5 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)
- Lower Lea Valley Opportunity Area Planning Framework (2007)
- Historic England Heritage Supplementary Guidance (Various)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2016)

Emerging Policy

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

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

Housing - add detail here

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

Land use

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

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

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

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

- Draft New London Plan policies – D13.

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

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

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

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

7 PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbouring Amenity (including Daylight & Sunlight)
- v. Transport and Servicing
- vi. Environment
- vii. Human Rights and Equalities

LAND USE

7.2 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. As detailed in this policy, it is expected that much of this housing delivery be targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.

7.3 As detailed earlier, the application site falls within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area as designated by the Greater London Authority. Both strategic designations earmark the site for high density housing delivery.

- 7.4 Tower Hamlets Local Plan Policy D.TC3 provides guidance on the provision of retail (A1) use outside of town centres, requiring new developments to undertake sequential testing and an impact assessment where individual units or extensions exceed 200sqm gross floor space. Local Plan Policy D.EMP2 notes that new employment will be supported within designated employment locations, Tower Hamlets Activity Areas and identified Site Allocations.
- 7.5 Policy D.EMP3 of the Local Plan seeks to protect against the loss of viable employment space within and outside of Preferred Office Locations, Local Industrial Locations and Strategic Industrial Locations. Applications which seek to reduce the net overall employment space within a site must demonstrate through active marketing that the site is no longer viable for the existing employment use, or robustly demonstrate that site is genuinely unsuitable for continued employment due to its condition and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.6 As detailed in the above sections, there is a demonstrated need for housing and affordable housing within Tower Hamlets and at a regional level. The Borough is expected to deliver a lion's share of new housing within London. It is noted that the Borough has in excess of 19,000 individuals on the affordable housing waiting list. As such, it is considered that a high density housing scheme is appropriate with regard to its siting within the Lower Lea Valley Opportunity Area and the Ailsa Street Site Allocation, and will deliver much needed market and affordable homes for the Borough and London.
- 7.7 With regard to the proposed 351sqm of flexible commercial space, it is noted that neither individual unit would exceed 200sqm and as such is not obligated to undertake a sequential test in accordance with policy D.TC3 of the Local Plan. Similarly, its designation within the Ailsa Street Site Allocation therefore identifies it as appropriate for the delivery of new employment space in accordance with development plan policies.
- 7.8 It is noted that the site is current classed as B8 (storage) and as such falls within an employment use class. Notwithstanding this, it is considered that in accordance with policy D.EMP3 that the site is clearly no longer viable, due to its dilapidated state and long-term vacancy as detailed within the submitted Planning Statement and supported by officer site visit. It is viewed that the alternative use as a housing development within the Ailsa Street Site Allocation would strongly outweigh the benefits of its current use class. It is noted that while there will be an approximate 650sqm net floor space reduction against the proposed 351sqm commercial space proposed, that B8 industrial is a comparatively low employer per square meter and as such the quantum of employment on site will be unlikely to fall considerably.
- 7.9 Policy D.CF2 of The Local Plan provides protection for community uses within the Borough. As detailed within the policy, development should not result in the loss of existing community infrastructure, unless there is no longer a need for the facility or an alternative facility is provided elsewhere which meets this need. It is noted that the application site has previously been issued retrospective consent for operation of part of the site as D1 (place of worship), however this has not operated for a considerable length of time and as confirmed by officer site visit is not a formalised use. It is considered that the site is not, and has not operated for some time, as a community facility and the provision of further D1 and D2 class uses within the flexible commercial units within the scheme ensure the potential to address this loss if the need arises.
- 7.10 It is considered that the 351sqm of commercial space, to be classes (A1, A2, B1, D1 and D2) would provide a great deal of flexibility for future tenancing and much needed employment space within the Borough. While the commercial offering is comparatively limited against the overall GIA of the development, it is viewed as a welcome offering and

considered to offset the loss of the defunct industrial employment space on the site and complement the housing led regeneration of the scheme.

- 7.11 In summary, the proposed mixed use, residential led development is supported and the associated loss of employment land use is considered acceptable given the existing condition, and viability of the application site and the inclusion of commercial floorspace within the proposed scheme.

HOUSING

- 7.12 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. As detailed in this policy, it is expected that much of this housing delivery be targeted within Opportunity Areas.
- 7.13 Given the site's designation within the Ailsa Street Site Allocation, and it's identified strategic role in providing high density housing within the Lower Lea Valley Opportunity Area, it is considered that housing is in-principle supported and encouraged at this location.

Housing Mix

- 7.14 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.DH2, as detailed in the above section, also seeks to secure a mixture of small and large housing and Policy DM3. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).
- 7.15 The table below details the overall proposed mix of the scheme:

Tenure	Studio (1hab room)	1-bed (2 hab room)	2-bed (3 hab room)	3-bed (5 hab room)	4-bed	Total
Market	31	29	41	1	0	101
Affordable	0	1	1	14	0	16
Intermediate	0	3	11	1	0	15
Total	29 (28.71%)	33 (24.81%)	53 (39.85%)	16 (12.03%)	0	133

- 7.16 The table below details the private housing provision of the scheme against D.DH2 policy targets:

Unit Type	Proposed	Policy	Difference
Studio	31 (30%)	-	-
1-bedroom	29 (29%)	30%	-1%
2-bedroom	41 (40%)	40%	0%
3-bedroom	1 (1%)	20%	-19%
4-bedroom	0		

Total	101		
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- 7.17 As detailed in the above tables, the scheme represents a departure from policy with regard to the private housing mix within the development, similar to that of the affordable housing as detailed in the below section. Notably, the development comprises of 30% studio units, which while not recognized as a unit typology within the housing mix table of the Tower Hamlets Local Plan, or the supporting SHMA, they are acknowledged as a unit typology in the Nationally Described Space Standards embedded within the London Plan and referenced within Policy D.H3.
- 7.18 Notwithstanding the absence of studio units within the Tower Hamlets Local Plan and SHMA, it is considered that the typology continues to satisfy an important housing need for single occupants if well designed within schemes. It is noted that the scheme has been revised since submission to reduce the number of studio units within the scheme to provide a greater balance within the market housing.
- 7.19 When considering the overall housing mix, it is relevant to consider the impacts of the housing typologies on the viability of the scheme. As outlined within the Montagu Evans FVA, the studio units provide a considerable per square metre benefit with regard to viability, and provide the ability to offset against the viability deficit created by the provision of 35.5% affordable housing.
- 7.20 Section 4.12.2 of Policy H12 of the Draft New London Plan, "Housing Size Mix", places importance on considering housing mix in a contextual basis in determining how it best meets a need. In taking a holistic view of housing within the scheme, it is considered that the mix provides for a range of unit types and seeks to proportion them within the tenures most effective – mindful of the overall viability position of the scheme i.e. more family sized units in the affordable section, smaller sized units in the market section. While the scheme fails to be policy compliant with regard to policy D.H2, it is considered that the aspiration of the policy which seeks to ensure that developments provide for a range of units across tenures is achieved to a feasible extent.
- 7.21 As supported by BPS' review of the FVA, it is considered that the high provision of studios and reduction in family units within the market housing accommodates the maximum provision of affordable homes within the development and maximises the amount of family sized units within the rented tenure. Mindful of this, it is considered that on balance the overall mix of the development achieves the aspirations of the Local Plan in delivering high quality housing across a range of housing types.

Affordable Housing

- 7.22 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.
- 7.23 Draft New London Plan Policy H6 outlines the threshold approach to affordable housing for housing schemes within identified industrial land. The policy sets the threshold level of affordable housing at 50% for Strategic Industrial Locations, Locally Significant Industrial

Sites and other industrial sites deemed appropriate to release for other uses. Applications not meeting the 50% threshold are not eligible for the Fast Track Route, and will be viability tested with early and late stage reviews secured by way of legal agreement subsequent to consent.

- 7.24 Council Local Plan Policy D.DH2 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.
- 7.25 The application provides the following contribution towards affordable housing on site, across both intermediate (shared ownership) and affordable rented products:

Tenure	1-bed (2 hab room)	2-bed (3 hab room)	3-bed (5 hab room)	Total
Affordable Rent	1 (2hr)	1 (3hr)	14 (70hr)	16 (75hr)
Intermediate	3 (6hr)	11 (33hr)	1 (5hr)	15 (42)
Total	4	12	15	31

- 7.26 Of the total 133 units within the scheme, 31 are affordable, with an overall affordable housing contribution of 35.5% by habitable room at a tenure split of 63:37 in favour of affordable rent. As noted above, the overall contribution would meet the policy test of 35% of Policy D.DH2 while falling marginally short in the tenure split of 70:30 as outlined within the same policy. It would, however, fall short of draft New London Plan policy H6 requiring 50% affordable housing on industrial sites, and as such requires the undertaking of a Financial Viability Appraisal on submission to meet both policy tests.
- 7.27 Part 3 of D.DH2 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 4: Housing mix targets (Policy D.DH2)

- 7.28 The table below compares the affordable housing schedule within the scheme against the preferred mix within Local Plan Policy D.DH2:

Tenure	1-bed	2-bed	3-bed	4-bed	Total
Affordable	1 (6.25%)	1 (6.25%)	14 (87.5%)	0 (0%)	16

Rent					
	-18.75%	-23.75%	+57.5%	-15%	
Intermediate	3 (20%)	11 (73%)	1 (7%)		15
	+5%	+33%	-38%		

- 7.29 While it is noted that the scheme at present provides for 35.5% affordable housing, by habitable room, across the development it does not represent a compliant housing mix across both tenures. Within the affordable rented product, there has been a considerable overprovision of larger family units notwithstanding the absence of 4-bedroom units entirely. In contrast, the intermediate product skews heavily towards a 2-bedroom provision, with quite limited provision of larger family homes. It is however noted that the revised affordable housing offer represents a 63:37 ratio skewed towards affordable rented units, considerably closer to the policy split of 70:30 outlined in Policy D.DH2.
- 7.30 In considering the affordable housing mix, the applicant has submitted viability appraisals of the scheme in line with the above London and Local Plan policies due to its non-compliant provision of 35% affordable housing and failure to deliver a policy compliant mix.
- 7.31 The submitted Financial Viability Appraisal (FVA) prepared by Montagu Evans, and independently reviewed by BPS Surveyors post-submission, concluded that the scheme exceeds the maximum viable provision of affordable housing, highlighting a deficit of £2.165m, amended down from -£3.113m.
- 7.32 The report highlights the challenges of delivering a policy compliant scheme at this location due in some part to the lack of immediate and relevant sales information in what is an emerging housing area within the Borough. It is highlighted by the applicant that family sized intermediate products (shared ownership) suffer from poor demand compared to 2 and 1-bedroom units and as such detract from the overall viability of the scheme.
- 7.33 The intention of the proposed housing mix is to provide a range of affordable products across both tenures, but maximise the effectiveness of the supply. In this regard it was considered family housing should be predominantly targeted to the rented tenure, with smaller units provided within the intermediate to both improve the viability of the scheme while targeting a specific segment of need within the Borough's housing market.
- 7.34 The delivery of housing within the scheme is particularly limited by the footprint of the development, which limits the configuration of units within both the affordable and market blocks of the scheme. The desire to provide above average sized affordable units with a dual aspect is particularly welcomed by the Council; however this therefore places a constraint on the types of units able to be included in each floor.
- 7.35 It is noted that housing officers raise objection with regard to the overall mix and its non-compliance with policy, however they welcome the changes made to the scheme in delivering a more policy compliant provision than originally submitted, particularly with regards to the delivery of family sized affordable units.
- 7.36 As highlighted within the Council's most recently Strategic Housing Market Assessment (SHMA) and reflected within the recently adopted Local Plan Policy D.DH2, family sized housing within the affordable rented tenure remains the main priority with an expected proportion of 45%. While it is accepted that the proposed mix fails to meet the overall Borough target, the 35.5% affordable housing contribution with a 63:27 ratio split between

tenures is considered a particularly strong offering for the locality and represents the maximum offering available on site as agreed by Council's viability consultants.

- 7.37 In considering the affordable housing offer it is considered that strong weight be equally given to the quality of the housing, as well as the quantum. Significantly, it is noted that while 4 of the affordable units fall short by 1sqm of the London Plan Standards, 15 units exceed the standards by at least 10sqm, while the remainder exceed the standards by between 1-6sqm. Overall it is considered that the proposed affordable homes represent a generous level of internal and external amenity.
- 7.38 Notwithstanding housing officer concerns with regard to the overall mix, it is considered when balanced against the viability of the scheme more broadly that the affordable housing offer balances a strong level of quality and addresses specific needs in the community with regard to the tenure and housing splits. On balance it is therefore considered that the affordable housing contribution is acceptable, of a high standard of amenity, and serves to meet a critical need in the community.

Wheelchair Accessible Housing

- 7.39 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). 15 wheelchair accessible homes are proposed which amounts to approximately 11% of the total units. Of this total, 4 are delivered within the affordable housing and the remaining 11 are within the market units.
- 7.40 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Three secure disabled accessible on- street car parking space would be provided at the front of site, accessed from Lochnagar Street.

Quality of residential accommodation

- 7.41 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.
- 7.42 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.
- 7.43 It is noted that 4 of 133 units fall short of the London Plan Space Standards by 1sqm with the remainder meeting and generally exceeding the London Plan space standards. All units have a generous floor-to-ceiling height exceeding 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.
- 7.44 All affordable units benefit from a dual aspect, and while 30 private units comprising of 1-bed and studio flats maintain a single southern aspect it is considered that an overall dual aspect provision of approx. 78%, with no single aspect northern units is acceptable and would not represent a poor standard of residential accommodation.

- 7.45 With regard to the affordable housing, as detailed in the above sections that much of the affordable housing generously exceeds the minimum London Plan standards and is indistinguishable in both access and arrangement to that of the market housing.
- 7.46 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 regard to use-phase air quality assessment submission will be conditioned on consent.

Private Amenity space and communal child play space

- 7.47 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 to all of the flats in compliance with the above quantitative standards.
- 7.48 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 173sqm. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.
- 7.49 The development proposes 290sqm of communal amenity space at upper level terraces accessed from the eleventh and twelfth floors for both tenures respectively. The communal areas provide for a range of passive and more active uses as detailed further below. 148sqm is proposed for the affordable block, with 142sqm proposed for the market housing. This split of provision, which is weighted more heavily towards the family sized units within the affordable block, is well considered and constitutes an overprovision of communal space against policy D.H3.
- 7.50 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	18	181
Years 5 – 11	15	147
Years 12 – 18	14	138
Total	47 children	466sqm

- 7.51 As detailed above the development is predicted to generate 47 children and therefore 466sqm of child play space is required, split across the different age groups set out in the GLA's Play and Informal Recreation SPG (2012).
- 7.52 In total, the development provides 218sqm of dedicated 0 – 4 year old play space at a secure first floor level. This space is purpose designed as an outdoor under-4 child play area, accessible to all tenures within the development, securely located at a first floor level.

- 7.53 This south facing play space would provide a considerable level of amenity for children within the development, and constitutes an approximate 30sqm overprovision of play space for this bracket. This space would be well overlooked by south facing units, as well as two mezzanine units which would maintain a direct frontage to this space. While a good level of detail has been provided with regard to the play space, further details including boundary treatment, play equipment specifications and demonstration that the design of the play space meets Play England's design principles will be secured by condition on consent.
- 7.54 With regard to the balance of play provision on site, the applicant seeks to provide a further 'multi-functional' play space for 5 – 11 year olds at upper terrace levels totalling 168sqm. This is split across the two tenure blocks, with 54sqm provided with access from the affordable block and 104sqm accessible from the market housing block.
- 7.55 While notionally this provision would provide for, and exceed, the minimum requirement determined by the Tower Hamlets Child Yield Calculator and D.H3 it is notable that this space is double counted within the communal amenity space provided for the development. The provision of a high quality and flexible communal and play space is welcomed within the scheme; however it is considered that the 168sqm provided is compromised and would not fully meet the policy tests of D.H3 for this reason.
- 7.56 Further to this, the scheme does not provide for any over-12 play space on site. While the first principle of delivering play space should be for provision on site, it is noted that section 9.50 of Policy D.H3 notes that if due to site constraints it cannot be provided on site, then local play space needs to be identified in the immediate area which caters to the needs of the identified demographics for which there is a shortfall.
- 7.57 The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. As detailed in this guidance, for developments projected to accommodate between 30 – 49 children, facilities for 5 – 11s should be provided first on site; however as above if not able to be accommodate they should be located within 400m walking distance of the site. For over-12s it is expected that appropriate play space should be provided within 800m walking distance from the site.
- 7.58 The SPD provides details on the needs of different age groups, noting that 0 – 11 requires local playable space and neighbourhood playable space which includes landscaped open spaces, kickabout areas, and equipment integrated into the landscape. Youth space, for ages 12 and above, is detailed as catering towards higher intensity uses including multi-use games areas (MUGA), climbing walls, wheeled sports areas, outdoor stages and exercise equipment. As outlined within the SPD, it is challenging to accommodate over-12 provision on site due to the spatial requirements of assets such as MUGAs, the dimensions of which are standardised by Sport England.
- 7.59 As detailed in the play space strategy, there are a range of open spaces within walking distance of the application site which provide for a variety of character and uses. The primary open space likely to be used by children aged 5 – 11 will be Jolly's Green which is approximately 450m walking distance from the site, Ettrick Street Park located 350m walking distance or Leven Road MUGA & Park which is also 350m from Islay Wharf. All three of these sites provide a variety of play options including play/gym equipment, amphitheatres and open green spaces.
- 7.60 As detailed in table 4.7 of the GLA's SPD, and supported by Council policy, it is considered that if the play space for 5 – 11s cannot be accommodated on site, and there is identified provision within 400m walking distance, an off-site contribution should be considered in accordance with the play strategy. It is considered that given the scheme will rely heavily

on existing services that it is appropriate to take such approach, and a financial contribution towards local parks will be secured within the S106 legal agreement.

- 7.61 In catering for children aged 12 and above, the applicant has identified a range of open spaces which accommodate the requirements of this age group within 800m walking distance of the site. The Leven Road MUGA & Park (350m) and Nairn Street Muga (225m) both provide good quality spaces for high intensity play, while Langdon Park (500m) is a significant piece of open space in the locality which provides for large kickabout spaces, as well as running, walking and cycling trails. It is considered that these spaces, in tandem with those detailed earlier, provide a very strong provision of the appropriate typology of spaces for children.
- 7.62 Further to the above, while it is essential that the application be considered on the merits of the existing provision of open space, it is important to consider its context within the emerging strategic redevelopment of the Lower Lea Opportunity Area. Notably there will be a considerable quantum of open space and play space delivered through the broader Site Allocation – notably a 1ha public park at the recently consented Leven Road Gasworks site (PA/18/02803) and 2,564sqm of publically accessible open space and play at Ailsa Wharf as consented under PA/18/03461. While it is critical that a contribution be made towards existing facilities, it is considered that the proposed doorstep provision, existing conditions and future context satisfy the recreation needs of children on site.
- 7.63 In summary, the application would exceed the minimum requirements for doorstep play catering to under-5s and the development fails to provide dedicated play space for ages 5 and above on site, the proposed communal area play spaces for 5-11 year olds and a financial contribution towards enhancement of playspace locally serves to address the shortfall in these categories taking in to consider the site constraints and broader benefits of the scheme.

Daylight/Sunlight – for new residential developments

- 7.64 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.65 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March
- 7.66 The applicant has submitted a Daylight and Sunlight Review of the scheme, undertaken by XCO2, in support of the application.

Daylight

- 7.67 With regard to daylight, XCO2 have assessed 19 units across the mezzanine, first and second floors of the development with regard to Annual Daylight Factor (ADF), and Vertical Sky Component (VSC). A range of units and habitable room configurations have been tested across these 19 rooms, to give an appropriate spread of results.

- 7.68 Due to the fairly unencumbered nature of the site, the daylight results for all flats tested are particularly favourable, with an ADF and VSC pass rate of 100% against contemporary BRE guidance.
- 7.69 For the calculations, the following assumptions have been made for most of the flats: 60% average internal surface reflectivity and 70% light transmission for vertical glazing.
- 7.70 For the rooms with a South-West orientation in units 1 and 2 at first and second level, a different light transmission factor was assigned as these units present a higher risk of overheating and a lower gvalue had to be specified, hence reducing the light transmission. The internal reflectance of surfaces assumption remained the same: 60% average internal surface reflectivity and 60% light transmission for vertical glazing. The worst-case scenario was tested and the results show that all of the rooms tested pass the BRE criteria.
- 7.71 This approach has been undertaken due to the improvement of light conditions as the homes ascend through the proposed building. This methodology was tested with the Council Daylight and Sunlight Officer who confirmed the appropriateness of this approach.
- 7.72 The results highlight the considerable solar attributes of the site, which has no large scale development immediately adjacent at present. While it is noted that at submission the Poplar Bus Depot site adjacent had yet to apply for planning permission, this has since been lodged with the Council. While the Bus Depot site has not been included in the testing, it is considered that impacts to the development will be addressed within that application and as it does not presently have consent or a fixed building envelope that it would not be necessary for XCO2's report to consider it.

Sunlight

- 7.73 With regard to the internal sunlight analysis, the testing again has focused on the 15 residential units most likely to be detrimentally impacted by the building's siting and massing and which had at least one main window facing within 90 degrees due south. The Average Probable Sunlight Hours (APSH) and Winter Probably Sunlight Hours (WPSH)
- 7.74 Similar to that of the daylight testing for the proposed residential units, the rooms tested overwhelmingly exceed the minimum standards with regard to APSH and WPSH, with the worst affected residential unit still maintaining 30% APSH and 12% WPSH.
- 7.75 *Conclusion*

The proposed development is considered to ensure generous levels of daylight and sunlight, providing a high level of amenity for future occupants.

DESIGN

- 7.76 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.
- 7.77 Policy D.DH4 requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.
- 7.78 The Tall Buildings policy D.DH6 sets out the criteria for assessing the appropriateness of a tall building. The policy further directs tall buildings towards the designated tall building

zones and sets out a series of stringent design and spatial criteria to which tall buildings must conform to.

- 7.79 Specifically part 3 of policy D.DH6 relates to developments outside the tall building zones and states that tall building proposals (including those on site allocations) will be supported provided they meet the criteria set out in Part 1, as detailed in the below sections.

Height, Scale and Massing

- 7.80 As detailed in the above sections, the application site relates to a partially dilapidated low lying industrial warehouse building which provides no architectural benefit and is located within the Ailsa Street Site Allocation between two significant development sites comprise the Poplar Bus Depot and Ailsa Wharf Waste Depot. The prevailing character of the area is low density industrial sites and contemporary residential development within Leven Road and Nairn Street of a mixed height pattern between 3 and 7 storeys. The site seeks to continue an emerging pattern of tall buildings established by Ailsa Wharf immediately to the north.
- 7.81 As the scheme falls outside of a designated tall building zone within the Local Plan, part 3 of policy D.DH6 is of particular relevance. This policy outlines the parameters of which tall buildings outside of tall building zones should accord with.
- 7.82 With regard to part 3a policy D.DH6, it is noted that while the site's PTAL of 1a is considered weak, however it remains within walking distance of a three separate modes of public transport comprising the Langdon Park DLR station, D8 and 309 bus services from Zetland Road and the A12, and the Bromley-by-Bow Underground station. Substantial weight is given to the site's location within both a local Site Allocation and a Mayoral Opportunity Area which identifies the area as appropriate for delivering high density housing.
- 7.83 The development will also accommodate the provision of two pieces of significant public infrastructure through the extension of the Leaway Riverside Walk and the accommodation of the Ailsa Wharf bridge landing which will provide a strategic connection to the London Borough of Newham. It is noted that this connection will unlock the potential for future occupants of Islay Wharf and the adjacent developments within the Ailsa Street Site Allocation to access the Star Lane DLR station and will encourage the removal of foot and cycle traffic from the A12.
- 7.84 In terms of addressing part 3c of the Tall Buildings Policy, while the site is not located within a designated town centre it is considered that the prominence of the development would enhance the legibility of the area by virtue of its siting adjacent to the future bridge crossing. This concept was developed through pre-application, and as a result the scheme evolved into a taller and more slender profile as a result in order to create distinctness from Ailsa Wharf.
- 7.85 The site's location within the Lea Valley Opportunity Area, an area designated for significant residential development, in tandem with its designation within the Ailsa Street Site Allocation, is given significant weight in considering the acceptability of a tall building at this location.
- 7.86 The evolving regeneration of the area highlights a changing character and built form context for the development, most notably seen at the consented Ailsa Wharf development which comprises of a collection of buildings rising from 3 to 17 storeys, with three tower blocks stepping up north to south from 13 to 17 storeys leading to the application site. The immediate context of the application site, and the emerging height pattern established by Ailsa Wharf, provides strong justification the proposed height. The taller built form of the

proposed, in comparison to Ailsa Wharf, will provide wayfinding for the future bridge connection and provide a varied skyline.

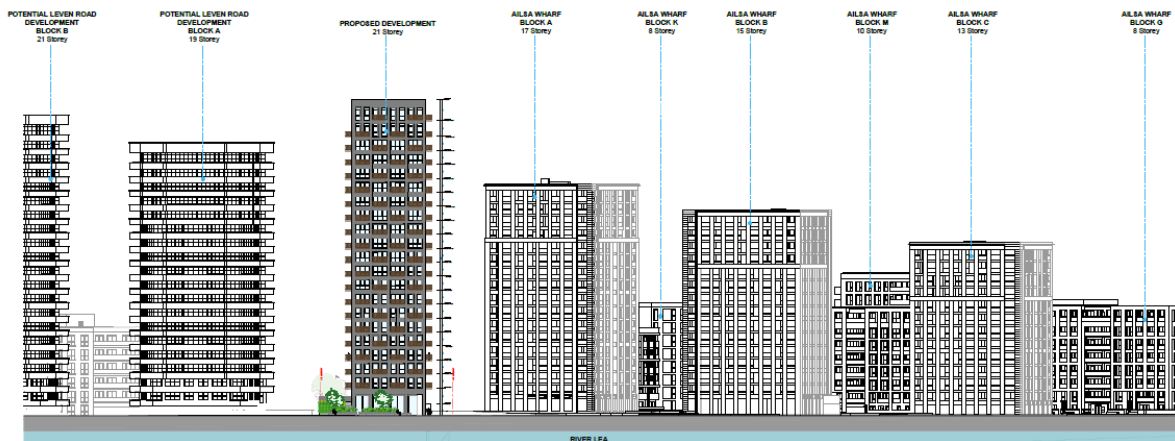


Figure 5: Contextual eastern elevation, proposed and consented

- 7.87 With reference to 3d of Policy D.DH6, it is considered that the overall height of the development would not undermine the prominence of any nearby tall building zones, nor would it in any way detract from landmarks within or outside the Borough from long and medium range views. It is noted that the closest designated Tall Building Zone is the Leamouth Cluster to the south-east of the development, which includes the London City Island, Goodluck Hope and Orchard Wharf development sites. Given the siting of the application site, the distance between any nearby clusters, and the overall scale of the development, it is not considered that it would meaningful undermine the prominence of existing tall building zones (as per the principles detailed in figure 8 to the policy below).

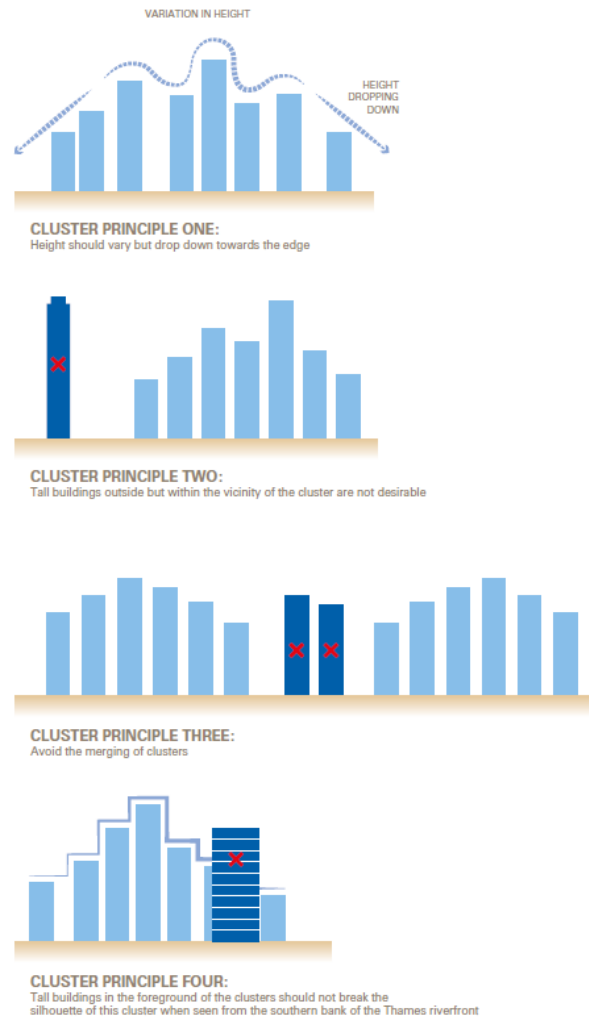


Figure 6: Figure 8 to Policy D.DH6

- 7.88 While part 3 of Policy D.H6 is most pertinent due to the site's location outside of a recognised tall building zone, part 1 of the same policy states that all tall buildings must respond to a rigorous set of design and spatial criteria. These include being of a height and scale, of exceptional architectural quality, that they will enhance the character and distinctiveness of the area, provide a positive contribution to the skyline, not prejudice adjacent developments, maintain adequate distances between buildings, demonstrate consideration of public safety and present a human scale of development at street level.
- 7.89 It is of note that the massing of the proposal changed dramatically throughout the pre-application process which extended between January and August 2019 and involved two separate presentations to the Borough Conservation, Architecture, Design and Planning (CADAP) panel. This process resulted in greater vertical emphasis to the tower block, with generous floor to floor heights, materials and roof crown.
- 7.90 Despite the scheme falling outside of a recognised Tall Building Zone it is considered that through its high architectural quality, and sensitive siting, that it meets or exceeds the above criteria. This is supported by design officers and CADAP through both pre-application and submission who are in-principle supportive of the scale and massing of the built form.
- 7.91 Islay Wharf's siting within a designated Opportunity Area and Site Allocation is considered to give strong weight to its importance as part of a significant regeneration area within the

east of the Borough. It is considered that within the emerging context of the broader locality, mindful of schemes consented at Ailsa Wharf and Leven Road Gasworks and emerging schemes at the former Poplar Bus Depot site, that the scale of development is proportionate to its role and function locally and at a London scale.

7.92 The design of the building, in particular its fenestration and materiality, provide a point of clear distinction from other built within the locality and in particular creates a strong visual contrast between itself and the consented scheme at Ailsa Wharf. The contrast between the green glazed and engineered brickwork between the tower blocks provides a striking contrast between the blocks, while differentiating it from the more typical residential finishes of the neighbouring developments.

7.93 The below visual shows indicatively how the Poplar Bus Depot Scheme, application site and Ailsa Wharf may look in situ, noting that Poplar Bus Depot is not a consented scheme.



Figure 7: Poplar Bus Depot (Proposed), Islay Wharf (Proposed), Ailsa Wharf (Consented)

7.94 The scheme clearly enhances the pedestrian permeability through the site, as demonstrated by its facilitation of the Riverside Walk and the enhancement of visual cues to the River Lea through its clearing of the existing visual barriers on site. A clear desire line and terminating vista (visualised below) through Lochnagar Street is created by the development which serves to frame the river and ingress to the future bridge landing.



Figure 8: CGI view down Lochnagar Street in context of proposed and consented developments

- 7.95 Despite the particularly small footprint of the site in comparison to the two large development sites it abuts to the north and south, the scheme has been configured in such a way to avoid prejudicing future developments to both sites. The setbacks and introduction of podium space to the south ensures there remains a buffer to both sites ensuring that development of both sites is not unduly constrained.
- 7.96 The generous public realm and landscaping to both the riverside frontage and the northern building line to Ailsa Wharf would enhance the pedestrian experience around the proposal, particularly when coupled with the active frontages to these aspects and the generous double height colonnaded spaces it serves to create a high quality and human scale space.
- 7.97 With regard to the above it is considered that despite falling outside of a tall building zone, the scheme itself represents an exemplary tall building which responds well to the emerging character of the area while contributing to a broader strategic regeneration goal in the Lower Lea Valley.

Appearance and materials

- 7.98 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Development should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.99 The appearance of the building is derived from its context and site constraints which have resulted in a confined footprint of developable land as a response to the provision of a generous public realm treatment to its eastern River Lea frontage and a northern separation from the future bridge landing and Ailsa Wharf.
- 7.100 The building reads as two distinct forms, a 21-storey tower element to the riverside frontage and a stepped 12-storey block to the west which forms the primary elevation from Lochnagar Street and the means of access to the site. The division of these buildings

serves a functional response, with the shorter block accommodating all affordable housing and the taller block housing the market accommodation.



Figure 9: Northern Elevation (no colour)

- 7.101 The architecture of the building is driven by subtle façade strategies which serve to introduce vertical interest and whimsy into what is a typical massing strategy. The floor to floor heights of each level are particularly generous at 3.3m, 1m taller than the recommended minimums prescribed within the Nationally Described Space Standards for residential buildings and LBTH's Local Plan. The introduction of greater heights within floors serves the dual purpose of increasing the internal amenity for occupants and to enhance the verticality of the building. The fenestration between floors is by extension lengthened, further enhancing the internal amenity and sense of verticality and slenderness of the building.
- 7.102 The buildings are grounded in a strong manner, with no distinction between lower and upper levels save for the double height colonnaded space to the north of the market block and the double height spaces to the ground and mezzanine which accommodate the commercial blocks. This grounding component was workshopped through pre-application and CADAP review, and assists the forms to read as singular wholes.
- 7.103 The fenestration and balconies make subtle shifts on the elevations, with changes in the apertures responding to the bottom, middle and crown of the building. The balconies provide a diversity and animation to the facades through a hit-and-miss design as they cascade down the elevations.
- 7.104 The buildings are designed to read as complementary but separate forms, and are distinguished through their materiality, height and width. The riverside tower is clad in a high quality green glazed brick which serves to reflect the colour and glossy nature of the riverside it abuts while the rear lower block is clad in a blue-grey engineered brick. The contrast in colours provides visual interest, and creates a distinctive piece of architecture dissimilar to similar contemporary residential buildings in the locality. It is considered that the success of the building will hinge on the high-quality nature of the materials, which will be controlled by way of condition to consent.

- 7.105 The western elevation, which will be viewed as a primary elevation from the main point of access through Lochnagar Street, provides views of both blocks in both a vertical and horizontal aspect due to the recess of the western block at its northern elevation from the taller eastern block. This elevation is activated at the mezzanine level by a commercial unit set above the inset blue-badge bays and beneath the residential floors above. The visual contrast of the two blocks at this elevation, as well as the extruded verticality of the façade and fenestration is particularly effective.
- 7.106 The eastern elevation to the river is the most singularly prominent of the design (as below), with a great deal of visibility due to its proximity to the river edge and the low-rise development to the east of the application site within the Borough of Newham. At a pedestrian scale the elevation is double height and sleeved with a large commercial unit at the ground and mezzanine level, providing visual interest and activation at this level. The architectural approach is most keenly visible at this elevation, with a strong sense of rising verticality and uniformity in approach.



Figure 10: Eastern elevation consented context CGI

- 7.107 The generous public realm treatment and setback to the river edge ensure that the building is not felt as imposing at a pedestrian level, and the wraparound glazing within the colonnaded northern elevation provides a lightweight and active sense to a building which is typically monolithic in appearance.
- 7.108 Also to the eastern elevation is the single storey podium element which internally acts as a back of house function, keeping it away from the active frontages and commercial floor space. Externally it accommodates roof top 'doorstep' play for under-5s and provides a blind frontage for the adjoining Poplar Bus Depot site to abut against. Its main elevation is detailed as being a green wall, the details of which will be secured on consent. It is considered that this podium element provides an important functional role for the scheme, while having limited impact on the pedestrian experience and architectural intent.

- 7.109 On submission, design officers raised a series of concerns with regard to the detailed design of some aspects of the built form. It is important to note that despite further clarity on detailing being required, which will be secured via condition, design officers remain supportive of the fundamental massing, height and scale of the scheme as well as the broad composition of the built forms.
- 7.110 Borough Design Officers raised concern with regard to the joining element between the two tower blocks, and requested that a recessed gap be included between them to break up the massing. They further note that the space between the two forms appears delineated only by glazing flush between the two buildings.
- 7.111 An 1100mm recessed shadow gap from first floor and above have been included within the design, and only at the mezzanine level is a glazed link between the two blocks introduced in order to sit in line with the other windows within the mezzanine floor level. It is considered that the shadow gap included between the blocks, and highlighted on elevational plans, provides an adequate interchange between the two forms which comprise the architecture and addresses the concerns raised by the design officer.
- 7.112 The officer raised further concern with regard to the vertical and horizontal hierarchies of the buildings, and whether sufficient depth has been introduced within the fenestration to give articulation to the elevations. Officers query whether the windows are flush with the brickwork, and whether the pattern of openings within the primary elevations could be more organised or structured. They also make note of the ideal depth of these reveals and request that cornice, plinth and head sections are provided.
- 7.113 With regard to the vertical and horizontal hierarchy it is noted that the lack of distinction between the two is part of the fundamental design approach to the scheme and was an approach encouraged by design officers during pre-application and at CADAP review. Similarly the organisation of the windows forms part of the architectural language of the building as they increase in size as the tower ascends in height (detailed below), providing a transition in grid and scale towards the top of the building.

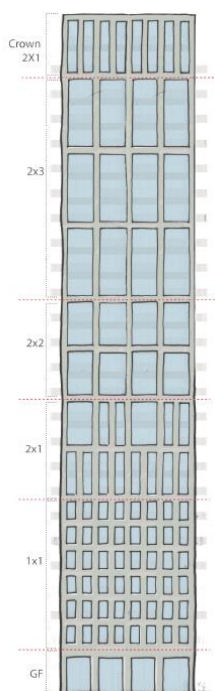


Figure 11: Concept sketch, fenestration arrangement

- 7.114 The generous floor to floor heights serves to enhance the verticality of the building further through maximising the height and proportion of the windows. The design and access statement notes that the recesses of the windows are intentionally shallow with the aluminium framing forming the window reviews to the brick openings.
- 7.115 The omission of cornice, plinth and head sections to the brickwork is an intentional design approach and has been adopted directly in response to CADAP review during pre-application stage. The stripping back of these delineating aspects of the façade serves to enhance the 'grounding' of the building and creates a strong monolithic base to the building carried down by the colonnade and shopfront to the Riverside Walk.
- 7.116 Design officers suggest that deeper recessed balconies be introduced into the façade as they believe the projecting balconies detract from the rhythm and hierarchy of the façade.
- 7.117 Notwithstanding the above advice, the external balconies and their staggered and cascading nature serve to provide a visual interest to the façades and was a design choice praised by the design review panel. The hit and miss nature of the balconies on all facades serves to introduce an element of spontaneity while ensuring that the private amenity space is generous, not overshadowed, and does not recess within the homes resulting in a reduction of the functional internal space.
- 7.118 The design officer notes the importance of the detailing for the shopfronts, and raises concern that at present some of this detail is lacking with particular regard for the interaction between the masonry and the glazed components of the shopfront as well as the soffits of the colonnade.
- 7.119 It is noted that greater detail of the shopfronts is provided within the Design and Access Statement than the submitted drawings; however it is considered that details of the shopfront and colonnade will be adequately covered by a details condition relating to both components in order to ensure a sufficient level of quality and detail.

Safety and Security

- 7.120 The scheme has been designed with Secure by Design principles in mind, as detailed within the Secure By Design drawings appended to the application. While it is critical that the public realm of the site remain publically accessible at all hours, and gate free, the design seeks to be as passive secure as possible through a series of design interventions.
- 7.121 The vehicular parking to the western elevation will be roller shuttered and inaccessible to the public, ensuring that that don't attract anti-social behaviour in these recessed spaces. It is acknowledged that design officers raised concern with regard to this frontage posing a potential safety risk due to its recessed siting adjacent to the Bromley Hall School; however it is considered that the enclosure of car-parking spaces and weekday passive surveillance provided by the commercial units in tandem with residential overlooking above mitigates much of this concern.
- 7.122 The scheme has passive surveillance to all frontages, and in particular the riverside elevation will be skirted with a commercial unit at ground and mezzanine with overhanging residential balconies above which will passively discourage anti-social behaviours.
- 7.123 It is noted that Metropolitan Police requested further information during the consultation period, and which was subsequently provided by the applicant in order to address these concerns. Notwithstanding the submission of further information, a condition will be tied to the consent requiring it to complete Secure by Design certification prior to occupation.
- 7.124 The Secure by Design drawings submitted by the applicant subsequent to the Met Police response identify a series of interventions to improve the security and safety of the

proposed development. The interventions serve to include an initial CCTV and lighting strategy, as well as detailing of security standards to which glazing and doors will be built to.

- 7.125 Overall it is considered that the development of the site will inherently improve the perception of safety within the locality due to the existing nature of the site and the fairly dilapidated state of Lochnagar Street. The increase of passive surveillance and public foot and cycle traffic through and around the site will significantly improve the security of the area.

Landscaping

- 7.126 Due to the desire to provide a continuation of the Riverside Walk along the River Lea, and the provision of a setback to both the northern Ailsa Wharf site and the future bridge landing, the scheme proposes a substantial proportion of public realm treatment within the application site relative to the footprint of the built form.
- 7.127 The public realm to the east of the development fronting the River Lea extends between 11m – 14m in depth with a large raised planter bed running the length of the building frontage within the middle of this section of public realm as seen below.



Figure 12: Southern CGI view Riverside Walk & Poplar Bus Depot (Proposed)

- 7.128 The setback to the river wall in this instance is particularly generous when considered against similar developments along the river frontage which typically are set back between 7m – 10m from the river edge. The frontage of a large double height commercial space will activate this landscaped section, and the dissection of the public realm with soft planting serves the dual function of creating a 3m frontage to the commercial unit, while allowing a generous 6m gap between its edge and the river wall to accommodate pedestrians and cyclists.
- 7.129 While there is a change in levels north-south within the application site, the landscaping remains entirely step free (notwithstanding the bridge landing), which will increase

accessibility within the site greatly. Similarly the inclusion of plantings within the public realm will substantially enhance the biodiversity of the site, which at present has full site coverage as a warehouse with non-permeable surfaces.

- 7.130 The northern public realm (detailed below) seeks to integrate the hardscaped surface of Ailsa Wharf with that of the application site to create a large section of public space between the developments. It is noted that within the Ailsa Street Site Allocation, Islay Wharf is earmarked as being almost entirely a public square. While this would be considered prohibitive from a redevelopment perspective, the proposed buffer between the developments will create a large open space between approximately 16m – 25m in width leading from Lochnagar to the future bridge landing. With access to this space guaranteed by way of S106 legal agreement, it is considered that this space has the capability of delivering on the aspirations of the Site Allocation with regard to a large public space at the head of the bridge landing.



Figure 13: Northern elevation CGI view, Ailsa Wharf interface

- 7.131 It is noted that the applicant has engaged the same landscape architect as the Ailsa Wharf development in order to coordinate the finishes and public realm between both developments. Further to this, the applicant has coordinated with Knight Architects who developed an initial design of the bridge landing in order to better understand how it might integrate with the final scheme.
- 7.132 As shown on the below plan, the development seeks to integrate with the initial design of the bridge landing by providing stepped access to the bridge while maintaining a flat space of open public realm for other means of accessibility as well as river wall maintenance access by the Environment Agency.



Figure 14: Landscape Masterplan

- 7.133 To the top of the single-storey podium element abutting Poplar Bus Depot is the on-site child play space. This play space will primarily be used to address the play needs of under-5s on site; however it is accessible for all occupants across both tenures. The space is soft landscaped, and incorporates a range of play equipment and plantings which will greatly add to the biodiversity of the site and the Borough's LBAP targets. The play space is abutted by external residential amenity space for the mezzanine units which will provide excellent passive surveillance across the area.
- 7.134 While the proposed landscaping is considered a particularly positive aspect of the site, further details will be required with regards to play equipment, boundary treatments and detailed planting specifications. As such this will be secured by way of condition on consent.

Conclusion

- 7.135 On balance it is considered that the scale, height and massing of the design responds appropriately to its strategic role within the Borough and London more broadly and would constitute a positive contribution to the visual amenity within the immediate locality as part of an emerging collection of taller buildings within the Ailsa Street Site Allocation.
- 7.136 The architecture of the proposed development is of an exceptionally high quality, with a unique and subtle approach to fairly typical residential forms. The design is considered to provide a point of difference in its appearance from those schemes immediately adjacent, while still reading as part of a broader and coherent collection of buildings as demonstrated through their collaboration with neighbouring developments during pre-application.
- 7.137 The landscaping of the scheme is viewed as a considerable public benefit of the scheme due to its opening up of the Riverside Walk and the creation of a public space between Ailsa Wharf and Islay Wharf with secured public access. The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area, subject to further detailing as part of a future condition.

Inclusive Design

- 7.138 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.
- 7.139 The ground floor is set at grade level and offers step free, wheelchair access. Furthermore, the proposed development will provide 3 accessible car parking space which will be reserved for use by disabled occupants.
- 7.140 The landscaping is step free which will allow users to enjoy the Riverside Walk, regardless of their accessibility levels.
- 7.141 The design accommodations for 15 wheelchair accessible homes which amounts to approximately 11% of the total units. Of this total, 4 are delivered within the affordable housing and the remaining 11 are within the market units. Level access from the street is provided by way of dropped kerb from Lochnagar, and the public realm of the scheme remains step free allowing for high accessibility for wheelchair users.
- 7.142 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Three secure disabled accessible on- street car parking space would be provided at the front of site, accessed from Lochnagar Street.
- 7.143 It is considered that the proposal would result in a scheme that would be well connected to its surroundings and would provide accommodation that can be used safely and easily and with dignity for all regardless of disability, age, gender, ethnicity or economic circumstances in accordance with policy.

HERITAGE

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

Strategic Views

- 7.145 The views included by the applicant, as highlighted within the Design and Access Statement and agreed with Council officers in pre-application stage, interrogate the development from a range of angles encompassing a series of strategic viewpoints.
- 7.146 The views demonstrate that the proposed tower would not interfere with the setting of the adjacent Grade II listed Bromley Hall School from a strategic perspective, due to the asset's particularly low lying nature and recessed context from nearby arterials.
- 7.147 It is also considered that the setting of Bromley Hall School is not materially impacted by a tall building adjacent as it derives its significance from the unique pedagogical design and interiors, as highlighted by its listing. Historic England raise no objection to the impact on the listed asset, and the Greater London Authority along with Council Design and Conservation Officers similarly raise no issue despite the scheme's proximity and scale.
- 7.148 Overall it is considered the greater footfall generated by the development will enhance the public's appreciation of the listed school, which has a uniquely distinct character and low scale architecture.
- 7.149 The height of the development does not raise a strategic concern.

Surrounding Conservation Areas

- 7.150 The existing site is considered to possess no heritage or townscape value of merit due to its dilapidated nature and low value of architecture.
- 7.151 The site does not lie within a conservation area and is approximately 200m from the nearest conservation areas (Limehouse Cut) to not impact on their setting.
- 7.152 While it is noted that southern views from the Conservation area would include the tower within the skyline, it is viewed that much of the conservation area is enjoyed with regards to its relationship with the canal and waterways, and associated water-based built form and heritage. Notably, these views would already be compromised by the consented Ailsa Wharf development and it is considered that the imposition of a tower, amongst other future towers, has negligible impact on the significance or enjoyment of these spaces and their historic past.
- 7.153 In summary, the scale and form of development would at least preserve the setting and significance of the surrounding Conservation Areas when considered as a whole. The site would improve upon the existing building stock, overall improving the townscape and visual amenity of the area. The proposed development will not give rise to significant impacts to the adjoining Grade II Bromley Hall School, nor will it detrimentally impact on the setting of the Limehouse Cut Conservation Area to the north.

Archaeology

- 7.154 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 7.155 In support of the application a desk based archaeological study has been submitted which after review by GLAAS have found that they are satisfied with the submitted assessment and no further information or imposition or conditions is required.

AMENITY

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

Daylight and Sunlight

- 7.157 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.158 Due to the context of the application site, with no residential properties within the immediate locality and its frontage to the River Lea, there is very limited impact with regard to daylight and sunlight loss to existing occupants. There are, however, likely impacts to future occupants of the consented scheme to the north at Ailsa Wharf which are carefully considered within the daylight and sunlight report prepared by XCO2.
- 7.159 Most sensitively sited with regard to the proposed development are Block A and D of Ailsa Wharf (as detailed below). Due to their location to the north immediate north of the application site, it is inevitable that south facing residential properties to these blocks will be impacted.

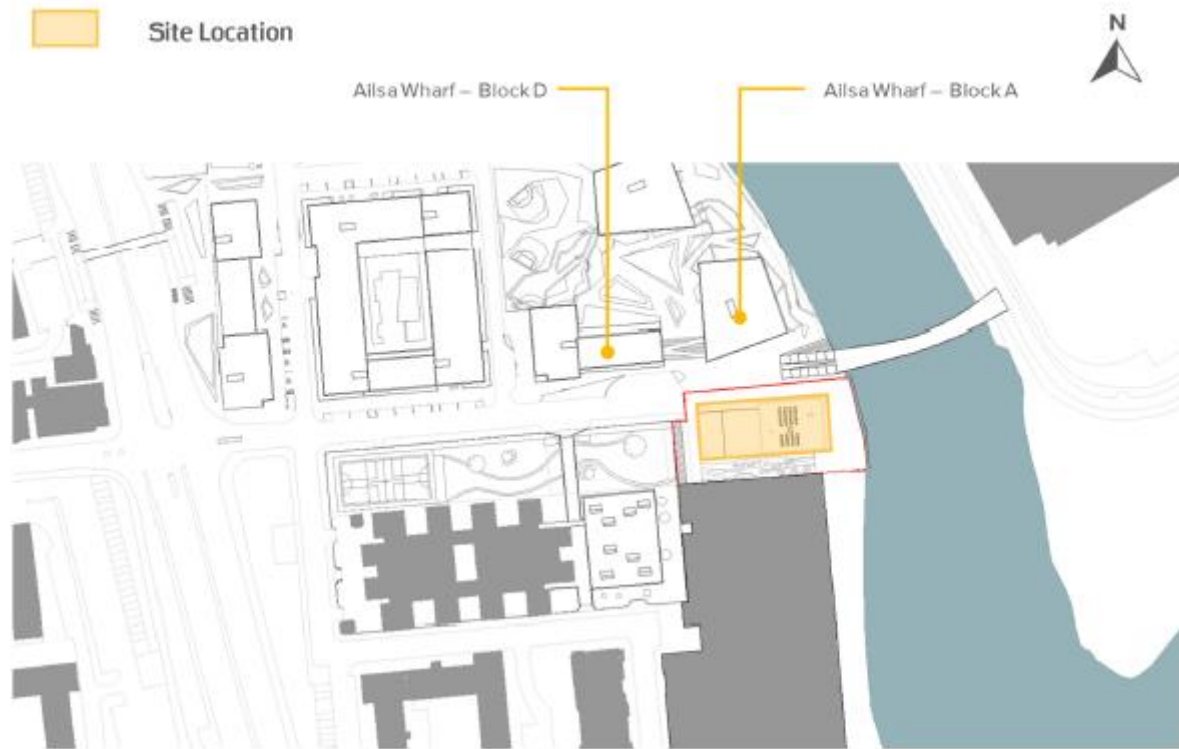


Figure 15: Scheme context

7.160 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.

7.161 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. It is noted that with regard to the assessment, that pursuant to Appendix F of the BRE guidelines, as the impacted residential units are consented and not occupied a VSC result does not technically need to be presented; however notwithstanding this, they have been provided as part of the assessment alongside the ADF values.

Impact on neighbouring properties

7.162 The XCO2 report has evaluated loss of daylight and sunlight to existing properties using the BRE Report BR 209, Site Layout Planning for Daylight and Sunlight, a guide to good practice. The Council appointed the BRE as an independent Daylight and Sunlight consultant to review the applicant's Daylight/Sunlight Information.

7.163 The daylight and sunlight report identifies Blocks A and D of the consented development at Ailsa Wharf as neighbouring buildings that are in consented residential use and are close enough to the site to have their daylight and sunlight affected.

Daylight

7.164 The tables below show a summary of the impacts of the proposals for both of the consented blocks listed above with regard to ADF, as well as VSC and NSL. It is important

to note, as detailed above, due to their consented and non-occupier nature, the threshold of testing remains different to that of built and occupied flats.

Number of habitable rooms tested in Ailsa Wharf Blocks A and D	104
Number of kitchen/living/dining rooms	52
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens	35
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for living rooms	14
Number of bedrooms	52
Number of bedrooms with ADF meeting 1% target for bedrooms	28
Number of rooms with ADF below the BRE recommendations	27

Figure 16: Blocks A & D habitable room results

Number of windows tested in Ailsa Wharf Blocks A and D	213
Number of windows passing the 25°/45° test	0
Number of windows with a VSC higher than 27%	33
Number of windows with a VSC of at least 0.8 of existing value	28
Number of windows that belong to rooms meeting the NSL test	90
Number of windows that do not meet any of the above criteria	62

Figure 17: Blocks A & D window testing

Block A, Ailsa Wharf

- 7.165 Given the proximity and orientation of Block A, it is considered the most sensitive interface to the application site with regard to amenity impacts. The updated XCO2 report assesses all habitable rooms (94) of Block A which face the proposed development (as below). Of these rooms, 67 (71%) perform in line with BRE criteria, as detailed below.

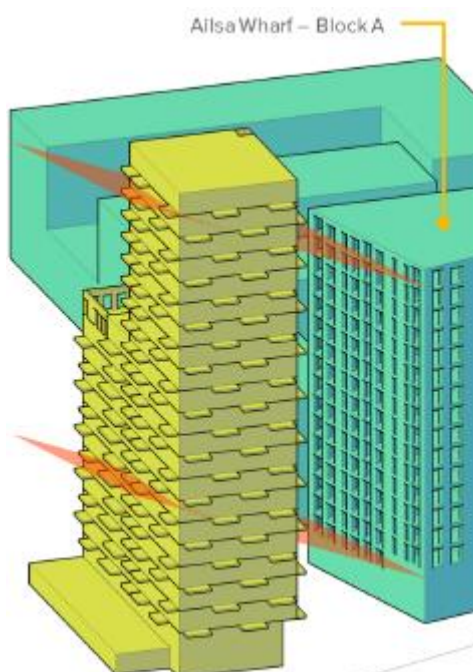


Figure 18: Proposal & Block A, Ailsa Wharf

Number of habitable rooms tested	94
Number of kitchen/living/dining rooms	47
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens	31
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for kitchen/living/dining rooms	13
Number of bedrooms	47
Number of bedrooms with ADF meeting 1% target	23
Number of rooms with windows associated with deep inset balcony and ADF below the BRE recommendations	27

Figure 19: Habitable room results, Ailsa Wharf Block A

- 7.166 The Average Daylight Factor result, which is the most appropriate method for testing residential impact to consented development, note that of the 27 rooms which fail the BRE criteria for ADF benchmarks are predominantly deeply recessed bedrooms and living rooms which have deeply inset balconies. The nature of these habitable rooms therefore has a considerable impact on the ADF values.
- 7.167 Of these 27 ADF failures it is noted that they are predominantly minor failures, and only to bedrooms which is of less significance than that of loss of light to a living room or kitchen. Of the 27 failures, the results range between 0.4% and 0.9% ADF with a pass rate determined by exceeding 1%. These results improve as the building goes higher, with all bedrooms above the 12th floor of Block A meeting NSL targets despite the minor failures.
- 7.168 While not required in the assessment of consented developments, for the purpose of completeness XCO2 details VSC and NSL tests. Of the 203 windows tested, 51 would pass the BRE criteria with 41 of the 94 rooms passing the NSL test.
- 7.169 It is noted that given the open aspect to the south that Ailsa Wharf currently benefits from, the existing VSC and NSL results for properties of Block A are particularly high for an urban setting; however it is noted that the bedrooms associated with deep room layouts have quite poor VSC results as consented.
- 7.170 While not required in the assessment of consented schemes, it is considered that the VSC and NSL results are acceptable given the existing context and the baseline values to which they are judged against.

Block D, Ailsa Wharf

- 7.171 Block D, situated to the north-west of the application site, is also assessed within the XCO2 report with 10 habitable rooms at ground and first floor (as below) which face the proposed development considered with regard to ADF. Of these rooms, 9 (90%) perform in line with BRE criteria, as detailed below.

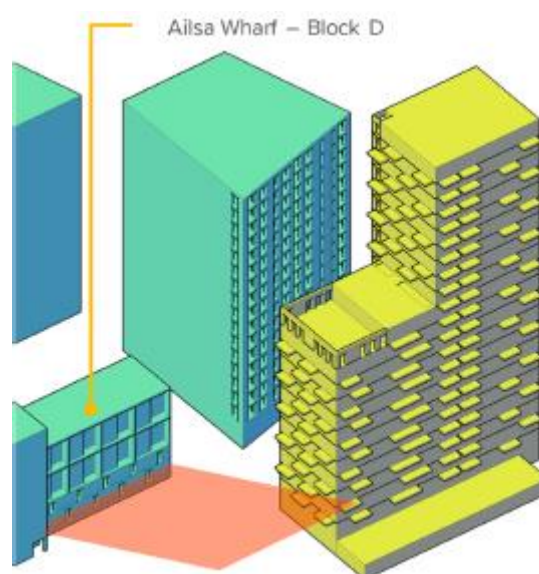


Figure 20: Proposal & Block D, Ailsa Wharf

Number of habitable rooms tested	10
Number of kitchen/living/dining rooms	5
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens	4
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for kitchen/living/dining rooms	1
Number of bedrooms	5
Number of bedrooms with ADF meeting 1% target	5
Number of rooms with windows associated with adjacent walls and ADF below the BRE recommendations	1

Figure 21: Habitable room results, Ailsa Wharf Block D

- 7.172 It is noted that while 1 room fails with regard to the ADF testing, this room is a proposed kitchen space and would achieve an ADF of 1.9% which would meet the ADF target of 1.5% for living/kitchen/dining (LKD) rooms. Overall these are considered very strong results with regard to ADF.
- 7.173 While not required in the assessment of consented developments, for the purpose of completeness XCO2 details VSC and NSL tests. Of the 10 windows tested, all would pass the BRE criteria with 6 of the 10 rooms passing the NSL test.
- 7.174 Overall the daylight impacts to Block D are negligible, and would not have an unacceptably detrimental impact to future occupants of these flats.

Sunlight

- 7.175 In assessing the sunlight impacts of the proposed development on Ailsa Wharf, a total of 47 living rooms across the 16 storeys of Ailsa Wharf Block A with windows within 90 degrees of due south were assessed. As detailed below, this assessment shows that all living rooms meet the BRE criteria as they have at least one window that achieves the target for APSH and WPSH.
- 7.176 Given the application sites context, it was not considered necessary to test Block D which would benefit from considerably better results than Block A due to its proximity and siting.

Overshadowing

- 7.177 In response to feedback from Council Daylight and Sunlight Officers, as well as to objections received from neighbours, the XCO2 report was updated to include an assessment of the overshadowing impact of the development on consented open spaces to Ailsa Wharf, the development itself and an existing open space adjacent to Bromley Hall School and the site boundary. Solar Access Analysis was undertaken for the above areas for a full 24 hours on 21 March as set out in BRE guidance.
- 7.178 With regard to the Bromley Hall School open space, it is noted that 97% of this open space would receive more than 2hrs of sunlight on 21 March under the proposed conditions. BRE guidance seeks to have 50% of any given open space achieve this guidance, and as such the proposal does not detrimentally impact this open space with regard to overshadowing.
- 7.179 With regard to the open space within Ailsa Wharf in closest proximity to the application site (detailed below) has been assessed under the same criteria.

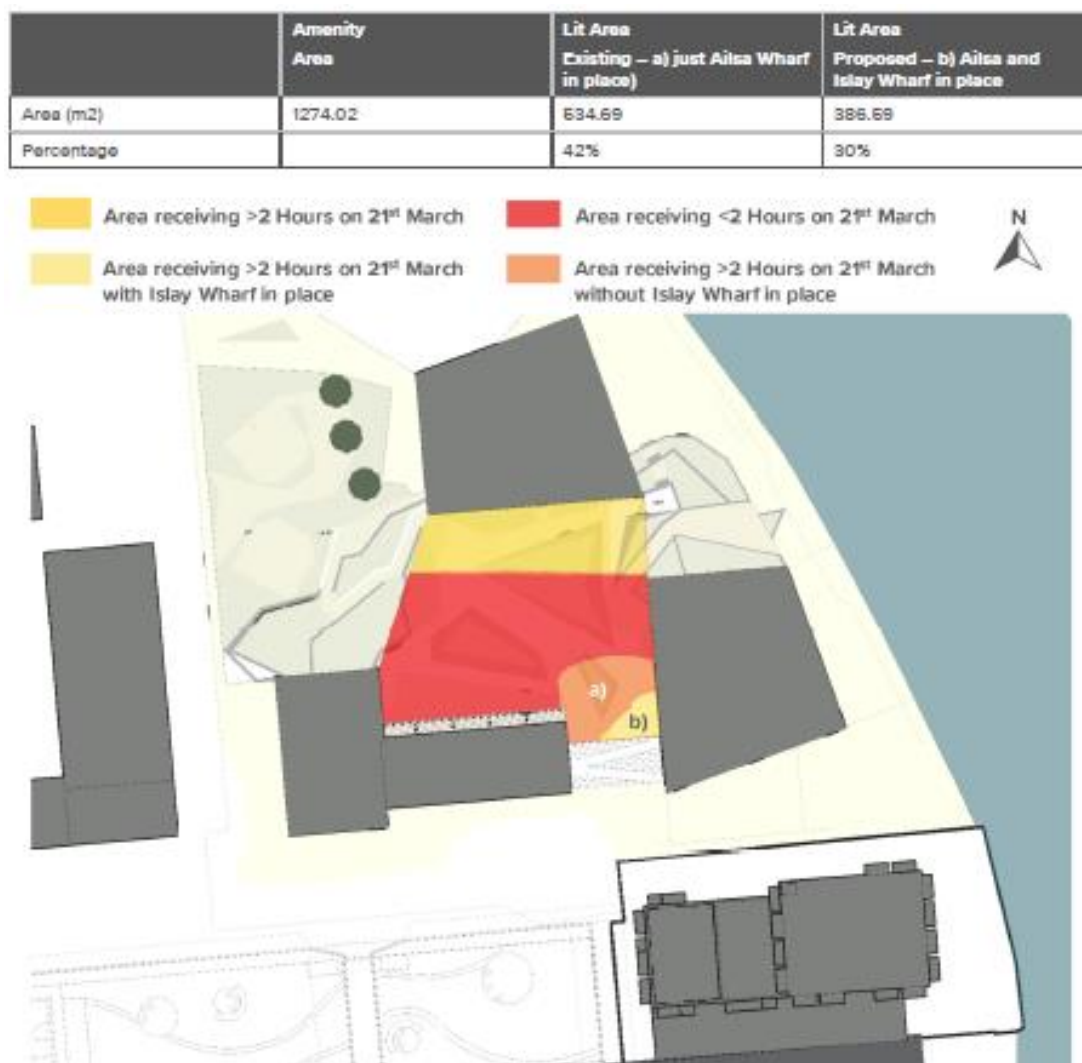


Figure 22: Overshadowing impacts, Ailsa Wharf

- 7.180 The assessment provides details of an existing and proposed analysis, and while not yet built, this is considered the appropriate and most thorough approach in assessing the impacts to the consented open space at Ailsa Wharf.

- 7.181 As detailed in the table and diagram above, the application scheme would result in a reduction of 12% from the consented, dropping from 42% to 30% in area which benefits from over 2hrs of sunlight on 21 March. While this represents a reduction further below the 50% threshold it is noted that the bulk of the impact is attributed to the Ailsa Wharf development itself with the impacts associated with Islay Wharf restricted to the southernmost section of the open space between Blocks A and D.
- 7.182 With regard to the above it is considered that a considerable amount of this piece of open space continues to benefit from over 2 hours of sunlight on 21 March, and must be considered more broadly in the open space offering within Ailsa Wharf to which this more area forms a comparatively small portion. On balance this impact is considered acceptable given the urban and site context it lies within.
- 7.183 A final piece of overshadowing analysis was undertaken with regard to the open space on site, with the rooftop play space undergoing a Solar Access Analysis and demonstrating that 100% of this space benefits from at least 2hrs of sunlight on 21 March.
- 7.184 A further modelling study was undertaken with regard to the roof terraces at levels 11 and 12, which highlight that due to their siting and orientation that they would benefit from excellent light from 11am onwards on 21 March (detailed below).

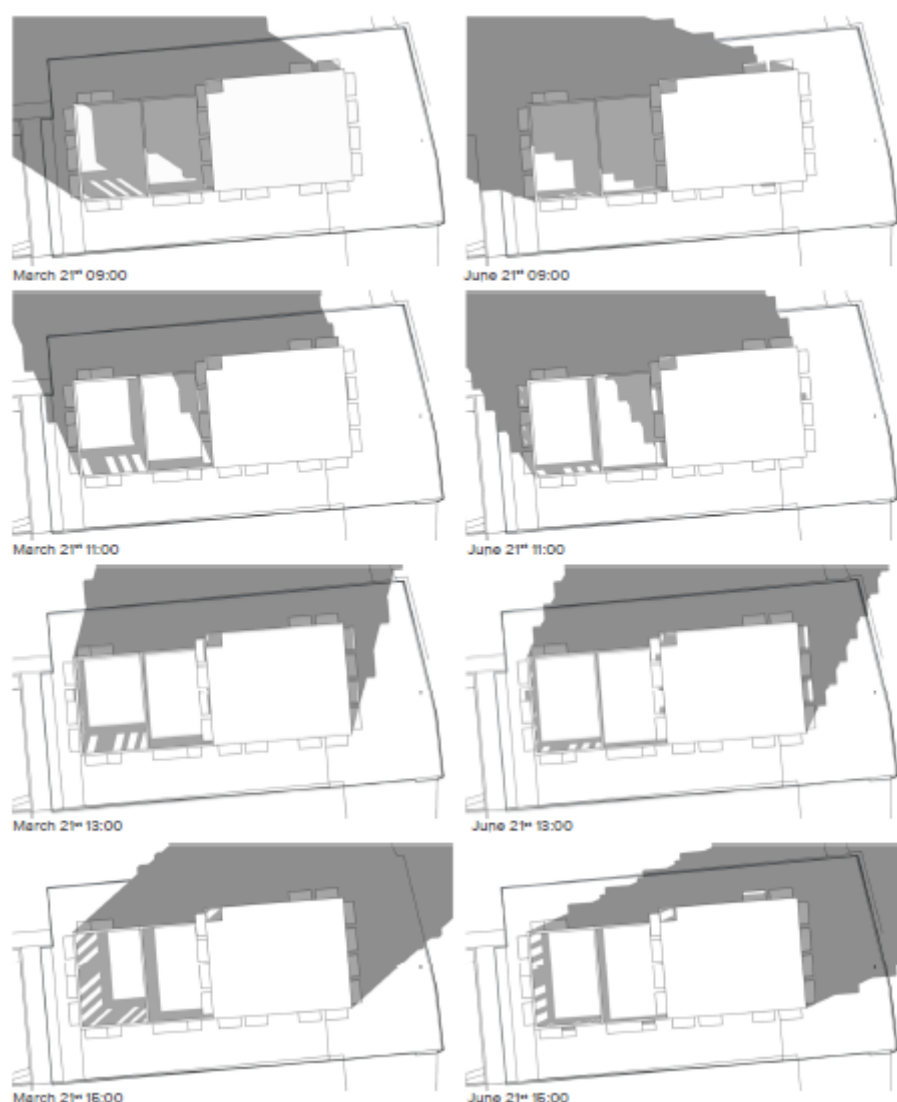


Figure 23: Shadowing diagrams, proposed scheme

Conclusions on Daylight, Sunlight and Overshadowing.

- 7.185 The sunlight analysis shows that the majority of BRE standards will be met and in the very limited instance where the proposal does not fully comply, officers have taken this into consideration and on balance consider that the benefits of the scheme outweigh and adverse impacts.
- 7.186 The overshadowing analysis shows that Islay Wharf will have a limited impact on neighbour open space at Ailsa Wharf with regard to overshadowing, and no impact to the adjoining open space to the west of the site. The proposed child play space will benefit from excellent solar properties, as will the rooftop terraces. On balance the limited impact to a small portion of Ailsa Wharf's open space is therefore considered acceptable.
- 7.187 The scheme proposal will have some impact to Block A of Ailsa Wharf and a negligible impact to Block D with regard to daylight impacts. It is of note that the ADF tests are considered most appropriate for testing consented schemes, and these results highlight that there are minor impacts to a limited number of deeply recessed balconies with 71% of habitable rooms to Block A meeting BRE criteria. This is considered an acceptable result, and would not result in an unacceptably detrimental loss of daylight to future occupants.

Overlooking

- 7.188 The separation distances from south facing residential windows of Block A to Ailsa Wharf would be approx. 18m away from the northern flank elevation of the application site, and the residential units within. This is considered a generous separation distance from neighbouring properties, and meets the requirements of D.DH8 of the local plan which seeks to maintain 18m separations between habitable room windows.
- 7.189 While it is noted that proposed protruding balconies from the northern elevation of the application site would enter this 18m exclusion zone, the policy only relates to distances between habitable rooms and it is considered the utilisation of these balconies does not unreasonably impact on the privacy of future occupants to Ailsa Wharf given the separation distance would still be in excess of 16m.
- 7.190 Flats to the southern aspect of the proposed building would remain 8m separated from the boundary, and it is expected that the neighbouring site at Poplar Bus Depot would respect a similar distance; particularly given it is a significantly larger site than the application site. With this in mind, it is considered that the development presents no risk to privacy of either neighbouring properties.

Noise and Vibration

- 7.191 Council Environmental Health Officers have reviewed the submitted material and attended a site visit with Planning Officers following submission of the application. They have concluded that the completed development would not significantly impact on neighbouring amenity from noise and vibration. Nonetheless, the noise officer has requested 3 conditions be attached to the planning permission.

Wind/Microclimate

- 7.192 It is noted that an initial microclimate assessment prepared by XCO2 was submitted in support of the application. This report assessed the scheme's impact with regard to wind and microclimate through utilising Computational Fluid Dynamics (CFD) to model the cumulative impacts of wind generated by the scheme.
- 7.193 Following comments from consultees, it was considered that a CFD approach was insufficient in gauging the impacts of a building of this scale, and that a cumulative impact

assessment of the scheme as well as adjoining consented developments needed to be tested within a wind tunnel. This information was subsequently prepared by SLR and submitted in December 2019 for consideration by the Council.

- 7.194 The wind tunnel testing assessed 26 locational points around the development, and across the river, and judged it against the Lawson Criteria for wind impact and comfort levels. The testing was done against the baseline (as existing); future (proposed scheme) and future planned (consented schemes). Of the 26 points, it was considered that the scheme resulted in 3 'unfavourable' results in the future scenario, and 5 unfavourable results in the cumulative scenario (as below). These results range from minor to moderate.

Location	Target Comfort Level	Wind Tunnel Predicted Comfort Level		Impact (refer Table 4) Relative to Target Comfort Level	
		Future	Future Planned	Future	Future Planned
1	C1	C2	C4	Favourable – MINOR	Favourable - MAJOR
2	C2	C2	C2	Negligible	Negligible
3	C2	C2	C2	Negligible	Negligible
4	C2	C2	C2	Negligible	Negligible
5	C2	C2	C2	Negligible	Negligible
6	C2	C3	C2	Favourable – MINOR	Negligible
7	C2	C2	C3	Negligible	Favourable - MINOR
8	C2	C2	C3	Negligible	Favourable - MINOR
9	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
10	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
11	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
12	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
13	C2	C3	C3	Favourable - MINOR	Favourable - MINOR
14	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
15	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
16	C2	C2	C3	Negligible	Favourable - MAJOR
17	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
18	C1	C3	C4	Favourable - MODERATE	Favourable - MAJOR
19	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
20	C2	C3	C3	Favourable - MINOR	Favourable - Minor
21	C3	C2	C2	Unfavourable - MINOR	Unfavourable – MINOR
22	C2	C2	C3	Negligible	Favourable - MINOR
23	C4	C2	C2	Unfavourable - MODERATE	Unfavourable - MODERATE
24	C4	C3	C3	Unfavourable - MINOR	Unfavourable - MINOR
25	C4	C2	C3	Unfavourable - MODERATE	Unfavourable - MINOR
26	C4	C3	C2	Unfavourable - MINOR	Unfavourable - MODERATE

Figure 24: Wind tunnel results

- 7.195 As detailed above, it is also important that the scheme provides numerous benefits with regard to wind impact, particularly along the Riverside Walk, in the cumulatively study due to the siting of the wind and the expected amelioration of wind as it passes through the Poplar Bus Depot site.
- 7.196 To address the unfavourable results, mitigation has been recommended and implemented within the scheme which includes future landscaping and the installation of a canopy to the eastern elevation. While these mitigation methods were not tested within the wind tunnel, a

suitably worded condition will be imposed on consent which will require their testing pre-commencement. Environmental Impact Assessment officers have reviewed this submission, and are satisfied with the results contingent upon mitigation testing being undertaken.

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 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.

Car Parking

- 7.199 The development would be 'car free' with the exception of three secure disabled access spaces accessed at the western frontage of the development from Lochnagar Street. This is in line with policy D.TR3 of the Local Plan (2020).
- 7.200 Draft New London Plan Policy T6.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this to increase by an additional 7% as needs require it. At present the three blue badge bays provided constitute 2.25% overall. It is noted that in order to achieve an additional 7%, approximately 10 more disabled bays would be required on site. Off-site provision along Lochnagar Street is not supported by Highways Officers.
- 7.201 It is considered that on balance, the provision of three disabled bays is broadly acceptable given the site constraints and immediate local context which would prohibit the delivery of a significant quantum of car-parking on site or on the public highway within Lochnagar Street.
- 7.202 While it is noted that the PTAL value of the site is low, there remains access to bus, light rail and tube services within 400 – 900m walking distance of the site. It is also expected that over time greater accessibility provided by the Ailsa Wharf Bridge would, by virtue of its connections through to Newham and Star Lane DLR, provide an uplift in PTAL rating which is currently not accounted for. It is considered that the excellent quantum and variety of cycle provision on site, paired with access to existing public transit interchanges, suitably justifies a car-free development as supported by Transport for London and Council Highways Officers.
- 7.203 The provision of electric charging points to the accessible spaces would be required and secured by condition as requested by TfL.
- 7.204 The balance of the development would remain car-free, which will be secured through S106 legal agreement to the consent.

Servicing and Deliveries

- 7.205 The proposed development includes an off-carriageway servicing area within the site boundary accessed from Lochnagar Street by forward and reversing movements. Swept path diagrams have been provided which highlight that an 11m refuse vehicle is able to enter and leave the site safely and unobstructed. Refuse will be collected by operators via

a laneway skirting the western elevation of the development, which maintains immediate access to internal refuse stores.

- 7.206 Council Highways Officers have no objection to this arrangement, and agreed with TFL's request to impose a Delivery and Servicing Plan condition to the consent due to its proximity to the A12 which forms part of the Transport for London Road Network (TLRN). A final Servicing and Delivery Plan will be conditioned on consent.

Access

- 7.207 The majority of pedestrian site access for residents and visitors will occur via Lochnagar Street which is the sole existing entryway to the site. Following development of the site, and the broader Site Allocation to which it forms a part of, it is expected that there would be a considerable increase in cycle and pedestrian movements along the River Lea and from Lochnagar Street through to the Ailsa Wharf Bridge and into Newham. It is noted that the Ailsa Wharf bridge currently benefits from £2.4m GLA grant funding for the associated enabling and due diligence work required to bring the crossing forward, and a delivery mechanism has been secured within the S106 of the Ailsa Wharf consent.
- 7.208 The current condition of Lochnagar Street is poor, with fly tipping, illegal parking and vehicle dumping prevalent. Much of this activity is associated with the waste depot situated presently at Ailsa Wharf. It is expected that this activity will diminish over time, particularly as the Ailsa Wharf development commences in earnest and improvement works tied to that consent are implemented once the site ceases operation as a waste depot.
- 7.209 As detailed earlier, while the 1a PTAL score of the site is particularly low it is considered that a variety of modes of transport are available within reasonable walking distance which ensures connectivity across the Borough and through London more broadly. Bus services available in the immediate locality provide north-south movement through the Borough, while the Langdon Park DLR service and Bromley-by-Bow tube station provide vital connectivity into adjacent Boroughs and across London within a 900m walking distance.
- 7.210 It is further noted that access to services at Star Lane DLR will be facilitated by the development of the application site and delivery of the Ailsa Wharf Bridge, and the overall permeability benefits of the scheme are considerable, allowing for enhanced pedestrian and cyclist movements along the Lower Lea Valley. It is anticipated that as the regeneration of the broader area is brought forward that the enhancement of public transport services coupled with the increased linkages facilitated by the development and those adjacent will ensure the development is sustainable, accessible and equitable for future residents.
- 7.211 It is noted that such enhancements have most recently been secured within the Leven Road Gasworks consent which will seek, in conjunction with Transport for London, to extend the 488 bus service from Bromley-by-Bow to better service the Lower Lea Valley area while financial contributions have been secured by the Council which will improve pedestrian and cyclist connections in the locality.
- 7.212 It is of note that S278 highways works to Lochnagar Street are secured by way of condition and S106 obligation to the Ailsa Wharf consent which maintains the entire northern frontage of Lochnagar. It is acknowledged that TFL have sought the imposition of a S278 agreement to secure the improvement of Lochnagar Street in parallel with Ailsa Wharf.
- 7.213 It is considered that requiring the applicant to commit to the improvement works along the entire length of Lochnagar Street, as already secured through the Ailsa Wharf consent, would be disproportionate given the limited frontage to which Ailsa Wharf maintains with the highway. It is further important to note that the works secured by Ailsa Wharf extend within the red line boundary of this site and provide for parking bays servicing the development.

As such it would not be considered appropriate for the application site to bring these S278 works, nor to bring forward conflicting highways improvements in isolation.

- 7.214 The proposal brings forward considerable accessibility within the locality. At present there is a significant deficit of pedestrian permeability through the broader site allocation. The application site will deliver a generous cycle and pedestrian path along the River Lea, connecting the development through to Poplar Bus Depot, Devon Wharf, Leven Wharf and Leven Road Gasworks. The development will also accommodate a bridge landing to the north and a considerable public realm contribution towards the bridge entry between Ailsa Wharf, which will act as a public square between these two development sites.
- 7.215 It is essential that these access paths through the site are secured as publically accessible and step free, year round and 24hrs a day. To ensure these spaces continue to create meaningful permeability and public benefit, their accessibility will be secured through the S106 legal agreement. The developer will be required to maintain the public access around the site to an agreed standard as defined and secured through the S106. Details of proposed lighting within the public realm will also be conditioned on consent.
- 7.216 With regard to vehicular access, this will be managed via Lochnagar Street which acts as the sole highway frontage to the development. The applicant has submitted a suite of swept path diagrams demonstrating how access can be safely managed for a variety of vehicles including fire tender, private small vehicles, 11m refuse truck and Environment Agency access for river wall maintenance. These are acceptable to Highways.
- 7.217 It is considered that the movement of these vehicles can be managed safely on site, and would not compromise the integrity of the public realm or inappropriately utilize public footway for vehicle movements.

Cycle Parking

- 7.218 The proposal on submission included provision for 216 long-stay and 8 short-stay cycle spaces which represented a marginal shortfall against contemporary London Plan standards. It was also noted by TFL that space for larger sized cycles should be provided, to allow for a variety of cycle transport modes in addition to those typically locked to a Sheffield stand.
- 7.219 In response to these comments, plans have been revised to accommodate 220 long-stay cycle spaces and 21 short-stay spaces (detailed below) which would now meet draft New London Plan standards.

	Long Stay	Short Stay/Visitor	Total
Residential	215	5	220
Commercial	5	17	21

- 7.220 The updated cycle parking provision will provide a greater variety of space accommodation, including larger bike spaces and stacking spaces following TFL's Stage 1 consultation response. This has been welcomed by TFL and considered acceptable in principle.
- 7.221 TFL have raised concerns with regard to the accessibility of the cycle spaces, particularly those for affordable housing, and whether their will conform to the London Cycling Design

Standard. It is considered that further details of the cycle storage can be conditioned to consent, and to conform to the appropriate Standard.

- 7.222 Further concerns have been raised by TFL with regard to access to cycle spaces, which at present are proposed to be accessed by way of key-fob to the northern elevation of the development, adjacent to residential entries. It is noted that the location of the cycle store entries would be located in an area of the highest level of pedestrian footfall and passive surveillance due to the immediate residences above, and those adjacent at Ailsa Wharf.
- 7.223 It is noted that the scheme will require Secure by Design certification, and will be conditioned to ensure this, and as such it is considered that the location of the cycle accesses would not present a risk to public safety. It is also noted that if accessed internally the frontage which is currently broken up by the doorways would instead be a blind elevation to the detriment of the design and perception of safety.
- 7.224 As above, final details of cycle parking ensuring this meets London Cycle Design Standards (LCDS) would be secured by condition. Overall, the proposed cycle storage is considered to be acceptable subject to the submission of the details secured by condition.

Healthy Streets and Vision Zero

- 7.225 As requested by both GLA and TFL, the applicant undertook an Active Travel Zone (ATZ) assessment that covers the key walking and cycling corridors within a 20 minute radius of the site in order to identify deficiencies and appropriate improvements along those routes that should be funded or delivered with this proposed development.
- 7.226 Upon reviewing the latest information, TfL commented that the information provided is not in accordance with TfL ATZ guidance. Particular concerns were raised with regard to the omission of routes from the site to the nearest cycle networks, as well as the overall scope of criteria and failure to utilise the TFL Cycleway Qualify criteria. Furthermore, it was noted by TFL that the use of Pedestrian Environment Review Surveys (PERS) are no longer endorsed by TFL and would need to be updated in line with contemporary TA and ATZ guidance.
- 7.227 The applicant subsequently submitted a Transport Assessment Addendum which sought to address these comments through providing a more robust analysis of active transport links, and against the appropriate and cotemporary criteria and guidance. TFL have subsequently advised that the information is satisfactory and has adequately responded to initial comments.
- 7.228 It is noted that TfL has launched the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business. There are ten Healthy Streets indicators, which put people and their health at the heart of decision making, and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to our road network to improve the safety of vulnerable road users.
- 7.229 TFL note that the applicant should identify any improvements in the locality which would contribute towards road safety and reduce the likelihood of an accident. The applicant was advised to consult recent TFL guidance, 'Small Change, Big Impact' and to consider how improvements within and outside their red line boundary could be made to improve local users.

Demolition and Construction Traffic

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

Travel Plan

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

Summary

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

ENVIRONMENT

- 7.233 On 24 May 2019, the Council issued an Environmental Impact Assessment (EIA) Screening Opinion confirming that an EIA was not required for the proposed redevelopment of the site. A number of separate reports assessing relevant aspects of the environmental effects of the development against relevant policies have been submitted as required by the Council's local validation requirements and are assessed elsewhere in this report.

Energy Efficiency and Sustainability

- 7.234 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.

- 7.235 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)

- 7.236 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.

- 7.237 The CO₂ emission reduction is anticipated to be 45% against the building regulation baseline which is compliant with policy requirements. The report notes a baseline CO₂ emission rate of 118.1 tonne, with the proposed scheme anticipating 65 tonnes. With regard to D.ES7 which seeks a zero carbon development, the S106 will include a financial payment of £117,000 to offset the remaining 65 tonnes of carbon and comply with the policy.

- 7.238 The GLA and Council energy officers also noted that the submitted report lacked sufficient detail with regard to the energy hierarchy as embedded within policy S12 of the draft New London Plan. In total, 17 points were raised by GLA energy officers across the Be Lean, Be Clean, and Be Green hierarchy in addition to broader compliance and performative standards. These outstanding items were submitted to the applicant by way of the GLA's energy spreadsheet.
- 7.239 In summary, the applicant has provided greater detail on on-site renewable generation through photovoltaics, further information on domestic energy efficiency, improvements on 2013 building regulations, further details on overheating, monitoring, further details on the proposed hybrid Air Sourced Heat Pumps (ASHP), and further information on modelling outputs for the energy hierarchy. The applicant has subsequently submitted a number of iterations of further information to address these comments, which have all been broadly resolved to the satisfaction of GLA and Council officers. The remaining outstanding points, which relate to the detailed operation of the building post-occupancy, are considered to be able to be satisfactorily address through an appropriately worded condition as advised by Borough sustainability Officers.
- 7.240 It is, however, noted that the GLA has encouraged the applicant to investigate the use of Water Source Heat Pumps (WSHP). To undertake this study, it would be required to ensure Environment Agency approval for an approach. To date the applicant has been unable to engage with the Environment Agency to determine whether WSHP at this location is feasible or acceptable in principle. It is considered appropriate however, to condition a WSHP feasibility study to be submitted pre-commencement for consideration and comment by the Environment Agency.
- 7.241 On balance it is considered that the application would meet or exceed the benchmarks set by Policy S12 of the draft New London Plan, and policy D.ES7 of the Tower Hamlets Local Plan.

Summary and Securing the Proposals

- 7.242 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:

Air Quality

- 7.243 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.
- 7.244 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 the use-phase traffic information was not available at the time of writing.
- 7.245 As such, the officer advises that a condition must be imposed on the consent requiring an addendum assessment which considers the use-phase assessment, air quality neutral assessment and also consider assessment of construction dust impacts.
- 7.246 The Air Quality Assessment shows that the proposal would achieve 'air quality neutral' with respect to both building and transport emissions and therefore would be in accordance with the Mayor's Air Quality strategy and policies on air quality. In addition to the above addendum condition, the air quality officer also requests further conditions and an

informative which require environmental details of construction phase and control the air quality neutral nature of the development. This is acceptable.

Waste

- 7.247 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.248 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of bin storage size and servicing arrangements by condition the proposal is acceptable.

Biodiversity

- 7.249 Policy D.ES3 of the Local Plan (2020) and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value and contribute towards the Local Biodiversity Action Plan (LBAP). Developments must also not include potentially invasive non-native species as determined by Schedule 9 of the Wildlife and Countryside Act. Any such existing species should be eradicate or controlled as part of redevelopment.
- 7.250 At present the site comprises almost entirely of a somewhat dilapidated warehouse structure. There are limited biodiversity benefits at present, and as noted by Council's Biodiversity Officer, the current proposal would provide significant biodiversity enhancements that contribute to LBAP objectives and targets.
- 7.251 The Biodiversity officer raises no objection to the proposal, or the submitted Ecological Assessment; however there are a number of points raised with regard to the protection of native species on site which have not been considered and must be safeguarded by way of condition. These two species are the Black Redstart and Jersey Cudweed.
- 7.252 At present biodiversity officers do not believe sufficient effort has been made to determine whether Black Redstarts are roosting on site. Notwithstanding this, officers consider that if brownfield style biodiverse roofs and black redstart nesting boxes are included within the development then this would enhance the site and only necessitate surveys if demolition were to take place during nesting season. These above points will be secured by condition.
- 7.253 Officers note that no surveys have been undertaken with regard to the presence of Jersey Cudweed on site, and that these should be undertaken prior to development. If found, a mitigation strategy and licence from Natural England will be required. As with the above, this will be conditioned on consent as per the officer's recommendation.
- 7.254 With regard to the detailing of brown and biodiverse roofs, as well as the general planting and landscaping proposed on site, it is considered that the details of these elements of the scheme should be conditioned on consent, to allow for more detail to be provided to the biodiversity officer prior to commencement of development.
- 7.255 Subject to three conditions securing the biodiversity enhancements proposed, and ensuring no loss of native species on site, the development complies with policy.

Flood Risk & Drainage

- 7.256 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.257 The application is supported by a Flood Risk Assessment, prepared by SLR, which demonstrates there would be no increase in surface water runoff from the development and due to the overall enhancement of the site, there would likely be a reduction of surface water run-off which will be directed to the River Lea. It is also considered that the risk of

flooding on site is particularly limited, due to the operation of the Thames Barrier, the elevated nature of the site and the existing flood defences. Notwithstanding this, it is noted that sensitive residential uses are elevated from the mezzanine level up and would as such be at no risk in an extreme flooding event.

- 7.258 In consultation with Thames Water, the authority have raised no objection to the proposed redevelopment of the site; however they have requested that a pair of conditions be imposed which require the submission of a structural piling statement and confirmation of water network upgrades or a housing and infrastructure phasing plan. The authority also raises a number of points relating to drainage and licencing which will be included as informatives on the consent.
- 7.259 In consultation with the Environment Agency it is noted that a series of objections were raised with regard to the Flood Risk Assessment. The FRA was considered to fail in complying with the requirements for site-specific floor risk assessments as detailed in para 30 -32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance (PPG). Specifically the GRA failed to assess the impact of climate change using appropriate climate change allowances, failed to demonstrate that a fit for purpose and continuous flood defence line will be maintained and failure to demonstrated how flood defences can be raised in future in line with the Thames Estuary 2100 (TE2100) plan.
- 7.260 A series of responses, prepared by SLR have sought to address these concerns. Following the preparation and submission of a technical note on the raising of existing flood defences prepared by SLR it is noted that the Environment Agency have withdrawn their objection and propose a condition which will require the submission of a strategy for maintaining and improving the existing flood defences and providing detailed outfall designs.
- 7.261 In addition to the above, Council urban drainage officers advise of an additional condition requiring the submission of a surface water drainage scheme prior to commencement which will detail peak discharge rates, management of critical storm water drainage and details of adoption, monitoring and maintenance of drainage an SUDS features.

Land Contamination

- 7.262 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

- 7.263 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £406,900 and Mayor of London CIL of approximately £509,340. 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.
- 7.264 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.
- 7.265 Furthermore, a new homes bonus will be applied; however at present the figure has not been calculated.
- 7.266 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:

7.267 £32,552 towards construction phase employment skills training

7.268 £11,934 towards end-user phase employment skills training

HUMAN RIGHTS & EQUALITIES

7.269 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.

7.270 The proposed new residential accommodation meets inclusive design standards and over 15 of the new homes will be wheelchair accessible, 4 within the affordable tenures, and 3 disabled car parking spaces provided. These standards would benefit future employees and residents, including disabled people, elderly people and parents/carers with children. The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.

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

8 RECOMMENDATION

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

8.2 Financial Obligations

- a. £26,512 towards construction phase employment skills training
- b. £33,252 towards end-user phase employment skills training
- c. £117,000 carbon offsetting obligation
- d. £58,200 towards play-space upgrades within the locality
- e. £5,021 per year contribution towards local play space maintenance for 5-years post occupancy (£25,105 in total, indexed)
- f. £500 per heads of term

8.3 Non-Financial Obligations

a. Access to employment

- 20% local procurement
- 20% local labour in construction

b. Transport

- Approval and implementation of Travel Plan

c. Compliance with Considerate Constructors Scheme

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

9 PLANNING CONDITIONS

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.

3. Noise emitted from new fixed building services plant
4. Noise (commercial unit compliance)
5. Inclusive Access Standards
6. Smart meters
7. Car-free
8. Accessible parking
9. Cycle store compliance
10. S61 (Restrictions on Demolition and Construction)
11. London City Airport (Cranes)
12. London City Airport (Rooftop Installations)
13. Travel Plan

Pre-commencement

14. Jersey Cudweed Survey
15. Black Redstart Survey
16. Biodiversity
17. Piling
18. Air Quality
19. Code of Construction Practice
20. Construction Waste Management Plan
21. Construction Environmental Management Plan and Construction Logistics Plan
22. Land Contamination Remediation
23. Details of plant and machinery (air quality)
24. Construction site dust control
25. Odour from fixed plant and equipment
26. Energy Strategy
27. Overheating

Pre-commencement (above ground works)

28. Biodiversity enhancements
29. Fire Strategy
30. Wind Mitigation
31. Overheating
32. Wind Mitigation
33. Boiler Emissions

Pre-superstructure works

34. Details of external facing materials and architectural detailing.

35. Secure by Design
36. Shopfront details
37. Inclusion Communal Amenity and Play Management Plan
38. 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.
39. Play space details
40. Biodiversity
41. Details of cycle parking
42. Surface water - Drainage Strategy
43. Disabled Car parking
44. Electric vehicle charging points
45. Delivery, Servicing and Waste Management Plan

Occupation

46. Secured by design compliance
47. Water Infrastructure
48. Post construction verification
49. Noise Verification Report (Residential)
50. Contamination verification

Prior to completion

51. Wheelchair Unit Marketing

Informatives

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

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

Drawing 001 PL05 – Site Location Plan

Drawing 090 PL05 – Site Plan

Drawing 010 PL05 – Existing Ground Floor Plan

Drawing 020 PL05 – Existing Elevations

Drawing 100 PL08 – Proposed Ground Floor Plan

Drawing 101 PL05 – Proposed Mezzanine Floor Plan

Drawing 104 PL06 – Proposed First Floor Plan

Drawing 105 PL06 – Proposed Second Floor Plan

Drawing 106 PL06 – Proposed Third Floor Plan

Drawing 107 PL06 – Proposed Fourth Floor Plan

Drawing 108 PL06 – Proposed Fifth Floor Plan

Drawing 109 PL07 – Proposed Seventh Floor Plan

Drawing 110 PL06 – Proposed Eighth Floor Plan

Drawing 111 PL06 – Proposed Ninth Floor Plan

Drawing 112 PL06 – Proposed Tenth Floor Plan

Drawing 113 PL06 – Proposed Eleventh Floor Plan

Drawing 114 PL06 – Proposed Twelfth Floor Plan

Drawing 119 PL06 – Proposed Thirteenth Floor Plan

Drawing 120 PL06 – Proposed Fourteenth Floor Plan

Drawing 121 PL06 – Proposed Fifteenth Floor Plan

Drawing 122 PL06 – Proposed Sixteenth Floor Plan

Drawing 123 PL06 – Proposed Seventeenth Floor Plan

Drawing 124 PL06 – Proposed Eighteenth Floor Plan

Drawing 125 PL06 – Proposed Nineteenth Floor Plan

Drawing 126 PL06 – Proposed Twentieth Floor Plan

Drawing 127 PL06 – Proposed Roof Plan

Drawing 128 PL06 – Proposed Refuse Storage

Drawing 129 PL07 – Proposed Cycle and Pedestrian Route

Drawing 400 PL01 – Cycle Stores

Drawing 140 PL09 – Proposed North Elevation

Drawing 141 PL09 – Proposed South Elevation

Drawing 142 PL08 – Proposed East Elevation

Drawing 143 PL07 – Proposed West Elevation

Drawing 150 PL07 – Proposed Section AA

Drawing 151 PL07 – Proposed Section BB

Drawing 152 PL07 – Proposed Section CC

Drawing 153 PL07 – Proposed Section DD

Drawing 301 PL05 – Proposed Typical Wheelchair Unit Plans

Schedule of Documents

DOC-001 PL10 – Area Schedule
DOC-002 PL10 – Schedule of Accommodation
DGA Design and Access Statement Revision PL05
Markides Travel Plan; dated 30 July 2019
Markides Transport Statement Addendum; dated 15 January 2020
Montagu Evans Statement of Community Involvement; dated August 2019
Montagu Evans Affordable Housing Statement; dated 29 January 2020
XCO2 Wind and Microclimate Analysis Report; dated August 2019
XCO2 Daylight, Sunlight and Overshadowing Assessment; dated December 2019
Flood Risk Assessment and Surface Water Drainage Strategy; dated July 2019
SLR Flood Risk Advisory Note; dated 08 October 2019
SLR Flood Defense Report; dated November 2019
SLR Flood Risk Response; dated 29 January 2020
Montagu Evans Planning and Heritage Statement; dated August 2019
SLR Air Quality Assessment; dated August 2019
CGMS Heritage Archaeological Desk-Based Assessment; dated July 2019
XCO2 Energy & Sustainability Statement; dated January 2020
SLR Environmental Wind Tunnel Study; dated December 2019
Montagu Evans Financial Viability Assessment; dated 09 August 2019
BPS Independent Viability Review; dated 03 December 2019
SWECO Fire Safety Strategy; dated July 2019
XCO2 Health Impact Assessment; dated December 2019
Standerwick Land Design Landscape Play Strategy; dated November 2019
Overheating Assessment - Update; dated 24 October 2019
Preliminary Ecological Appraisal; dated May 2019, as revised June 2019
Soils Ltd Preliminary Investigation Report; dated May 2019



Application for Planning Permission

[click here for case file](#)

Reference	PA/19/02837
Site	55-56 Chamber Street, London, E1 8BL
Ward	Whitechapel
Proposal	Redevelopment of the former railway sidings and outbuilding, including demolition of outbuilding, to allow for mixed-use development in two buildings, comprising a part 10, part 11 storey building providing office floorspace (Use Class B1) at ground and first floor and serviced apartments (Use Class C1) on the upper floors and a 2 storey office building (Use Class B1).
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Marldon Partnership
Architect/agent	Rolfe Judd
Case Officer	Patrick Harmsworth
Key dates	<ul style="list-style-type: none">- Application registered as valid on 08/01/2020- Public consultation finished on 13/02/2020

EXECUTIVE SUMMARY

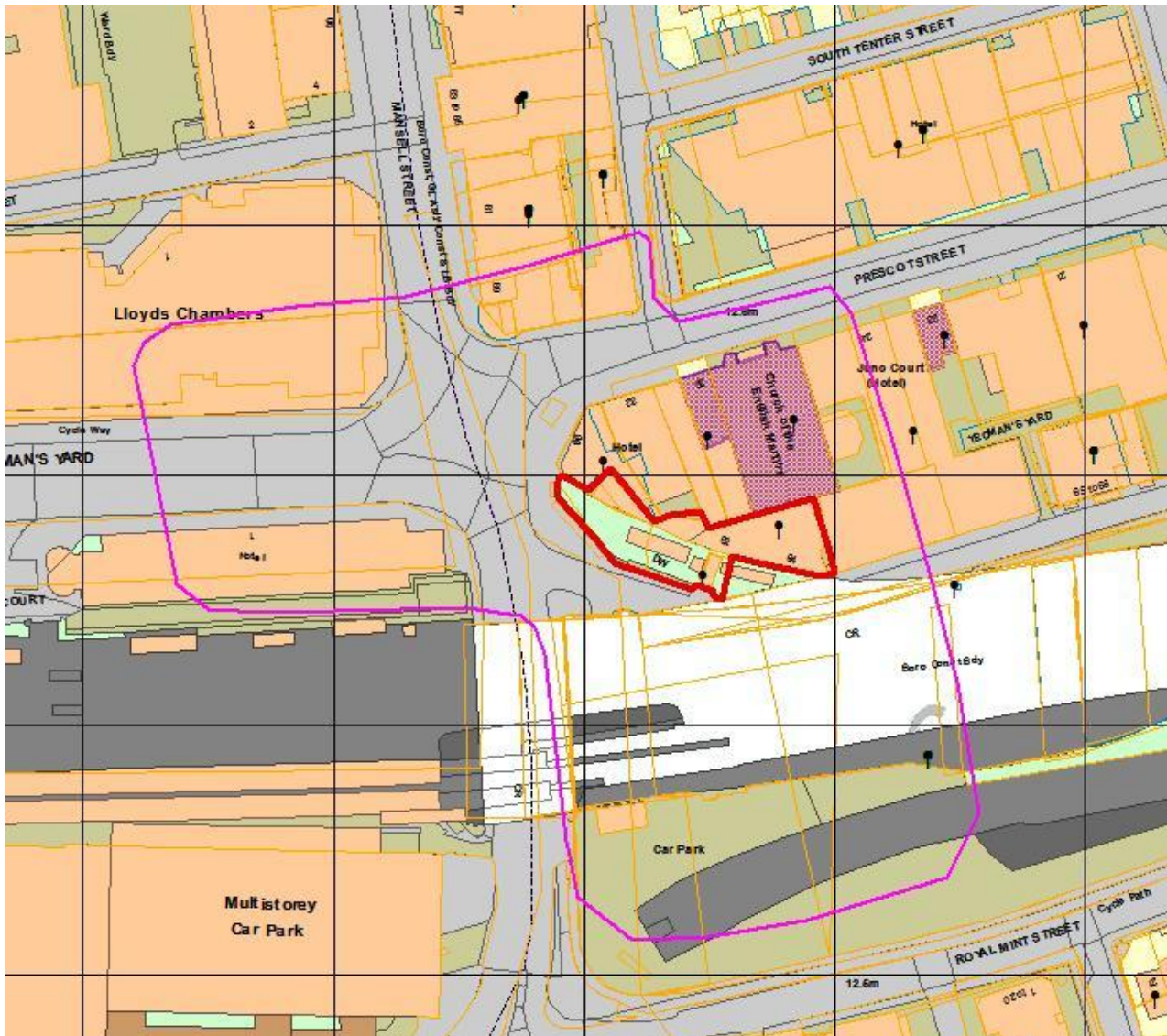
The Council has considered the particular circumstances of the planning application against the Council's Development Plan policies contained in the London Borough of Tower Hamlets adopted Local Plan 2031 (2020); the adopted London Plan (MALP) (2016); the draft London Plan Intend to Publish (2019); the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

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

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

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

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



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

Planning Applications Site Map PA/19/02837

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



**London Borough
of Tower Hamlets**

Date: 13 May 2020

1. SITE AND SURROUNDINGS

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



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



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

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

2. PROPOSAL

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

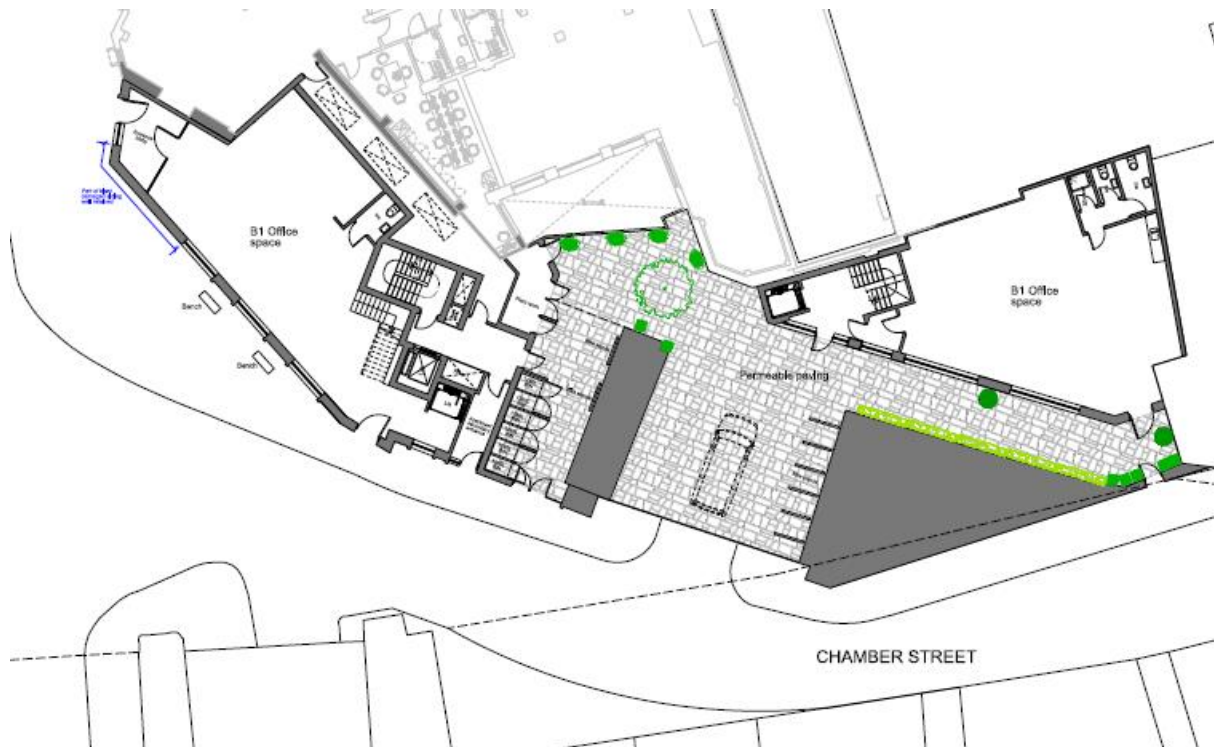


Figure 3: The ground floor arrangement of the proposed development showing the Main Building (left); internal courtyard entrance (centre); and the courtyard building (right).

3. RELEVANT PLANNING HISTORY

On Site

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

Surrounding Sites

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

99 Mansell Street and 31-33 Prescott Street

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

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

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

Proposed amendments include:

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

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

3.6 PA/11/00642 – Approved 22/03/2012

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

3.7 PA/15/02773 - Pending

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

4. PUBLICITY AND ENGAGEMENT

Pre-application and local engagement

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

LBTH pre-application

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

Other public engagement carried out by the applicant

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

Statutory consultation

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

Issues raised in objection

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

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

5. CONSULTATION RESPONSES

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

External Consultees

Greater London Archaeological Advisory Service

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

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

Greater London Authority

Principle of development

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

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

Urban design and heritage

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

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

Inclusive design

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

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

Climate change

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

(Officer comment: Further information provided in response).

Historic England

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

London Underground/DLR Infrastructure Protection

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

Network Rail

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

Thames Water

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

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

The Victorian Society

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

Transport for London

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

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

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

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

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

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

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

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

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

Internal LBTH Consultees

LBTH Biodiversity

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

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

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

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

LBTH Energy

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

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

LBTH Employment & Enterprise

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

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

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

LBTH Environmental Health

Air Quality Officer

- 5.28 No objection.

Noise Officer

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

Land Contamination Officer

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

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

LBTH Health Impact Assessment

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

LBTH Transportation & Highways

Car parking

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

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

Cycle parking

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

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

Servicing

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

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

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

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

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

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

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

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

LBTH Waste & Recycling

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

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

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

- 6.2 In this case the Development Plan comprises:

- The London Plan 2016
- Tower Hamlets Local Plan 2031
- Any adopted neighbourhood plans

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

Tower Hamlets Local Plan 2031

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

6.4 LBTH's Supplementary Planning Guidance/ Other Documents

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

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

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

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

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

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

6.7 **Government Planning Policy Guidance/Statements**

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

Emerging policy and guidance

- 6.8 Weighting of draft policies is outlined in paragraph 216 of the National Planning Policy Framework (NPPF) (2018) and paragraph 19 of the National Planning Practice Guidance (Local Plans). The degree of weight that can be attached to the Local Plan will depend upon how much progress has been made with the emerging plan and the number of unresolved objections to it, and the degree of consistency with the NPPF (2018). The more advanced the preparation and the fewer the number of objections to plan policies, the greater the weight it may be given in the determination of planning applications.
- 6.9 The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan is considered significant as the document has been subject to Examination in Public (EiP), incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was made by the Mayor of London. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13/03/2020, these policies are considered to have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.
- 6.10 The following draft policies are relevant to the proposed development:

London Plan Intend to Publish (2019)

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

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

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

Land use introduction

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

Employment use

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

Serviced apartments

- 7.8 Visitor accommodation is included as a 'strategic use' within the CAZ SPG (2016), which includes serviced apartments.
- 7.9 The London Plan Intend to Publish sets out the Mayors intention to promote tourism across the whole of the city and the need to provide the supporting infrastructure, including visitor accommodation, to achieve this. It is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041. Of this London-wide need, Tower Hamlets would need to provide 5,158 rooms, second only to Westminster¹.
- 7.10 Policy E10 of the Intend to Publish London Plan states that within parts of inner London outside the Central Activities Zone, serviced accommodation should be promoted in town centres and within Opportunity Areas where they are well-connected by public transport, particularly to central London.

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

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

Land use summary

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

Design

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

Height, scale and massing

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

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



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

Townscape

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



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



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

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

Siting, layout and appearance

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



Figure 7: Proposed view west along Goodmans Yard

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



Figure 8: Design of the lower facade

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

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

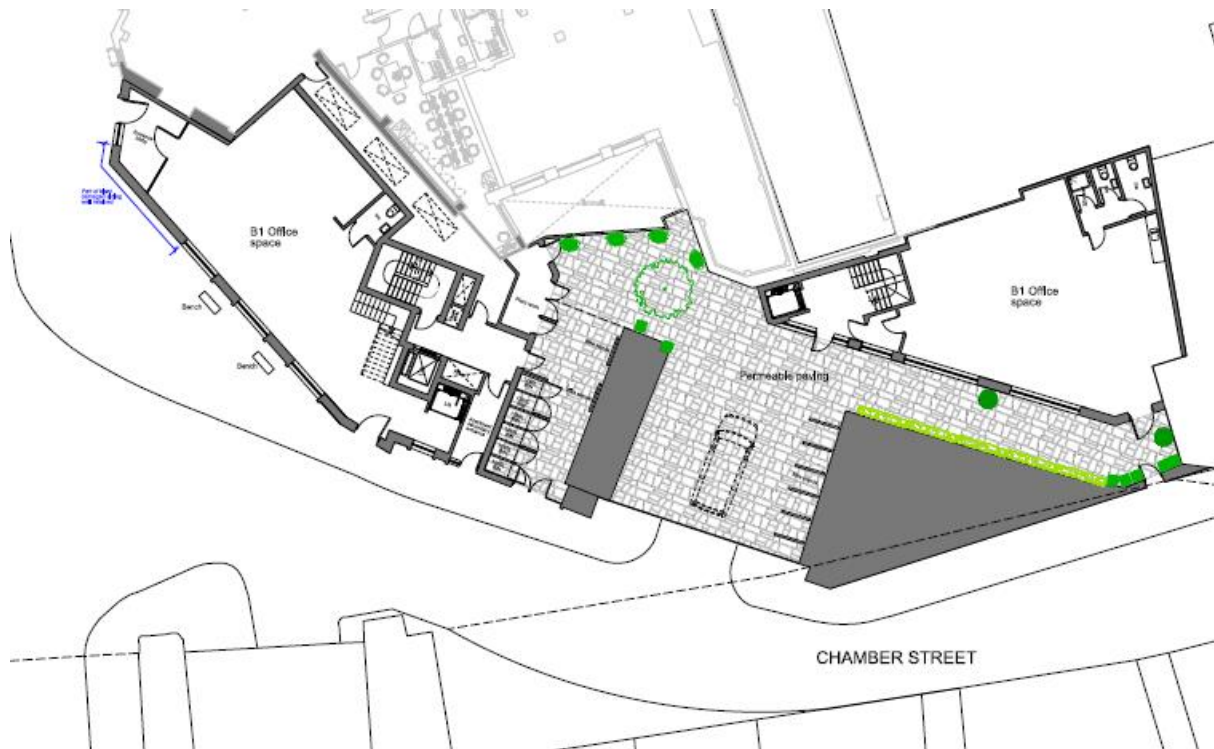
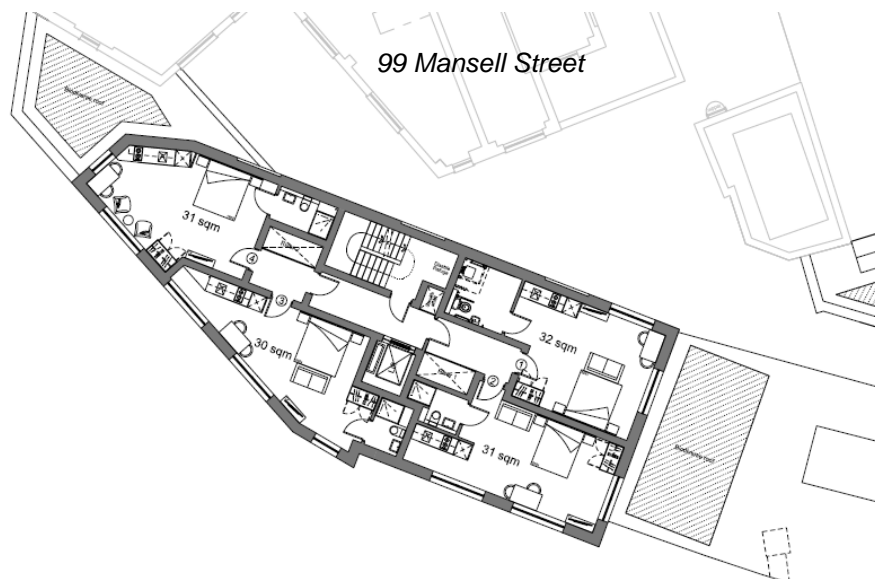


Figure 9: The ground floor arrangement of the proposed development showing the main building (left); internal courtyard entrance (centre); and courtyard building (right).



Figure 10: View of the courtyard building

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



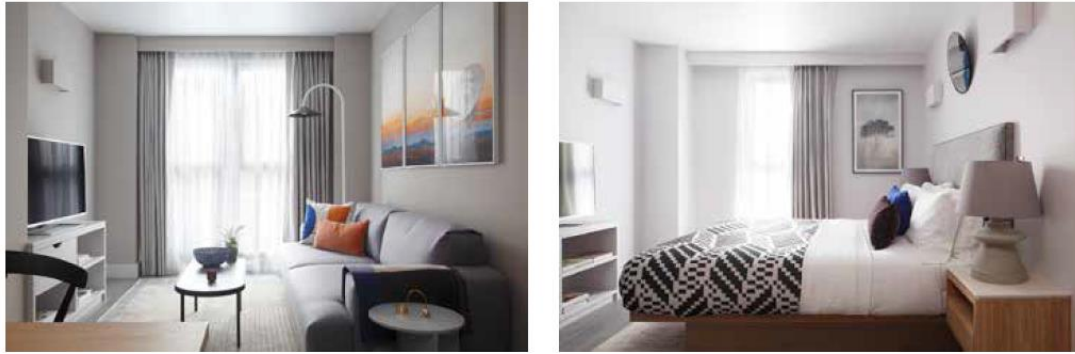


Figure 11: Above: Proposed second floor showing the arrangement of serviced apartments. Below: Interiors of 99 Mansell Street serviced apartments

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

Design Summary

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

Heritage

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

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

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

Significance

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

Impact of the proposed development

- 7.47 The submitted HTVA provides an assessment of the significance of heritage assets within the surrounding area; and the impact of the proposals on these assets, including verified visual representations of seven views. Relevant verified views from the HTVIA, looking north, south, east and west, are shown below
- 7.48 Verified view 4 below shows that there would be small glimpse of proposed development (green wireline) in views south of the listed buildings along West Tenter Street. However, there is a notable separation distance and the proposed development would be in the backdrop of existing development at 99 Mansell Street and 31-33 Prescott Street.



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



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

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



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



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

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



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



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

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



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



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

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

Assessment

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

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

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

Grade II listed Church

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

30 Prescott Street

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

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

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

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

Heritage Summary

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

Archaeology

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

Neighbour Amenities

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

Neighbours Amenity

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



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

Effect on Daylight and Sunlight to Neighbouring Dwellings

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

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

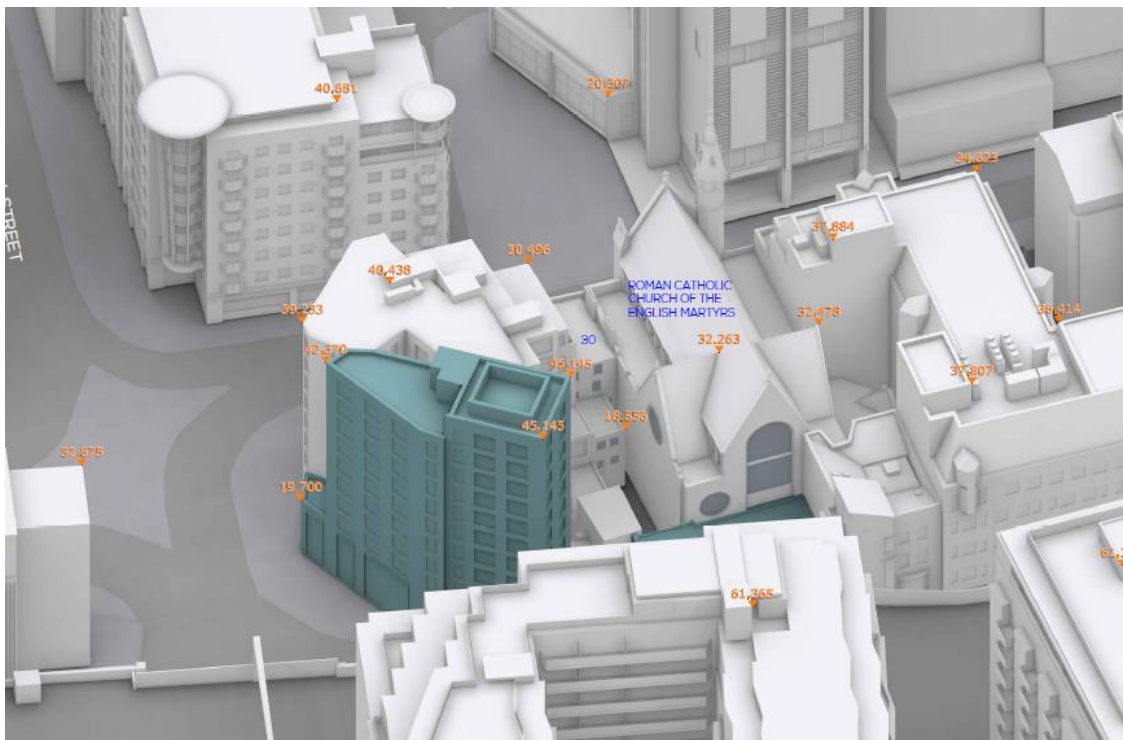


Figure 21: 3D image of proposal with surrounding properties

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

30 Prescott Street

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

Table 1: VSC impacts of proposed development

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

Table 2: NSL impacts of proposed development

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

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

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

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

Roman Catholic Church of the English Martyrs

- 7.86 Given the importance and complexity of the adjacent church, the consultants utilised a more detailed and accurate Radiance Study to assess the effect of the proposed scheme on the light and the visual experience within. According to the submitted DSA, this assessment has been used extensively in other planning applications within London and is widely accepted to be a material consideration when assessing the impact of development on adjoining properties.
- 7.87 The Radiance Study demonstrates that the proposed scheme will reduce the ADF within the ground floor of the Church, by 0.1% ADF. This applicants state that 0.1% ADF is imperceptible within a space such as this, as shown in Figure 22 below. This is accepted by officers.

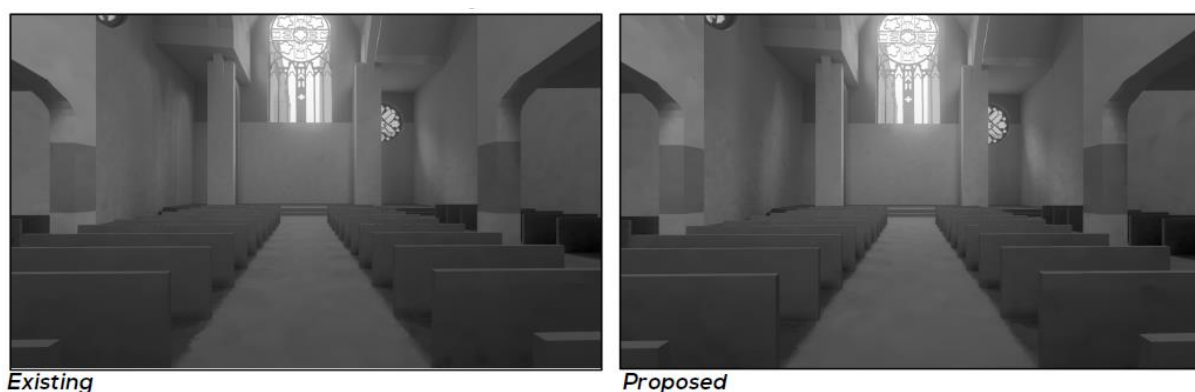


Figure 22: Ground Floor Human Visual Response Images

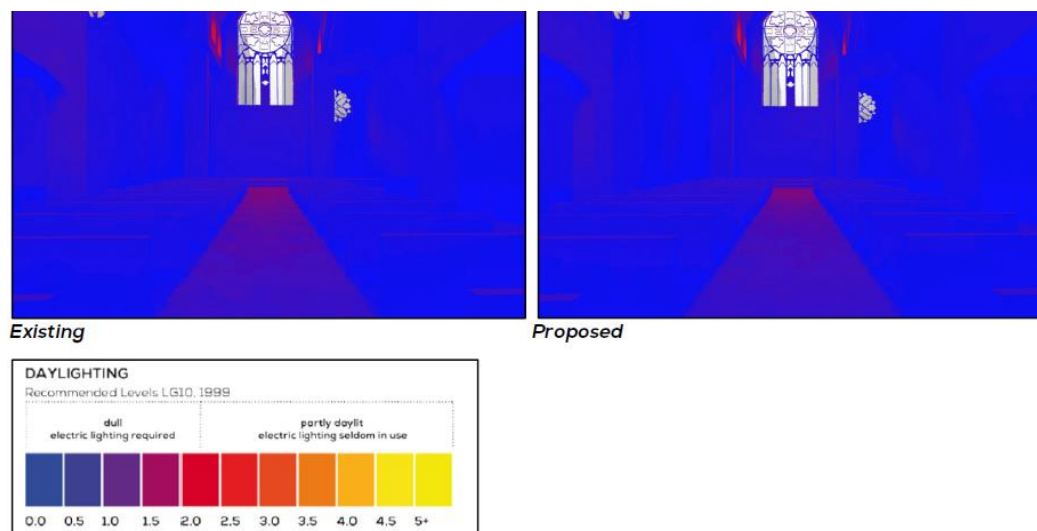


Figure 23: Ground Floor False-Coloured Daylight Image Factor Images

Daylight and sunlight summary

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

Solar Glare Assessment

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

Amenity summary

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

Highways and Transportation

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

Car parking

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

Cycle parking

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

Servicing and deliveries

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

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

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

Travel Plan

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

Construction Management and Logistics Plan

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

Summary

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

Environment

Energy and Sustainability

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

Noise

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

Contaminated Land

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

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

Flood Risk & Water Resources

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

Biodiversity

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

Waste

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

Infrastructure Impact

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

Human Rights & Equalities

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

8. RECOMMENDATION

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

8.2 Financial obligations

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

Total financial contributions: £109,470.60 plus monitoring contribution

8.3 Non-financial obligations:

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

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

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

8.6 Planning Conditions

Compliance

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

Pre-commencement

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

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

Pre-superstructure works

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

Prior to first occupation of building

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

Within 6 months of completion

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

8.7 Informatives

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

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

EXISTING DRAWINGS

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

PROPOSED DRAWINGS

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

SUPPORTING DOCUMENTS

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

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

APPENDIX 2: Existing site photos



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



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



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

APPENDIX 3: Proposed plans, elevations and sections

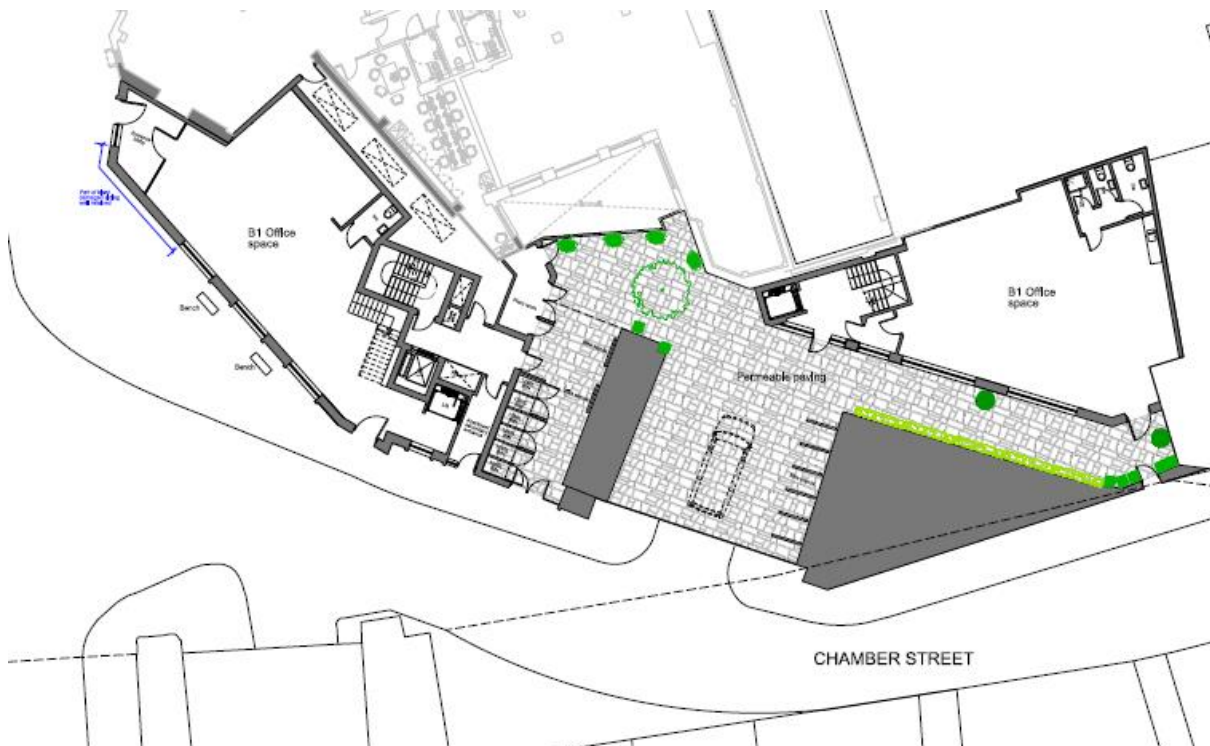


Figure D: Proposed ground floor plan

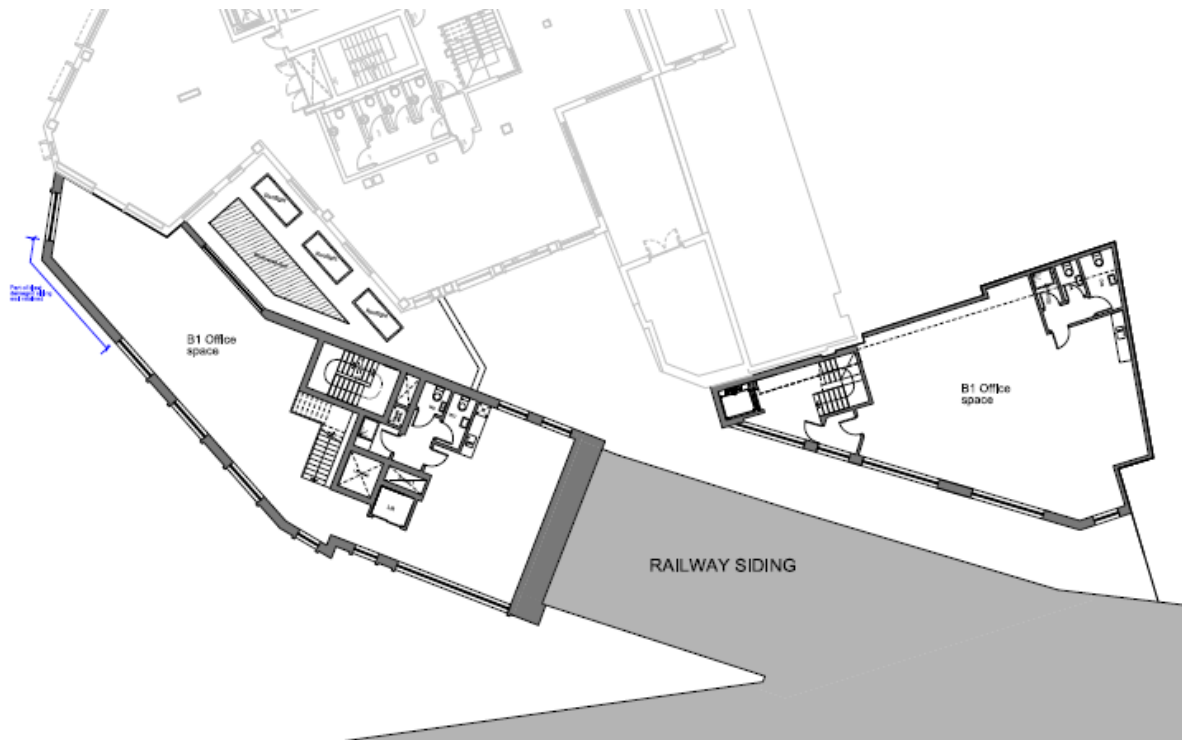


Figure E: Proposed first floor plan

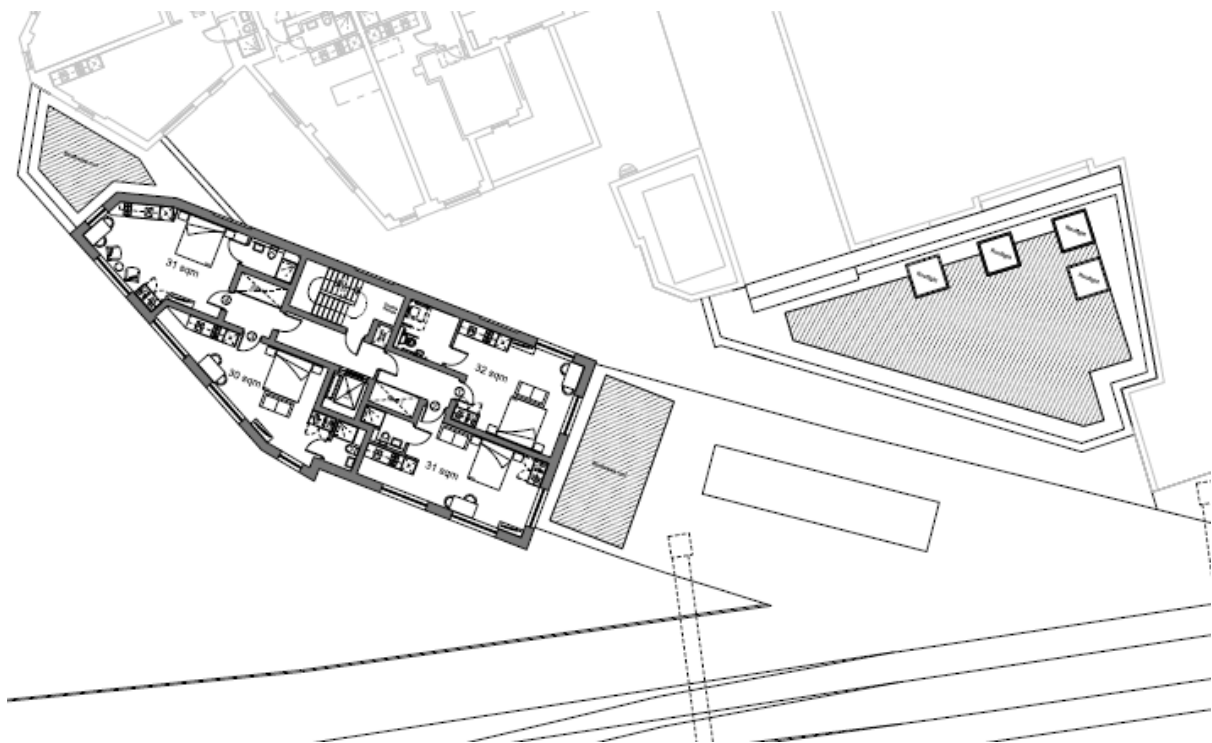


Figure F: Proposed second floor plan

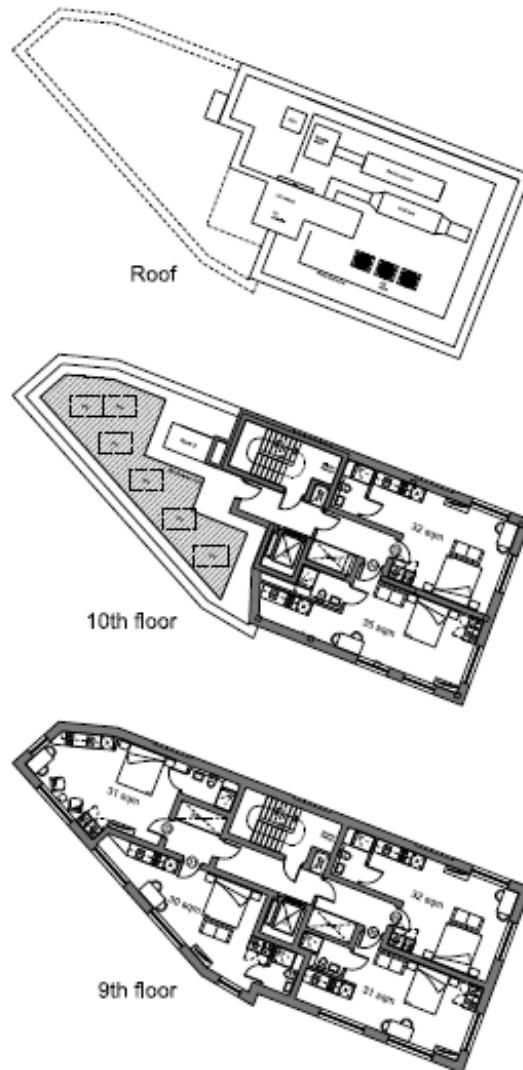


Figure G: Proposed floors 9, 10 and roof



Figure H: Proposed Chamber Street elevation



Figure I: Proposed side elevation

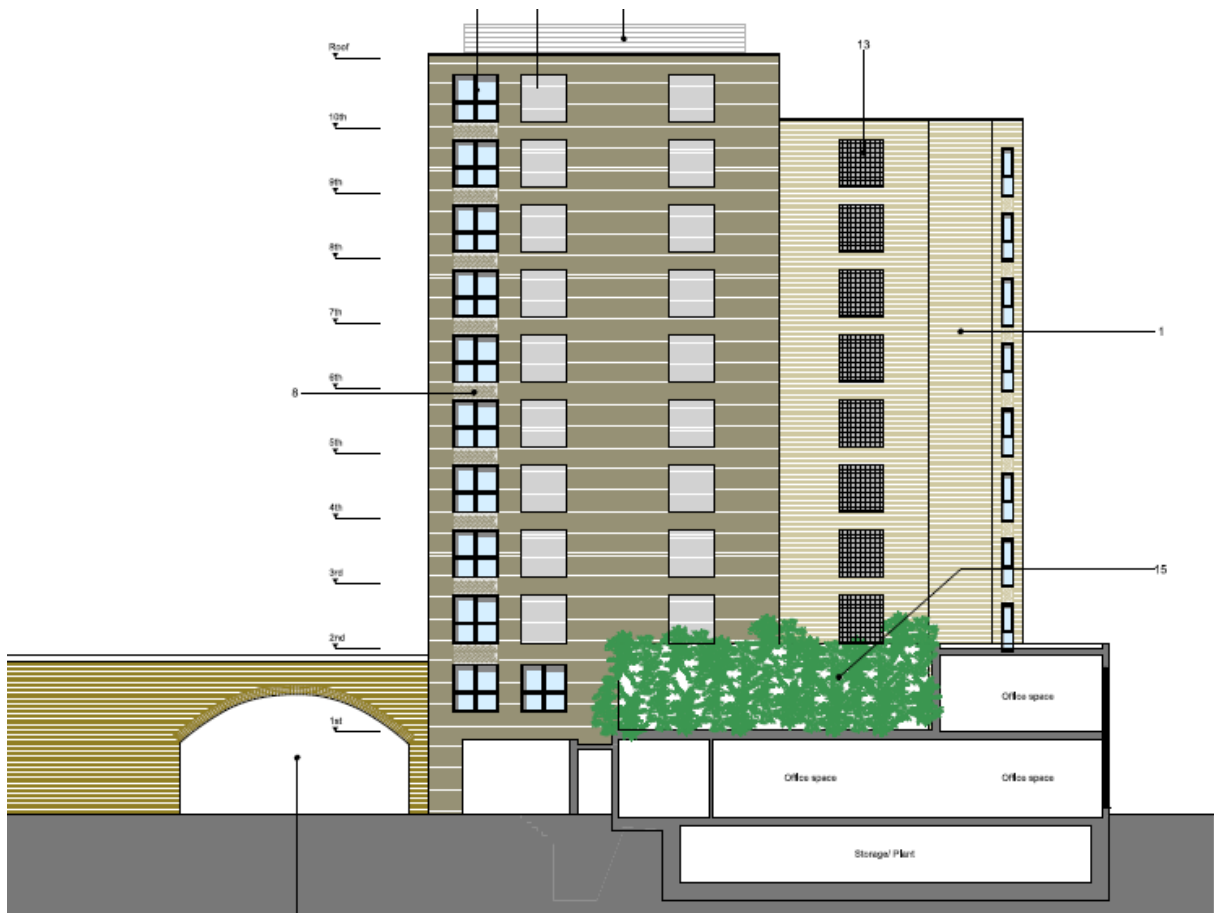


Figure J: Proposed rear elevation



Figure K: Proposed elevation and section of courtyard building

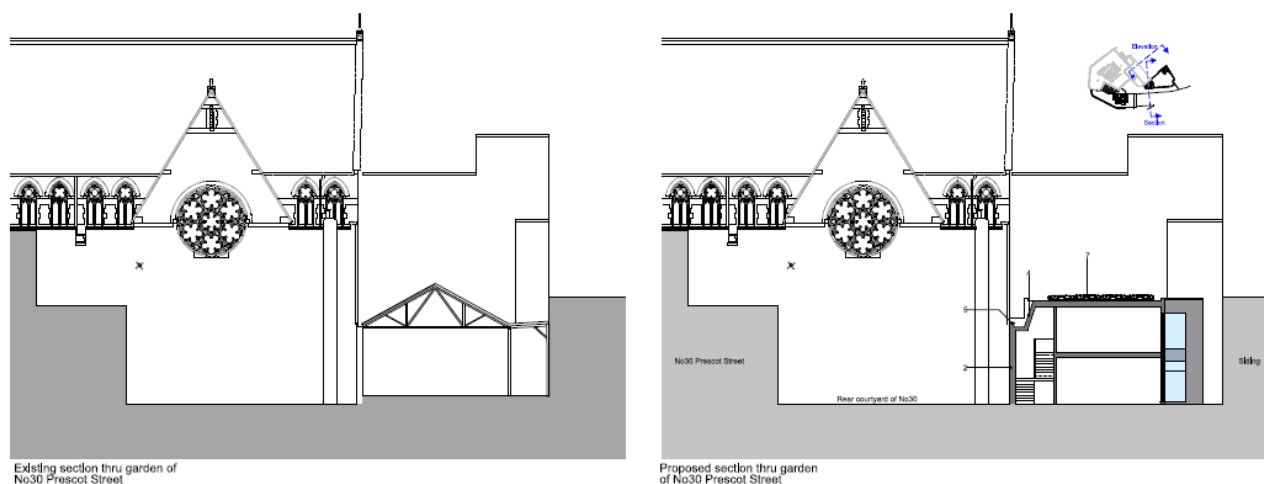


Figure L: Sections through the garden of No. 30 Prescott Street. Existing – left; Proposed – right.

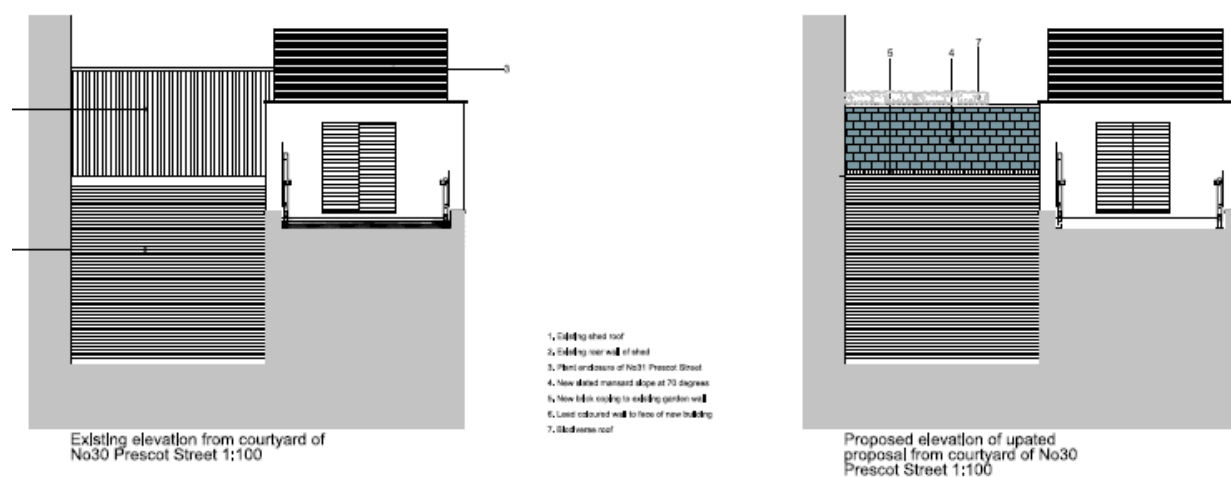


Figure M: Elevation from courtyard of No. 30 Prescott Street. Existing – left; Proposed – right.

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