

Strategic Development Committee



Agenda

Wednesday, 16 February 2022 6.30 p.m.

Council Chamber - Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Details of the how the meeting will work, including ways of contributing to this meeting, are set out in the information sheet.

Chair:

Councillor Kevin Brady

Vice Chair:

Councillor Abdul Mukit MBE

Members:

Councillor Sabina Akhtar, Councillor Kahar Chowdhury, Councillor David Edgar, Councillor Tarik Khan, Councillor Val Whitehead and Councillor Kabir Ahmed

Substitute Members:

Councillor Leema Qureshi, Councillor James King and Councillor Kyrsten Perry

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Monday, 14 February 2022**

The deadline for submitting information for the update report is Noon
Tuesday, 15 February 2022

Contact for further enquiries:

Zoe Folley, Democratic Services To view the meeting on line:<https://towerhamlets.public-i.tv/core/portal/home>, Zoe.Folley@towerhamlets.gov.uk
020 7364 4877 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
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London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 16 February 2022

6.30 p.m.

APOLOGIES FOR ABSENCE

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

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

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

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

2. **MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 20)**

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 14th December 2021.



3. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 21 - 24)**

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**

25 - 30

5.1 **Ensign House, 17 Admirals Way, Isle of Dogs, London, E14 9XQ (PA/21/00952)**

**31 -
178**

**Canary
Wharf**

Proposal:

Demolition of the existing building (Use Class E) and the comprehensive redevelopment of the site to provide a single tall building (205m AOD to the top of the building and 230m AOD to the top of the spire) providing residential accommodation (Use Class C3) along with a mix of flexible commercial uses (Use Class E) at ground floor level with associated hard and soft landscaping including the delivery of a new pocket park providing general public realm improvements.

[The Application is accompanied by an Environmental Impact Assessment]

Recommendation:

Grant planning permission, subject to conditions and planning obligations



6. OTHER PLANNING MATTERS

179 -
180

6.1 Presentation: Former Hatton House, Queen Mary University, Westfield Way, London, E1 (PF/21/00192)

181 -
202

Bethnal
Green

Proposal:

Redevelopment of the former Hatton House site to provide Education and Teaching Floorspace (Use Class F.1)

Recommendation:

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

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

Next Meeting of the Strategic Development Committee
Wednesday, 30 March 2022 at 6.30 p.m.



Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 14 DECEMBER 2021

**COUNCIL CHAMBER - TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Kevin Brady (Chair) (5.1 only)
Councillor Sabina Akhtar
Councillor Kahar Chowdhury (5.1 only)
Councillor David Edgar
Councillor Tarik Khan
Councillor Val Whitehead
Councillor Kabir Ahmed
Councillor James King (5.2 only)

Other Councillors Present:

Councillor Andrew Wood*

Apologies:

Councillor Abdul Mukit MBE

Officers Present:

Paul Buckenham	– (Head of Development Management, Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Legal Services, Governance and Resources)
Aleksandra Milentijevic*	– (Principal Planning Officer, Planning Services, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Michael Ritchie*	– (Place Shaping Team Leader, Strategic Planning, Place)
Simon Westmorland	– (West Area Team Leader, Planning Services, Place)
Noreen Zareef*	– (Interim Head of School Buildings & Development)
Zoe Folley	– (Democratic Services Officer, Committees, Governance and Resources)

* Online

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Councillor Kabir Ahmed and Val Whitehead declared that they had received representations on the applications.

The following Councillors declared interests in Item 5.2 - Site at 2-6 Commercial Street, 98 and 101-105 Whitechapel High Street, Commercial Street, Gunthorpe Street, London (PA/20/02726).

Councillor Kevin Brady - Non Disclosable Pecuniary Interest. This was on the grounds that he was a Council appointed Member of the Whitechapel Art Gallery and they had objected to the proposals. He left the meeting for the consideration of this item.

Councillor Kahar Chowdhury - Non Disclosable Pecuniary Interest. This was on the grounds that he was:

- Cabinet Member for Highways and Public Realm
- Had attended a recent Cabinet Meeting that approved the Land Swap Agreement for the Canon Barnett Primary School, Gunthorpe Street, E1 7RQ

He left the meeting for the consideration of this item.

Councillor Sabina Akhtar - Non Disclosable Pecuniary Interest. This was on the grounds she was

- Cabinet Member for Culture, Arts and Sports
- Had attended a recent Cabinet Meeting that approved the Land Swap Agreement for the Canon Barnett Primary School, Gunthorpe Street, E1 7RQ

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 23rd September 2021 be agreed as a correct record

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and

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

4. DEFERRED ITEMS

No items

5. PLANNING APPLICATIONS FOR DECISION

5.1 Blackwall Way Yard Jetty, Blackwall Way, London (PA/21/00288)

Update report was published.

Paul Buckenham introduced the application for a riverboat station, jetty and associated works at Blackwall Yard. He also outlined the issues in the update report.

Aleksandra Milentijevic (Planning Services) presented the application advising of the site and the surrounding area and Blackwall Yard scheme.

The following issues were noted:

- The key features of the application to provide a sustainable travel mode, with a new Pier which maximises the use of the river. It would also contribute to the transport interchange connecting the area with other Thameside areas and riverboat stations across London from Putney to Woolwich.
- The outcome of the consultation in relation to the amended application (after the removal of cross ferry service from the proposal). Nine representations had been received with three additional representations in the update report.(In addition, the Applicant had also carried out their own consultation). The issues raised were noted, through the Council's consultation scheme relating to: issues with the existing public foot path, air quality issues, amenity impacts, potential anti-social behaviour, and lack of demand and use of river services. It was proposed that an additional compliance condition should be secured as set out in the update report limiting operating hours, clipper movements and vessel engine capacity.
- The land use was in accordance with policy - PLA's Thames Vision 2035 (2020), the London's Passenger Pier Strategy (2015).

- The scheme has been designed to respond to the local area, minimise the impact on heritage assets with mitigation for any environmental impacts and operational and navigation restrictions.
- Officers were mindful of the concerns raised by the Council's heritage and design Officers about the impact on the setting of the listed structure. They also noted the issues around lack of use, and the benefits in terms of better revealing the dock. It was considered that the public benefits would outweigh the less than substantial harm.
- In terms of the amenity issues/construction impacts, conditions would be secured to minimise any impacts, as set out in the list of conditions. This included a requirement to submit a detailed CEMP and Construction Logistics Plan and to ensure compliance with the Considerate Contractor Scheme
- In highway terms, the scheme raised no issues.
- The environmental information had been considered by the Council and the Environmental Agency and they had withdrawn their objection.

It is recommended that the scheme be granted conditional planning permission.

The Chair invited the registered speakers to address the Committee

Natalie Carter addressed the Committee in objection: She expressed concerns about the impact on New Providence Wharf in terms of

- Safety and security issues due to the increased footfall/ use of the public footway, due to the increase in public access. Conditions should be secured to provide security measures, including contributions from the Council to fund this.
- Impact on the river wall from increased river use. Responsibility for maintenance costs and need for measures to address this..
- Impact on air quality and increased carbon emissions from Thames Clippers.
- Increased noise pollution and ASB

Alexandru Ene also address the Committee raising concerns about the Blackwall Yard application.

The applicant's representatives Stephen Rossouw addressed the Committee, advising of the benefits of the application, highlighting the following.

- The public benefits in terms of the provision of sustainable river transport.
- Mitigation to minimise environmental impact and comply with relevant standards. There would also be biodiversity enhancements.
- That the applicant had engaged widely with residents and stakeholders
- The level of support for the scheme.

The Committee asked questions of the registered speakers and Officers

The Committee sought clarity about the environmental impacts in light of the findings of the Environmental Impact Assessment. In particular assurances were sought about the mitigations for:

- light pollution and impact on residents and on wildlife
- measures to minimise carbon omissions and other green initiatives.
- the monitoring of air quality and controlling hours of operation.
- issues around the future proofing of the cross-river ferry,
- noise impacts.

In response, Officers drew attention to the conditions and measures set out in the report to manage these issues, to ensure the impacts would be minimal including:

- the pre – commencement conditions requiring a lighting strategy. (Condition 20). The impact on residential properties should be minimal given the distance away from the pier.
- The provision of a strategy for the use of carbon neutral and negative vehicles (condition 28)
- Condition 18 – requiring continuous monitoring of air quality.
- The new compliance condition, set out in the update report, limiting operating hours, clipper movements and vessel engine capacity. This could only be amended with the Council's permission.
- The removal from the application of the future proofing of the cross-river ferry, due to the need to address the outstanding issues. This may be re-introduced if necessary, through a new planning permission.
- The noise controls.

The applicant also commented on their plans regarding the introduction of new more sustainable clippers in the near future.

The Committee also asked questions about the increased footfall for the area and the safety and security measures. In response the following issues were noted:

- The objectors clarified their concerns about this in view of the opening hours, the frequency of the boat trips and the plans to open up new areas for public access.
- They also considered that there had been a lack of consultation with residents at their expense.
- Officers confirmed that conditions would be secured ensuring proposed structures were safe, including a requirement to secure by design accreditation.
- The availability of details of the increased footfall numbers in the Transport Study and the lack of impact on highways from the proposal.

The Committee also discussed/ noted details of the maintenance/ownership arrangements for the Thames Footpath. It was noted that the maintenance costs, was not a planning matter.

On a unanimous vote the Committee **RESOLVED**:

1. That, subject to any direction by the Mayor of London planning permission is **GRANTED** at Blackwall Way Yard Jetty, Blackwall Way, London for the following development:
 - A riverboat station, jetty and associated works at Blackwall Yard. (PA/21/00288)
2. subject to 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.
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 and the amendments to the conditions listed in the update report.

Election of Chair for the next Item of Business

In view of the absence of the Chair and Vice Chair of the Committee, Councillor Tarik Khan **moved** and Councillor David Edgar **seconded** a proposal that Councillor Val Whitehead be elected to Chair this item of business. this was agreed.

5.2 Site at 2-6 Commercial Street, 98 and 101-105 Whitechapel High Street, Commercial Street, Gunthorpe Street, London (PA/20/02726)

Update report was published.

Paul Buckenham introduced the application. This sought the demolition and partial demolition of buildings on the site and the redevelopment to provide a building (ranging from ground plus 4-14 storeys), comprising office and retail space, with the relocation and expansion of the existing school playground and associated works.

Also outlined was the contents of the Committee update report, including details of late representations. It was also noted that a Committee site visit had taken place earlier in December.

Simon Westmoreland (Planning Services) presented the application advising of the site and the surrounding area - including the proximity to the Cannon Barnett Primary School and the nearby heritage assets.

The Committee were also advised of the key features of the application including details of the proposed demolition, retention of buildings and new elements.

The Committee noted the following:

- Details of the public consultation- in response to this, 223 representations in objection were received. A number of historic societies had submitted objections, as well as a Councillor. Six representations were received in support including from the London Assembly Member for City and East. Issues raised were summarised, around land use, the scale, design and heritage, highways and traffic, neighbourhood amenity, environmental impact, impact on school, and other issues.
- Overall it was considered that the proposed land was acceptable, given the sites location in the Central Activities Zone (CAZ). In addition the affordable workspace goes well beyond Local Plan and London Plan policy, (10.7% of the floorspace at a 37% discount secured through the S.106 agreement for the lifetime of the development)
- A key part of the proposal included the relocation of playground. These proposals accorded with policy. The Council's Education Department had raised no concerns about the proposals for the school.
- The loss of the education floor space, Class F1 was also noted. There was no compelling evidence regarding the need for this space.
- It was considered that the proposals would meet the criteria in relation to locating a Tall Building outside the Tall Building Zone.
- Regarding the heritage assessment, it was considered that the building would cause less than substantial harm to heritage assets as defined by the NPPF – given the proposals to demolish a building of lesser significance in the case of 101 Whitechapel High Street/ quality of the replacement facades. It also noted that there will be a noticeable contrast between the appearance of the new development and existing buildings. Images of the proposals were noted, as well as the response of Historic England on the extent of the harm (middle range of less than substantial) and the need to balance this against the public benefits.
- Details of the landscaping and public realm improvements were noted
- In daylight/sunlight terms, there would be significant impacts to a number of properties surrounding the site – including major impact on flats at 4 Gunthorpe Street and Kensington Apartments from loss of daylight and sunlight. Such impacts are however inevitable with buildings at scale within the CAZ.
- The application was finely balanced. However, officers consider that the public benefits outweigh the identified harm to heritage assets. These included: provision of affordable workspace for the lifetime of the

development, a heritage mitigation s106 contribution of £1 million to secure heritage directed improvements to the facades and shopfronts to neighbouring parts of the conservation area, public realm improvements and the removal of the public car park, (which currently attracts anti-social behaviour)

It is recommended that the scheme be granted conditional planning permission.

The Chair invited the registered speakers to address the Committee:

Alison Graham, Andrew Allen and Craig Hutchinson addressed the Committee, raising concerns about the following issues:

- High number of objections, including those from historic groups.
- Loss of daylight and sunlight to neighbouring properties.
- Impact on primary school, in terms of overshadowing. Report was inaccurate and underestimated the impacts.
- Impact on construction works – for residents and the school children.
- Impact on residents and school childrens wellbeing due to adverse impacts.
- Height of proposed building too tall. It would conflict with the Tall Buildings Policy, and LBTH Local Plan regarding the protection of heritage assets and the Conservation Area.
- Lack of engagement by the applicant with Toynbee Hall and Whitechapel Art Gallery.
- Impact on Sir George's Residence which was a period building. This was due to: the scale and proximity of the development, leading to overshadowing, loss of daylight and sunlight, overlooking to terraces and loss of privacy, due to the relocation of playground. The height of the scheme had only been reduced by a small amount, so it was difficult to see how it would have less of an impact.

The applicant's team Adnan Shaikh, Steven Baumann, Daniel Maddox and local resident Chris Worrall spoke in support of the proposals, highlighting the following:

- The public benefits – creation of new jobs, including for local residents, and training opportunities for local residents.
- New office and retail space.
- Provision of affordable work space that exceeded policy. This will help ensure SMEs and local business benefit from the development.
- Removal of a car park – that should help address ASB and crime in the area.
- Relocation of the school playground to a better position in terms of air quality and improved access.
- Regeneration of the site with provision of active frontage,
- A carefully/sensitively designed proposal, that would be in keeping and preserve and enhance the area, with heritage contributions.

- Whilst some neighbouring properties would experience losses in Sunlight and Daylight (in VSC terms), they would remain broadly compliant in relation to NSL.
- Residents and business supported the proposals in view of the public benefits

The Committee asked questions of the registered speakers and Officers around a number of issues as summarised below:

- The definition of 'less than substantial harm' to heritage assets as set out in the NPPF. It was noted that in assessing, this the decision maker may take into account whether the public benefits outweighed the harm. These included: a new area of public realm, redevelopment of empty site, new retail and office space, including affordable workspace, opportunities to address ASB.
- Merits of locating the tall building outside the Taller Building Zone and in the Conservation Area. In response, Officer outlined the factors that would have been taken into account when setting the boundaries of both, based on the character of the area. The Council were required to consider each application on its own merits in relation to the Tall Building Zone. In this case it was considered that the building met three of the four tests, and it was open to the decision maker to decide if it met the criteria regarding addressing deficiencies in the provision of public infrastructure. Officers were mindful of the issues raised about the location of a tall building in the CA, (amongst the hierarchy of tall buildings) however also note the benefits of this in terms of maximising the development potential of the site and securing greater benefits.
- The Committee also discussed the degree of harm to the listed buildings in the area. Officers found that there would be a degree of harm to the Whitechapel Art Gallery which was grade 11* listed building. In Officers view, this would be at the lower end of less than substantial. In relation to other listed building, it would cause minimal harm. The most significant harm (towards the middle range of less than substantial) would be caused to the significance of the Whitechapel High Street Conservation Area, a view shared by Historic England
- Members also asked questions about the design. Particularly clarity was sought on the ways in which it would enhance the setting of the area/ celebrate the skyline/create a focal/reference point / provide a 'calmer backdrop' to heritage assets, as stated by the applicant.
- In terms of the design, the applicant reported they had worked to ensure that the development would respond sensitively to heritage assets. (for example due to the stepped down design). It was felt that it would enhance the setting of the area – for example by providing infill buildings and restoring buildings that would improve the street, as recognised by the GLA stage 1 report.
- Concerns were also expressed about the impact of the demolition works and building works on carbon emissions at the time of a climate emergency.

- In response, the applicant stated that they had carried out an assessment of the existing buildings. Many of the structures had been altered and provided little visual contribution to the CA. Due to the floor plates, it was considered necessary to demolish buildings to maximise the development potential of the site. The applicant had worked with Officers to bring forward a proposal, (both in terms of the demolition work and the development itself) that would meet BREAM standards. The building would be energy efficient
- The issues around the car park and ASB. Officers confirmed that such problems had been raised with the Council and by the school. It was believed that addressing such problems, with the removal of the carpark, would be a positive outcome of the application.
- The benefits of relocating the playground given the short distance between the new and existing site. In response, Noreen Zareef, Education Interim Head of School Buildings & Development provided further clarity on this. The service had worked closely with the school on the development of a feasibility study and the design of the playground and the new annex to include new facilities to offset the loss of school space. The new playground would be positioned away from Commercial Street, in the ULEZ and would be shielded, which would significantly reduce exposure to pollution and improve air quality.
- The concerns about the daylight and sunlight impacts on neighbouring properties. It was questioned how this compared with other developments? In response Officers further outlined the nature of the major impacts to properties, and the findings of their assessment as set out in the presentation.
- The loss of the language facility given the policy that sought to protect education facilities. Officers advised that whilst not normally supported, in this case they found this to be acceptable given, given the lack of evidence for the need for this use as well as the wider benefits of the scheme.

Committee Members then briefly discussed the application raising a number of concerns about the application

On a vote of 1 in favour and 5 against the Officer recommendation, this recommendation to grant planning permission was not agreed.

On a vote of 5 to refuse planning permission, 0 against and 1 abstention, the Committee **RESOLVED:**

1. That, planning permission is **REFUSED** at Site at 2-6 Commercial Street, 98 and 101-105 Whitechapel High Street, Commercial Street, Gunthorpe Street, London for the following development:
 - Demolition of 101 Whitechapel High Street, 2 – 6 Commercial Street and the western annex of the Canon Barnett Primary School; partial demolition and partial retention of 102 - 105 Whitechapel High Street; and redevelopment to provide a building ranging from ground plus 4-14

storeys, comprising office and retail (Class E); relocation and expansion of the existing school playground; associated cycle parking, hard and soft landscaping another associated works. (PA/20/02726)

The Committee refused the application due to concerns over:

- Height of the building – given the site’s location within the Whitechapel High Street Conservation Area and that it is outside of a Tall Building Zone. Members were not convinced it met the criteria for buildings outside the Tall Building Zone.
- Demolition of heritage assets in the Conservation Area fronting onto Commercial Street and Whitechapel High Street.
- Adverse impact on the character and appearance of the Conservation Area and individual heritage assets due to height, bulk and design.
- Daylight and Sunlight impacts on neighbouring properties
- Overshadowing of the proposed new playground
- Loss of language school education facility.
- That the public benefits of the proposal did not outweigh the harm to heritage assets.

The meeting ended at 10.40 p.m.

Chair, Councillor Kevin Brady (5.1)
Strategic Development Committee

Chair, Councillor Val Whitehead (5.2)
Strategic Development Committee

The meeting ended at 9.40 p.m.

Chair, Councillor Kevin Brady
Strategic Development Committee

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

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

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

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

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

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

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

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

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

What can be circulated?

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

How will the applications be considered?

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



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

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

How can I find out about a decision?

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

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

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

Public Information – Accessing and Participating in the Meeting

The meeting will be held at the Council's Town Hall as a socially distanced meeting, combining 'in person attendance (Committee Members and certain Officers) with remote attendance through a Microsoft Teams meeting. The ways of speaking at the meeting are set out below, including the option of in person attendance, and if not possible, contributing by alternative ways.

You are encouraged to watch the meeting live via our Webcasting portal <https://towerhamlets.public-i.tv/core/portal/home>. The meeting will also be available for viewing after the meeting. This meeting is open to the public, but due to the restrictions on capacity relating to the Covid – 19 pandemic, **you must contact the Democratic Services Officer to reserve a place at the meeting**, to be allocated on a first come first served based. Availability of seating for the public observing the meeting and the press will be extremely limited. No one will be admitted who has not registered in advance.

The following guidance provides details about the operation of the Committee Meetings under the current restrictions.

How can I register to speak and address the Committee?

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).

Should you wish to address the Committee, please contact the Democratic Services Officer, shown on the front page, to register to speak by the deadline. You may address the meeting in person at the committee meeting. If you are not able to do so, you may contribute by remote means through the Microsoft Teams meeting element– by the video link or by dialling in. Should you require assistance with this, please contact the Democratic Services Officer, who can help you join the meeting, including providing advice on the etiquette for addressing via virtual means.

You may also wish to consider whether you could be represented by a Ward Councillor or another spokesperson. You may also submit a written representation for summary in the Committee update report to be submitted 12noon the date before the meeting.

Procedure at the Committee meeting.

The Chair will formally open the meeting and will introduce themselves and the participants, including the Committee Members and Officers present in person and the attendees present by virtual means.

The standard format for considering each planning application shall be as follows, however the Chair may vary the order for hearing the application in specific circumstances.

- 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, either in person or by virtual means.

- The applicant or any supporters that have registered to speak to address the Committee, either in person or by virtual means.
- 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 Lead Planning Officer will confirm the results to the Chair.

Electronic copies of the agenda papers, including the update report and planning files

To access the documents, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date. Copies of the Committee agenda are published at least five working days before the meeting. A Committee update report is normally also published the day of the meeting.

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.

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



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

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

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

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

The Local Development Plan and Other Material Considerations

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

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
- The Managing Development Document adopted in 2013.

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

Local Finance Considerations

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

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

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

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

Listed Buildings and Conservation Areas

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

Trees and Natural Environment

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

Crime and Disorder

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

Transport Strategy

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

Equalities and Human Rights

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

Environmental Impact Assessment

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

Third Party Representations

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

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

Daylight, Sunlight and Overshadowing

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

General comments

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



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

Reference PA/21/00952

Site Ensign House, 17 Admirals Way, Isle of Dogs, London, E14 9XQ

Ward Canary Wharf

Proposal Demolition of the existing building (Use Class E) and the comprehensive redevelopment of the site to provide a single tall building (205m AOD to the top of the building and 230m AOD to the top of the spire) providing residential accommodation (Use Class C3) along with a mix of flexible commercial uses (Use Class E) at ground floor level with associated hard and soft landscaping including the delivery of a new pocket park providing general public realm improvements.

[The Application is accompanied by an Environmental Impact Assessment]

Summary Recommendation Grant planning permission, subject to conditions and planning obligations

Applicant Far East Consortium International Ltd

Architect/Agent Mccreanor Lavington/DP9

Case Officer Nelupa Malik

Key dates - Application registered as valid on 13/05/2021
- Letters sent to neighbours on 26/05/2021
- Press date 03/06/2021
- EIA Reg 25 consultation 16/11/2021
- EIA Reg 25 press date 25/11/2021
- Amended scheme consultation 29/11/2021
- Amended scheme press date 02/12/2021
- EIA Reg 25 consultation 05/01/2022
- EIA Reg 25 press date 13/01/2022

EXECUTIVE SUMMARY

The application site measures 0.46 hectares in area and is occupied by Ensign House; a 6-storey 1980s constructed office building. Ensign House occupies the north-eastern part of the site whilst the elevated section of the Docklands Light Railway (DLR) viaduct passes over the south-west portion of the site and bisects the site into two parts.

The site is bound by Quay House to the north-west which currently comprises a 3-storey office building and to the north lies a number of low-rise commercial buildings immediately south of South Quay Walk with South Dock further beyond. Directly to the east of the site is Beaufort Court and further east the Hilton Hotel, the South Quay Plaza development and the Madison building.

This application proposes to demolish the existing office building and the construction of a single 56-storey building reaching 230m AOD in overall height. The scheme seeks to provide residential accommodation (Use Class C3) along with a mix of flexible commercial uses (Use Class E). The building will accommodate 500 residential units comprising 82 x studio flats, 138 x 1-bed flats, 208 x 2-bed flats, 59 x 3-bed flats and 13 x 4-bed flats.

The scheme will deliver 35% affordable housing based on habitable rooms, providing a tenure split of 71%:29% between Affordable Rent and Intermediate. The affordable units will comprise 44 units at Tower Hamlets Living Rent, 44 units at London Affordable Rent and 43 Intermediate Units (either shared ownership or a rental product).

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

The height, scale, massing, form, architectural appearance and design is considered to be of a high-quality and responds well to and does not undermine in townscape terms the Canary Wharf cluster of buildings. There would be a step down of only 15 metres from One Canada Square however, the occupiable space of the proposed building reaches 205 metres in height AOD with the remainder of the building forming an architectural feature in the form of a crown and spire.

The site does not fall within a Conservation Area nor does it include any listed buildings and the proposal will not impact on the setting of any heritage assets likely to be affected by the proposal including the Maritime Greenwich World Heritage Site and Tower Bridge World Heritage Site. The proposal will not impact on any strategic views contained within the London View Management Framework.

All the residential units within the development will meet the London Plan's housing standards for dwellings and private amenity space whether they be internalised additional internal space or wintergardens and/or balconies.

The proposal will provide 10% (50 units in total) wheelchair accessible or adaptable units (Part M4(3) units) spread across all three tenures of which 11 will be constructed to fully accessible standards and capable for immediate occupation within the Affordable Rented tenure. The remaining 90% of units will be designed to Part M4(2) standards in accordance with Local and National policy requirements.

The proposal includes a new pocket park within the site boundary which will provide 'breathing space' and relief to Marsh Wall, improving permeability and legibility. This will be a marked improvement in the general soft and hard landscaping quality of the site with a strategy that incorporates biodiversity enhancements including the provision of new trees. Communal amenity space (equating to 551sqm) within the building will also be provided in accordance with the minimum policy requirement.

The scheme will provide 1368sqm of children's play space which falls short of the policy requirement of 1876sqm. The shortfall in children's play space will be in the 5-11 years (-122sqm) and 12-18 years (-386sqm) aged group equating to a deficit of 508sqm in total. The shortfall in children's play space will be mitigated against through a S106 contribution of £70,000 which will be used to provide additional children's play equipment at a local park.

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

The proposal would be 'car free' with the exception of 7 blue badge spaces and cycle parking will be provided in accordance with the London Plan requirements. The site has a moderate-good Public Transport Accessibility Level (PTAL) of 3-4 and therefore the car free nature of the development is supported. Of the blue badge spaces, 2 will be fitted with an active electric vehicle charging point (equating to 20%) whilst the remaining spaces (equating to 80%) will be installed with passive infrastructure in accordance with the London Plan.

Delivery and servicing for the development will take place from Admirals Way; a private service road that serves the wider estate. Full details of this will be secured via a condition.

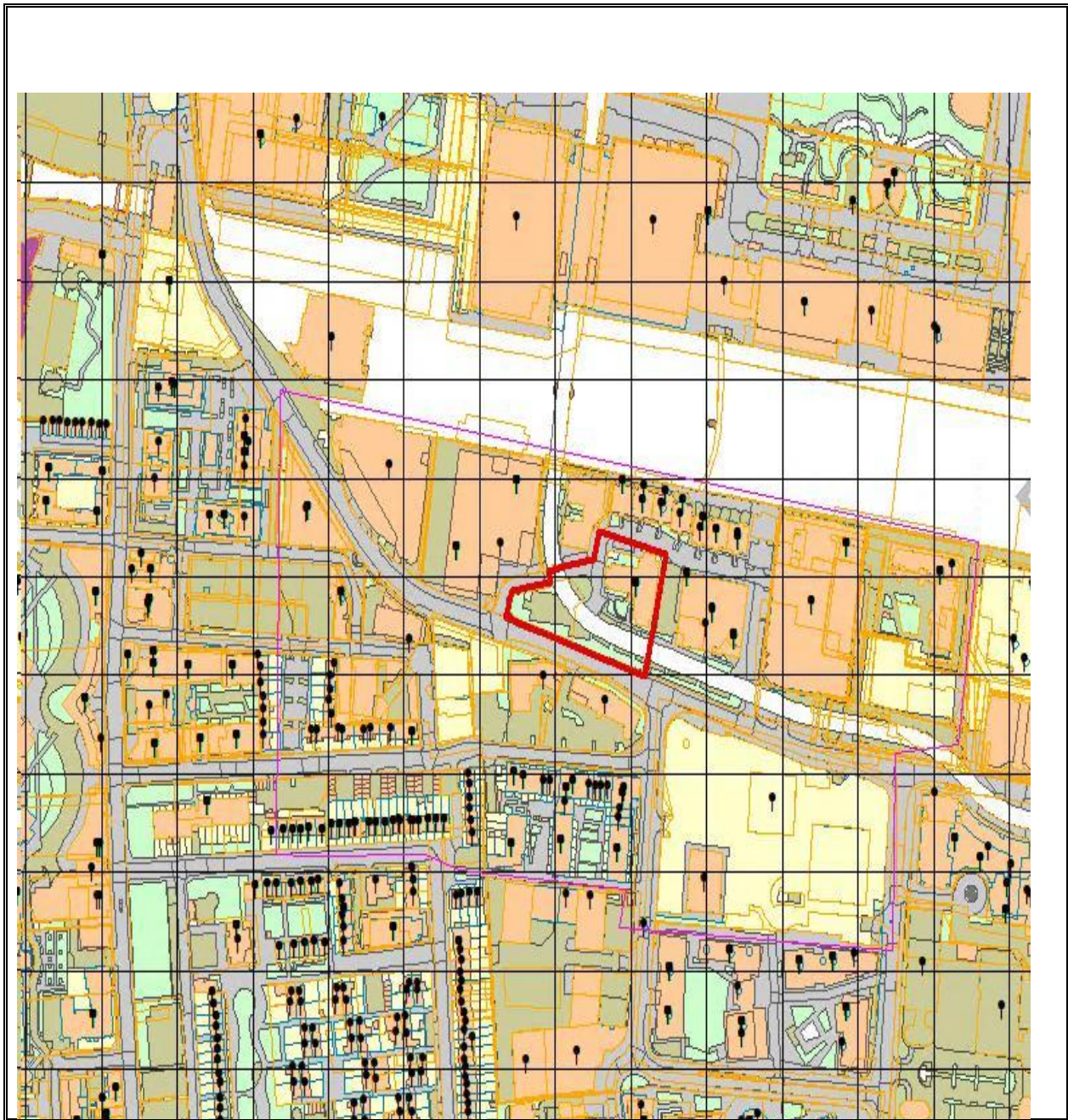
The proposal achieves an on-site reduction in carbon dioxide emissions of 57.4% through the use of passive and active design measures including the use of Photovoltaic Panels, ambient loop Air Source Heat Pumps and Water Source Heat Pumps to provide renewable energy. The proposal therefore exceeds the policy requirement for a minimum of 45% reduction in carbon dioxide emissions through on-site provision. The non-residential units will achieve a BREEAM rating of 'Very Good'.

The application has been accompanied by an Environmental Statement (ES), which has been reviewed by Council Officers in conjunction with Temple and has been found to be adequate. Appropriate mitigation measures identified within the ES will be secured via condition.








The application has been considered against the Council's adopted planning policies contained in the London Borough of Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (January 2020), the London Plan (2021), the National Planning Policy Framework and all other material considerations.

Officers recommend the proposed development be granted planning permission, subject to conditions and obligations identified to be secured via a S106 agreement.

SITE PLAN:



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/21/00952</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 16th February 2022</p>

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises a 'shoe shaped' parcel of land measuring approximately 0.46 hectares and is located on the northern side of Marsh Wall and south of Admirals Way. Admirals Way runs along the eastern, western and northern boundaries of the site. The site is currently occupied by Ensign House; a 6-storey 'T'-shaped 1980's constructed office building which occupies much of the north-eastern part of the site. The remainder of the site largely comprises associated car parking consisting of 40 car parking spaces. Ensign House is currently occupied by a number of commercial businesses.
- 1.2 The elevated section of the Docklands Light Railway (DLR) viaduct passes over the south-west portion of the site and essentially bisects the site into two parts with the majority of the south-western part of the site to the south of the flyover. Access to the site is obtained from the north, east and west off Admirals Way. Admirals Way is a private estate road that serves a number of sites along Marsh Wall.



Figure 1: Aerial view of the site

- 1.3 The site is bound by a 3-storey office building Quay House to the north-west and 3 to 6-storey commercial buildings to the north with South Dock further beyond. South Dock is designated as a Site of Importance for Nature Conservation (SINC). Directly to the east of the site is Beaufort Court; a 5-storey office building and further east are the 15-storey Hilton Hotel, the South Quay Plaza development which comprises a number of buildings ranging between 6 and 68-storeys and the 55-storey Madison development. Quay House has planning permission for its redevelopment as detailed in paragraph 3.2 below. Further to the west and beyond Quay House is the recently completed Wardian development (formerly Arrowhead Quay) which comprises two residential towers of 55 and 50 storeys. To the north of South Dock is One Canada Square and the associated Canary Wharf cluster of tall buildings. The site also lies within the boundary of the Canary Wharf Strategically Important Skyline Area.



Figure 2: Site in relation to neighbouring consented schemes.

- 1.4 The site does not lie within a Conservation Area and neither are there any listed buildings within the site boundary however, the Coldharbour Conservation Area lies some 630 metres to the north-east, the West India Dock Conservation Area lies some 640 metres to the north-west, the Chapel House and Island Gardens Conservation Areas lie some 1200 metres and 1600 metres to the south-east respectively and the Narrow Street Conservation Area lies some 800 metres to the north-west. There are no listed buildings within the immediate vicinity of the site, however there are a number of listed buildings/structures located within the periphery of the Isle of Dogs including but not limited to; Grade II listed Cascades, Grade II listed Former St Pauls Presbyterian Church, Grade II listed The Ferry House Public House, Grade II listed Millwall Fire Station, Grade II* Christ Church and The Gun Public House and Grade II listed Dock walls.
- 1.5 The site has a PTAL (Public Transport Accessibility Level) of 3-4 which ranges between moderate and good on a scale of 0-6b where 0 is the worst. The site is situated some 482 metres north-west of South Quay DLR station, 320 metres south-east of Heron Quays DLR station and 482 metres south-west of Canary Wharf Underground station with both Heron Quays and Canary Wharf stations located on the northern side of South Dock.
- 1.6 The site has the following key designations:
- Site Allocation 4.6 Marsh Wall West
 - Strategically Important Skyline: Canary Wharf Area
 - Flood Zones 2 and 3A
 - Area of Deficiency of Access to Nature
 - Green Grid and New Green Grid Buffer Zone
 - Isle of Dogs Neighbourhood Planning Area
 - Archaeological Priority Area Tier 3
 - Canary Wharf Cluster Tall Building Zone

- South Quay Neighbourhood Centre
- Isle of Dogs Activity Area
- Isle of Dogs and South Poplar Opportunity Area
- Isle of Dogs and South Poplar Sub Area

2. PROPOSAL

- 2.1 This application relates to the demolition of the existing office building (Use Class E) and the comprehensive redevelopment of the site to provide a single tall building incorporating a crown and spire. The building will reach 205 metres AOD to the top of the building and 230 metres AOD to the top of the spire and will provide residential accommodation (Use Class C3) along with a mix of flexible commercial uses (Use Class E) at ground floor level with associated hard and soft landscaping including the delivery of a new pocket park providing general public realm improvements.
- 2.2 The building will comprise 56-storeys and will accommodate 500 residential units (equating to 54,032sqm GIA) with three basement levels to accommodate 7 blue badge parking spaces, plant and refuse and waste storage. Level 00 will form the ground floor and provide 2 entrance lobbies on the western elevation serving Private Sale/Affordable Intermediate units and Affordable Rent units respectively. Level 00 will also contain 3 commercial units (Use Class E) measuring 33.6sqm, 47.3sqm and 194.1sqm respectively, cycle lifts, core residential access lifts, a car lift, refuse and waste store and 2 substations. Access to the car lift will be from Admirals Way to the north of the building. Level 01 will comprise communal amenity areas and children's play, levels 02-03 will consist of cycle stores, level 04 will be dedicated to plant, level 05 which includes a mezzanine level will provide children's play areas and the residential element of the proposal will commence from level 06.

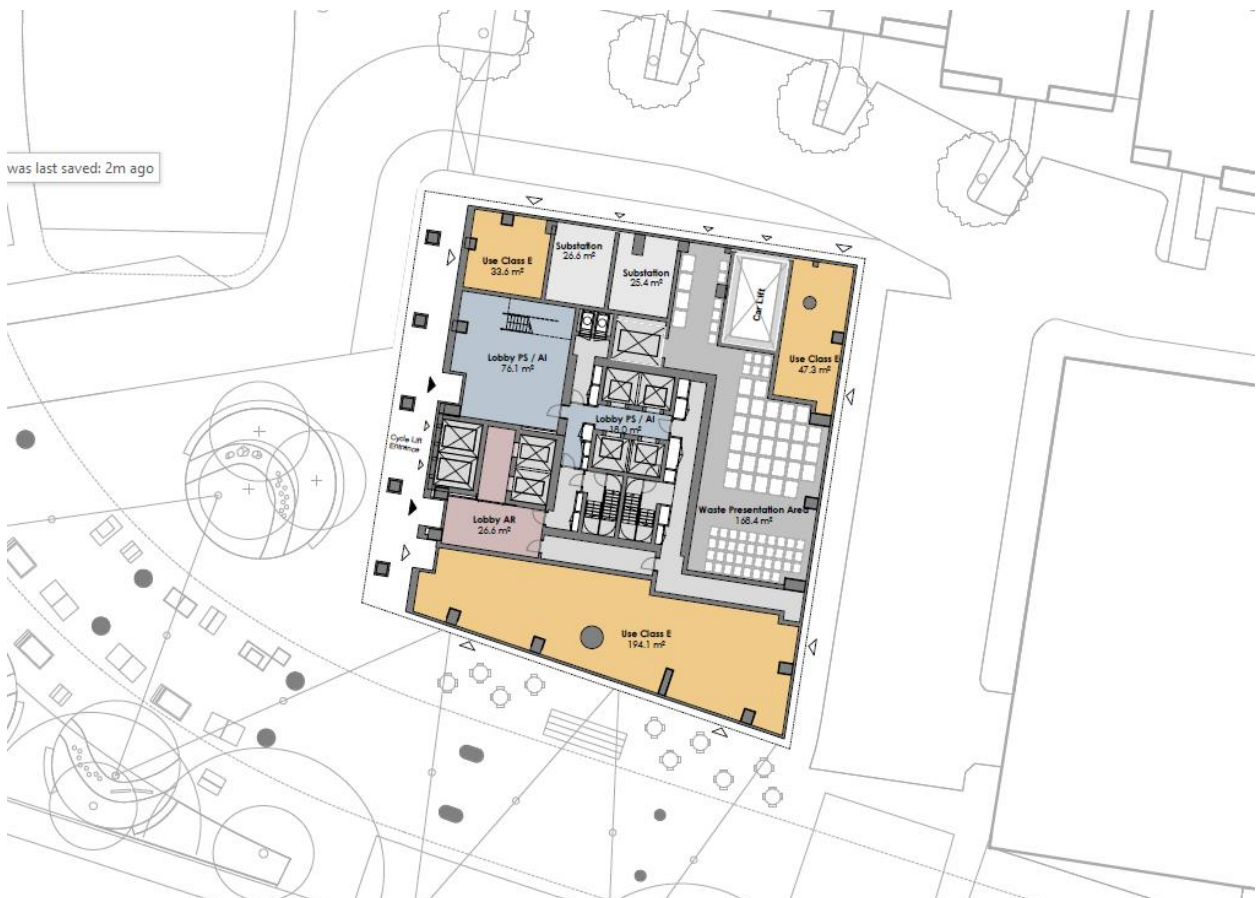


Figure 3 – Proposed Ground Floor Plan

- 2.3 The scheme will provide 82 x studio units, 138 x 1-bed units, 208 x 2-bed units, 59 x 3-bed units and 13 x 4-bed units. The affordable units will be located on levels 06-22 with Affordable Rented units located on levels 06-13, a mixture of Affordable Rented and Intermediate units located on levels 14-17, Intermediate units located on levels 18-20 and a mixture of Private Sale and Intermediate units located on levels 21-22. The remaining levels will accommodate Private Sale units on levels 23-37 and 39-55. Level 38 will comprise the 'clubhouse' level which includes a number of residential amenities/facilities whilst level 56 will contain the buildings BMU (Building Maintenance Unit) and PV panels.
- 2.4 The spire at the top of the building is intended to be an architectural feature/marker to 'celebrate' the siting of the building in long distance views and in particular from the Grand Axis and the Maritime Greenwich World Heritage Site in Greenwich.
- 2.5 The remainder of the site seeks to provide 2430sqm of public realm including the provision of a pocket park and areas of 'play' beneath the DLR (underline).



Figure 4: CGI of Proposed Development.

3. RELEVANT PLANNING HISTORY

3.1 Application Site:

PA/20/01992 - Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), in respect of the demolition of the existing building on-site and the construction of one building, approximately 62 storeys in height, providing approximately 600 residential units, small-scale retail uses at ground floor, and an area of publicly accessible open space within the south western of the site. Scoping Opinion issued 01/11/2020.

PF/19/00234 - Redevelopment of the site to provide a residential building up to 60-storeys (Pre-application scheme).

PA/98/01213 – Change of use from Class B1(Business) to Class A2 (Financial and Professional Services). Permitted 02/11/1998.

3.2 **Neighbouring Sites:**

PA/21/00900: 225 Marsh Wall – Erection of ground plus 55-storey residential building (Use Class C3), ground floor flexible commercial space (Use Class E), basement cycle storage, resident amenities, public realm improvements and other associated works. Application registered.

PA/20/02649 (Quay House) - Demolition of the existing building and redevelopment to provide a mixed use development comprising a hotel (Class C1) and serviced apartments (Class C1) with ancillary gym, retail, parking, landscaping and public realm works.

Minor Material Amendments to Planning permission Ref: PA/19/01462, Dated 01/06/2020:

Amendments proposed: Variation of condition 2 (Approved Plans) to allow for amendments to the design of the building including

- A reduction in the height of the building by 5 storeys
- An increase in the width of the building at levels 3 and above of approximately 1.5m
- Amendment to the design of the lower levels of the building involving omission of the 2-storey deck and lowering of the tower massing.
- A reduction in the footprint of the building at ground floor level through the inset of the elevations by 1.4m at the west and 2m at the north.
- A reduction in the size of the basement by approximately 500sqm;
- Internal reconfiguration and layout changes

Permitted 06/08/2021.

PA/20/02588: 30 Marsh Wall - Demolition of existing building and erection of a 47 storey building (plus basement and lift pit) to provide 1,069 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 115sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs. Application registered.

PA/20/02128 (Cuba Street) - Erection of single tower block accommodating a high density residential led development (Use Class C3) with ancillary amenity and play space, along with the provision of a flexible retail space at ground floor (Use Class E), the provision of a new publicly accessible park and alterations to the public highway.

Further explanation (not forming part of the formal description of development set out above):

Erection of part 52, part 32 storey building to accommodate 428 new residential units (Use Class C3) with ancillary amenity and play space, along with the provision of 97sqm of flexible retail space at ground floor (Use Class E), the creation of additional on street parking and the provision of a new publicly accessible park. Application Registered.

PA/19/01462 (Quay House) – Demolition of the existing building and redevelopment to provide a mixed use development comprising a hotel (Class C1) with ancillary gym, retail, parking, landscaping and public realm works. Permitted 01/06/2020.

PA/16/01637: 54 Marsh Wall - Demolition of the existing building and construction of two new linked buildings of 41 and 16 storeys (over double basement) comprising 216 residential units; two ground floor commercial units (Use Classes A1-A3, B1) totalling 174 sqm GIA fronting on to Marsh Wall; basement car parking and servicing; and landscaped open space including a new pedestrian route linking Marsh Wall and Byng Street. Permitted 15/11/2018.

PA/16/00139 (Arrowhead Quay/Wardian) - Application for variation of condition no. 2 (consented plans) and removal of condition 22 (cooling) of planning permission dated 19/02/2015, ref: PA/12/03315 which gave consent for the erection of two buildings of 55 and 50 storeys to provide 756 residential units (Use Class C3) and ancillary uses, plus 701sqm. ground floor retail uses (Use Classes A1 -A4), provision of ancillary amenity space, landscaping, public dockside walkway and pedestrian route, basement parking, servicing and a new vehicular access.

Amendments proposed:

Increase in residential units from 756 to 764 units. Amendments to Marsh Wall frontage, western garden layout and landscaping changes. Reduction in resident's health club from 1835sqm to 1209sqm. Increase in retail space from 701sqm to 850sqm. Cinema and business lounge to be relocated to west tower. Increase in cinema size from 113sqm to 124sqm. Play space and amenity provision. Layout changes to basement affecting car parking, cycle parking and amended refuse/recycling strategy. Changes to building heights, consented tower facade, sky garden and pool and dockside changes.

Permitted 13/01/2017.

PA/15/02671: 50 Marsh Wall/63-69 and 68-70 Manilla Street (Alpha Square) - Application for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4). Permitted 27/03/2017.

PA/15/02525 (Dollar Bay) - Application for minor material amendment under s73 of the Town and Country Planning Act by varying of Condition 1 (approved plans) of planning permission dated 15/06/2015, Ref PA/14/03261.

Amendments sought:

- Reconfiguration of mezzanine level and reduction in size of resident's gym and lounge to provide 2 x 1 bedroom flats (located to the east of the building)
- External alterations to the north and south elevations to provide two new glazed windows for the proposed residential units
- Minor reduction in height of ancillary building (car lift and refuse store)

Permitted 03/06/2016.

PA/15/02027: 15 Westferry Road (City Pride/Landmark Pinnacle) – Application for variation of condition no. 2 (Approved Plans) of planning permission dated 10/10/2013, Ref: PA/12/03248 (and NMA's with planning references PA/14/02554 (dated 08/10/2014), PA/15/00221 (dated 09/03/2015), PA/15/02071 (dated 29/07/2015) and PA/15/02072 (dated 23/09/2015)).

Amendments sought:

- Relocation of servicing bay and amendments to servicing strategy

- Reduction of overall floor area by 28sqm
- Adjustment to Amenity pavilion which will shift north by 1.9 metres
- Minor adjustments to layout of the Serviced Apartment staff cycle store, a plant room and the associated connecting corridor at Basement level 2
- Minor adjustment of the layout of the Car Park, minor reduction of secondary plant rooms and increase in size of cafe store at Basement level 1
- Introduction of living wall and 3 additional trees to the south of the Amenity Pavilion

Permitted 05/02/2016.

PA/14/02134 (Newfoundland) - Erection of a 58 storey and linked 2 storey building with 3 basement levels to comprise of 568 residential units (use class C3), 7 ancillary guest units (use class C3), flexible retail use (use class A1-A4), car and cycle parking, pedestrian bridge, alterations to deck, landscaping, alterations to highways and other works incidental to the proposal.

Variation of condition 2 (approved plans) of planning permission dated 10th June 2014, reference PA/13/01455. Amendments listed below:

- Increase in number of residential units from 568 and 7 guest rooms to 611.
- Additional external amenity space
- Shift to north west corner perimeter wall at basement level
- Car parking spaces reduced from 71 to 69
- Cycle parking spaces increased from 615 to 629.

Permitted 05/12/2014. Subsequently amended by planning permission PA/15/00630.

PA/14/01428 (Meridian Gate/The Madison) - Demolition of all existing structures and the redevelopment of the site to provide a building of ground floor plus 53 storeys comprising of 423 residential apartments (use class C3) and circa 415sqm office (use class B1), 30 basement car parking spaces; the ground floor uses comprises an electricity sub-station, entrances for the office, affordable and private housing, basement access via car lift and cycle lifts, and circa 43sqm retail/cafe (use class A1/A3); public open space; and a single storey enclosure providing a secondary basement access. Permitted 06/03/2015.

PA/13/01455 (Newfoundland) - Erection of a 58 storey and linked 2 storey building with 3 basement levels to comprise of 568 residential units (use class C3), 7 ancillary guest units (use class C3), flexible retail use (use class A1-A4), car and cycle parking, pedestrian bridge, alterations to deck, landscaping, alterations to highways and other works incidental to the proposal. Permitted 10/06/2014.

PA/12/03315 (Arrowhead Quay/Wardian) – Erection of two buildings of 55 and 50 storeys to provide 756 residential units (Use Class C3) and ancillary uses, plus 701sqm ground floor retail uses (Use Classes A1-A4), provision of ancillary amenity space, landscaping, public dockside walkway and pedestrian route, basement parking, servicing and new vehicular access. Permitted 19/02/2015.

PA/12/03248: 15 Westferry Road (City Pride/Landmark Pinnacle) – Erection of residential-led (Class C3) mixed use 75 storey tower (239m AOD) comprising 822 residential units and 162 serviced apartments (Class C1), and associated amenity floors, roof terrace, basement car parking, cycle storage and plant, together with an amenity pavilion including retail (Class A1-A4) and open space. Permitted 10/10/2013.

PA/11/01945 (Dollar Bay) - Redevelopment of the site for a residential led mixed use, comprising a 31 storey building (measuring 114.505m AOD), to provide 121 residential units (Use Class C3), 105 sqm Use Class A1/A3 at ground floor, underground parking, plant and ancillary accommodation and hard and soft landscaping providing both public and private open space amenity. Permitted 29/07/2011.

PA/10/01049: 40 Marsh Wall (Novotel) - Demolition of existing office building and erection of a 38 storey building (equivalent of 39 storeys on Manilla Street) with a three-level basement, comprising a 305 bedroom hotel (Use Class C1) with associated ancillary hotel facilities including restaurants (Use Class A3), leisure facilities (Use Class D2) and conference facilities (Use Class D1); serviced offices (Use Class B1); public open space, together with the formation of a coach and taxi drop-off point on Marsh Wall. Permitted 15/11/2010.

4. PUBLICITY AND ENGAGEMENT

4.1 Upon validation of the application, the Council sent out consultation letters to 784 nearby owners and occupiers on 26th May 2021. An advert was posted in the press and a Site Notice was displayed outside the site.

4.2 One letter of support was received which can be summarised that the development provides plenty of open space, connectivity with South Quay, revitalises Marsh Wall with more commercial and retail improving connectivity to Canary Wharf and 35% affordable housing is provided within the same building.

4.3 Seven representations have been received of which five are from neighbouring residents (one from an occupier of Discovery Dock East and representing associated residents) directly objecting to the scheme, and two others raising concerns from Beaufort Court and Quay Management (Waterside) Ltd who are the Management Company and Freeholder of the site to the north which are occupied by the 3 to 6-storey commercial buildings. The themes and issues raised from neighbouring residents can be summarised as follows:

- There are already several tall buildings in the area.
- Insufficient road, rail, waste, surgeries, public transport, green spaces and pedestrian/cycle areas and associated infrastructure to support another high rise residential block.
- Existing infrastructure such as South Dock Footbridge is not sufficient to cope with all the new residential apartments.
- A 56-storey building will be far too ambitious, causing years of construction noise, dust, pollution and oversaturation of high rise development.
- Overdevelopment and overcrowding of Isle of Dogs needs to be curbed and not continuously encouraged.
- The area is already a congested and overcrowded part of London which the highest concentration of high rise development.
- Will Byng Street become a one way traffic system in order to ease the access?
- Not enough greenery in the area to promote the well-being of residents.
- Loss of sunlight and overshadowing.

Officer Comment:

The above themes are discussed within the main body of the report including the principle of the tall building, environmental impacts and impact on associated infrastructure.

4.4 The objections raised by Quay Management (Waterside) Ltd can be summarised as follows:

- Support the principle of redeveloping the site however considers that the scale, height and massing of the scheme represent a disproportionate scale of development that fail to relate to the surrounding townscape and is at odds with the terms of the guidance provided in the South Quay Masterplan SPD with regards to the height, scale and massing (specifically referencing that the SPD identifies the site as being suitable for development of 10-storeys

or less) and Local Plan policy in terms of tall buildings and the requirement to step down from the Canary Wharf cluster of buildings.

- Whilst the site is not a site of immediate high heritage sensitivity, the building at 56-storeys does not respond to or respect the immediate or wider heights hierarchy. The height should be considered within the wider context and where visible in conjunction with surrounding designated heritage assets namely Maritime Greenwich World Heritage Site.
- The scheme does not provide a policy compliant provision of children's play space, this is a priority for Tower Hamlets and is a clear indication that the proposals are an overdevelopment of the site.
- It is unclear if all the amenity space is accessible to all residents and how the access arrangements and potential usage of the residential amenity space will be operated and enjoy sufficient levels of direct sunlight and enjoyment that is not prejudiced by noise from the DLR line.
- The application proposes a significant quantum of single aspect units and potential issues of separation distances. The application highlights that there would be a higher proportion of dual aspect units in the affordable tenure however, the benefit of this is mitigated by being on lower storeys and may suffer from poor quality by virtue of their proximity to the DLR.
- The scheme would result in significant daylight and sunlight impacts on neighbouring properties namely the Wardian development (both east and west blocks) and the Alpha Square development.
- Concerned with the construction related impacts including noise and dust to properties on Admirals Way and would seek to further understand the impact expected to be experienced.
- The development by virtue of its scale would compromise and significantly reduce the scope for what can be delivered on nearby sites. There is very little information within the Applicant's planning application documents which demonstrate how the future development of adjacent sites has been robustly considered, including consideration of future separation distances, quality of public realm, and impact on the amenity of future occupiers.
- Lack of engagement and consultation with the landowner.

4.5 The comments and concerns raised from the Management Board for Beaufort Court can be summarised as follows:

- Do not object to the principle of the development and acknowledge that the area is seeing transformation and the aspirations of neighbouring occupiers are supported.
- Site allocation 4.6 specifically recognises the need to deliver housing as well as employment floorspace. The Board would be seeking reassurance that the proposed redevelopment which will result in the loss of some 4137sqm of employment floorspace would not result in additional pressures on the remaining employment sites to retain full employment provision or prejudices proposals for the neighbouring properties to adopt a similar approach themselves in the future.
- Whilst taller buildings may be the emerging character, at present the entire surrounding area is not characterised by tall buildings, Beaufort Court is 6-storeys in height and the buildings immediately to the north are 2-storeys. The CGI's included in the Design and Access Statement shows that Beaufort Court would be dwarfed by the proposal.

- It is unfortunate that the emerging plans were not conveyed at an early stage to the Board given the inevitable consequences of a lengthy construction programme on tenants within the building arising from demolition and construction works.
- There is no reference to the Applicant having sought to explore grant funding to increase the amount of affordable housing.
- Concerned about the effects of the proposal on the quality of amenity provision to Beaufort Court.
- The Board would seek reassurance that the development would not prejudice the future development potential of their site. The scheme would not be supported by the Board if it in any way prejudices their own potential development opportunities.
- There is also the potential for rights to light claims.
- Concerned with construction related impacts on the operation of businesses from Beaufort Court.

Officer Comment: The above themes set out in paragraphs 4.3 and 4.4 are discussed within the main body of the report including the principle of the tall building, heritage, children's play provision, and environmental impacts. The application has not been accompanied by supporting information to demonstrate how future development of adjacent sites have been considered. However, Officers, consider that this has not prejudiced Officers from making a full assessment of this planning application. The site falls within a site allocation and an Opportunity Area where growth is expected to be accelerated. The siting of the proposed development on the application is considered to be the only reasonable location for the building given the physical constraints of the site. The acceptability of the proposed development has been robustly assessed having regards to Local Plan and National planning policies as detailed within the remaining sections of this report.

With regards to comments relating to concern that the loss of employment will result in pressure of other sites retaining employment, each planning application must be assessed on its own merits and against Development Plan policy requirements.

4.6 The Applicant has submitted a Statement of Community Involvement which details their engagement with the community. These include the following:

- Establishment of a consultation website which featured an introduction to the proposals, a virtual consultation page, a feedback page and information on how to contact the project team. The site also hosted webchat sessions.
- A Newsletter sent to 2974 addresses on 3rd December 2020 promoted the consultation website and provided information on the proposals, the project website details and contact details for the project team. A feedback form also accompanied the newsletter which asked 8 questions regarding the proposals. 5 feedback forms were sent back by members of the community.
- Undertook a community webinar which included a question and answer session on the 15th December 2020.
- Held two live chat sessions with local residents on the 7th and 14th December 2020.
- Stakeholder engagement with Ward Councillors and local community groups.

4.7 The scheme has evolved through pre-application discussions with planning officers between December 2019 and March 2021.

5. CONSULTATION RESPONSES

Internal Consultees

LBTH Arboricultural Officer

5.1 No comments received.

LBTH Building Control

5.2 No comments received.

LBTH Infrastructure Planning

5.3 No comments received.

LBTH EIA Officer

5.4 Comments addressed in Section 7 of this report.

LBTH Place Shaping

5.5 The Place Shaping Team support the architectural and design approach, the strategy towards public realm and landscaping and the approach to improving permeability and legibility of the wider area. Specific comments are incorporated into the Design, Landscaping and Public Realm sections of this report.

LBTH Education

5.6 No comments received.

LBTH Plan Making

5.7 The provision of housing on the site is strongly supported and consistent with the Marsh Wall West Site allocation and the site's designation within the Isle of Dogs and South Poplar Opportunity area where the majority of the borough's housing need is directed to be delivered from.

5.8 The proposal meets policy targets for affordable housing in terms of overall provision and tenure split, this is welcomed. It is therefore possible to utilise the fast-track' approach, removing the need for any viability assessment as part of the application.

Loss of Employment:

5.9 The Plan Making Team requested that the Applicant set-out clearly how the policy tests justifying the loss of employment have been considered as part of the application.

Retail Provision:

5.10 There are no policy concerns with the proposed provision of retail units as part of the development.

Further Comments:

5.11 The Isle of Dogs Neighbourhood Plan was adopted and has had full effect from 1 July 2021. The subject site falls within this Neighbourhood Planning area. The Applicant has not yet addressed the requirements of this Plan which contains policies in relation to density and infrastructure, the use of empty sites post determination, construction management and communication and sustainable design.

- 5.12 *Officer Comment: Full consideration of the Plan Making Team's comments on matters relating to land use, design and housing have been considered throughout the report. The Plan Making Team initially also provided detailed comments with regards to the unit mix which have now been superseded by the amended scheme and is discussed in detail within the main body of this report.*

LBTH Transportation and Highways

- 5.13 The Applicant has engaged with the Council's Highways Development team throughout the application process, which is welcomed.
- 5.14 In terms of car parking the proposal seeks to be car free with the exception of seven accessible bays located in the basement and accessed by a car lift. This approach frees up the ground floor to a better public realm design, although servicing will still take place at ground level. Whilst the number of accessible bays proposed is lower than policy dictates TfL are content with this level as step free access to public transport is readily available.
- 5.15 Should permission be granted then a condition which requiring the applicant to enter into a 'Permit Free' agreement will be required, secured via the s106 agreement (or similar legal mechanism as agreed by the case officer). This will restrict all future residents from applying for permits on the local public highway.
- 5.16 A further condition requiring the applicant to retain and maintain the accessible parking bays for their approved use only for the life of the development will also be attached to any planning permission. Accessible parking bays should be leased to ensure that those with the greatest need can access one of the bays and the applicant will be required to ensure that the lease of these bays can only be to residents of the development who are in receipt of a registered blue badge. Further letting or sub-letting of these bays must be prohibited. A Car Park Management Plan detailing this will be required.
- 5.17 TfL's response with regards to Cycle Parking is noted and the Applicant's proposal to increase numbers and type of stand to accommodate TfL's comments. This is welcomed. A minimum of 5% of the stands will be provided to accommodate larger / adapted cycles and 15% proposed as Sheffield Type stands. We would not wish to see any changes to these percentages (unless upwards) in any future planning application.
- 5.18 A condition requiring all cycle facilities to be retained and maintained for their approved use only for the life of the development will be required.
- 5.19 All servicing, including refuse collection, will be undertaken from Admirals Way, a private road, via dedicated loading bays. A concierge system is proposed which will assist in reducing repeat trips should someone not be available to take delivery of items. This is welcomed.
- 5.20 Improvements to the permeability through the site for cyclists and pedestrians is proposed. This is welcomed. The provision of a new pocket park within the site boundary is also proposed. None of these works appear to impact on the public highway. We will expect a s278 agreement for a scheme of highway works on the public highway to be included as a condition / informative / s106 clause.
- 5.21 A Draft Demolition Construction Management Plan has been submitted but a full document will be required as a condition. The draft document estimates 66 daily two way movements of HGV as a result of the development. Marsh Wall is heavily trafficked with HGVs from other developments and we will expect cooperation between other sites and a consolidation plan where practical. The construction plan should be innovative and look at ways of reducing the impact on the local road network and the local neighbourhood and look at using alternate fuel vehicles to cut down on emissions. No proposal for using the public highway (Marsh Wall) for the parking / loading / unloading of construction vehicles should be considered and it is expected that all

loading / unloading will take place within the boundary of the site. Use of the waterways to cut down on road traffic should be considered.

- 5.22 Draft Travel Plans and Service Management Plans have been submitted and we will want to see a condition put on any permission granted which requires fully detailed plans to be submitted.
- 5.23 In summary, taking into account the above comments, there are no in principle objections to the proposal from this group.

LBTH Affordable Housing

Initial Comments

- 5.24 This application proposes to deliver a 35% quantum of affordable housing (measured in habitable rooms). This meets the Council's minimum target for affordable housing.
- 5.25 The tenure split within the affordable is 70:30 (by habitable rooms) in favour of rented. This meets the Council's 70:30 policy target.
- 5.26 The tenure mix within the rented would see no provision of 1 beds against a policy target of 25%, a 39% provision of 2 beds against a 30% target, a 42% provision of 3 beds against a 30% target and a 19% provision of 4 bed plus units against a 15% policy target.
- 5.27 Whilst an over provision of rented family sized units is welcome, 61% three and four beds against a 45% target, is unbalancing the unit mix. There are no provision of rented 1 beds for which there is a 25% target. Whilst there is a need for rented family sized units, the needs for 1 beds also exists and is reflected by the policy target. The Applicant needs to remedy this situation with some provision of rented 1 beds.
- 5.28 The tenure mix within the intermediate would see a 40% provision of 1 beds against a 15% target, a 33% provision of two beds against a 40% target and a 27% provision of three beds against a target of 45% for three beds and larger.
- 5.29 The tenure mix for the intermediate units is out of sync with the Council's targets. There is a big over provision of 1 beds which in turn leads to an under provision of 2 and 3 beds. The Applicant has cited affordability constraints and state that traditional shared ownership would not meet the affordability criteria in this location and that the larger units may need to come forwards as another intermediate product type.
- 5.30 The Applicant has not confirmed the type of Intermediate product to be delivered. Perhaps providing the larger units at London Living Rent or Intermediate rents can help address these challenges. In the absence of confirmation, the s106 should makes it clear that, for the intermediate units, the Applicant demonstrates that they would be affordable to those eligible. Affordable being where no more than 40% of the prospective eligible purchaser/renter's net household income is taken up by the cost of housing.
- 5.31 Two entrance lobbies are proposed one for the rented units and one for the market and intermediate. Both entrances will be side by side and accessed from the public realm on Admirals Way.
- 5.32 The Applicant states that they have consulted with a number of the Council's preferred RPs, about the arrangements for the affordable and that they are supported. The Applicant states that the main concern was around keeping the cores for the low cost rented separate from the market and Intermediate to keep service charges and cost of management down. Can the Applicant confirm that the RPs were happy with the proposal for the market and Intermediate to be in the same cores? We feel that this too can have had an impact on the affordability of the Intermediate units.

- 5.33 The Applicant has confirmed that the rented units will come forward, in line with the Council's policy requirements, as 50% London Affordable Rent and 50% Tower Hamlets Living Rents.
- 5.34 The Applicant proposes 50 wheelchair accessible/adaptable units across the development. This is just above the 10% requirement. 13 of these units will come forward in the rented tenure, this is 17% of the rented units, more than the 10% requirement and therefore welcomed. The Applicant has stated that the rented units will come forward at the fully adapted M4(3)2 B building standard. This is also welcomed and should be captured by planning condition.
- 5.35 The current proposal is for all 13 rented units to be 2b3p units. We would want to see a better mix of wheelchair units. Whilst there is a need for 2 bed units, there is a greater need for 3 and 4 beds.
- 5.36 All rented units will be accessible by at least 2 lifts and a third fire lift will also be available in case of emergency. This is welcomed.
- 5.37 The development is car free, however 7 spaces for Blue Badge Holders are proposed at basement level. It should be ensured that these are for the fully adapted rented units.
- 5.38 The Occupation Therapists/P120 team will need be consulted on the detailed layouts and access proposals for the rented units. Given that they will be fully adapted, it is imperative that their requirements are taken on board.
- 5.39 A play and amenity deck are proposed internally on the 1st floors and on levels 5 and 5 mezzanine. Can the applicant confirm that this would be accessible to all tenures and that RPs are OK with how these areas will be managed?
- 5.40 We are concerned that there appear to be at least one single aspect north facing unit per floor in the affordable tenure. Are these units north facing or is there enough of a tilt in the building orientation to deem them north west facing?

Comments on Amended Unit Mix

- 5.41 The new proposed scheme is more aligned to policy within the affordable rented element and is more acceptable on balance to achieve a Fast Track approach.
- 5.42 It would be useful to have sight of the wheelchair units 1:50 plans for the Occupational Therapists to comment along with details of the car parking strategy for these wheelchair units.
- 5.43 The scheme will achieve a 50/50 balance of THLR/LAR rents 21/22 rental levels.
- 5.44 Would seek to ensure that as many family affordable rented units achieve a separate kitchen as possible. All units should achieve a private amenity space and no more than 8 units per floor plan and meet residential space standards and achieve daylight, sunlight outputs.
- 5.45 *Officer Comment: The Applicant has advised that detailed comments regarding the internal layout will be reviewed during the detailed design stage. Officers will be imposing a condition that will require the submission of plans of the wheelchair accessible units prior to the occupation of the development.*

LBTH Viability

- 5.46 The Affordable Housing Statement prepared by DS2 dated April 2021 suggests that 35% affordable housing is being provided at a 70:30 split. The unit size mix is marginally off from policy, but this requirement is more flexible than the 35%/70:30, therefore if Housing are satisfied then the application can proceed via fast track.
- 5.47 Subsequent to the submission of the amended unit mix, the Viability Team have confirmed that the revised unit mix will meet the Fast Track route provided that the Housing Team are content.

LBTH Occupational Therapists

- 5.48 A number of detailed comments relating to the internal layouts of the wheelchair accessible/adaptable flat types have been provided and requested that 2B4P wheelchair accessible units be provided.
- 5.49 *Officer Comment: The Applicant has advised that detailed comments regarding the internal layout will be reviewed during the detailed design stage. Officers will be imposing a condition that will require the submission of plans of the wheelchair accessible units prior to the occupation of the development.*

LBTH Enterprise and Employment

- 5.50 The following obligations are required:
- Construction Phase Employment and Skills Training Contribution: £191,504.
 - End Phase Employment and Skills Training Contribution: £5,243.87.
 - Construction Phase Apprenticeships: 46
 - End Use Phase Apprenticeship 1
 - 20% Local Jobs
 - 20% Enterprise

LBTH Waste Policy and Development

- 5.51 40L waste, 40L recycling and 23L food waste in the segregated bin design submitted. 7L would be sufficient for food waste, as residents will empty their food waste to communal food waste bins.
- 5.52 In terms of capacity, for food waste, 1x 240L will be sufficient for 20 properties so 25 x 240L food waste bins should be sufficient for this development. The proposed refuse and recycling capacity both exceed what has been calculated as necessary for this development.
- 5.53 Tri-separator is proposed. It should be noted that this will need to be regularly serviced and that it will need to be repaired urgently if there are any issues. What is proposed to continue the separate collection and storage of food waste, recycling and refuse if both hoppers/chutes were to be out of service at the same time? Success of tri-separators is dependent on their correct use. What signage, instructions and inductions will be given to residents to reduce the risk of improper use?
- 5.54 As residents will not be able to see the stickers on recycling bins which inform on what can and cannot go inside, how will this information be communicated to residents?
- 5.55 What will be the mechanism for the disposal of things which are too large for the chutes, but which can be collected within household recycling or waste collections? – e.g., cardboard boxes.
- 5.56 The application indicates that residents will arrange disposal of bulky waste and that the on-site FM team will arrange collection. Given that bulky waste is to be moved to the waste presentation area used for refuse, recycling, and food waste, it may be better for the on-site FM team to arrange collections so that these can be timed so that waste/recycling bins and bulky waste do not have to be placed in the waste presentation area at the same time, as bulky items in the waste presentation area would obstruct collections.
- 5.57 The maximum drag distance from the collection point to the rear of the collection vehicle for eurobins is 10m. The Waste Strategy shows a tight concentration of refuse bins for collection, but it looks more likely that this distance would be exceeded in the waste presentation area shown in the Strategy. What will be the maximum drag distance at Ensign House?

- 5.58 The commercial waste proposals say that each business will need separate contracts and that waste will be collected from inside the premises, and that no containers will be left outside. This is in keeping with the Council's guidance.
- 5.59 Tower Hamlets commercial waste service will not collect from inside a building and will not support a drag distance of more than 10m for a eurobin and 20min for a wheeled bin. Is there an arrangement with a commercial waste collector who will be able to carry out collections from inside the commercial units?
- 5.60 What will the drag distances be from the commercial unit waste store location to the vehicle?
- 5.61 *Officer Comment: The majority of the above clarifications sought have been addressed by the Applicant's consultants. Matters relating to the drag distance and the general waste strategy is addressed in the main report.*

LBTH Environmental Health (Noise Team)

- 5.62 No objections to proposal subject to the imposition of conditions relating to noise levels, noise from plant and restrictions on demolition and construction activities.
- 5.63 Following the first EIA Reg 25 consultation LBTH Noise Team requested clarification of the noise impact identified as being 'Short Term'.

Officer Comment: The submitted Environmental Statement (ES) has been reviewed by the Temple on behalf of the Council. During the review process of the ES, clarification was sought from the Applicant with regards to the duration of effects. The Applicant's consultant Trium advised that the significant effects would only be experienced under the worst-case scenario for noise for east facing units at Wardian London that would overlook the site. For the average case scenario, the effects to all surrounding receptors (including Wardian London) are not likely to be significant. The consultant's response goes on to state that mitigation measures have been proposed to minimise noise and vibration levels during construction as far as reasonably practicable for all construction activities for the duration of the programme. Temple accepted the clarification provided and overall have found the ES to be adequate.

LBTH Environmental Health (Air Quality)

- 5.64 The Environmental Statement is satisfactory and includes adequate air quality baseline, an 'Air Quality (Dust) Risk-Assessment (AQDRA)' (in line with the Control of Dust and Emissions During Construction SPG 2014, Mayor of London), and a satisfactory 'Air Quality Neutral' (which provides the relevant transport emission benchmarks (TEBs) for both NO_x and PM₁₀, and it calculates the sites NO_x and PM₁₀ emissions from transport, thus comparing them with the TEBs. The TEBs are met, for both NO_x and PM₁₀, and the proposed development is air quality neutral. With regard to building emissions, the proposed development does not include any combustion plant.
- 5.65 No objections to the proposal subject to the imposition of conditions controlling dust and controlling the emissions from any gas-fired boilers and gas-fired CHP plants.
- 5.66 *Officer Comment: Recommended conditions will be imposed.*

LBTH Environmental Health (Contaminated Land)

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

LBTH Health and Safety Officer

- 5.68 Construction Phase:

- 5.69 The development should comply with the Construction (Design and Management) Regulations 2007 specifically in order to secure the incorporation of safety matters in the development from 'the start, including the production of a "Health and Safety File" for the client and future users(s).
- 5.70 The Health & Safety File constitutes a record of the health and safety information for the projects client or end user and the responsibility for its preparation and up keep rests with the Planning Supervisor.
- 5.71 It is considered desirable for the Planning Supervisor to discuss the Health & Safety file with the Client early on in the project and the contents of the file will vary according to the complexity of the project but typically will include;
- a) record or as built drawings and plans;
 - b) general details of the construction methods and materials;
 - c) details of the structure's equipment and maintenance facilities;
 - d) operating and maintenance manuals supplied by contractors and equipment manufacturers;
 - e) procedures for cleaning;
 - f) information relating to the location and type of emergency systems and firefighting equipment; etc.
- 5.72 Once Built: Whilst the responsibility for the enforcement of the CDM Regulations rests with the Health & Safety Executive throughout the construction phase, The London Borough of Tower Hamlets will become the health & safety enforcing authority upon handover. The Applicant therefore needs to be aware of the requirements of CDM and especially how the design will affect the end-user(s) of the development to fulfil their duties under the above Act and specifically legislation such as the Workplace Health Safety and Welfare Regulations 1992.
- 5.73 The Applicant is therefore advised to make contact with the Health and Safety Team as any non-compliance issues in the future may have to be regrettably dealt with through formal enforcement action.
- 5.74 Notification of Work with Asbestos: The Applicant is required to notify the enforcing authority, (HSE), of any work on asbestos covered by the Control of Asbestos at Work (amendment) Regulations 1998 and the Asbestos (Licensing)(amendment) Regulations 1998. This includes work with Asbestos Insulation, Asbestos Coating and Asbestos Insulation Board.
- 5.75 Notification of Cooling Towers and Evaporative Condenser Regulations 1992: All premises where cooling towers and evaporative condensers are situated must register with the Local Authority under the Notification of Cooling Towers and Evaporative Condenser Regulations 1992. The Local Authority must be notified when/if such devices are no longer in use.
- 5.76 Establishment for Special Treatments: London Local Authorities Act 1991 - premises used as an establishment for special treatment must have a special treatment licence granted under the above Act by the borough council.

LBTH Biodiversity

- 5.77 The loss of the existing vegetation would be a very minor adverse impact on biodiversity. Policy D.ES3 requires major development to provide net gains in biodiversity that contribute to objectives in the Local Biodiversity Action Plan (LBAP). The Biodiversity Net Gain calculation in the biodiversity impact assessment report, and the Urban Greening Factor (UGF) calculation in the landscape statement, include 328 square metres of biodiverse roof. This does not appear on the Roof Plan, and I can find no detail of its design. If designed as recommended in the biodiversity report, it will contribute to LBAP targets and will help to ensure net gain in biodiversity.
- 5.78 The proposed ornamental landscaping includes planting of two native tree species. Adding a third native species would contribute to another LBAP objective. The ornamental landscaping also includes a few good nectar plants but could be improved for biodiversity if a greater

diversity of nectar-rich herbaceous perennials was included. It is noted that the UGF (Urban Greening Factor) calculation claims that the completed development will include 555sqm of semi-natural habitat (woodland or meadow), but there is nothing in the proposed landscaping that is considered to meet this definition. The figures in the landscape statement are too high.

- 5.79 Other biodiversity enhancements that would be appropriate, and are recommended in the biodiversity report, include nest boxes for birds such as swift, house sparrow and black redstart.
- 5.80 Biodiversity mitigation and enhancement should be secured through a condition for details of the biodiverse roof, three native tree species and nest boxes for appropriate bird species.

Officer Comment: The Applicant has submitted a Landscape Design and Access Addendum which now shows the extent of Biodiverse Roof and updated plan and trees species. Full details of the landscaping strategy will be secured by condition.

LBTH Energy Efficiency

- 5.81 The Energy Officer is satisfied with the proposed Energy Strategy subject to securing the required Carbon Off-setting Contribution.

LBTH Health Impact Assessment Officer

- 5.82 Does the affordable housing provision meet Local Plan policy requirements?
- 5.83 Open space: Delivery of public open spaces for local residents is identified as a need. The Applicants are responding by a pocket park, accessible landscape, play provisions on first and fifth floor as well as further amenity space on first, second, third floor. A new community asset is also planned at ground level. It is not clear if the pocket park is indeed the new community asset? Is the pocket park the only community asset on the development? It is assumed that the play provisions and amenity space are all private? What is the size of the pocket park and what type of play space does it offer? Given the critical lack of open and green spaces in the borough and the rate of child obesity, communal play areas and green spaces are essential aspect of the broader health benefit the development could bring to the area. Does the development offer the minimum open space standards required by Policy S.SG1 and if not why?
- 5.84 Of the 1,343sqm of children play space: what percentage would be accessible to neighbourhood children? The HIA states that the ground floor play space would be "incidental" while the play space provision on first and fifth floors will be "safe and stimulating,...formal...": it seems that the development will do little to contribute to promote health equity through play if there are different standards of play spaces: It is critical that the development maximises the community asset in a high density area with critical lack of open space for the community of residents and non-site residents alike.
- 5.85 Active travel: 17 cycle spaces for the commercial space seems too little. Could the Applicants explain how they have identified 17 as a sufficient number of cycle spaces, for instance, detailing the ratio employee/cycle space (or other measurement)?
- 5.86 *Officer Comment: The Applicant has responded to the HIA Officer confirming that the Affordable Housing offer aligns with policy requirements, the contribution of the pocket park would promote neighbourhood cohesion, details of the children's play provision, confirmation that residential units meet the required provision for private and communal amenity space and the promotion of active travel through the provision of cycle parking. The HIA Officer has accepted this and considers the response to be satisfactory.*

LBTH CIL Team

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

- 5.88 The site is located in the borough's Zone 1 (City Fringe and North Docklands) charging area. It also falls within Band 2 (and Central London/Isle of Dogs) of MCIL2 charging area.

LBTH Sustainable Urban Drainage (SUDS)

- 5.89 The overall drainage strategy is accepted, however the SUDs elements to be incorporated into to the site are not consistent and will require the developer to commit to what will be included within the site and how these will interact with the drainage for the site. The developer will need to update the drainage plan for the site to include a suds hierarchy assessment.
- 5.90 Flood Risk - The site is located within Flood Zone 3a and is protected to a high standard by the River Thames tidal flood defences. There are risks associated with a breach of defences and therefore it's recommended there are flood defence mitigation measures in place and that the finished floor levels and electrically sensitive infrastructure are all set above the TE2100 threshold to improve the sites overall flood resilience.
- 5.91 As residential accommodation is not proposed on the ground floor there is an overall decrease in the site's overall vulnerability; however, it's still important that there are resilient means of safe access and egress with evacuation routes and residential alerts in place to protect residents should a flooding event occur.
- 5.92 There are also surface water flooding risks associated within the wider catchment area.
- 5.93 The site also lies adjacent to a critical drainage area, as defined in our surface water modelling study SFRA and IWMP and therefore the site will need to meet greenfield run off rates. The recently published IWMS also highlights the need for the site to meet policy requirements for the long-term sustainability within this area.
- 5.94 Surface Water Drainage Strategy - The surface water drainage proposal is to restrict surface water run off to a maximum of 4l/s in a 1in 100year +40% storm event via 2 outfall connections (restricted to 2l/s each), with discharge into the surface water sewers along Marsh Wall and Admirals Way is accepted and meets expectation with a 95% betterment over existing. This is achieved via using attenuation tanks with a restricted outfall rate, permeable paving with a subbase storage element with both on site gullies and overhead DLR pipes connecting into this feature with a restricted outfall rate.
- 5.95 SUDs - No SUDs hierarchy assessment for the site has been submitted and therefore this will be required from the developer. It's noted that discharging to a surface water sewer falls high on the hierarchy, but an assessment is a policy requirement and should be completed within the drainage design for the site.
- 5.96 There is also a lack of consistency around how and what SUDs will be included within the site. This is due to only the attenuation tank and permeable paving elements being included within the submitted drainage design. However, a pocket park, green roofs, trees etc have been suggested but not committed to by the developer. Therefore, these additional elements will need to be incorporated into the overall drainage design for the site and show how they will interact with the site's drainage.
- 5.97 Residual Risk - Safe and appropriate flow routes from blockage and exceedance of the drainage system must be evaluated. This must demonstrate no property flooding or increase in flood risk, either offsite or to third parties.
- 5.98 Maintenance - The applicant has submitted a typical maintenance regime for the drainage scheme. It's important to confirm details of agreed adoption, monitoring and maintenance of the drainage and suds features.

Mayor of London/Greater London Authority (GLA Stage 1 Report)

- 5.99 The Mayor of London issued a Stage 1 report on the application which, whilst supportive of the application in principle, considers that the application does not fully comply with London Plan Policies. The following are a summary of the GLA's salient concerns.
- 5.100 **Land Use Principle:** The principle of redeveloping this brownfield site to deliver a residential-led mixed use building is acceptable in line with London Plan Policies SD1 and H1.
- 5.101 **Housing:** 35% affordable housing offer (split 70% low cost rent and 30% intermediate) would be eligible for the Fast Track Route subject to satisfying all other relevant local and Mayoral policy requirements. The affordable housing provision should be secured in the s106 along with an Early Stage Review and contributions towards offsite play space to be agreed with the Council.
- 5.102 **Children's Play Space:** The proposal has been calculated to generate a child yield of 180.9 which amounts to a 1,809sqm play space requirement including 729 sqm of doorstep play space. The proposal would provide a total of 1344sqm of play space on site resulting in a shortfall of 465sqm. The Applicant should confirm that onsite playspace provision will be accessible to all units irrespective of tenure and retained in perpetuity. The Applicant should work with the Council to identify suitable offsite playspace and agree an appropriate contribution.
- 5.103 **Residents Amenity Space:** The Applicant is proposing 551sqm of residents' amenity space at and a 'Clubhouse with a surrounding terrace. At present it is unclear if any of the proposed amenity spaces would be segregated by tenure. The Applicant should therefore confirm whether the proposed amenity spaces would be accessible to all and benefit from sufficient daylight/sunlight and have comfortable wind microclimate.
- 5.104 **Agent of Change:** The application site is bisected by a DLR line, which would run adjacent to the proposed building. The Applicant should confirm the design measures proposed to minimise existing and potential nuisances generated by the operation and maintenance of the DLR line to ensure that the residential units would benefit from high levels of residential amenity in line with Policy D13 of the London Plan.
- 5.105 **Urban Design and Heritage:** The site is in an area identified as suitable for tall buildings and the architectural approach is supported; however, the Applicant should seek to maximise the provision of dual aspect units and investigate design solutions to minimise the provision of single aspect units and then demonstrate that any remaining single aspect units would provide a high level of comfort and residential quality. The Applicant should confirm design measures proposed to ensure that the residential units would enjoy high levels of residential amenity despite proximity to the DLR line, and which would safeguard the DLR from unreasonable restrictions in line with Policy D13. Key details relating to the park and building should be secured to ensure exemplary design quality is delivered. The proposal would not harm heritage assets.
- 5.106 **Development Layout:** The Applicant is proposing a separate entrance and lobby for the low-cost rent units. Policy D6 of the London Plan states that housing should be designed to maximise tenure integration. A single, tenure blind entrance would be preferable in line with this policy to facilitate social interaction and inclusions, avoid separation or special treatment for tenants, and ensure dignity for all users.
- 5.107 **Transport:** The submitted Transport Assessment is broadly acceptable. Further work and information are required in respect of public transport impacts, cycle parking, car parking and Healthy Streets. A Travel Plan, Delivery and Servicing Plan, and Construction Logistics Plan should be secured.
- 5.108 **Sustainable Development:** Further information is required with respect of energy, whole lifecycle carbon, circular economy and air quality.

- 5.109 **Green Infrastructure and Natural Environment:** Further information and clarification is required in respect of green infrastructure matters.

Transport for London

- 5.110 **Public Transport Impact:** Section 3.4 of the Transport Assessment (TA) does not reference the existing services offered by the Jubilee line and table 6.8 only states the additional level of demand. TfL would expect to see an account of the impact on capacity. The TA should be updated to provide an understanding of the level of capacity utilisation of the available Jubilee line rolling stock capacity before and after the development's demand is accounted for.
- 5.111 Table 6.10 in the TA indicates this development will impact capacity at the western gateway during the AM peak. The Applicant should explore ways to mitigate this impact.
- 5.112 The TA should include anticipated trip generation for future Elizabeth Line service at Canary Wharf.
- 5.113 There are two cycle hire docking stations in the vicinity of the application site, which have the capacity to serve this development. The Applicant should promote cycle hire to mitigate short trips on the DLR and bus networks and meet cycle mode share targets set out in the Travel Plan. This could be achieved by purchasing cycle hire memberships for at least 10% of the residential units for three years.
- 5.114 **Active Travel Zone:** An Active Travel Zone has been undertaken. The six active travel routes assessed are acceptable and appropriate. The assessment identifies improvements that could be made to the walking and cycling conditions on six local routes. The Applicant should therefore work with Tower Hamlets Council to implement the proposed improvements.
- 5.115 **Healthy Streets:** In line with Policy D8 of the London Plan, this development has sought opportunities to enhance the public realm via the provision of active frontages at ground level and the proposed pocket park. Legible London Wayfinding for walking and cycling to nearby destinations and public transport nodes should be provided to support the Healthy Streets Approach. TfL strongly supports the proposed 'Underline' concept under the DLR viaduct.
- 5.116 **Cycle Parking:** TfL strongly welcomes the removal of surface car parking and the car free nature of this development, save for the blue badge spaces. A Car and Cycle Parking Management Plan should be secured by condition.
- 5.117 **Travel Plan:** The Travel Plan should be secured as part of the S106 agreement. The targets and measures set out in the Travel Plan should, throughout the Plan's lifespan, focus on increasing the active travel mode share in line with the Mayor's Transport Strategy mode shift target for inner London for 95% of journeys to be made by walking, cycling and public transport.
- 5.118 **Delivery and Servicing:** The submitted Delivery and Servicing Plan should be updated to include information on how building occupants will be notified of the obligations of the DSP and any changes to this document. Additionally, whilst the DSP sets out the anticipated number of delivery and servicing trips, TfL would expect to see targets setting out how these trips can be reduced over time.
- 5.119 **Construction:** An outline Construction Management Plan has been submitted. A detailed Construction Logistics Plan (CLP), in line with TfL's latest guidance should be provided and secured via condition.

Historic England

- 5.120 Historic England was involved in pre-application discussions regarding these proposals earlier this year and the pre-application letter sent to the Applicants should be treated as part of Historic England's consultation response.

- 5.121 Historic England's main area of interest is the potential impact of the proposed tall building on the Grand Axis which is an attribute of Outstanding Universal Value of the Maritime Greenwich World Heritage Site (WHS).
- 5.122 Historic England concluded that, on the basis of the available information the proposed tall building would appear to form a relatively coherent part of the evolving tall buildings cluster around Canary Wharf in the protected view of the Grand Axis from the General Wolfe Statue in Greenwich Park. Historic England did not consider that the proposed development in isolation would affect the ability to appreciate the Grand Axis as an attribute of Outstanding Universal Value of the Maritime Greenwich WHS. Historic England also had no serious concerns about the impact of these proposals on any other aspect of Outstanding Universal Value, or significance attributed to the component designations within the WHS. This position was endorsed at an internal Historic England peer review.
- 5.123 Historic England have reviewed the submitted Heritage, Townscape, and Visual Impact Assessment (TVIA, Environmental Impact Assessment Volume 2) with particular focus on LVMF 5A.1 from the General Wolfe Statue in Greenwich Park which provides the best vantage point from which to appreciate the exceptional ensemble of buildings symmetrically arranged around the Grand Axis. On the basis of this assessment, Historic England remain of the view set out above, and confirm that there are no significant concerns about the impact of these proposals on the Maritime Greenwich WHS.
- 5.124 Historic England confirm that they have no comments to make on other heritage-sensitive views set out in the TVIA, when taking account of the impacts presented by the various existing and consented tall building schemes around the development site.
- 5.125 Historic England therefore has no objection to the application on heritage grounds.

Metropolitan Police (Designing Out Crime Officer)

- 5.126 No objections to the proposal subject to a condition requiring the submission of details of security measures demonstrating that secure by design standards shall be achieved.

London City Airport

- 5.127 No objections subject to the imposition of a condition requiring the submission of construction methodology and diagrams for the erection of cranes.

Sports England

- 5.128 The planning application proposes up to 495 residential units the occupiers of which will generate demand for sporting provision. The existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as a robust and up-to-date Playing Pitch Strategy and/or a Sports Built Facility Strategy which the Council currently do not have.
- 5.129 Although there is floorspace proposed for uses falling within Use Class E it is not clear whether any of these would actually be sport facilities and, if there were to be sport facilities, then it is not clear what sport facilities would be provided. As a result, it would be unknown if any sport facilities would meet the sporting demands arising from the development.
- 5.130 Recent changes to CIL Regulations in 2019 has resulted in the Council having the opportunity to seek contributions through CIL or via a S. 106 Agreement however it is not clear how, or if, the Council intends to mitigate the impact of the increase of sporting demand on local sport facilities.
- 5.131 If provision for sports facilities is to be made through CIL charge, it is acknowledged that there is no requirement to identify where those CIL funds will be directed as part of the determination of

any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development and direct funds to deliver new and/or improved facilities for sport based on local priorities.

- 5.132 In the event that the Council decides to seek provision for sports facility provision through a S.106 agreement rather than the CIL charge then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool.
- 5.133 In relation to built sport facilities, Sport England's established Sports Facilities Calculator (SFC) indicates that a population of 1,188 (calculated by multiplying the number of residential units by the average occupation rate of 2.4) in the London Borough of Tower Hamlets would generate a demand for 0.09 sports halls (£286,840), 0.06 swimming pools (£302,486), 0.05 artificial grass pitches (£60,556 if 3G or £55,078 if sand) and 0.04 rinks of an indoor bowls centres (£21,389). Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sport facility provision was to be made through a S.106 agreement.
- 5.134 *Officer Comment: Sports facilities are specifically included in the definition of 'Infrastructure' for the purposes of the Council's Community Infrastructure Levy (CIL). As such it would only be appropriate to secure S.106 contributions towards sports provision if there was a site specific requirement to make the development acceptable in planning terms. In this instance there are no site specific justification to secure contributions towards sporting provision.*

Thames Water

- 5.135 No objections to the proposal subject to conditions requiring the submission of a Piling Method Statement, details that all water network upgrades required to accommodate the additional flows beyond the occupation of 99 dwellings have been completed or the submission of a development and infrastructure phasing plan, and informatives in respect of minimising risks to public sewers, requirement for a Groundwater Risk Management Permit and matters concerning discharge to a public sewer.

National Grid/Cadent Gas

- 5.136 Cadent have identified low or medium pressure gas pipes and associated equipment within the vicinity of the application site and above ground gas sites and equipment.
- 5.137 The Applicant should ensure that they have been contacted by Cadent Gas/National Grid prior to undertaking any works within 10m of the site.
- 5.138 The Applicant must ensure that any proposed works on private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves).
- 5.139 The Applicant should ensure that all persons, including direct labour and contractors working near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 (Avoiding Danger from Underground Services) and GS6 (Avoidance of Danger from Overhead Electric Power Lines).
- 5.140 In line with relevant guidance the Applicant shall verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

L.B Greenwich

- 5.141 No comments received.

Crossrail

- 5.142 No comments to make on the application.

Environment Agency

- 5.143 No objections to the application on flood risk grounds. The FRA indicates that flooding is not predicted in the development area. However, the proposed development is located in close proximity to modelled breach outlines. Therefore, to improve flood resilience, it is recommended that, where feasible, finished floor levels are set above the 2100 breach flood level, which is 5.12m AOD.

TfL Infrastructure Protection

- 5.144 No objection in principle however would seek the imposition of a condition requiring a detailed design and method statement relating to all structures including demolition, foundations, basement and ground floor structures or for any other structures below ground level and piling and the siting, erection and operational procedure for any cranes.

Port of London Authority

- 5.145 It is welcomed that reference to nearby riverbus services at Canary Wharf Pier is included within the submitted Transport Assessment and paragraph 7.95 of the associated Environmental Statement. To ensure the use of nearby riverbus services continues to be promoted as part of this development, it must be ensured that the residential travel packs highlighted in paragraph 6.4.2 of the submitted Travel Plan specifically include details of these services, alongside other public transport options, including timetables and maps.
- 5.146 With regard to the construction and demolition stage of the development, it is disappointing that consideration does not appear to have been given to the potential use of nearby waterways through the supply chain. Given the location of the development the detailed Construction Management Plan (CMP) must consider the potential for nearby navigable waterways to be utilised through the supply chain in the transportation of construction and waste materials. Such an approach would accord with Policy SI15 (Water Transport) of the London Plan (2021) and Policy D.TR4 (Sustainable delivery and servicing) of the London Borough of Tower Hamlets Local Plan (2020) which seeks for development close to navigable waterways to maximise water transport for materials and waste, particularly during the demolition and construction phases. This requirement should be specifically included as part of an appropriately worded condition for the detailed CMP as part of any forthcoming planning permission.
- 5.147 *Officer Comment: A condition will be imposed that requires the Applicant to provide as part of the CEMP to be approved, a feasibility survey which considers the potential for moving demolition and construction material from the site by waterborne freight.*

The Greater London Archaeological Advisory Service (GLAAS)

- 5.148 The planning application lies in an area of archaeological interest. The application has been overtaken by the sinking of three geoarchaeological boreholes at the site by MOLA in April. The final report on this investigation has not been received but it is understood that its results indicate areas of modern disturbance with only limited survival. The Applicant's recommended watching brief is therefore accepted as an appropriate response.
- 5.149 GLAAS conclude that the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition. It is therefore recommended that a condition requiring the submission of a Written Scheme of Investigation is imposed.

NATs Safeguarding

- 5.150 The proposal does not conflict with NATs safeguarding criteria and therefore there are no safeguarding objection to the proposal.

Natural England

5.151 No objections to proposal.

Canal and River Trust

5.152 It would appear that the impact of the proposed development on overshadowing of the dock has not been assessed, though it would clearly have an impact. It is requested that the Environmental Statement be amended to consider this, and any mitigation required be provided, likely as part of a legal agreement. Mitigation is recommended in the form of floating ecosystems within South Dock.

5.153 This scheme is not linked directly to the dock walkways but does provide improved public realm and connection toward the dock, which is welcomed. The Trust consider that appropriate wayfinding to the water's edge should be incorporated, which may need to be part of a legal agreement.

5.154 Further representations were received from the Trust following the second EIA Reg 25 consultation stating that the updated Daylight, Sunlight, Overshadowing and Solar Glare chapter of the ES states that West India SINC would experience additional overshadowing in the cumulative scenario and therefore Moderate Adverse effect is ascribed. The Trust considers that the development should provide some mitigation for this overshadowing, which is likely to adversely affect phytoplankton growth within the dock waterspace, and subsequently the wider biodiversity of the waterspace.

5.155 *Officer Comment: The Environmental Statement has considered the impact of the proposed development on overshadowing of the dock and as such the Canal and River Trust has been advised of this accordingly. There has been no change in the reporting of the cumulative effects of the proposal in terms of overshadowing on the SINC within the ES since submission of the planning application. Review of the Environmental Statement by the Council's appointed consultants Temple has not identified that mitigation measures are required in respect of overshadowing of the dock.*

Marine Management Organisation

5.156 No objections to the proposal. Advice provided that any works within the Marine area require a licence from the Marine Management Organisation. It is the Applicant's responsibility to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Network Rail

5.157 No objections to proposal.

London Fire Brigade

5.158 The Commissioner is satisfied with the initial proposals subject to the main recommendations from the submitted Fire Strategy Report are complied with.

The Gardens Trust

5.159 No comments to make.

London Borough of Southwark

5.160 No formal objection to the proposal however some comments requiring the Transport Assessment to consider base traffic surveys to be undertaken on neutral months and days (i.e. Tuesdays, Wednesdays and Thursdays), estimation of generated vehicular/public transport trips using TRICS database, consideration of existing/proposed uses and size of the buildings on the site, cumulative impact of the development, road safety analysis and the evaluation of the impact on highway/public transport and pedestrian/cyclist conditions. Further comments include the requirement for the scope of the Transport Assessment and Travel Plan to be in accordance with TFL's guidance and compliant with the new London Plan standard in terms of cycle parking.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

Development Plan

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

6.2 The adopted Development Plan comprises:

- The London Plan 2021 “The London Plan” (Published March 2021)
- Tower Hamlets Local Plan 2031, “The Local Plan” (adopted January 2020)
- Isle of Dogs Neighbourhood Plan, “The Isle of Dogs NP” (adopted May 2020)

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

Growth (opportunity areas, strategic and local regeneration, areas of growth and opportunity, delivering sustainable growth)

- London Plan Policies: GG1, SD1, SD10.
- Local Plan Policies: S.SG1, S.SG2.

Land Use (opportunity areas, loss of office/employment, principle of housing, principle of retail uses, supporting the network and hierarchy of centres)

- London Plan Policies: SD1, E1, H1.
- Local Plan Policies: S.EMP1, D.EMP3, S.TC1, S.H1.

Design (layout, townscape, appearance, materials, tall buildings, public realm, safety and security, fire safety, inclusive design)

- London Plan Policies: GG2, D1, D2, D3, D4, D5, D6, D7, D8, D9, D12.
- Local Plan Policies: S.DH1, D.DH2, D.DH6, D.DH7.
- Isle of Dogs NP: D1, D2.

Heritage (historic environment, world heritage sites, local and strategic views)

- London Plan Policies: HC1, HC2, HC3, HC4.
- Local Plan Policies: S.DH3, D.DH4, S.DH5, D.DH6.

Housing (increasing housing supply, affordable housing, housing mix, housing quality, play and informal recreation, accessible housing)

- London Plan Policies: GG4, D7, H1, H4, H5, H6, H7, H10, S4.
- Local Plan Policies: S.H1, D.H2, D.H3.
- Isle of Dogs NP: D2.

Amenity (privacy, outlook, daylight and sunlight, noise, construction impacts, agent of change)

- London Plan Policies: D3, D6, D9, D13, D14.
- Local Plan Policies: D.DH8.

Transport (sustainable transport, highway safety and capacity, car and cycle parking, servicing).

- London Plan Policies: T1, T2, T4, T5, T6, T6.1, T7, T8.
- Local Plan Policies: S.TR1, D.TR2, D.TR3, D.TR4.

Environment (air quality, urban greening, biodiversity, contaminated land, energy efficiency and

sustainability, sustainable drainage, flood risk, waste, noise)

- London Plan Policies: D1, G5, G6, G7, SI1, SI2, SI3, SI4, SI5, SI7, SI8, SI12, SI13.
- Local Plan Policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.MW2, D.MW3.
- Isle of Dogs NP: CC1, CC2, CC3, SD1.

Other Policies and Guidance

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- Isle of Dogs and South Poplar Opportunity Area Planning Framework (2019)
- GLA Affordable Housing and Viability SPG (2017)
- GLA Housing SPG (Updated 2017)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- GLA London View Management Framework SPG (2012)
- LBTH Reuse, Recycling and Waste SPD (2021)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (December 2020)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)

6.5 The following draft guidance is relevant, although it has limited weight:

- Tall Buildings SPD (consultation draft 2021).

7. PLANNING ASSESSMENT

The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Quality of Accommodation
- iv. Design
- v. Landscaping, Public Realm and Biodiversity
- vi. Heritage
- vii. Amenity
- viii. Transport and Servicing
- ix. Environment
- x. Infrastructure Impact
- xi. Equalities and Human Rights

LAND USE

Principle of Development

- 7.1 The National Planning Policy Framework ('NPPF') promotes a presumption in favour of sustainable development through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environmental benefits. Planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.2 Objective GG2 of the London Plan requires that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must amongst other things, enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites.
- 7.3 Policy SD1 of the London Plan identifies the Isle of Dogs as a designated Opportunity Area. The London Plan recognises Opportunity Areas as being the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. The policy expects development proposals within Opportunity Areas to amongst other things, support wider regeneration, maximise the delivery of affordable housing, support the creation of employment opportunities and the creation of mixed and inclusive communities and integrate development proposals to the surrounding areas for regeneration.
- 7.4 Table 2.1 to Policy SD1 indicates that the Isle of Dogs Opportunity Area is capable of accommodating an indicative capacity of 29,000 new homes and 110,000 new jobs up to 2041. The Isle of Dogs and South Poplar Opportunity Area Planning Framework (*hereinafter referred to as the OAPF*) was formally adopted in September 2019. The OAPF establishes a plan for delivering housing and jobs through Good Growth in the OAPF area which benefits all residents and delivers improved links between existing and future communities and identifies that the Isle of Dogs Opportunity Area is capable of delivering 31,000 new homes and 110, 000 new jobs up to 2041.
- 7.5 The Tower Hamlets Local Plan 2031 (*hereinafter referred to as the Local Plan*) identifies that the application site lies within 'Sub-area 4: Isle of Dogs and South Poplar'. The overarching vision for this sub-area is that by 2031, the Isle of Dogs and South Poplar will have a cohesive mix of housing, employment and leisure uses within distinctive, inclusive and vibrant neighbourhoods, which have a strong sense of place.
- 7.6 The application site also lies within Site Allocation 4.6 'Marsh Wall West' which identifies Housing and Employment as being appropriate land uses for this site. The Site Allocation also seeks infrastructure requirements in the form of small open space, a Primary school and a Health facility. Site Allocation 4.6 measures 6.39 hectares and comprises an ensemble of sites.
- 7.7 The residential-led development would align with the land use requirements of the Site Allocation and given the site's location in an Opportunity Area, the redevelopment of the site to contribute to the delivery of growth is supported in principle subject to all other relevant Development Plan policies being adhered with.

Loss of Employment

- 7.8 Policy E1 of the London Plan seeks to amongst other things, retain existing viable office floorspace outside of town centre locations or designated office locations. The policy also seeks improvements to the quality, flexibility and adaptability of office space of different sizes through the facilitation of new office provision, refurbishment and mixed-use development.
- 7.9 Policy S.EMP1 of the Local Plan seeks to protect and enhance the role and function of the Borough's designated employment locations and maximise the provision of employment floorspace to contribute towards the Borough's target of creating 125,000 new jobs over the period to 2031. The application site falls within the Isle of Dogs Activity Area. The policy goes

on to identify that the Tower Hamlets Activity Areas, District Centres and larger Neighbourhood Centres also provide opportunities for purpose-built office buildings with ground-floor retail and leisure uses.

- 7.10 Policy D.EMP3 of the Local Plan seeks to protect employment floorspace within Preferred Office Locations, Local Industrial Locations, Strategic Industrial Locations and Local Employment Locations. Outside of designated employment areas, development should not result in the net loss of viable employment floorspace except where they:
- a) provide evidence of active marketing over a continuous period of at least 24 months at a reasonable market rent which accords with indicative figures, or
 - b) provide robust demonstration that the site is genuinely unsuitable for continued employment use due to its condition; reasonable options for restoring the site to employment use are unviable; and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.11 The proposal would result in the loss of employment floorspace as a result of the demolition of the 1980's office building (4,137sqm GIA). The Applicant has submitted a supporting note to demonstrate that the site is no longer suitable for continued employment use due to its condition and that the benefits of the proposal would mitigate the loss of employment floorspace.
- 7.12 The supporting note advises that the Applicant appointed Cherryman Property Consultants (*'Cherryman'*) in January 2019 who undertook a number of marketing exercises including: circulated marketing details within the local market, listed the premises on various websites including Cherryman and Zoopla and erected marketing signage in the windows of the building. The conclusions of this process has been minimal interest. The Applicant has stated that improvement works to the building has also been undertaken including the installation of new carpets throughout, new kitchen spaces, redecoration of walls and other surface treatments, cleaning and maintenance of windows and the provision of new office equipment including desks and office chairs.
- 7.13 The supporting note identifies that of the 18 suites within the building, 11 are currently vacant and of the remaining that are currently occupied these are largely let at commercially unviable rent levels, the tenant has defaulted on rent or there is a Nil rent arrangement in place.
- 7.14 The Applicant summarises a number of economic and regeneration benefits of the proposal including:
- The proposal would create 460 full time jobs across the duration of the 4-year demolition and construction programme.
 - A commitment to contributing towards local employment, skills, and training as a part of the schemes wider planning obligations package.
 - Indirect benefits including supply chain effects and spending by construction workers within shops and other facilities surrounding the site.
 - The creation of up to 10 jobs within the end-user phase of the development.
 - The proposal would replace the existing office building and car park, areas of vacant hardstanding and blank and inactive frontages with a new tall building of a high-quality and architecturally striking design with active frontages on all sides.
 - The proposal would deliver 500 residential units with a commitment to delivering 35% affordable housing by habitable room.

- The scheme would deliver 2430sqm of high-quality public realm improvements comprising a pocket park with increased permeability and connections through to Marsh Wall and beyond.
- The architectural design of the building is of a high-quality and would act as a marker for South Quay, attracting visitors to the area and creating a vibrant atmosphere, contributing towards positive regeneration.

7.15 Officers agree that there are clear planning benefits from the proposal which would deliver wider regeneration benefits that would outweigh the need to retain the existing employment floorspace, the majority of which has benefited from limited employment activity. Notably the delivery of a policy compliant level of affordable housing and much needed new housing, contributing to achieving the Borough's housing targets and the public realm improvements which would serve the wider community. The Environmental Statement (ES) accompanying the planning application reports in its Socio-economics chapter (Chapter 6) that in terms of effects on housing provision, the proposed development would deliver 14% of the annual target of housing delivery set out in the London Plan for the Borough. The ES confirms that the effect upon housing provision would be direct, permanent and Moderate Beneficial (Significant) at the Borough level. In the cumulative scenario, schemes are expected to bring forward approximately 20,000 residential units, contributing to 57% of the London Plan (2021) target for the Borough. As such the ES confirms that the cumulative effect on housing need is assessed to be direct, permanent and Major Beneficial (Significant) at the Borough level.

7.16 Officers consider that were this site were to attract potential occupiers for employment use, there is the very real possibility that given the dated appearance of the building, its location just south of the Canary Wharf Primary Preferred Office Location, and the likely absence of facilities compatible with the modern day contemporary office environment; it would not be unreasonable to assume that it may be desirable and more cost effective to demolish and rebuild for employment purposes rather than retain, expand and refurbish.

7.17 Overall Officers consider that the loss of employment floorspace is accepted and appropriately justified given the site-specific characteristics and wider regeneration benefits proposed. Officers are satisfied that there is limited prospect of the site being reused for employment purposes at full capacity.

Provision of Flexible Class E Uses

7.18 Policy S.TC1 of the Local Plan requires development to support the role and function of the Borough's town centre hierarchy and the provision of town centre uses. For the Tower Hamlets Activity Areas, development is required to amongst other things support the delivery of new retail and leisure floorspace to meet identified needs and promote active uses at ground floor level.

7.19 The proposed development would provide three flexible retail/commercial units at the ground floor level with each unit activating dual elevations. The commercial units would provide a total of 296 sqm (GIA) of floorspace with uses falling within the new Use Class E (Commercial, Business and Service). The proposed provision of retail/commercial units is in line with the role and function of the Isle of Dogs Activity area in that active uses have been promoted at ground floor level and these units would help to provide a transition from the Canary Wharf Metropolitan Centre to the surrounding area.

7.20 The proposed retail units would not only assist in meeting the needs of future occupiers of the development, but also provide an enhanced convenience offer and other localised services to meet the immediate needs of wider local residents. The provision of flexible retail/commercial uses to support the residential-led development is considered to be acceptable.

Principle of Housing

7.21 The NPPF seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed

communities. Paragraph 119 of the NPPF specifically sends a core message to ensure that previously developed land (brownfield land) is effectively reused in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Chapter 11, paragraph 120, part c) of the NPPF emphasises that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 7.22 The London Plan emphasises that there is a pressing need for more homes in London and that providing a range of high quality, well-designed, accessible homes is important to delivering Good Growth, ensuring that London remains a mixed and inclusive place in which people have a choice about where to live. Strategic objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must, amongst other things, under part (c) create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.
- 7.23 Policy H1 of the London Plan sets a ten-year target for net housing completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) new homes between 2019/20 and 2028/29.
- 7.24 At the local level, Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.25 As the site falls within an Opportunity Area whereby growth is expected to be accelerated and has a site allocation designation whereby residential use has been deemed an appropriate land use, the provision of the net gain of 500 new dwellings of which 131 dwellings would be affordable would positively contribute to the Borough's housing stock, noting that there is an acute local and national demand for increased housing. The principle of housing on this site is therefore supported and considered acceptable.

HOUSING

Housing Mix and Tenure

- 7.26 Policy H10 of the London Plan promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods.
- 7.27 At the local level, Policy S.H1(2) of the Tower Hamlets Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in part 3 of Policy D.H2 of the Local Plan.
- 7.28 The proposed unit and tenure mix are set out below in Table 1 as an assessment against policy D.H2.

		Market Housing			Intermediate			Affordable Rented		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	82	82	22%	/	Page 65			/		

1-bed	138	106	29%	30%	14	33%	15%	18	20%	25%
2-bed	208	164	44%	50%	16	37%	40%	28	32%	30%
3-bed	59	17	5%	20%	13	30%	45%	29	33%	30%
4-bed	13	/	/		/			13	15%	15%
Total	500	369	100%	100%	43	100%	100%	88	100%	100%

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

- 7.29 With regard to the Market housing mix, whilst the provision of 1-bed units would be marginally below the policy target of 30% (29% proposed), this combined with a provision of 22% studio flats for which there is no policy requirement for would result in a combined substantial over provision equating to 51%. There would be an under provision of 2-bed units (-6%); 44% against a policy target of 50% and a substantial under provision of 3-bed plus units (-15%); 5% against a policy target of 20%.
- 7.30 In the Intermediate tenure, there would be a substantial over provision of 1-bed units (+18%); 33% against a policy target of 15%, an under provision of 2-bed units (-3%) providing 37% against a policy target of 40% and a substantial under provision of 3-bed plus units (-15%) providing 30% against a policy target of 45%.
- 7.31 In the Affordable Rented tenure, the scheme underprovides (-5%) in 1-bed units proposing 20% against a policy target of 25%. There would be a marginal overprovision (+2%) in 2-bed units providing 32% against a policy target of 30%, a marginal overprovision (+3%) of 3-bed units providing 33% against a policy target of 30% and the scheme would be fully compliant with the policy target of 15% for 4-bed units in this tenure.
- 7.32 The overall unit and tenure mix does not provide a policy compliant mix as required by Policy D.H2, however, the submitted Affordable Housing Statement advises that in particular reference to family housing in the Market tenure this has been predicated by a market preference for less three bed units in both the Market and Intermediate tenures. Officers note that this scenario is not unusual in previous schemes in this location. However, the scheme would meet and marginally exceed the required policy target for 2-beds and family units in the Affordable Rented tenure and given that there is a pressing need for larger family homes in the Affordable Rented tenure, Officers consider the housing mix to be broadly acceptable.
- 7.33 Whilst the scheme under provides in 1-bed units in the Affordable Rented tenure, Members are advised that the scheme as originally submitted, proposed no 1-bed units in this tenure and this has now been amended to 20% as set out above. The scheme also initially proposed a substantial overprovision of family housing in the Affordable Rented tenure; 61% over the policy target of 45%. Whilst Officers acknowledge that there is an acute need for Affordable Rented family housing, it must also be recognised that a site as constrained as this would not be able to accommodate the required level of children’s play space provision on-site which would inevitably be required as a result of such high proportion of family Affordable Rented housing.
- 7.34 Officers have worked with the Applicant to revise the scheme to provide a unit mix that better aligns with the required unit mix as set out in Policy D.H2 of the Local Plan. The amended scheme now provides 1-bed units in the Affordable Rented tenure and has reduced the proportion of family units in this tenure thus reducing the shortfall in children’s play provision. In the Intermediate tenure, the unit mix has been amended to increase the provision of 2-bed (33% originally proposed) and 3-bed units (27% originally proposed) and reducing the provision of 1-bed units (40% originally proposed).
- 7.35 Officers consider that the amended unit mix provides for a range of unit types and seeks to proportion them within the tenures most effective without compromising the submitted affordable housing offer of 35% as further discussed below. On balance, it is considered that the shortfall in 1-bed units in the Affordable Rented tenure and the deviation from policy in the

Market and Intermediate tenures, whilst under-providing for larger units and over-providing studios (Market) and 1-beds (Intermediate), would constitute an acceptable mix of homes which would cater for a range of residents within the Borough at a variety of stages in their life. When considered alongside the strong affordable housing offer provided within the scheme (as detailed below), it is considered that the scheme will provide for a variety of high-standard and diverse accommodation. The Council's Housing Team have confirmed that the proposed unit mix across each tenure would be acceptable and supported.

Affordable Housing

- 7.36 Policy H4 of the London Plan sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. To secure greater security of affordable housing delivery, Policy H4 requires major developments which trigger affordable housing requirements to provide affordable housing through the 'threshold approach' to applications.
- 7.37 Policy H5 of the London Plan and The Mayor of London's Affordable Housing and Viability SPG (August 2017) sets out the 'threshold approach' to applications, whereby the approach to viability information depends on the level of affordable housing being provided. Applications for schemes that (a) meet or exceed 35% or 50% (on public land) affordable housing provision without public subsidy, (b) provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the relevant borough and the Mayor and (c), have sought to increase the level of affordable housing beyond 35% or 50% by accessing grant are not required to submit viability information. Schemes that follow this approach are deemed to be eligible for the 'Fast Track' route and are expected to be subject to an early viability review, but this is normally only triggered if an agreed level of implementation is not made within two years of planning permission being granted.
- 7.38 Policy H6 of the London Plan under Part A establishes the split of affordable products that should be expected from proposals for residential development. It can be summarised from Part A (1-3) as a minimum of 30 per cent low-cost rented homes, a minimum of 30 per cent Intermediate products and the remaining 40 per cent to be determined by the Borough as low-cost rented homes or Intermediate product based on identified needs. The policy also reiterates that Part A must be met to qualify for the 'Fast Track' route.
- 7.39 At the local level, Policy S.H1 of the Local Plan requires developments to contribute towards the creation of mixed and balanced communities that respond to local and strategic need by amongst other things:
- Under Part 2(a), setting an overall target for 50% of all new homes to be affordable.
 - Under Part 2(a) (iii), requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more residential units (subject to viability).
- 7.40 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable rooms.
- 7.41 The scheme provides 1314 habitable rooms in total (500 units) of which 460 habitable rooms (131 units) would be affordable representing 35% (26.2% based on units) with the remaining 854 habitable rooms being for private sale representing 65% and as such meets the policy requirement to provide at least 35% affordable housing provision onsite. The tenure split for the affordable housing element would be 71%:29% in favour of Affordable Rented units (325 habitable rooms/88 units) to Intermediate (135 habitable rooms/43 units) and therefore broadly provides a policy compliant tenure split in the affordable element. The detailed affordable housing breakdown is set out below in Table 2 below.

	Tower Hamlets Living Rent Units	London Affordable Rent Units	Intermediate	Total

Studios	0	0	0	0
1 Bed	9	9	14	32
2 Bed	14	14	16	44
3 Bed	15	14	13	42
4 Bed	6	7	0	13
Total Units	44	44	43	131
Total Habitable Rooms	162	163	135	460

Table 2: Proposed Breakdown in Affordable Housing Units

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

London Affordable Rent (exclusive of service charges)

1bed £161.71 per week

2bed £171.20 per week

3bed £180.72 per week

4bed £190.23 per week

Tower Hamlets Living Rents (inclusive of service charges)

1bed £196.86 per week

2bed £216.54 per week

3bed £236.23 per week

4bed £265.76 per week

7.43 The Intermediate housing is proposed to be offered flexibly as either Intermediate Rent or Shared Ownership tenures in accordance with the GLA income criteria whereby the gross household income threshold for home ownership is capped at £90,000 and £60,000 for Intermediate Rent.

7.44 The proposal is considered to be eligible for the 'Fast Track' route and thus the submission of a Financial Viability Appraisal is not required in this instance. The S106 legal agreement will secure that an early stage review will be triggered if an agreed level of progress on implementation is not made within 2 years of the permission being issued.

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

QUALITY OF ACCOMMODATION

Housing Standards

7.46 The Greater London Authority's (GLA) Supplementary Planning Guidance (SPG) for Housing sets a clear priority to improve the quality of housing standards. In this regard the SPG aims to ensure the delivery of new housing across all tenures is fit for purpose in the long term comfortable, safe, accessible, environmentally sustainable, and spacious enough to accommodate the changing needs of occupants throughout their lifetimes. As such the Housing SPG provides focused guidance and sets specific standards with regards to how places are shaped and designed including public, private and communal open space, children's play and recreation space, the design of entrances and approach to entrances, frontages to developments, accessible housing, internal and external layout, number of units per core and circulation space amongst other things.

- 7.47 London Plan Policy D6 sets the expected minimum internal space required within new dwellings, across all tenures. It sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights. The standards seeks to ensure that amongst other things new homes have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners without differentiating between tenures.
- 7.48 The above targets are reflected at the local level by Policy D.H3 of the Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan. Policy D.H3 also requires that affordable housing should not be externally distinguishable in quality from private housing.
- 7.49 All the affordable housing units on levels 06-20 will have access to either wintergardens or inset balconies whilst all the Market and Intermediate units from level 20 upwards will provide additional internal floorspace within the units which would be equivalent to the private amenity area required for the dwelling's level of occupancy.
- 7.50 All the units meet the London Plan's space standards for internal GIA, bedroom sizes, ceiling heights, storage provision and private amenity space or extra additional internal floorspace with wintergardens/inset balconies. The residential units on Level 54 will also have access to their own private terraces ranging between 10sqm-96.1sqm.
- 7.51 The scheme incorporates two separate lobbies to access the residential units. The Private Sale and Intermediate units will share an entrance lobby and will be served by 4 lifts in total whilst the Affordable Rented units will have their own entrance lobby serviced by 2 lifts. The submitted Affordable Housing Statement advises that a number of Registered Providers have been consulted including Swan, One Housing, Clarion, L&Q, Peabody and Notting Hill Genesis and the key feedback has been the need for the Affordable Rent units to be in a separate core for service charge management.
- 7.52 Officers have raised concerns with regards to separate entrance lobbies and have done so throughout the pre-application process. However, Officers also acknowledge that the above scenario is not unusual and that there is a need to keep service charges for Affordable Rented units at reasonable levels. Whilst ideally Officers would wish to secure a single and shared entrance lobby for all the residential units, based on the above reasons this is not feasible for the Applicant to consider. Notwithstanding this however, Officers have worked with the Applicant during the pre-application stage to ensure that the entrance lobbies share the same elevation thereby negating the possibility of one entrance being superior to the other as both of these entrances benefit from outlook to the pocket park and public realm.
- 7.53 The scheme will provide 54% dual aspect units and Officers consider that this is on the low side and have sought to increase the provision of dual-aspect units. However, the Applicant contends that the provision of dual-aspect units have been maximised in accordance with the requirement of the London Plan. Officers note that single aspect units are limited to 1 and 2-bed dwellings and that there are no north facing single aspect units proposed. Whilst Officers would wish to see a higher proportion of dual aspect units than proposed, Officers accept that this would not be possible without fundamentally altering the scheme and on this basis accept that the provision of dual aspect units have been maximised.

Wheelchair Accessible Housing

- 7.54 Policy D7 of the London Plan requires residential developments to provide at least 10% per cent of dwellings meet M4(3) (wheelchair user dwellings) and all other dwellings (90%) should meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: *Access to and use of buildings*.
- 7.55 Policy D.H3 of the Local Plan requires the same provision as London Plan policy however, supporting paragraph 9.44 clarifies that all 'wheelchair user dwellings' in the Affordable Rented

tenure should meet M4(3)(2)(b), i.e., built to fully accessible standards and capable for immediate occupation rather than adaptable for wheelchair users.

- 7.56 The development proposes to provide 50 units designed as part M4(3) accessible or adaptable units equating to 10% with the remaining units designed to part M4(2) standards. The scheme proposes to provide 4 x 2B3P wheelchair adaptable units in the Intermediate tenure, 8 x 2B3P and 3 x 2B4P wheelchair accessible units in the Affordable Rented tenure and 35 x 2B3P wheelchair adaptable units in the Private Sale tenure therefore as per Local Plan policy requirement, all the Affordable Rented units will be constructed to meet part M4(3)(2)(b) of the Building Regulations. The Affordable Rented units will be located on levels 06-13, the Intermediate units located on levels 18-21 and the Private Sale units on levels 22-37 and 39-53. Officers recognise that the Local Plan has a preference for wheelchair user dwellings to be provided below the fifth floor, however the design of the building (i.e., with residential accommodation commencing from level 6 onwards due to the proximity of the DLR) confines the ability to provide wheelchair user dwellings on lower levels. It should be noted however, the building provides 2 lifts per floor as a safeguard in the event that one lift fails to function.

Communal Amenity Space and Children's Play Space

Communal Amenity Space

- 7.57 Policy D.H3 (Part C) of the Local Plan requires that for major developments (10 residential units or more) communal amenity space should be provided. The provision should be calculated based on 50sqm for the first 10 units with an additional 1sqm for every additional unit thereafter. The proposal is therefore required to provide 540sqm of communal amenity space.
- 7.58 The development proposes 573.7sqm of communal amenity space and therefore meets the required policy provision. The communal amenity areas will be located on levels 01, 02 and 03. At level 01 there would be two separate communal amenity areas/rooms measuring 134.8sqm and 277.9sqm respectively and on levels 02 and 03 a linear seating area is proposed along the western perimeter measuring 80.5sqm. It is questionable whether the communal amenity area proposed on levels 02 and 03 can meaningfully be considered to be communal amenity given that the remainder of level 03 consists wholly of cycle parking stores, nonetheless the Applicant has identified this area as contributing towards the development's communal amenity provision. Officers do not necessarily disagree that this area will be used, however Officers consider that it is unlikely to be the primary preference for residents seeking to use the amenity areas.
- 7.59 Access to all of the communal amenity areas on levels 01, 02 and 03 would be accessible to all residents. The detailed design elements of these areas would be secured via the imposition of a suitable condition.



Figure 5 : Proposed Communal Amenity Areas at First Floor Level

7.60 The scheme also proposes a ‘clubhouse’ at level 38 that comprises an internal area measuring 408.6sqm and an external terrace area that measures 350.6sqm. The ‘clubhouse’ consists of a number of residents facilities/amenities including a screening room, club lounge, business suites and a private dining room. The Applicant has advised that the ‘clubhouse’ level would be available for use by all residents by means of subscription. In reality, residents in the Private Sale and Intermediate tenures would be the only residents that would be able to directly access this level as there is no access to level 38 from the lifts within the Affordable Rented core. Officers have expressed concerns that there are elements of the proposal that does not entirely foster social interaction for all its residents, however given that based on a subscription strategy that it would ultimately be a choice for residents whether they wish to access these facilities or not and the scheme is not relying on this level to meet the required amount of communal amenity space, Officers consider that it would be difficult to continue to press on this matter without requiring a fundamental redesign of the scheme.

Children’s Play Space

7.61 Policy S4 of the London Plan seeks to ensure that development proposals that include housing make provision for good quality accessible play and informal recreation and enable children and young people to be independently mobile. Areas of play should provide a stimulating environment, be accessible in a safe manner from the street by children and young people, form an integral part of the surrounding neighbourhood, incorporate trees and/or other forms of greenery, be overlooked to enable passive surveillance and not be segregated by tenure. The Mayor’s Supplementary Planning Guidance Providing for Children and Young People’s Play and Recreation sets out guidance to assist in this process.

7.62 At the local level, Policy D.H3 of the Local Plan requires major developments to provide a minimum of 10sqm of high-quality play space for each child. The Tower Hamlet’s child yield calculator should be used to determine child numbers in a development. The child yield,

required associated children’s play for the development and the provision proposed is set out in the table below:

Age Group	Child Yield	Area Required (sqm)	Area Proposed (sqm)	Difference +/- (sqm)
Aged 0-4	73	730	730	0
Aged 5-11	59	590	468	-122
Aged 12-18	56	555	169	-386
Total	188	1876	1368	-508

Table 3: Child Yield and Required Play Provision.

7.63 The development is required to provide 1876sqm of children’s play provision and the scheme provides 1368sqm thus resulting in a deficit of 508sqm of children’s play. There would be a shortfall in play across the following age groups as follows: a deficit of 122sqm in the 5-11years age group and a deficit of 386sqm in the 12-18 years age group.

7.64 There are three themes behind the play strategy as follows:

- Structured Play – Formal, equipped play spaces located on level 01 (0-4 years) and level 05 and its associated mezzanine level for children aged between 0-11 years.
- Unstructured Play – A variety of informal play and recreation play at street level within the public realm beneath the DLR underline.
- Educational Play – Ecological and biodiversity elements integrated within the planting on the ground floor intended to offer opportunities for educational play. The ground floor planting areas are connected together by a play trail comprised of rubber mulch with natural play elements.

7.65 The fifth floor play terrace will feature both indoor and outdoor play areas, as well as a colourful surface design with a play trail connecting the various play elements distributed throughout the design. In addition to traditional play features, such as spinning cups, the terrace will also include play mounds of varying heights, climbing walls and seating platforms. The north eastern and north western corners will include seating areas where tree plantings in containers will have integrated seating.

7.66 The fifth floor mezzanine provides another level of dedicated play space which sits above the fifth floor play terrace and would be accessible via two stairs located at the north-western and south-eastern corners or via a central lift. The mezzanine will feature two stainless steel slides which exit onto the fifth floor terrace below and a large climbing wall located on the east side of the central core.

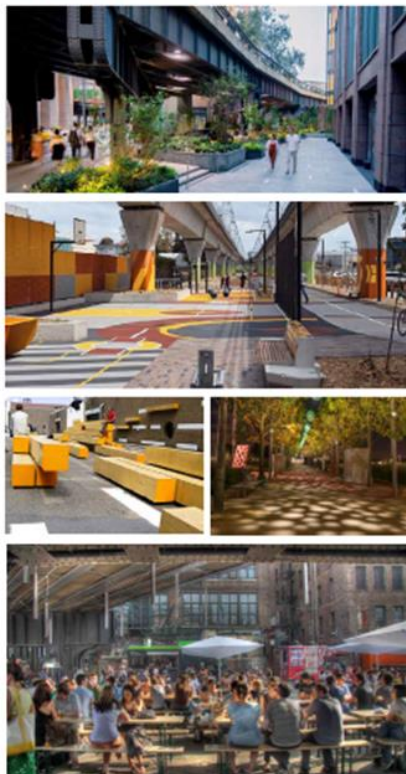


1. Fifth floor play terrace
2. Fifth floor mezzanine
3. Tree plantings in containers
4. Facade planters

Figure 6: Illustrative proposals for Fifth Floor Play Terrace and Mezzanine.

7.67 Beneath the DLR there would be a variety of moveable play structures catering to ages 12-18 years which will be multi-functional and provide opportunities for dual use as informal seating.

The Underline
Vibrant public space beneath the DLR



The Play Terrace
Two levels of levels of vibrant play space



Figure 7: Illustrative proposals for DLR Underline and Play Terrace Equipment.

- 7.68 Given the constrained nature of the site, Officers consider that the Applicant has provided a considered approach to the play strategy; ensuring that play provision within the building is engaging, diverse, simulating and attractive. Officers consider that whilst the scheme could provide additional structured and designated play equipment at street level to increase the play provision and potentially fully comply with policy requirement, this would compromise the design quality of the development and limit the ability to provide much needed breathing space and quality of public realm along Marsh Wall. Officers do not consider that it would be appropriate on a fairly restricted site such as this, within such close proximity of a busy road such as Marsh Wall and within the immediate environs of the DLR flyover to provide structured play equipment and areas of play for young children. Officers consider that in this instance that greater weight should be given to the quality of provision provided over the shortfall in children's play space in quantum terms and therefore on balance find the proposed play strategy and provision acceptable. The detailed elements of the play areas would be secured via the imposition of a suitable condition.
- 7.69 Officers have engaged with the Council's Parks Team who have advised that a contribution to mitigate against the shortfall of children's play space provision would be required. The Applicant has agreed to the required contribution amount (detailed in section 8.2) of this report and this will be secured via the S106 agreement.

Daylight and Sunlight for Proposed New Development

- 7.70 Policy D.DH8 of the Local Plan seeks to ensure that amongst other things, adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development are achieved. The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF) and No Sky Line (NSL).
- 7.71 BRE guidance specifies ADF target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. Modern developments within urban locations typically contain combined kitchen/diners or a combination of kitchen/diner/living room areas. The principle use of a room designed in such a manner is as a living room and accordingly it would be reasonable to apply a target of 1.5% to such rooms. This approach is accepted by the BRE guidelines provided that kitchens are directly linked to a well-lit space.
- 7.72 With regard to the assessment of sunlight, the BRE guidance states that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probable sunlight hours (APSH), including at least 5% annual probable sunlight hours in the winter months (WPSH) between 21 September and 21 March.
- 7.73 Where sunlight levels fall below the suggested level, a comparison with the existing condition is reviewed and if the ratio reduction is within 0.8 (equivalent to a 20% reduction) of its former value or the reduction in sunlight received over the whole year is 4% or less, then the sunlight loss will not be noticeable. It is also important to note that BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. The guidelines further state that kitchens and bedrooms are less important in the context of considering sunlight, although care should be taken not to block too much sun.
- 7.74 The Applicant has submitted an Internal Daylight and Sunlight report outside of the Environmental Assessment which has been prepared by GIA chartered surveyors. The assessment has been reviewed independently by Delva Patman Redler.

Assessment of Daylight/Sunlight against BRE Guidance

- 7.75 The assessment of daylight to the proposed dwellings has been assessed used ADF, NSL and RDC tests. RDC refers to the Room Depth Criterion; where it has access to daylight from windows in one wall only, the depth of a room can become a factor in determining the quantity

of light within it. BRE guidance provides a simple method of examining the ratio of room depth to window area.

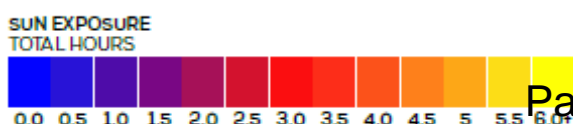
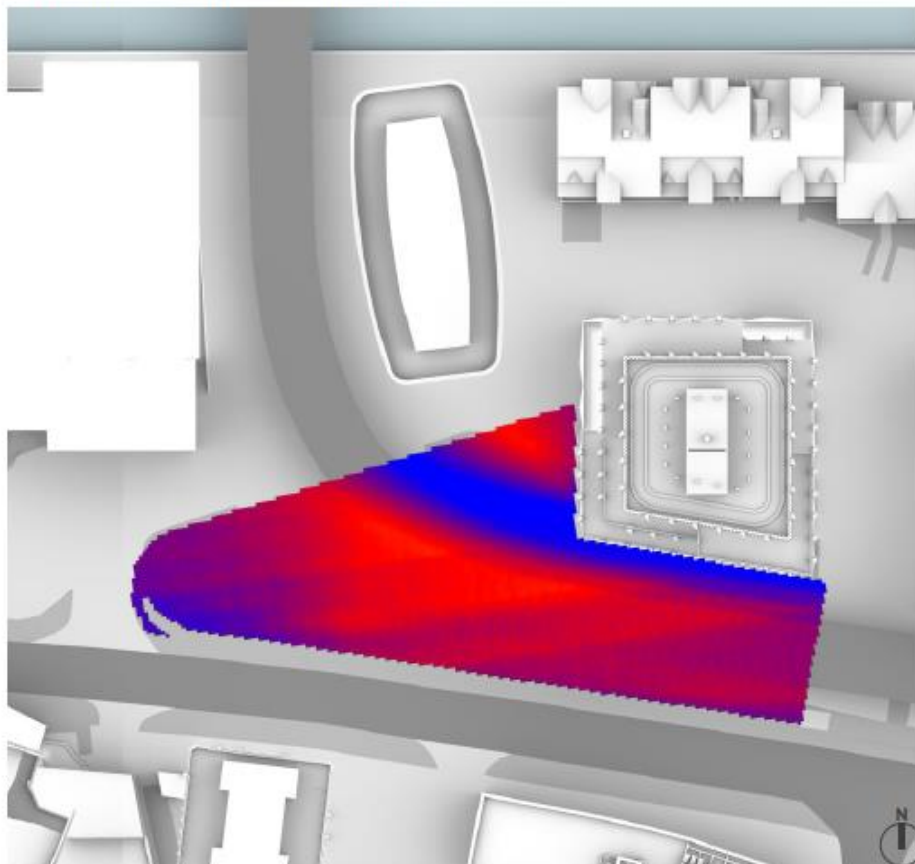
- 7.76 Delva Patman Redler have confirmed that the approach to the assessment methodology is appropriate however highlights that the assessment is based on the following inputs:
- The assessment assumes light finishes comprising white ceilings (0.85 reflectance value), light grey wall (0.68 reflectance value) and light wood floors (0.4 reflectance value); and
 - Open-plan living/kitchen/dining rooms (LKDs) have been notionally truncated to exclude the kitchen area where this is at the back of the room (effectively treating it as a non-day-lit internalised room) and the remaining living/dining area has been assessed.
- 7.77 Delva Patman Redler advises that the use of light finishes and the surface reflectance's noted above means the ADF results are best-case values. If the developer delivers units with darker finishes, more of the rooms will not achieve the minimum recommended ADF levels.
- 7.78 In terms of the exclusion of kitchen areas from the assessment of LKD's (where the kitchen is located at the back), this is a deviation from BRE assessment methodology, however Delva Patman Redler confirms that this is not an uncommon approach in dense residential developments, where there is more justification for flexible applications of the guidelines.
- 7.79 Turning to the results of the assessment, a total of 1284 rooms have been analysed for daylight and the results suggest that 1019 (79%) of the habitable residential rooms will satisfy or exceed the minimum recommended ADF targets. In terms of NSL targets, 1091 (85%) of the habitable residential rooms will meet the recommended guidance and finally in terms of RDC, 1267 (99%) of habitable residential rooms will meet the recommended guidance.
- 7.80 However, 66 of the LKDs that do not meet the higher ADF target of 2% would all achieve at least 1.5% ADF, the target for living rooms, and this could be considered acceptable. On this basis 85% of rooms would achieve adequate daylight levels.
- 7.81 In terms of the remaining 15% achieving lower ADF values, the assessment reports that the vast majority of rooms falling short do so owing to being located to the west, where the levels are significantly obstructed by the surrounding urban fabric and in particular by Quay House (albeit not under construction yet). The design of the development has sought to mitigate this by locating bedrooms predominantly in this area of the building, so as to prioritise the daylight access of living rooms, where this is typically most enjoyed. The 199 rooms achieving lower ADF values to include 119 bedrooms, 49 studios and 30 LKDs/living rooms and a single kitchen and as such the assessment finds that the rooms found to fall short are predominately bedrooms. The LKDs and living rooms would achieve ADF values of between 0.3-1.4%, with the studios achieving ADF values of between 0.2-0.9%, however as bedrooms have a naturally lower expectation of daylight they have been located purposely in areas with lower daylight amenity.
- 7.82 In terms of NSL/Daylight Distribution, the assessment reports that given the highly glazed nature of the façade, where rooms have been found to fall short of guidance, this is mainly a function of the obstruction caused by the surrounding context, of the rooms being located below balconies, or a combination of both.
- 7.83 Overall, Delva Patman Redler confirm that the development appears to provide a good level of adherence to daylight guidelines. However, Members are advised that this is a best case scenario based on the adoption of light finishes for calculations (i.e., white ceilings, light grey walls and light wood floors), the exclusion of kitchen areas in LKDs (where they are located at the back) and an assessment of these as Living/Diners against a 1.5% ADF target.
- 7.84 In terms of sunlight received to the proposed dwellings, the dwellings have been assessed using the appropriate APSH methodology whereby 263 (75%) of the main living spaces with windows facing within 90 degrees of due south have been assessed. 263 (75%) out of the 350 of the south

facing rooms tested will satisfy or exceed the recommended APSH targets (both annual and winter) and 276 (79%) would satisfy the annual sunlight target. 87 (25%) main living spaces would not satisfy the recommended guidelines for both annual and winter sunlight. None of these rooms would meet the winter target of 5%, however 13 would meet the annual target of 25%. The 87 rooms that fail have windows that are predominately north or east facing, and/or are served by balconies which would limit the amount of sunlight received. Overall, however, the development provides an adequate level of adherence to sunlight guidance.

Assessment of Sunlight/Overshadowing to Amenity Areas

- 7.85 The assessment of sunlight and overshadowing to the amenity areas within the development has been undertaken in accordance with the BRE guideline ‘2 hours sun on ground’ test , on 21 March (Spring Equinox). The BRE guidelines recommend that at least 50% of the amenity area should receive at least 2 hours of sunlight on 21 March.
- 7.86 An assessment of the public open space area was undertaken and the results indicate that this area will benefit from adequate levels of sunlight with 52% of the area seeing 2 or more hours of direct sunlight on 21st March. The sun exposure diagram below indicates that a large proportion of the area will see around 2-3 hours of direct sunlight. Areas of lower availability can be attributed to the shading effect of the DLR tracks and the several tall buildings located around the site. The internal/semi-enclosed amenity spaces/terraces within the building have not been tested for sunlight, however Delva Patman Redler have confirmed that this is acceptable as these spaces will not have an expectation for sunlight in the same way as an external area or open roof terrace.

OVERSHADOWING ASSESSMENT - PUBLIC OPEN SPACE
SUN EXPOSURE ON GROUND - 21ST MARCH



Conclusion on Daylight/Sunlight for Proposed Development

- 7.87 In conclusion, the development is considered to provide good levels of daylight and sunlight to the residential dwellings within the building and good levels of sunlight to the public open space area. The results of the assessment are considered to be commensurate with an urban location such as this and are therefore considered acceptable.
- 7.88 The submitted daylight/sunlight assessment has been independently reviewed by Delva Patman Redler and there have been no concerns raised to dispute the findings of the submitted daylight/sunlight assessment.

DESIGN

- 7.89 Chapter 12 of the NPPF attaches great importance to achieving well-designed places. Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.90 Chapter 3 of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces. Policies D1-D9 of the London Plan collectively emphasises the expectation for high-quality design in all developments.
- 7.91 Specifically, Policy D1, Part B(3) of the London Plan requires Boroughs to advocate the design-led approach by establishing acceptable building heights, scale, massing and indicative layouts for allocated sites and, where appropriate, the amount of floorspace that should be provided for different land uses. Policy D3, Part A states that the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. Part D(1) of the policy goes on to require that in relation to form and layout, development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, having regard to existing and emerging street hierarchy, building types, forms and proportions.
- 7.92 At the local level, Policy S.DH1 of the Local Plan echoes strategic objectives and requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.93 Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability and legibility across the Borough.
- 7.94 Policy D.DH4 of the Local Plan 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.

Density

- 7.95 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services (both existing and proposed) as well as their potential for further improvement and the need to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting, or

of promoting regeneration and change and the importance of securing well-design, attractive and healthy places. To this end Local Planning Authorities should set their own approach to housing density and plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. In some instances, it may be appropriate to set out a range of densities that reflect local circumstances rather than one broad density range.

- 7.96 The new London Plan no longer incorporates a density matrix unlike its predecessor. Policy D3 of the London Plan requires that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.
- 7.97 Policy D4 of the London Plan requires all proposals exceeding 30 metres high and 350 units per hectare to demonstrate they that they have undergone a local borough process of design scrutiny.
- 7.98 Policy D.DH7 of the Local Plan requires that where residential development exceeds the density set out in the London Plan, it must demonstrate that the cumulative impacts have been considered (including its potential to compromise the ability of neighbouring sites to optimise densities) and any negative impacts can be mitigated as far as possible.
- 7.99 Policy D2 of the Isle of Dogs Neighbourhood Plan requires planning applications for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less shall specify how they conform to paragraphs 1.3.51 to 1.3.52 of the GLA's Housing SPG, and that they are of a high design quality. Members are advised that the aforementioned paragraphs sets out a number of criteria which developments that exceeded the density matrix contained in the previous London Plan would be expected to adhere to.
- 7.100 The proposed development would have a density of 1111 dwellings per hectare (calculated proportionately based on 500 units/0.45 hectares and not including the non-residential floorspace) or 2920 habitable rooms per hectare (1314 habitable rooms/0.45 hectares). Whilst the Housing SPG is still an adopted document and a material consideration, the removal of the density matrix from the London Plan 2021 means that the requirement to consider a design-led approach to optimising site capacity is the principal approach to assessing the acceptability of the density of a scheme. The criteria set out in paragraphs 1.3.51 to 1.3.52 of the Housing SPG requires the consideration of a number of factors including and not limited to local context and character, transport capacity, design and place making principles, residential mix and associated play provision, appropriate management and design of refuse, recycling and cycle parking facilities and whether the proposals are located within the type of accessible locations the London Plan considers appropriate for higher density developments. The requirement to consider all of these factors have been encapsulated across various interlinked policies contained within both London Plan and Local Plan policies.
- 7.101 The scheme is considered to be a higher density development that overall accords with all other intertwining policy considerations, and therefore the proposal is considered to be appropriate to its site context. The Applicant has also engaged in pre-application discussions with Officers prior to the submission of the planning application and presented the scheme to the Conservation and Design Advisory Panel (CADAP) who broadly speaking supported the design and placemaking principles of the scheme.

Townscape

- 7.102 Policy D9 of the London Plan is specific to tall buildings and sets a number of criteria against which tall buildings should be assessed. Policy D9 directs development proposals to address visual (long, mid and immediate views, spatial hierarchy and legibility, architectural quality, protection of heritage assets, water spaces, visual glare and light pollution), functional (construction, servicing, access, transport network, economic outputs, the protection of the aviation and telecommunications industry) and environmental impacts (wind, daylight, sunlight, enjoyment of water spaces, air and noise pollution) and any cumulative impacts.
- 7.103 Policy D.DH6 of the Local Plan sets out the criteria for assessing the appropriateness of a tall building. Part 1 of the policy set out a series of stringent design and spatial criteria which tall

buildings must adhere to whilst Part 2 of the policy directs tall buildings towards the designated Tall Building zones (TBZ).

Site Layout

- 7.104 The layout of the development has been predicated by the constrained nature of the site including the DLR track that bisects the site. The scheme incorporates a simple layout consisting of a single building located on the north eastern side of the DLR track with a larger public space on the south western portion of the site.
- 7.105 Driving the layout of the proposed development is essentially the proposed public realm strategy. As illustrated in the diagram below it is intended that the proposed development will complete the western end of the Admirals Estate, with the new public space being framed by Ensign House to the east, the Wardian to the west, Quay House to the north and Consort Place and 54 Marsh Wall to the south (not shown on illustration).



Figure 9: Proposed Public Realm Strategy

- 7.106 The design approach adopted seeks to enhance permeability and legibility of the site and its surrounds, enable opportunities to create a north-south connection between South Dock and Marsh Wall and align the proposal with the public realm strategies of the neighbouring sites at Quay House and Wardian. The building will incorporate commercial uses (Use Class E3) on all elevations at ground floor thus ensuring that the wider public realm is appropriately activated around the building rather than simply focused on the principal elevation (western elevation). This approach serves to provide visual and physical links to the proposed public realm. The illustration below indicates how the public realm could be activated to the south.



Figure 10: Ground Floor Public Realm Activation

7.107 Overall, the proposed layout arrangement is considered to respond appropriately to the site's context and constraints thus addressing the existing urban condition along Marsh Wall. The layout of the proposal is also supported by the LBTH Design Officers who noted the following:

“ The principles of good urban design are clearly present, with the site designed from the ground up. There is a clarity to the thought with a focus on spaces, movement and activity, placing people at the heart of the design thinking. This results in a logical and understandable site layout that seeks to maximise permeability, activity and life. This approach is fully supported by Place Shaping who welcome good design principles that respond positively to the features of the site itself and the surrounding context beyond the site boundary. The proposals clearly seek to enhance the positive qualities of the site whilst improving negative ones.”

Massing, Height and Scale

7.108 The site falls within the Millwall Inner Dock TBZ which lies directly south of and abuts the Canary Wharf TBZ. The design principles for the Millwall Inner Dock TBZ requires the following:

- a) Building heights in the Millwall Inner Dock cluster should significantly step down from the Canary Wharf cluster to support its central emphasis and should be subservient to it.
- b) Building heights should step down from Marsh Wall and ensure that that integrity of the Canary Wharf cluster is retained on the skyline when seen from places and bridges along the River Thames across Greater London, particularly in views identified in Policy D.DH4.

7.109 The proposed building sits in a highly significant location; on the Grand Axis as identified within the Maritime Greenwich World Heritage Site Plan. The significance of the Grand Axis will be considered and discussed in further detail within the Heritage section of this report. The building will measure 230m AOD in overall height and will therefore technically only sit 15m lower than 1 Canada Square which reaches 245m AOD in overall height to the top of the pyramid. However, the building incorporates occupiable space up to a height of approximately 205m AOD with the remainder of the building seeking to provide an architectural feature in the form of a crown and spire as a design response to the Grand Axis.

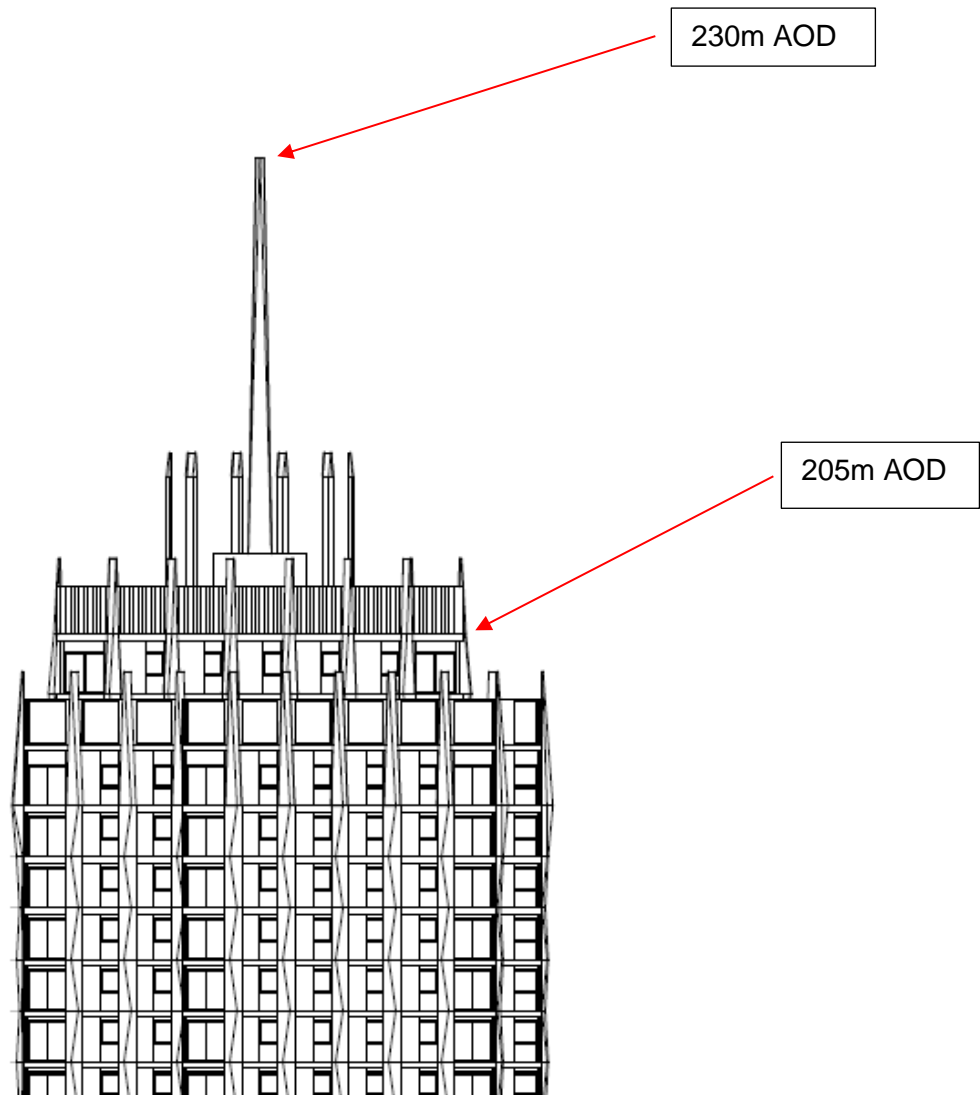


Figure 11: Crown and Spire

7.110 Officers consider that whilst the overall height of the building reaches 230m AOD, the building when read from long-distance views in particular would step-down from 1 Canada Square and the associated Canary Wharf cluster of buildings and will be subservient to the Canary Wharf TBZ and therefore accords with the requirement of Part 2 and the design principles of Policy D.DH6 of the Local Plan. This is illustrated in the diagram below.

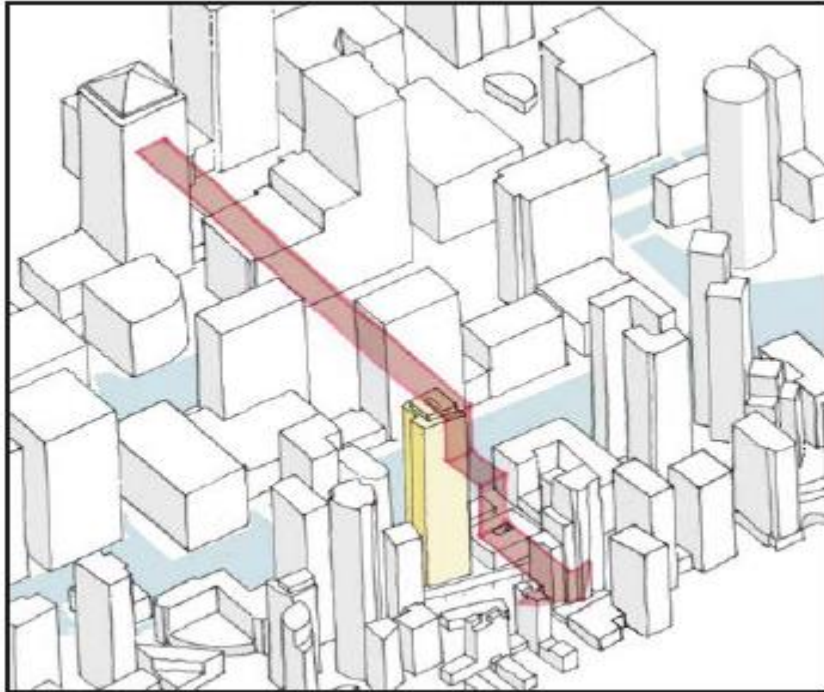


Figure 12: Step down from Canary Wharf

7.111 The height, scale and massing principles are supported by Officers and represents a considered approach that ensures that the central emphasis of the Canary Wharf cluster of buildings is maintained. Within the wider context along Marsh Wall and the surrounds, there are examples of comparable heights including the Warden development which has two towers that measures approx. 172m AOD and 188m AOD respectively, Landmark Pinnacle reaching 239m AOD and the Alpha Square/Consort Place development which once completed the tallest building of which would reach a height of 217.5 AOD. The relationship of the proposed building against the context of neighbouring buildings can be seen in the diagram below.

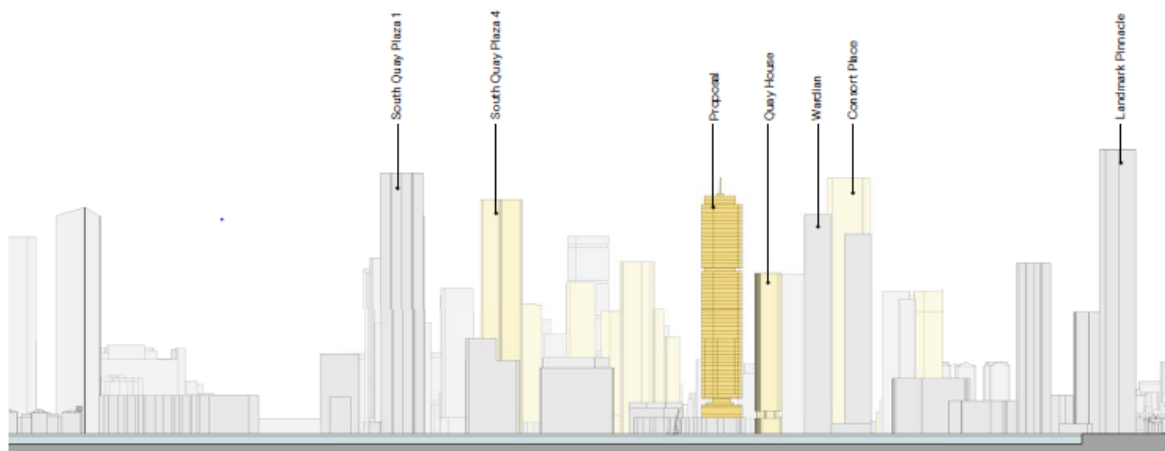


Figure 13: Ensign House in Relation to Neighbouring Developments.

Townscape Views

- 7.112 The proposal would introduce a prominent visual addition to the immediate and local townscape having regard to its height, scale and massing. The application has been accompanied by the Heritage, Townscape and Visual Impact Assessment (HTVIA) that forms part of the ES and includes verified views (33 verified views) that were agreed with Officers during the EIA Scoping and pre-application process. The HTVIA assesses the potential visual impacts of the proposed development on the character of the local and wider townscape, protected views, and the setting of heritage assets. The varying townscape impacts are considered throughout the HTVIA from sensitive close range views, to wider protected strategic views. Long range views are considered in more detail within the Heritage section of this report.
- 7.113 In terms of close range views, the HTVIA considers the townscape impacts of the proposed development on three character areas; Millwall, Cubitt Town and Canary Wharf. The likely effect of the proposed development on these three character areas are summarised as follows:
- 7.114 Millwall Character Area: The HTVIA reports that the development would be located in the mixed-use northern sub-area within the Millwall character area and the sensitivity to change of this area would be low. In terms of height and scale, it would contribute to the emerging sub-cluster on Marsh Wall, which includes Landmark Pinnacle, Novotel, Wardian and South Quay Plaza. The HTVIA reports that the generous provision of public realm will provide valuable pedestrian connection and public space between Marsh Wall and South Quay and the base of the building has been carefully designed to relate to the ground level experience. The height of the building will mostly be experienced from the northern half of the character area and will be seen less so from other parts of the character area to the south. The proposal introduces a tall building into this character area and therefore the magnitude of change is therefore large, however the ES reports that the expected effect on the townscape receptor is likely to be moderate and beneficial, owing to the high quality of the architecture proposed, and its positive effects on the pedestrian experience, legibility and public realm. During the demolition and construction phase of the development, the ES reports that this townscape receptor will experience Moderate to Major Adverse effects.
- 7.115 View 2 of the HTVIA as indicated below is the cumulative view of the development from Cassilis Road, looking north leading on to Mastmakers Road. The proposed development would provide an elegant focus to the view, its upper parts narrowing at the top by way of a setback floor. The vertical cladding of the building would further enhance the elegance of the building which would continue above the building to form the 'crown' and 'spire'. The HTVIA reports the magnitude of change would be large but the effect would be moderate and beneficial both in isolation and cumulatively given the high quality of the design proposed.



Figure 14: HTVIA View 2 – Cassilis Road, looking North (Cumulative)

- 7.116 The HTVIA illustrates that in the cumulative view the consented Quay House scheme is shown to the left of the proposed development and that there would be sky space between the proposed development and Quay House. It should be noted that the Quay House scheme has subsequently been amended via planning application PA/20/02649 with amendments including the reduction in height of Quay House by 5-storeys to 35-storeys, increase in width of the building from level 3 and above by 1.5 metres and changes to massing at lower levels. The Applicant’s consultants have clarified however as part of the EIA review process that the changes to the lower levels and the reduction in height of Quay House would not change the contribution of the proposed development to the cumulative effect.
- 7.117 Cubitt Town Character Area: The HTVIA reports that the proposed development lies to the west of the Cubitt Town Character Area which is considered to have medium sensitivity to change due to its inclusion of three Conservation Areas. The proposed development would be experienced from areas of open spaces in the character area to the south, such as Mudchute Park and the recreation ground. It would not be experienced from the more intimate residential streets. The proposed building would appear as an elegant addition of the existing skyline of other tall buildings, owing to its slender and well-articulated form. The HTVIA reports that magnitude of change would therefore be small and the effect on the townscape receptor is likely to be Minor and Beneficial both in the proposed development and cumulative scenarios. This can be seen in the image below which illustrates View 14 of the HTVIA from Mudchute Park, looking north west in the cumulative scenario. During the demolition and construction phase of the development, the ES reports that there would be Moderate to Major Adverse effects to this townscape receptor.

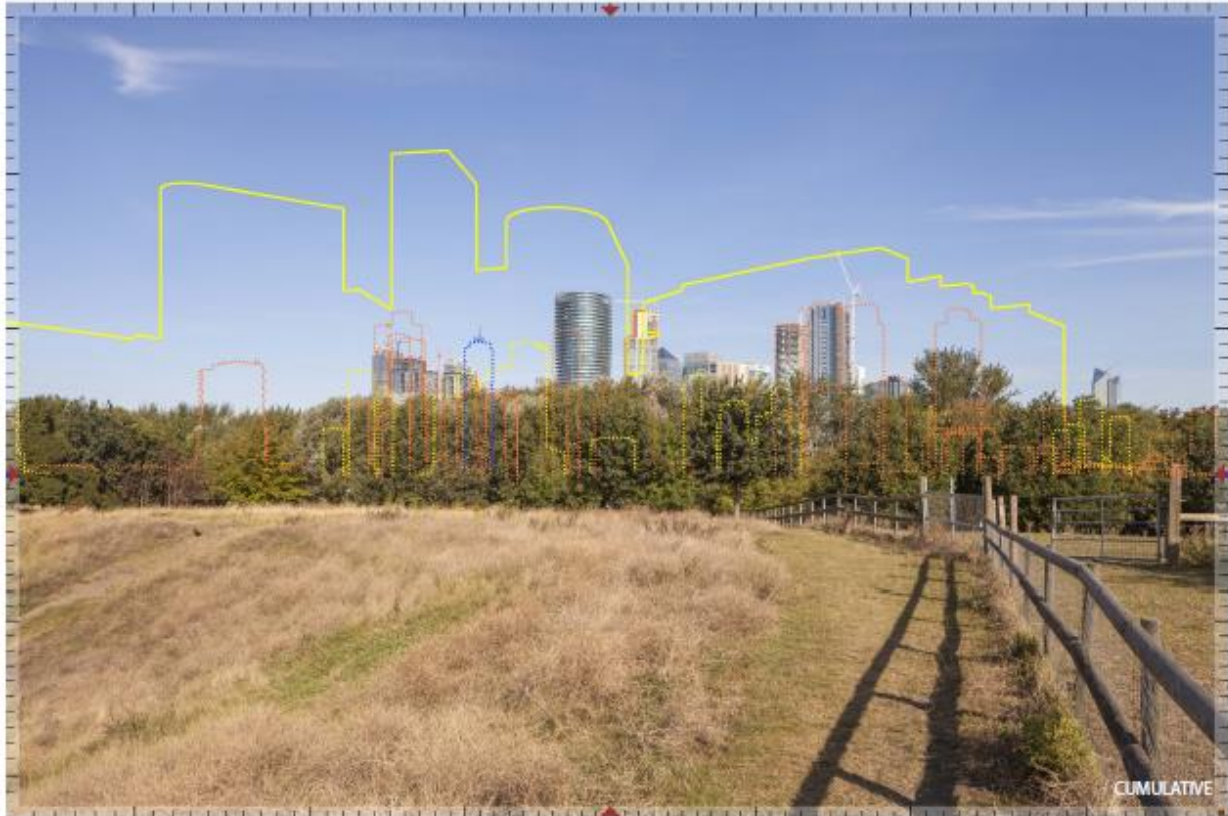


Figure 15 - HTVIA View 14 – Mudchute Park, looking North West (Cumulative)

- 7.118 Canary Wharf Character Area: The HTVIA reports that the majority of this character area comprises the commercial centre of Canary Wharf. Due to the inclusion of some designated and non-designated heritage assets that relate to the area's industrial past (notably the Grade I listed structural remnants of the dock), the sensitivity to change of this area would be medium. The proposed development lies to the south of this area and the proposed development would add a singular tall building into the context of the existing tall buildings along South Quay. The HTVIA considers that the sculptural treatment of the facades and the stepped top with crown and spire establishes a landmark development in its own right. The magnitude of change would therefore be medium and the expected effect on the townscape receptor is likely to be moderate and beneficial in both the proposed development and cumulative scenarios owing to the quality of architecture proposed and its positive effect on the pedestrian experience, legibility and the public realm.
- 7.119 The image below illustrates View 8 of the HTVIA from Jubilee Place in the cumulative scenario. The proposed development would be visible in the gap between the two office blocks and above the public through-route building towards South Quay. The magnitude of change in this location would be large, however the slender vertical proportions of the building which is accentuated by its cladding ,crown and spire introduces an elegant marker building for South Quay from this key nodal transport point. During the demolition and construction phase of the development, the ES reports that there would be Moderate to Major Adverse effects to this townscape receptor.



Figure 16 HTVIA View 8 – Jubilee Place (Cumulative)

Demolition and Construction Phase

- 7.120 During the demolition and construction phase of the development, the ES reports that there would be temporary Moderate to Major significant effects experienced in relation to the Canary Wharf and northern proportions of the Millwall and Cubitt Town townscape character areas. Minor to Moderate Adverse effects will be experienced on the following close distance views; 1 (South Quay DLR Station, looking west), 2 (Cassilis Road, looking north), 3 (Mastmaker Road, looking north), 4 (Millwall Docks, south east side, looking north), 5 (Westferry Road, looking north east), 6 (North west footpath along South Dock, looking south east), 7 (Marsh Wall at Mastmaker Road bus stop, looking east), 8 (Jubilee Place, looking south), 9 (Heron Quays DLR platform, looking south), 10 (Swing Bridge, looking south west), 11 (South Dock, looking south west), 12 (looking south west) and 13 (South Dock, Preston Road, looking west).
- 7.121 The most significant visual effect would be the presence of tower cranes due to the inevitable connection with construction of the type and scale of development envisaged. As the top of the tower crane is likely to be higher than the top of the proposed development it will be more visible than the completed proposed development. Hoardings around the site will provide some screening of the construction activities from street level. The effects will be temporary in nature lasting for the time it will take to complete these works on site.
- 7.122 Once completed and operational, the ES reports that the effects on view 7 will experience a Major Beneficial effect, views 1-2, 4, 8-11 and medium distance views including 17 (Greenwich Dock Entrance, looking north west), 21 (Greenwich Park, Wolfe Statue, looking north), 22 (College Way, looking north) and 22N (College Way, looking north night-time) will all experience Moderate Beneficial effects and view 20 (Greenwich Park, junction of Blackheath Avenue and Great Cross Avenue) will have a Significant Balanced effect.

Summary on Townscape Impacts:

- 7.123 Overall, it is considered that height, scale and massing of the proposal and its associated townscape impacts would be acceptable subject to the proposal providing a quality detailed design response that would be appropriate in its location.
- 7.124 Officers note the objections received from the Management Company of the commercial properties to the north of Admirals Way with regards to the height, scale and massing of the development and particular reference to the South Quay Masterplan SPD. The South Quay Masterplan did provide indicative locations for building heights, noting that taller elements (10+ storeys) are identified as being appropriate fronting South Dock with building heights on the application site identified as being appropriate for up to 10 storeys. However, no weight can be applied the SPD as it was revoked following the adoption of the Tower Hamlets Local Plan which now designates Tall Building Zones and the designation of the Isle of Dogs as an Opportunity Area whereby growth is expected to be accelerated. The development has been assessed in accordance with the relevant Development Plan policies as set out above and found to be acceptable.
- 7.125 LBTH Design Officers also support the height and massing principles of the development noting the following:

“In townscape terms the building would add positively to the cluster and skyline with the upper crown and spire of the building creating a distinctive presence in long views. The height of the building would also help to ensure that there is a clear variation to the skyline helping to enhance the overall composition of the Isle of Dogs clusters.”

Architecture and Appearance

- 7.126 Architecturally, the building will be a single striking slender and sculptured bronze coloured tower that tapers at the top to form a crown from which projects a spire. The building adopts a distinguishable plinth, middle and top strategy with the plinth of the building intended to respond to the public realm; creating a human scale and activity at the ground floor level, the middle of the building will be visible from middle distance views and will incorporate an architectural language to emphasise the slenderness of the building and finally the top of the building which will be seen from distance views and consist of a highly articulated silhouette of stepped finials to form the crown around the spire.

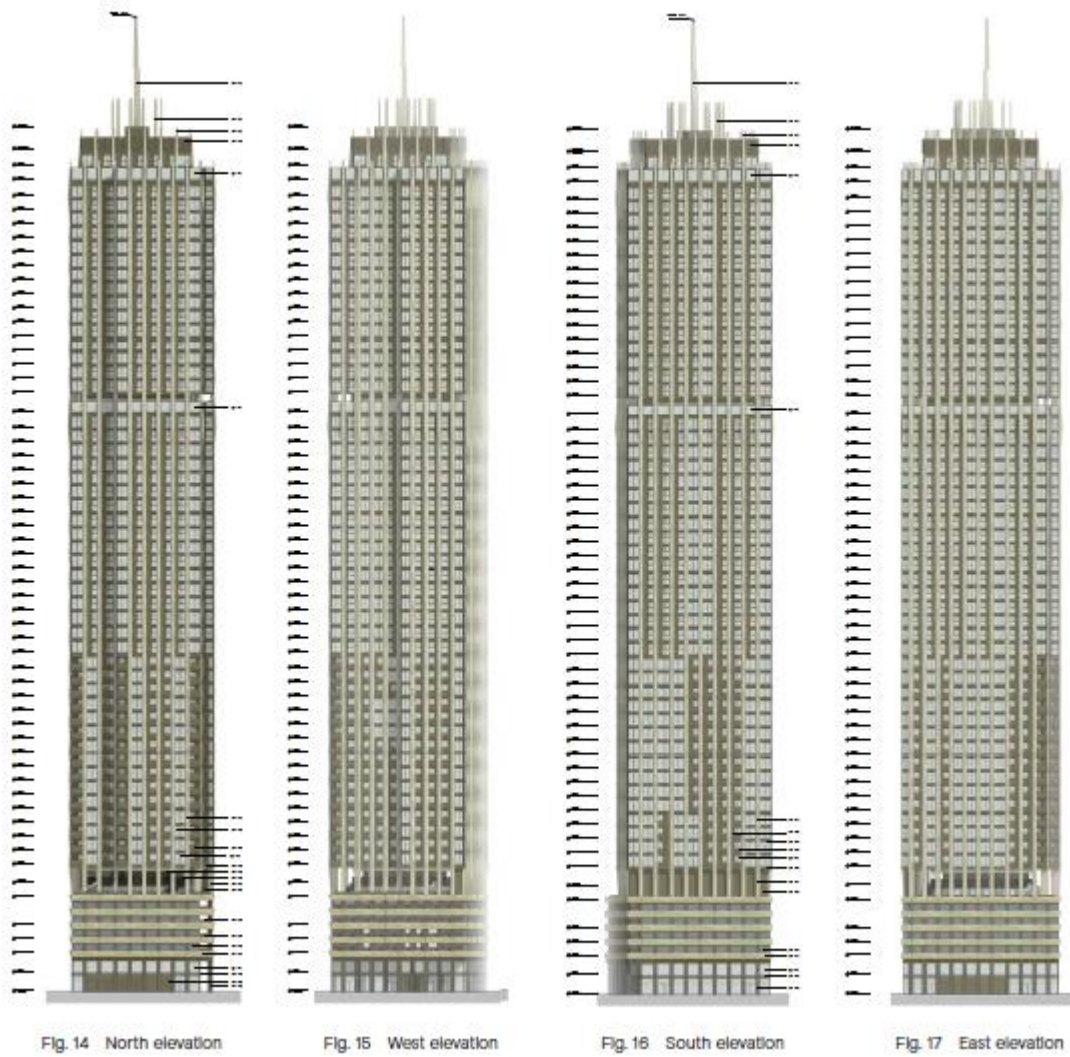


Figure 17: North, South, East and West Elevations.

- 7.127 The plinth, middle and crown will be knitted together visually through a façade strategy that incorporates a ‘weave’ concept to emphasise the horizontal and vertical elements of the building.
- 7.128 Turning to the plinth first, this will have a ‘grid’ like appearance with a strong horizontal emphasis consisting of wide polished concrete bands with sculptured profiles to provide a solid and robust base for the building. The western elevation will incorporate a double height entrance colonnade which addresses the new pocket park. Vertical recessed columns are also proposed above the colonnade which provides the plinth with its grid like appearance. The ground floor will be articulated by generous glazing and entrances.



Figure 18: View from Admirals Way (West Elevation)

7.129 In terms of materiality of the plinth, the horizontal bands will consist of bronze coloured mix polished concrete whilst the colonnade and recessed columns will consist of a dark brown mix polished concrete material. The contrast between the light and dark elements of the materials provides visual interest and assists in accentuating the horizontal banding.



Figure 19: Bay Study - Plinth

7.130 The middle element of the building will comprise the tower and would be articulated by 3-dimensional light bronze coloured metal fins vertically arranged up the building which creates uniformity and forms the 'top layer' of materiality whilst the 'back layer' of the façade treatment will consist of dark bronze coloured metal infills panels. The vertical fins uses a triangular geometry which reverses in direction on alternate floors thus creating a shimmering effect of movement and light and shade on the façade, particularly as light conditions change and whilst moving past the building. Windows, sills, the framing of sliding doors and inset balcony balustrades will also be finished in a dark bronze colour.



Fig. 77 Bay Study - Middle (upper)

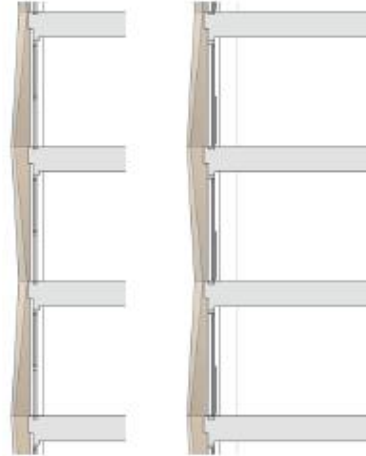


Fig. 78 Bay Study - Middle (lower)

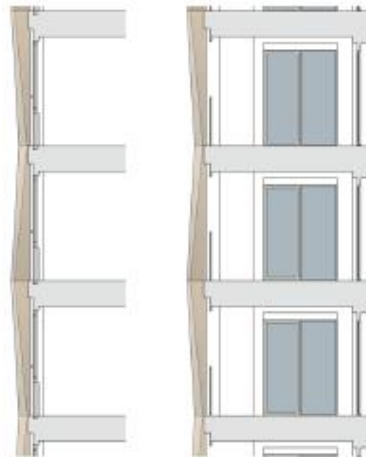


Figure 20: Bay Study – Middle Element (Upper and Lower)

7.131 The top of the building forms the crown by providing a stepped massing approach with a 2-storey recessed set back. The top of the building includes a faceted screen to conceal the BMU and plant areas. The vertical fins extend beyond the top of the screen and terminate as finials. This is repeated to the second layer of the crown (i.e., the recessed 2-storey element) and then again at the top of the building to surround the spire as can be seen in the bay study diagram below. The crown and spire feature contributes to the building’s sense of identity and would differentiate the building from some of its neighbouring buildings.

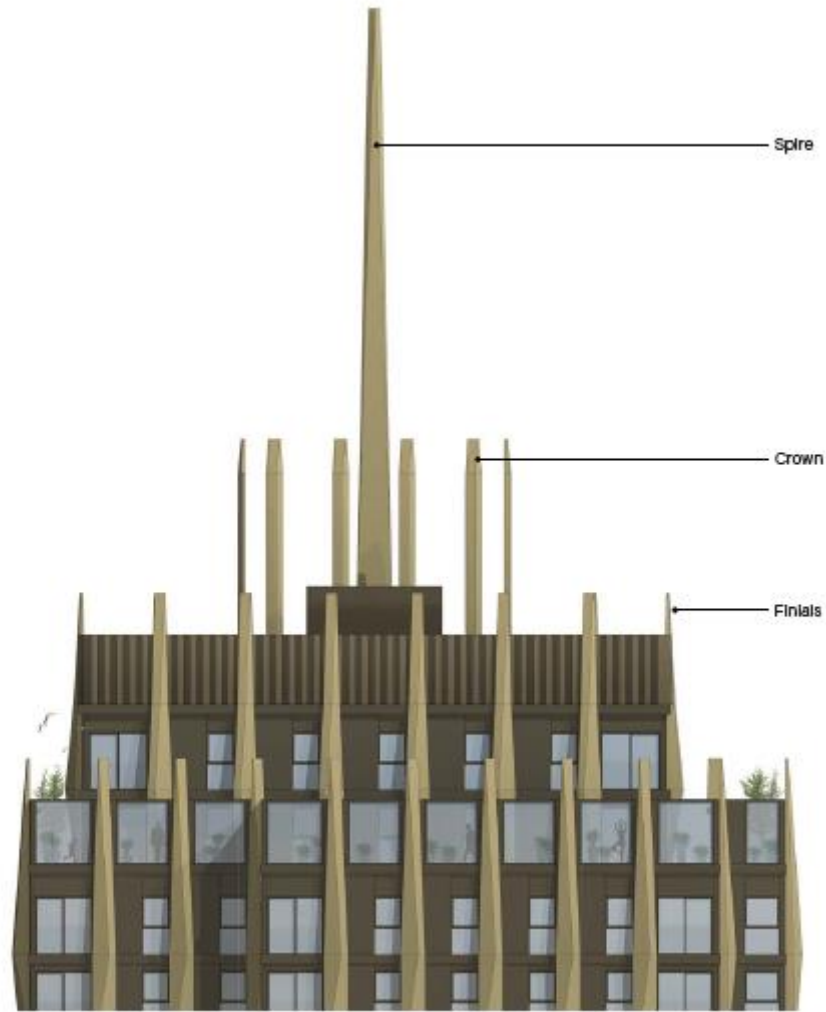


Figure 21: Bay Study - Top

- 7.132 The use of lighting heavily features in the design strategy to further enhance the appearance of and draw one’s attention to the building. There are three different types of lighting proposed: cylindrical wall lights, floor mounted uplighters and architectural slot lights. The cylindrical wall lights would be mounted on the building to light the public realm, avoiding the need for lighting masts reducing clutter in the public realm. The floor mounted uplighters would provide further visual interest on the building by lighting the colonnade columns and finally the spire and finials at the top of the building would be lit with architectural slot lights to create the lit spire and crown effect thus acknowledging and responding to the location of the building on the Grand Axis.
- 7.133 Overall, Officers consider the architectural appearance and materiality of the proposed building is dynamic and of an exceptionally high standard and quality. Given its prominent location on the Grand Axis, the expectation by Officers during the pre-application process was that the development must seek to deliver a highly architecturally distinctive building, one that contributes positively to the character and appearance of the area, one that would be distinguishable from other buildings along Marsh Wall and offers an alternative form of architectural language than that which tends to prevail on the Island. Officers are of the view that the development has successfully achieved this and that the building would have a unique identity along Marsh Wall, one that distinguishes it from its neighbours. Overall, the proposal would accord with design policies contained both within the Local Plan and the London Plan.
- 7.134 LBTH Design Officers also support the architectural appearance of the development noting the following:

“The application proposes the use of three-dimensional folded bronze coloured metal panels. These would reflect the light in different ways throughout the day and from different locations to create a dynamic, ever changing appearance to the building. The building would be dignified in

its restraint with a horizontality to the base juxtaposing with the vertical articulation on the bulk of the building. The lit crown and spire at the building's top would create visual interest and make a positive contribution to the skyline becoming a striking feature when viewed from key locations such as Greenwich Park."

- 7.135 Officers would seek to ensure that the design quality of the development is maintained through to the detailed design stage and as such conditions will be imposed to secure full details of materials including the spire.

Safety and Security

- 7.136 Policy D11 of the London Plan requires all forms of development to provide a safe and secure environment and reduce the fear of crime. This is similarly reflected in Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users.
- 7.137 The proposed development would have a clear and legible access to the building from Marsh Wall with no obvious public areas which are obscured from public vantage points. The activation of the building on all elevations will ensure the natural passive surveillance of the public realm and the building surrounds.
- 7.138 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and a condition will be imposed ensuring that the development is designed to Secure by Design standards and achieves accreditation.

Fire Safety

- 7.139 Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12(A).
- 7.140 The application has been accompanied by a Fire Report prepared by WSP and details how the development would achieve the highest standards of fire safety, including details of fire safety systems, means of escape, internal fire spread, external fire spread, access and facilities for fire-fighting and fire safety management.
- 7.141 The GLA and the London Fire Brigade have both reviewed the Fire Report and find it to be satisfactory. The London Fire Brigade have confirmed that subject to recommendations identified within the Fire Report are complied with including fully sprinkler protected (including ancillary areas), automatic fire detection and alarm systems in each residential unit, firefighting systems to be designed to relevant British Standards, access for fire appliance vehicles to be within 18m of the entrance, the provision of suitable turning facilities and the requirement to undertake a survey of existing water hydrants to ensure that they are no further than 90m from a fire appliance parking location, the scheme would be acceptable from a Fire Safety perspective.
- 7.142 Officers would be seeking to impose a condition requiring the development to be implemented in accordance with the submitted Fire Report.

Design Conclusions

- 7.143 In conclusion, Officers consider that the scale, form, massing and height of the proposed building would successfully mediate between Canary Wharf and the built form to the south of Marsh Wall. The proposal would be a striking building accentuated by its high quality design, palette of materials, architectural expression and provide a positive contribution to the skyline and townscape. The proposal would not impact on heritage assets or strategic or local views.

The proposal therefore accords with relevant Local Plan and National policies on matters concerning design and townscape.

LANDSCAPING, PUBLIC REALM AND BIODIVERSITY

- 7.144 Policy G1 of London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4. Policy G6 of the London Plan requires developments to amongst other things, manage impacts on biodiversity and aim to secure net biodiversity gain.
- 7.145 Policy D8 of the London Plan requires development proposals to amongst other things, ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.
- 7.146 At the local level, Policy D.DH2 of the Local Plan promotes the use of using high quality paving slabs, bricks and pavers for footways, parking spaces and local streets to create attractive, accessible, comfortable and useable development. Soft landscaping should be maximised to soften the streetscape and provide visual and environmental relief from hard landscaping, buildings and traffic. Policy D.ES3 of the Local Plan seeks to protect and enhance biodiversity in developments by ensuring that new developments maximise the opportunity for biodiversity enhancements, proportionate to the development proposed.
- 7.147 The site in its current arrangement largely comprises the existing office building and the associated car park which surrounds it. The site sits within a very dense urban context. There are pockets of landscaping however this is of a poor quality with any meaningful soft landscaping predominantly located along the southern and north-western perimeter of the site where there are a number of existing trees (9 in total). The majority of the site however consists of hard surfacing associated with the car park. The site is also largely inaccessible to the public thus hindering access and legibility between Marsh Wall and South Dock the site feels further enclosed by the existence of a brick wall which whilst is quite low, creates a visual barrier.
- 7.148 The proposed landscape strategy seeks to create a high quality pocket park and enhanced public realm that improves connectivity and provides breathing space along Marsh Wall. Four character areas are proposed for the pocket park as follows:
- Ensign Garden – this is identified as a 'garden space' adjacent to Marsh Wall and consists of circular planters with curved stone benches and populated with existing and proposed new trees.
 - Play Trail – this consists of circular planters that are interconnected by a 'play trail' which is characterised by bark mulch surfacing and incidental natural play elements.
 - Marsh Wall Streetscape – the streetscape along Marsh Wall would be characterised by Yorkstone paving and lined with large existing trees. It is intended that the curved stone benches of the circular garden face directly onto the streetscape, providing opportunities for rest for passers-by.
 - The Underline – the area beneath the elevated DLR tracks will form part of a larger network of public realm spaces that stretches beyond the application site i.e., towards the adjacent Quay House development for example. This space will feature pole mounted catenary feature lighting and movable elements for play and recreation.



Figure 22: Proposed Public Realm and Landscaping Strategy

7.149 The indicative strategy for the hard landscape is to provide a quality environment that is durable, reduces maintenance operations and provides a visually interesting and stimulating setting for the development which is keeping with its surroundings. A range of hard landscape materials are proposed across the site with the Ensign Garden character area being softer with the remainder of the site largely comprising Yorkstone Setts permeable paving to match the character of the surrounding public realm and support the range of activities to be accommodated on the site which could include outdoor seating, terraced seating, and outdoor gym and recreation equipment such as an outdoor table tennis table. The diagram below demonstrates the proposed indicative hard landscape materials and public realm furniture strategy.

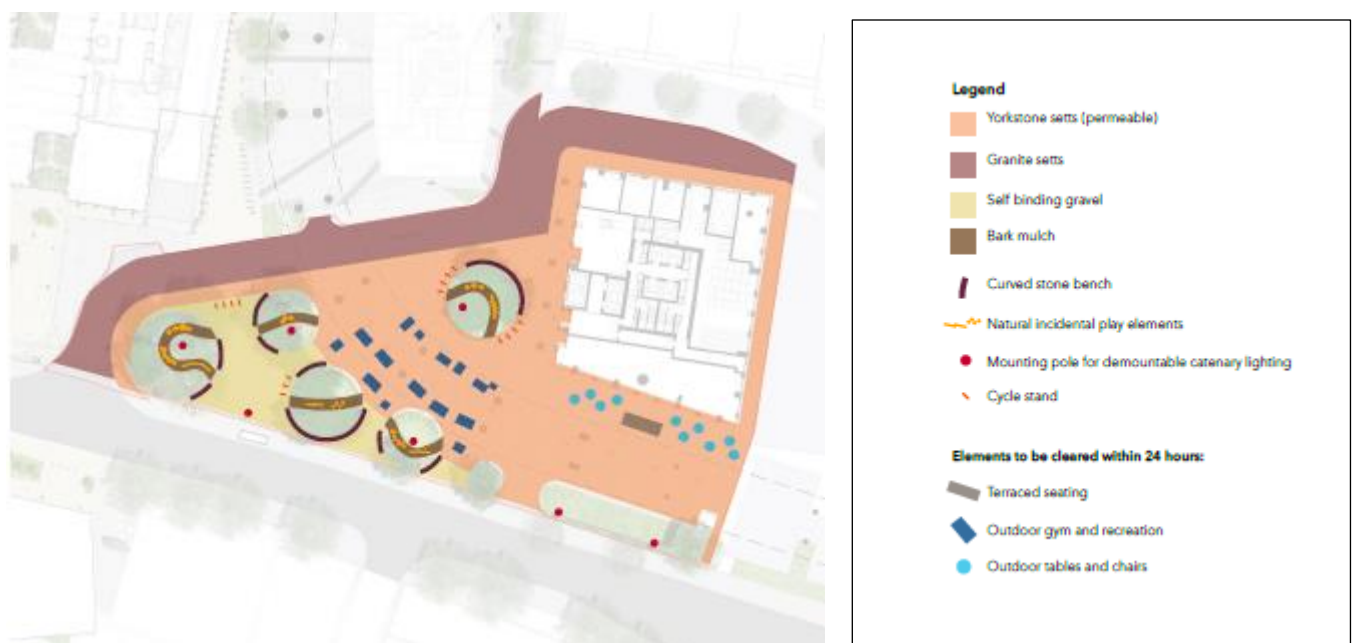


Figure 23: Proposed Hard Landscaping Strategy

7.150 The proposed soft landscaping strategy and biodiversity enhancements for the scheme aims to deliver a broad range of native species of planting and green spaces across the site that will enhance wildlife, improve biodiversity, ecology and the visual appearance of the site. Whilst plant selection will be predominantly of native species, there will be the inclusion of other non-native ornamental species for added variety, colour, biodiversity value and visual interest. The selection of plant species has also been made based on drought and flood tolerance as well as the ability to adapt to climate change. In terms of tree planting, 17 new trees will be planted consisting of the following: 2 x Field Maples, 2 x Black Alder, 3 x Dawn Redwood, 2 x Wild Cherry and 8 x Juneberry. The Juneberry trees will be planted on the level 05 play terrace. Trees to be retained include 3 x Lombardy Poplar, 2 x London Plane and 2 x Wild Cherry. Trees to be retained include 3 x Lombardy Poplar, 2 x London Plane and 2 x Wild Cherry.



Figure 24: Proposed Tree Planting Strategy

7.151 Other biodiversity enhancements also include the provision of a biodiverse roof with a varied substrate level which will provide a range of diverse habitats for wildlife. Habitat features will include mounding, hollows for shallow water collection, log piles and hibernaculum. The biodiverse roof is intended to have a low maintenance regime and will not require automated irrigation. At ground level bird houses and a bug hotel are proposed to be incorporated into the pocket park and public realm.

7.152 In terms of the Urban Greening Factor, this is a tool introduced in the new London Plan to evaluate the quality and quantity of urban greening. It enables major developments to demonstrate how they have included urban greening as a fundamental element of site and building design from the outset. The application site boundary includes areas that would not be possible to provide additional planting namely the underline beneath the elevated DLR track and Admirals Way which is a private estate road. On this basis the Applicant considers that these areas should be excluded from the overall calculation. The Applicant has however, calculated the UGF against 3 scenarios as follows: The entire red line boundary (scenario 1), all the areas in the red line boundary excluding Admirals Way (scenario 2) and finally all the areas within the red line boundary excluding both Admirals Way and the area beneath the DLR (scenario 3).

- 7.153 The scheme achieves an UGF of 0.37 under scenario 1, an UGF of 0.43 under scenario 2 (minus DLR) and an UGF of 0.57 under scenario 3 (minus DLR and Admirals Way). Officers consider that given the constraints of the site and the limited scope to provide additional urban greening under the DLR and along Admirals Way, that there is a logic to excluding these areas from the UGF calculation. On this basis, Officers consider that the proposal as tested under scenarios 2 and 3 would be acceptable.
- 7.154 Officers welcome the landscaping, ecological and biodiversity enhancements proposed for the site. However, whilst the strategy is acceptable in principle, Officers consider that there is scope and opportunity for further enhancements to provide a greater degree of soft landscaping than that which is currently proposed. The site currently has limited ecological value and its biodiversity could be further enhanced through additional tree planting and landscaping.
- 7.155 Officers consider that the objectives of the landscape strategy would incorporate the use of a range of quality materials that would help to create an attractive and distinctive area and would assist in improving the legibility and connectivity between Marsh Wall and South Dock however, Officers would be seeking to enhance this further through details submitted via the landscaping condition to ensure that further soft landscaping is achieved. The general landscaping proposals are also supported by the Place Shaping Team who support the strategy of providing “breathing space” along Marsh Wall and in particular notes the following:
- “The importance of this breathing space, in the context of the dense urban environment, cannot be underestimated and the proposals represent a significant improvement to the existing urban condition, responding to the proposals at the neighbouring Quay House and wider area to deliver positive improvements to this section of the street”.*
- 7.156 The strategy to deliver ‘breathing space’ is considered to be the correct approach for this constrained site. Not only would the pocket park (subject to approval of further soft landscaping enhancements via condition) provide Marsh Wall with much needed breathing space, but it would also provide the opportunity for the development to connect with the wider community through the provision of new public focused facilities and character areas to meet a range of local needs. Full details of the landscaping proposals including details of materials, details of living roofs, details of bird houses and the bug hotel and the details of location of planting and trees will be secured via condition.
- 7.157 Overall, the proposal is considered to be compliant with Local Plan and national planning policies with regard to matters concerning landscaping, public realm and biodiversity.

HERITAGE

- 7.158 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on decision-makers, when considering to grant planning permission for development which would affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess. S72(1) of the Act places a similar duty and requires that in the exercise of planning functions, with respect to any buildings or other land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.159 The NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the NPPF emphasises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Similarly paragraphs 200-204 of the NPPF sends comparable messages, however, emphasises that where a proposed development will lead to specifically substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 7.160 Policy HC1 of the London Plan requires amongst other things, development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy HC2 of the London Plan requires amongst other things, that development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value (OUV), including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes.
- 7.161 At the local level in Policy S.DH3 of the Local Plan requires proposals to preserve or, where appropriate, enhance the Borough's designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough's 24 places. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.
- 7.162 Policy S.DH5 of the Local Plan requires developments to ensure that it safeguards and does not have a detrimental impact upon the OUV of the UNESCO world heritage sites: The Tower of London and Maritime Greenwich, including their settings and buffer zones. Proposals affecting the wider setting of the Tower of London and Maritime Greenwich or those impinging upon strategic or other significant views to or from these sites will be required to demonstrate how they will conserve and enhance the outstanding universal value of the world heritage sites.
- 7.163 As highlighted earlier in this report, Ensign House is not a listed building and neither does the site contain any listed buildings or fall within a Conservation Area. The submitted HTVIA has undertaken an assessment of the effects of the proposed development on the significance of a number of built heritage receptors, namely above-ground designated and non-designated heritage assets. The study area for the receptors identified in the HTVIA have been informed by site visits, desktop research of the immediate and wider context, map analysis and early studies of computer model view studies to consider settings of heritage assets. Statutory and local designations have also been taken into account. The heritage receptors identified within the wider vicinity of the site are indicated in the diagram below.

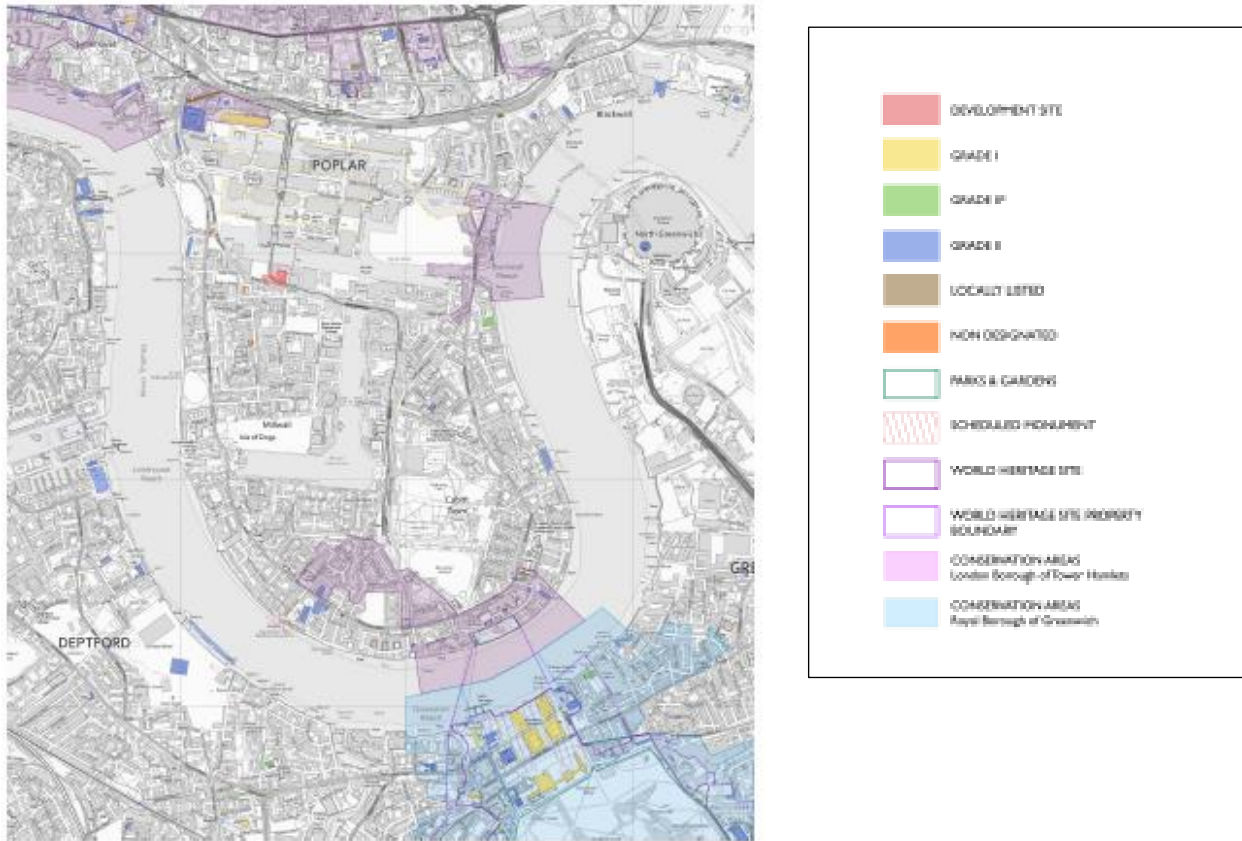


Figure 25: Heritage Receptors Identified in Environmental Statement

7.164 The HTVIA assessment has considered the relevant heritage receptors under the following categories; World Heritage Sites, Conservation Areas, Listed Buildings and Non-designated heritage.

World Heritage Sites:

Maritime Greenwich WHS

7.165 The northern boundary of the Maritime Greenwich WHS lies approximately 1.8km to the south-east of the application site. The Maritime Greenwich World Heritage Site Management Plan (“The Management Plan”) describes that the WHS was inscribed by UNESCO in 1997 for the international significance of its architecture, the high degree of authenticity of its buildings and landscape, and for its history of royal patronage, artistic and scientific endeavour.

7.166 The WHS boundary includes the Royal Park, Green Town Centre and an ensemble of listed buildings of high status including Grade I listed Queen’s House designed by Inigo Jones and the Old Royal Naval College (designed principally by Sir Christopher Wren and Nicholas Hawksmoor). The Queen’s House was constructed between 1616-1638 and was the first English building to be constructed in the Palladian style (European architectural style inspired by Italian renaissance architect Andrea Palladio from the early 17th century onwards). The Old Royal Naval College buildings are located south of the Queen’s House and arranged around two large courtyards which step down towards the river. OUV attribute 1 of the WHS Management Plan notes that *“the group of buildings that are arranged symmetrically around a ‘Grand Axis’ have been likened to the Palace of Versailles in their splendour. However, unlike Versailles, the complex at Greenwich evolved over centuries, with individual assets of great importance coming to form a harmonious whole.”*

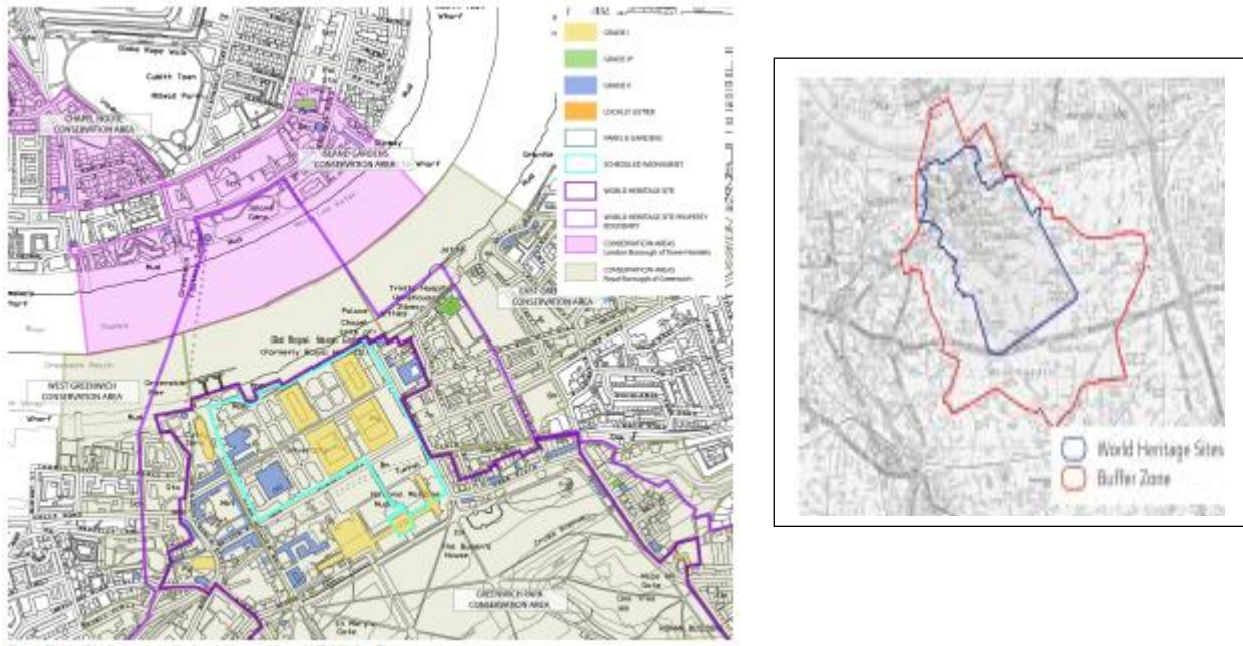


Figure 26: Boundary of Maritime Greenwich WHS and Buffer Zone

- 7.167 The application site lies outside the local setting of the WHS however is sited on the Grand Axis, which is OUV attribute 3 of the WHS. The Grand Axis is essentially a vista that commences at All Saint Church at Blackheath and continues north through Greenwich Park, the Statue of General Wolfe, passes between the ensemble of buildings described above and finally extending across the River Thames towards the Isle of Dogs and terminating at St Anne’s Church at Limehouse. The 19th century church of All Saints on Blackheath was constructed so that its spire recognises and enhances the Grand Axis to the south. The dominance of this element remains and the vista along Blackheath Avenue, flanked by chestnut trees on both sides, still forms a major part of the overall composition.
- 7.168 In terms of the view traversing north, the view itself does not remain unobstructed with the WHS Management Plan noting *“visibility of this monumental piece of civic design has been lost. Despite the early buildings of Canary Wharf being located ‘off-axis’, later buildings obscure the vista of St Anne’s and no specific landmark has been introduced to take its place”*.
- 7.169 The HTVIA notes that the WHS Management Plan states that the main threats facing the ensemble of buildings that forms part of the WHS are from development pressures within the town that could impact adversely on its urban grain and from tall buildings, in the setting, which may have the potential to impact adversely on its visual integrity. The HTVIA then goes on to list the attributes of the OUV of the WHS as follows:
- OUV Attribute 1 – The architectural ensemble of the Queen’s House, the Royal Observatory, The Royal Hospital (Now the Royal Naval College) and The Royal Park.
 - OUV Attribute 2 – The masterplan of buildings and designed landscape.
 - OUV Attribute 3 – The Grand Axis.
 - OUV Attribute 4 – The Royal Observatory.
 - OUV Attribute 5 – Greenwich Town Centre and St Alfege Church.
 - OUV Attribute 6 – Royal Patronage.
 - OUV Attribute 7 – Relationship with the River Thames.
 - OUV Attribute 8 – Silhouettes.

7.170 The HTVIA identifies that the only attribute of the OUV potentially affected by the proposal is attribute 3; The Grand Axis. In reference to the WHS Management Plan, the HTVIA highlights that the Management Plan observes that *“There are opportunities with further development on Canary Wharf to resurrect the relationship of new buildings there with the Grand Axis. The vistas (north and south) from the scarp at the Wolfe statue are as significant as the view to it from Island Gardens”*. The HTVIA considers that the proposed development will be a tall building on the Grand Axis, visible in the background of the World Heritage Site. The proposal has been designed to celebrate the building’s position on the axis with the specially designed ‘crown and spire’ feature intended to complement the architecture and add a celebratory marking of the axis. This is appreciated best from assessment viewpoint 21 (Wolfe Statue, looking North) in the HTVIA. This particular view is also the same viewing location as London View Management Framework (LVMF) viewpoint 5A.1 and as such, the sensitivity of this location is *high* given its designated status in the LVMF. The existing and proposed views of this viewpoint are below:

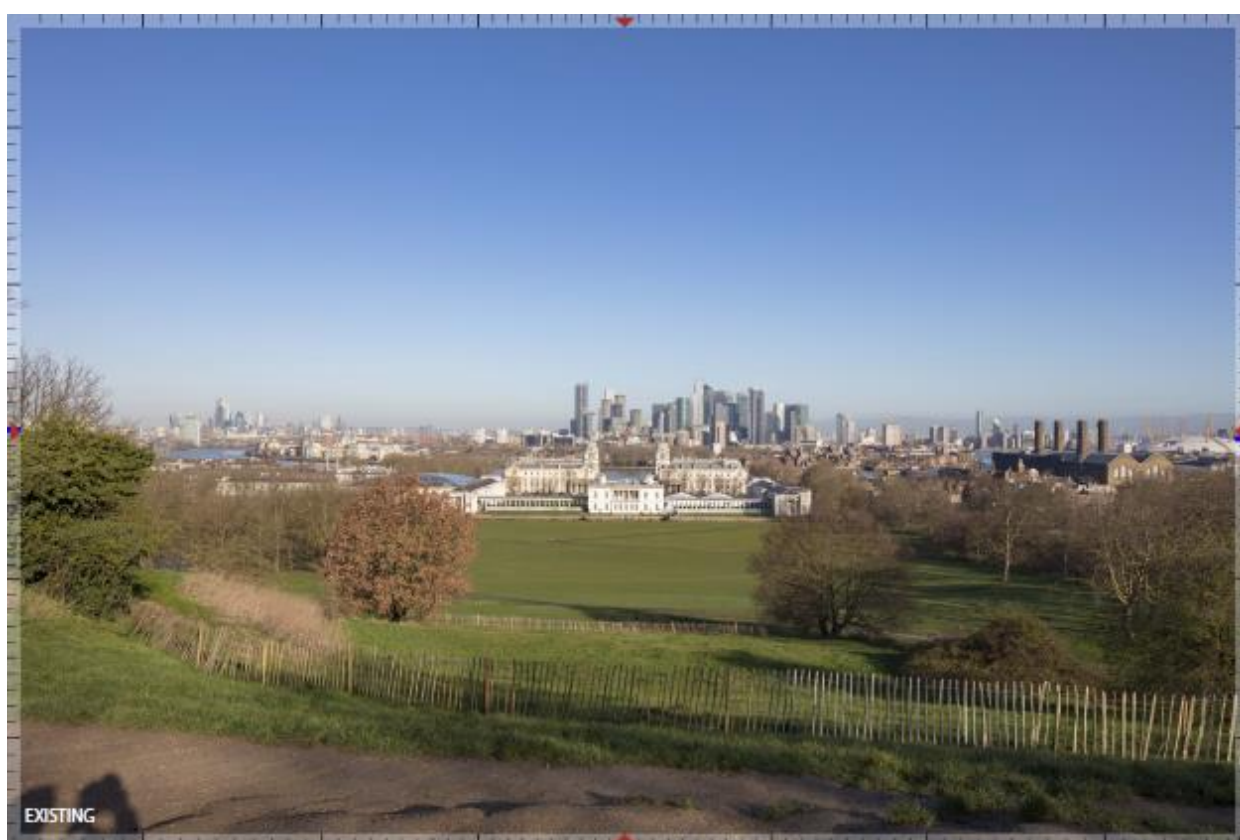


Figure 27: HTVIA View 21 (Wolfe Statue) – Existing View



Figure 28: HTVIA View 21 (Wolfe Statue) – Proposed View

- 7.171 As can be seen in the proposed view, the development will rise to a height below that of One Canada Square and directly on the Queen’s House axis. The HTVIA observes that the experience of the World Heritage Site in this view is principally about the foreground and middle ground, including the Royal Park, the symmetrical complex of buildings including the Queen’s House and Royal Naval College, the river seen beyond and the treescape immediately behind in Island Gardens. The background of the view, although highly visible, is disconnected from the principal experience of the World Heritage Site. The HTVIA considers that the development would contribute positively in terms of its slender form and articulated top with the ‘crown and spire’ which responds to its position on the Grand Axis. The assessment concludes that the magnitude of change in the view as a whole is small and the sensitivity of the view and the magnitude of change in the more distant background, results in a moderate effect on the view as a whole.
- 7.172 The effect of the proposal on the setting of the World Heritage Site, is deemed to be an enhancement and in terms of the view as a whole, the contribution made by the development will be a positive one leading to a Moderate and Beneficial effect.
- 7.173 The proposed night time view from this viewing point shows the special attention that is intended in providing lighting to the top of the building to signify its relationship with the Grand Axis. Again, the magnitude of change in the night time view as a whole is deemed small. The HTVIA concludes that with regards to the night time view, owing to the high sensitivity of the view and the small magnitude of change in the background, this is a moderate effect on the view as a whole and the effect on the setting of the World Heritage Site, is much less significant. The assessment concludes that the contribution made by the development at night will also be a positive one however this would be Minor and Beneficial owing to the overall reduced visibility.



Figure 29: HTVIA View 21 (Wolfe Statue) Night Time - Proposed

- 7.174 The HTVIA has also assessed the proposal from two other viewing points on the axis; view 20 (Greenwich Park, Junction of Blackheath Avenue and Great Cross Avenue looking towards the Wolfe Statue) and view 22 (Greenwich Naval College). Both these proposed views are appended to this report. The HTVIA finds that in all three views the proposal would appear tall and elegant, adding visual interest to the backdrop of the Grand Axis without interfering with the building form, landscape layout or the visual integrity of the World Heritage Site. In relation to View 20 in particular, the ES reports that there would be a Moderate Balanced effect (neither positive or negative) on this view owing to the visibility of the scheme being balanced against the high quality unique character of the architecture of the proposed development. A lesser architectural quality would have resulted in an adverse effect. The ES finds that its simple and elegant form, stepping in at the very top, and culminating in a 'crown and spire', is worthy of its position in this view and does not detract from the Grade II listed statue.
- 7.175 In terms of the all the other elements of the Maritime Greenwich WHS, including the ensemble of listed buildings of high status and exceptional architecture, the Royal Park and the Conservation Areas within its boundaries and the buffer zone, all contribute to the OUV of the World Heritage Site as whole. However, the assessment considers that the proposed development's effect on the setting of the World Heritage Site, at a distance of 1.8km, will not affect its OUVs. The HTVIA acknowledges that the authenticity of the ensemble of buildings and landscapes of the World Heritage Site is high, with these elements remaining in their original form. However as with above, the proposed development would be at a significant distance from the World Heritage Site in the background. The building would be sited beyond the band of trees at Island Gardens, on the north side of the river, which mark the more immediate setting of the World Heritage Site and the assessment suggests that the proposal's design and position on the axis would strengthen the integrity of the World Heritage Site by extending the visual axis. The HTVIA's final conclusion on the impact of the proposal on the Maritime Greenwich World Heritage Site is that there would be no harm or adverse effect on the OUV of the World Heritage Site, its authenticity or its overall integrity.
- 7.176 Historic England were consulted during the assessment of the planning application and confirmed that Historic England's main area of interest regarding the scheme is the potential impact of the proposal on the Grand Axis as an attribute of the OUV of the Maritime Greenwich

World Heritage Site. Historic England concluded that the proposed tall building would appear to form a relatively coherent part of the evolving tall buildings cluster around Canary Wharf in the protected view of the Grand Axis from the General Wolfe Statue in Greenwich Park and that the proposed development in isolation would not affect Historic England's ability to appreciate the Grand Axis as an attribute of Outstanding Universal Value of the Maritime Greenwich WHS. Historic England also confirmed that there were no serious concerns about the impact of the proposals on any other aspect of Outstanding Universal Value, or significance attributed to the component designations within the WHS.

7.177 It is worthwhile noting however, that Historic England have also provided a copy of their pre-application response letter to the Applicant to accompany their response to the statutory consultation exercise. In Historic England's pre-application letter, they made particular reference to the lost vista to St Anne's Church and the proposal's desire to respond to the Management Plan's observation that there are opportunities for new development to resurrect this lost aspect of the Grand Vista expressed by the 'crown and spire' detail at the top of the building. In this regard, Historic England consider that as the existing dense townscape blocks intervisibility between the WHS and St Anne's Church, the visual connection between the two heritage assets has been lost and cannot contribute to the OUV of the WHS nor can it contribute to the significance or setting of any component statutory designation within the WHS. Historic England do not therefore consider that this element of the scheme presents an opportunity to enhance or better reveal the significance of the WHS and consider that this could only be achieved in a meaningful and scholarly way by removing the intermediate buildings and reinstating the church as a visual terminus of the Grand Axis. Notwithstanding this however, Historic England agree that the top of the proposed building would be distinctive and would not detract from the WHS to any greater extent than the established tall building cluster currently does.

Tower Bridge WHS

7.178 The south eastern boundary of the Tower of London WHS is located approximately 3.7km to the west of the application site. The application site therefore lies outside the local setting of the WHS. The Tower of London WHS was inscribed in 1988 by UNESCO and described in the Tower of London World Heritage Site Management Plan as being an international famous monument and one of England's most iconic structures. The Management Plan goes on to describe that William the Conqueror built the White Tower as a demonstration of Norman power, siting it strategically on the River Thames to act as both fortress and gateway to the capital: it is the most complete example of an 11th century fortress palace remaining in Europe. A rare survival of a continuously developing ensemble of royal buildings, from the 11th to 16th centuries, the Tower of London has become one of the symbols of royalty and has been the key setting for historical events in European history, including the execution of three English Queens.

7.179 The Management Plan defines the setting of the Tower of London WHS as relating primarily to the surroundings in which a place is perceived, experienced and understood. The wider setting of the Tower comprises buildings and areas beyond the local setting that are inter-visible with the Tower or which could (if redeveloped) have an effect on its setting. The wider setting is therefore not fixed and is proportionate to the scale of the development within the vicinity of the Tower. The local setting of the Tower comprises the spaces from which it can be seen from street and river level, and the buildings that enclose, or provide definition to those spaces. This forms an 'arena' the boundary of which is heavily influenced by views across the Thames. The immediate setting of the Tower is that part of the local setting that is on the north bank of the Thames. The images below provides the details of the heritage designations within the World Heritage Site and its setting.



Figure 30: Tower Bridge WHS and Heritage Designations

- 7.180 The whole of the Tower of London is a scheduled ancient monument and includes a number of highly graded listed buildings as follows; The White Tower of 1078 (Grade I), Museum of Royal Fusiliers (Grade II), Middle Tower (Grade I), Old Hospital Block (Grade II*), Waterloo Block (Grade II), Chapel of St Peter Ad Vincula (Grade I), Inner and Outer Curtain Walls (Grade I), Revetment Wall to the West and North (Grade II) and South (Grade II*) and parts of the Roman Wall (Scheduled Monument). Within the local setting of the World Heritage Site there are also the inclusion of further listed buildings and scheduled monuments which include but not limited to the following; Tower Bridge (Grade I), Merchant Seamen’s Memorial (Grade II*), Church of All Hallows by the River (Grade I), Former Port of London Authority Building (Grade II*), Trinity House (Grade I), 8-10 Tower Hill (Grade II), Mercantile Marine War Memorial (Grade II), Portion of Old London Wall (Grade I) and London Bridge Hospital (Grade II).
- 7.181 The HTVIA describes the Tower of London (“the Tower”) as a fortress consisting of several layers of military architecture built surrounding the Norman White Tower of 1078 and notes that its OUV is attributable to the following:
- Its landmark siting (for both protection and control of the City of London).
 - As a symbol of Norman power and its outstanding late 11th century Norman military architecture.
 - As a model example of a medieval fortress palace.
 - Its association with historical events and people in European history.
- 7.182 Having regard to the Statement of Outstanding Universal Value contained in the Management Plan, the HTVIA considers that the attribute of the OUV of the World Heritage Site potentially affected by the proposal is the visual integrity of its buildings, particularly in relation to its wider settings, which the HTVIA observes have already been partially eroded by tall development in the eastern part of the City. In terms of the effect of the proposal on the physical, historical, social and economic context of the World Heritage Site, the HTVIA reports that as the proposed development is located over 3.9km to the east of the Grade I listed White Tower at the centre of the WHS, it will not affect the historical, social or economic context of the Tower, however it will marginally affect the wider physical context. The proposed building will be visible towards the WHS; however, it will be a very small addition when compared to other buildings of Canary Wharf and the City of London. The development will only be seen as part of the distant eastern setting that includes the composition of many contemporary buildings at Canary Wharf and the design quality of the development will ensure that the building can be appreciated as a sensitive addition.
- 7.183 With regards to the views towards the WHS, the HTVIA confirms that the WHS can be seen on the left of strategic LVMF views 11B.1 (River to Spec. London Bridge downstream) and 11B.2

(River Prospect: London Bridge downstream). These views have been translated as views 29 and 30 (London Bridge Looking East) respectively in the HTVIA.

- 7.184 In terms of HTVIA view 29, this looks east towards the Tower of London WHS and Tower Bridge. The foreground is composed principally of the river and, whilst the White Tower of the Tower of London is partially hidden by development on the north bank, Tower Bridge is fully visible at the centre of the view. Beyond Tower Bridge, the HTVIA describes that the urban grain as being finer and lower in scale however in the far background, the cluster of buildings at Canary Wharf rise with the three principal towers at Canary Wharf (namely 1, 8 and 25 Canada Square) all visible to the left of the Tower Hotel at St Katherine's Dock. As a designated view within the LVMF, and one which looks towards the World Heritage Site, this view of a very high sensitivity. The proposed view for view 29 is indicated below with the proposed development shown as a blue wireline:



Figure 31: HTVIA View 29/LVMF 11B.1 London Bridge Downstream - Proposed

- 7.185 In this view, the development will be visible between the north bastion of Tower Bridge and the Tower Hotel rising behind the Wardian towers. The proposed building will rise slightly higher than the Tower Hotel on the left and the upper gantry of Tower Bridge. The assessment finds that at this distance the detailed elements of the proposal will be difficult to discern however, the building would be perceived as an elegant form. The HTVIA finds that the magnitude of change close to the centre of this view would be very small and as a well-designed background building, the development would result in no harm and would contribute to the viewer's experience of a broad city vista. The assessment finds that the overall residual effect would be Minor and Beneficial. In terms of the cumulative impact (view appended to this report), the development would appear as part of the Canary Wharf/Docklands emerging cluster and owing to its location within the cluster and its design quality, the development's contribution to the cumulative view would also be Minor and Beneficial.
- 7.186 With regards to HTVIA view 30, the assessment notes that from this LVMF assessment point, the view is principally focussed on the townscape and riverscape within the upstream of Tower Bridge. The tall buildings further east of the Docklands are visible beyond, but they are perceived as much further away. One Canada Square is visible above the roofline of the Tower

Hotel and to the right Newfoundland and Landmark Pinnacle can be seen. Pan Peninsula, Harbour Central and the Baltimore Tower are all seen in the vista through the inner profile created by Tower Bridge. As per view 29, the sensitivity of this view is considered to be *high*.



Figure 32: HTVIA View 30/LVMF 11B.2 London Bridge Downstream - Proposed

- 7.187 The HTVIA demonstrates that from this view point, the development would be obscured by Tower Bridge and as such the magnitude of change would be Nil. The assessment notes that part of the reason for the two assessment points on London Bridge in the LVMF is to assess the effect of development on views as the viewer walks between the points. In this case the development, seen in the background, will move closer to the north bastion of Tower Bridge as the viewer walks from the bridge centre to the south, before disappearing behind the north bastion.
- 7.188 In summary, the HTVIA finds that the proposed development's effect on the wider setting of the World Heritage Site would not affect its OUVs as the Tower of London would remain recognisable as a landmark and medieval fortress with a long history, in the midst of the constantly changing and evolving townscape within its surrounds. The ensemble of listed buildings and associated landscape has a high degree of authenticity, with these elements remaining in their original form. As such the proposed development will not affect the authenticity of the World Heritage Site and neither will there be any adverse effect on the listed buildings located within the Tower of London, or their settings, owing to the distance of the development from these buildings.
- 7.189 In terms of threats to the integrity of the World Heritage Site, the Statement of OUV of the Tower of London Management Plan confirms that there are few threats to the property itself, but the areas immediately beyond the moat and wider setting of the Tower, an ensemble that was created to dominate its surroundings, have been eroded. The proposed development does not affect the direct relationship of the Tower with the river, owing to its location to the far east of the Tower. The 'Protected Silhouette' of the White Tower is protected by LVMF view 25.A (Queen's Walk to Tower of London) which will remain unaltered as the proposed development would not be visible in this view. The development may appear in the distant background of LVMF

views 11B.1 and 11B.2 (HTVIA views 29 and 30) from London Bridge, to the far east of the World Heritage Site as considered above.

7.190 The HTVIA therefore concludes overall that there is no harm or adverse effect on the OUV of the WHS, its authenticity or its overall integrity, and there would be no effect on the significance of the World Heritage Site resulting from the proposed development in isolation. Its contribution to a cumulative effect, in the context of the WHS would be minor and would lead to no harm. There would therefore be no cumulative effect on significance as a result of the proposed development.

Conservation Areas:

7.191 As mentioned earlier in this report, the site does not lie within a Conservation Area but it is surrounded by a number of Conservation Areas within the wider context. The closest to the site are indicated on the map below with the application site outlined in red.



Figure 33: Nearby Conservation Areas

7.192 Due to the distance and the intervening townscape, the HTVIA only assesses the Conservation Areas which have the potential to be affected by the development. The relevant Conservation Areas considered and assessed are as follows; West India Dock Conservation Area, Narrow Street Conservation Area, Chapel House Conservation Area, Island Gardens Conservation Area and Coldharbour Conservation Area.

West India Dock Conservation Area

7.193 The West India Dock Conservation Area is located approximately 650m north of the application site and encompasses buildings associated with the Import Dock, namely the surviving Grade I listed warehouses. The dock buildings are the most significant in determining the character of the Conservation Area, built in stock brick and stone dressings in a restrained classical style. The high significance of the Conservation Area in its history as an area that includes some of the earliest remnants of the West India development from circa 1800 which include

warehouses overlooking the Import Dock. However, the Conservation Area is located on the north side of the cluster of tall buildings at Canary Wharf, and therefore effectively shielded by existing development from the effects of an additional tall building on Marsh Wall, further south.

- 7.194 There would be minimal change in the setting as experienced from the Conservation Area and therefore the HTVIA concludes that there would be no effect on its significance or the ability to appreciate it. Similarly, in terms of cumulative impacts, the HTVIA notes that there would be other emerging schemes (Hertsmere House, 1 Park Place, North Quay and Riverside South) in closer proximity to the Conservation Area which would constitute a change to the setting of the Conservation Area. The HTVIA concludes that the development's contribution to cumulative effect would have no effect on the significance of the Conservation Area or the ability to appreciate it.

Narrow Street Conservation Area

- 7.195 The Narrow Street Conservation Area is located approximately 750m to the north-west of the application site. Its significance lies in its historical association to the early settlement of Limehouse and its riverside dwellings, and the area's 19th century growth and industrialization. Some of this historical element is retained such as the 18th century housing on Narrow Street, Limehouse Cut of 1770 and Regent's Canal (Limehouse Basin) of 1820 and are demonstrative of their historical and functional link to the river. More recent development include the cluster of tall buildings at Canary Wharf which is sited to the south-east of the Conservation Area. The River Thames also forms a key contributor to the setting of the Conservation Area and the ability to appreciate and understand its significance.
- 7.196 The HTVIA reports that the Conservation Area is potentially sensitive to additional development within its setting, although views towards it from the south-east already include the cluster of tall buildings at Canary Wharf. There may be glimpsed views of the development experienced from within the Conservation Area (from the west side of Limehouse Basin), where recently completed tall buildings can be seen however, the HTVIA considers that the presence of a new, well designed and elegant tall building in such glimpsed views would add positively to a setting which already includes tall buildings at Canary Wharf. As such there would be no effect on its significance or the ability to appreciate it. Similarly, in terms of cumulative impacts, the HTVIA notes that there would be other emerging schemes in closer proximity to the Conservation Area which would constitute change to its wider setting. The HTVIA concludes that the development's contribution to cumulative effect would have no effect on the significance of the Conservation Area or the ability to appreciate it.

Chapel House Conservation Area

- 7.197 The Chapel House Conservation Area is located at least 1km south of the application site and at the southern end of the Isle of Dogs peninsula. The Conservation Area is mainly residential and accommodates three 'Garden City' style estates and some landmark buildings. Its significance lies in its historical interest associated with the residential estates forming part of the government's post war drive to provide housing for families of returning troops. The southern setting of the Conservation Area includes remnants of historic riverside fabric such as the shipbuilding industry and docking. In views to the north the setting is dominated by the Canary Wharf cluster of tall buildings in the distance which contrast with the small scale character of the Conservation Area.
- 7.198 The development would be visible in axial views identified from within the Conservation Area. The HTVIA reports that the development will be visible alongside other tall buildings at Canary Wharf and as the viewer is aware that the small scale of the area sits within a context of the much larger scale of development at Canary Wharf, at a distance, there would be no effect on its significance or the ability to appreciate it. In terms of cumulative impacts, the HTVIA notes that there would be other emerging schemes (Westferry Printworks, Crossharbour and Millharbour) in closer proximity to the Conservation Area, though still within its wider setting. These developments would constitute a change in its wider setting however, its more immediate setting would remain unchanged. The HTVIA concludes that the development's contribution to

cumulative effect would have no effect on the significance of the Conservation Area or the ability to appreciate it.

Island Gardens Conservation Area

- 7.199 The Island Gardens Conservation Area is located at the southern end of the Isle of Dogs and protects the axial views across the river of the Royal Naval College and the Queens House in Greenwich. The majority of the buildings in the area are residential, constructed during the late 1970's and early 1980's and are of varying character and materials. Island Gardens and the few nearby listed buildings are the only surviving post-war remnants of the area's pre-20th century urban history. It's significance lies in its association with the historical location arrival point of the ferry service that linked the Isle of Dogs with Greenwich from at least the 17th century. It also reflects the early development and industrialisation of the southern tip of the peninsula. The main setting of the Conservation Area is the River Thames which contributes to the ability to appreciate the heritage assets. Elements of the Conservation Area can be viewed across the river in Greenwich. In views towards the north and north-east, layers of high rise blocks culminate in the taller cluster of towers at Canary Wharf. The HTVIA notes that this part of the setting including the application site does not contribute to the significance of the Conservation Area.
- 7.200 The proposal would introduce a tall building into the wider setting of the Conservation Area to the north-west, within the existing context of the cluster of tall buildings in Canary Wharf and South Quay. The HTVIA considers that the proposed development would be an enhancement to this part of the distant setting. There may also be glimpsed views of the development experienced from within the Conservation Area, i.e., from the registered gardens where more recently completed tall buildings can be seen beyond the urban waterscape and the relatively small scale middle ground development and would obscure most of the proposed development. As such there would be no effect on the significance of the Conservation Area, and registered park and garden or the ability to appreciate their significance.
- 7.201 In terms of cumulative impacts, the HTVIA notes that there would be other emerging schemes (Westferry Printworks, Crossharbour and Millharbour) in closer proximity to the Conservation Area, though still within its wider setting. These developments would constitute a change in the wider setting however, its more immediate setting would remain unchanged. The HTVIA concludes that the development's contribution to cumulative effect would have no effect on the significance of the Conservation Area or the ability to appreciate it.

Coldharbour Conservation Area

- 7.202 The Coldharbour Conservation Area is located to the east of Isle of Dogs and approximately 750m east of the application site. It's significance lies in its historical association to the pre-industrial development of the eastern portion of the Isle of Dogs peninsula, including 17th century shipbuilding and to the later phase of the docklands in the early 19th century. The River Thames is a fundamental contributor to its setting and the ability to appreciate and understand the heritage assets in this area.
- 7.203 The HTVIA reports that there is only one significant view from within the Conservation Area towards the application site, namely the axial view from east to west along South Dock from the bridge over the lock at Preston Road. However, in this view the development will be mostly obscured behind other tall buildings in the middle ground on South Dock. It will also be possible to view the development from further east where buildings in the Conservation Area will form the middle ground of the view, with the proposed development contributing to the background of tall buildings. The HTVIA considers that there would be no effect on its significance or the ability to appreciate it. In terms of cumulative impacts, the HTVIA notes that there would be other emerging schemes (Wood Wharf, 225 Marsh Wall, the Madison and Skylines Village) in closer proximity to the Conservation Area and these alongside other emerging developments further east, would constitute a change to its wider setting. The HTVIA concludes that these changes are an ongoing part of the evolving townscape of Canary Wharf and that the proposed development's contribution to cumulative effect would have no effect on the significance of the Conservation Area or the ability to appreciate it.

Listed Buildings and Non-Designated Heritage Assets:

7.204 The HTVIA identifies that no listed buildings are directly affected by the proposed development but there are several listed buildings in the area around the site whose settings may potentially be affected. The location of listed buildings sited within close proximity of the site are indicated in the map below.

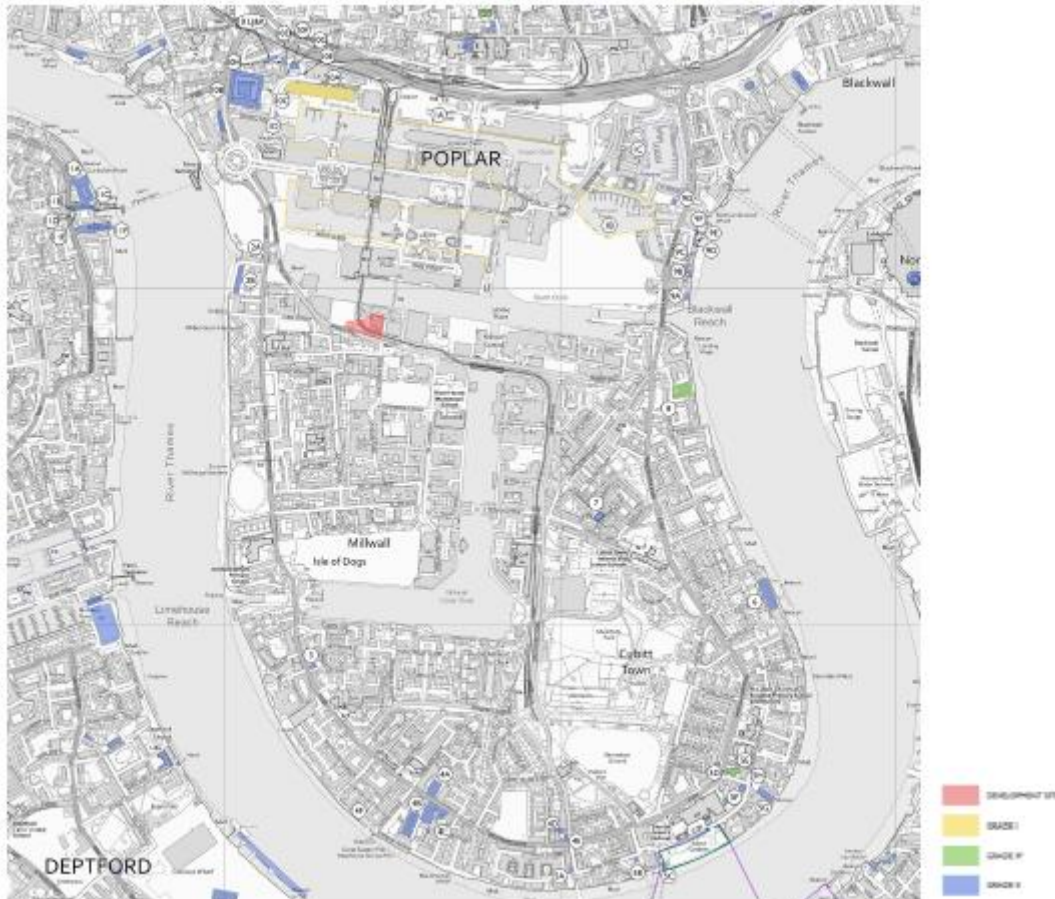


Figure 34: Location of Nearby Listed Buildings

7.205 The HTVIA has grouped together listed buildings and divided them into 11 groups; some of the listed buildings being grouped together because they are part of the same setting or together form a distinct part of the townscape. The full list of buildings and their grading status is appended (Appendix 4) to this report under each group category. The group categories are set out as follows:

- Group 1 – Canary Wharf
- Group 2 – Westferry Road
- Group 3 – Formerly St. Pauls Presbyterian Church
- Group 4 – Westferry Road, South
- Group 5 – Island Gardens
- Group 6 – Millwall Wharf Riverside Range of Warehouses
- Group 7 – Carnegie Library
- Group 8 – Isle of Dogs Pumping Station, Including transformer house, paving, bollards and surrounding wall to the west and south.
- Group 9 – Blackwall Reach
- Group 10 – West India Dock Conservation Area
- Group 11 – Rotherhithe

7.206 In the assessment of all the groups of listed buildings and heritage assets, the HTVIA finds that whilst the proposed building will appear in the distant and/or wider setting of some of these groups, in all instances there would be no effect from the proposal on the significance of the

heritage assets identified in each group and the proposed development's contribution to the cumulative effect would have no effect on the significance of the heritage assets or the ability to appreciate them.

7.207 Whilst there are no locally listed buildings within close proximity of the site, the HTVIA has considered the following nearby non-heritage assets:

- The North Pole Public House, Manilla Street.
- The Anchor & Hope Public House, Westferry Road.
- The Alpha Grove Community Centre, Alpha Grove.
- West India Dock Impounding Station.

7.208 In all instances, the HTVIA confirms that there would be no effect on the significance or the ability to appreciate the non-designated heritage assets and similarly in terms of cumulative impacts, the proposed development's contribution to the cumulative effect would have no effect on the significance of the non-designated heritage assets or the ability to appreciate them.

Strategic Views

7.209 Policy HC3 of the London Plan confirms the Mayor's list of designated Strategic Views that will be kept under review. These views are categorized as follows; London Panoramas, River Prospects and Townscape Views. The policy requires that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 of the London Plan states development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. The London View Management Framework SPD provides further guidance on the management of views designated in the London Plan.

7.210 At the local level, Policy D.DH4 requires development to demonstrate amongst other things, how it complies with the requirements of the London View Management Framework (LVMF) and World Heritage Site Management Plans (Tower of London and Maritime Greenwich).

7.211 The HTVIA includes the assessment of 9 LVMF views as follows:

- LVMF View 5A.1 (Panorama) – Greenwich Park Wolfe Statue (HTVIA View 21)
- LVMF View 6A.1 (Panorama) – Blackheath View (HTVIA View 26)
- LVMF View 15B.1 (River Prospects) – Waterloo Bridge (HTVIA View 27)
- LVMF View 12B.1 (River Prospects) – Southwark Bridge (HTVIA View 28)
- LVMF View 11B.1 (River Prospects) – London Bridge (HTVIA View 29)
- LVMF View 11B.2 (River Prospects) – London Bridge (HTVIA View 30)
- LVMF View 4A.1 (Panorama) – Primrose Hill (HTVIA View 31)
- LVMF View 2A.1 (Panorama) – Parliament Hill (HTVIA View 32)
- LVMF View 1A.1 (Panorama) – Alexandra Palace (HTVIA View 33)

7.212 LVMF views 5A.1 (Greenwich Park), 11B.1 and 11B.2 (London Bridge) have been considered in detail earlier in this report as part of the overall assessment of the proposal on both the Maritime Greenwich and Tower of London World Heritage Sites.

7.213 LVMF view 6A.1 (Blackheath) principally manages views of St Paul's Cathedral and provides wide vistas across London to the west and east. The proposed development would be visible in the Canary Wharf cluster of buildings however, as the focus of this view is generally towards St Paul's Cathedral and the City of London, the magnitude of change would be small. Moreover, a considerable number of tall buildings have been granted consent and under construction in this view, adding to the existing cluster at Canary Wharf. The proposals slender form and articulated top will make this a positive contributor in this view and the cumulative effect in this view would be Minor and Beneficial.

7.214 LVMF view 15B.1 (Waterloo Bridge) is an important view of high sensitivity which looking east includes St Paul's Cathedral with the City of London behind. The view includes in the far

background, the tall buildings at Canary Wharf and more prominently visible buildings such as The Shard, One Blackfriars and 20 Fenchurch Street (Walkie Talkie). There would be an extremely small change in this view with only a small portion of the development visible. The magnitude of change would be very small and the cumulative effect of the proposal with consented schemes would be Negligible.

- 7.215 LVMF view 12B.1 (Southwark Bridge) includes Southwark Cathedral to the right whilst views to the left captures Tower Bridge and Canary Wharf to the east. The top of the development would be visible in this view, rising behind and to the Tower Hotel at St Katherine's Dock. The proposal would be partially obscured by the Cannon Street Railway Bridge and given the distance away, the development would represent an additional background element to this view. The magnitude of change would be small and cumulatively the development will form part of the proposed and consented buildings in the Canary Wharf cluster thus resulting in a Minor and Neutral impact.
- 7.216 Finally, in terms of LVMF views 4A.1 (Primrose Hill) and 2A.1 (Parliament Hill) the magnitude of change in the proposed views for each would be Nil and very small respectively. There would also be no change to both views when considered with cumulative schemes. The magnitude of change for LVMF 1A.1 (Alexandra Palace) would be small as only the upper parts of the proposal would be visible as part of the wider Canary Wharf cluster. The cumulative effect from the proposal on this view would be Minor and Neutral.
- 7.217 Overall, the HTVIA demonstrates that the proposal would have limited to no impact on identified strategic views and as such this is considered to be acceptable.

Archaeology

- 7.218 Policy S.DH3 of the Local Plan requires developments that lies in or adjacent to an archaeological priority area to include an archaeological evaluation report and will require any nationally important remains to be preserved permanently in situ.
- 7.219 The site lies in the Isle of Dogs Archaeological Priority Area (Tier 3) which was designated for its potential to contain remains associated with the industrial and commercial history of the area; paleoenvironmental remains and prehistoric evidence.
- 7.220 Chapter 12 of the Environmental Statement (ES) identifies likely 'Minor Adverse' (Not Significant) effect to heritage receptors of low significance; paleoenvironmental remains, isolated prehistoric remains and post-medieval building remains and a 'Moderate Adverse' (Significant) effect is identified for prehistoric occupation horizons on the Gravel surface during the demolition and construction phase of the development. The 'Moderate Adverse' impact relates to the basement excavation stage of the development which would require the basement to be cut down to the bedrock and removal of all archaeological remains within its footprint. The ES notes that the basement impact would be localised to the footprint of the existing building, where there is a low potential for paleoenvironmental and prehistoric remains, with no potential for all other periods.
- 7.221 The ES identifies that further archaeological work to reduce the scale of effect should involve an archaeological watching brief to be carried out during basement excavation to ensure that any previously unrecorded archaeological assets are not removed without record and the programme of agreed works, together with dissemination of the results will offset the impacts of the proposed development and reduce the effects of basement excavation to 'Minor Adverse' (Not Significant) on prehistoric occupation horizons on the Gravel surface.
- 7.222 The Greater London Archaeological Advisory Service (GLAAS) in their consultation response to the planning application advises that the development could cause harm to archaeological remains, however the significance of the asset and scale of harm to it is such that the effect can be managed by using a planning condition. Therefore, the GLAAS's suggested condition will be imposed on the planning consent.

- 7.223 Officers have considered the submitted Heritage and Townscape Visual Impact Assessment (HTVIA) and Chapter 12 of the ES (Archaeology) and the conclusions drawn and agree with the findings of the HTVIA and ES that the proposed development would not result in harm to heritage assets assessed.
- 7.224 The ES has considered the Maritime Greenwich and Tower of London World Heritage Sites, 5 nearby Conservation Areas, 11 groups of listed buildings, 9 LVMF views and 4 nearby non-designated heritage assets and in all instances Officers concur with the assessment that the proposal would not have a detrimental impact on any of the affected heritage receptors. In addition, any potential harm to archaeological assets would be minimised through appropriately worded condition(s).
- 7.225 The scheme has been carefully designed to ensure that it would have no adverse effects on the heritage significance of receptors analysed as a result of change in their setting. The high quality design, scale and massing of the development would be elegant and striking and whilst it would be visible in relation to the setting of listed buildings, views looking out of Conservation Areas and visible in the wider setting of assessed World Heritage Sites, the proposal does not cause harm to or detract from the significance of heritage assets identified or the ability to appreciate them.
- 7.226 In reaching this conclusion, Officers have paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular Listed Buildings in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have also paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas and the World Heritage Sites identified above in accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

AMENITY

- 7.227 Paragraph 130 of the NPPF details that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users,...'. Paragraph 185 of the NPPF outlines that development proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.
- 7.228 Policy D3 of the London Plan requires development proposals to amongst other things, deliver appropriate outlook, privacy and amenity and help prevent or mitigate the impacts of noise and poor air quality. Policy D13 of the London Plan requires that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Policy D14 of the London Plan requires development proposals to amongst other things, avoid significant adverse noise impacts on health and quality of life.
- 7.229 At the local level, Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight conditions of surrounding development. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space, private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

- 7.230 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.231 For calculating daylight to neighbouring properties affected by the proposed development, the BRE contains two tests which measure diffuse daylight (light received from the sun which has been diffused through the sky). These tests measure whether buildings maintain most of the daylight they currently received.
- Test 1 is the vertical sky component (VSC) which is the percentage of the sky visible from the centre of a window.
- Test 2 is the No Sky Line (NSL)/Daylight Distribution (DD) assessment which measures the distribution of daylight at the 'working plane' within a room where internal room layouts are known or can be reasonably assumed.
- 7.232 In addition, Average Daylight Factor (ADF) is sometimes considered an appropriate metric. This method of assessment for daylight is ordinarily applied to new developments rather than existing neighbouring buildings unless the internal subdivision of the properties is known; whereby the ADF may be used to determine the light potential daylight availability. The submitted Daylight, Sunlight and Overshadowing Assessment that forms Chapter 10 of the Environmental Statement (ES) identifies that where the internal subdivisions of rooms within the surrounding sensitive receptors are known (Wardian and Alpha Square), the ADF method of assessment has been used as a supplementary assessment for these receptors to all site-facing rooms as an additional measure of daylight.
- 7.233 In respect of VSC, daylight may be adversely affected if after a development the VSC measured at the centre of an existing main window is both less than 27% and less than 0.8 times its former value. The assessment is calculated from the centre of a window on the outward face and measures the amount of light available on a vertical wall or window following the introduction of visible barriers, such as buildings.
- 7.234 In terms of the NSL calculation, daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. The 'working plane' is a horizontal plane 0.85m above the Finished Floor Level for residential properties.
- 7.235 The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south. Sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between 21 September and 21 March, receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
- 7.236 The submitted daylight/sunlight assessment identifies significance criteria against the assessment results. The following significance criteria has been used to determine the nature and scale of effect to the identified receptors in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.

Negligible	0-19.9% Reduction
Minor	20-29.9% Reduction
Moderate	30-39% Reduction
Major	≥ 40% Reduction

Figure 35: Significance of Effects Criteria for Daylight/Sunlight

- 7.237 It should be noted that the assessment identifies that where retained VSC levels are $\geq 27\%$ (greater than or equal to) and the NSL levels are $>80\%$ (greater than), the effects are considered negligible regardless of the alteration from the baseline.
- 7.238 The daylight and sunlight assessment within the ES identifies 16 buildings as sensitive receptors. A total of 4982 windows serving 2274 rooms were assessed for daylight and 1281 rooms were assessed for sunlight.
- 7.239 The assessment highlights that for existing daylight baseline conditions, 795 of the 4982 (16%) windows assessed for VSC and 1853 of the 2274 (81%) rooms assessed for NSL meet BRE criteria for daylight of 27% VSC and 80% NSL. For existing sunlight baseline conditions, 374 of the 1281 (29%) rooms assessed meet BRE criteria of 25% total APSH and 5% winter APSH. The assessment provides that low existing daylight and sunlight levels can be attributed to the dense urban location and architectural features such as balconies, large roof overhangs and recessed windows.
- 7.240 The following receptors have been assessed and are identified in figure 36 below.
1. Wardian London West
 2. Wardian London East
 3. 1-7 Bellamy Close
 4. Dowlen Court
 5. 10-14 and 24-28 Tideway House
 6. Phoenix Heights
 7. Discovery Dock Apartments West
 8. 74 Manilla Street
 9. 2 Millharbour Block A
 10. 19-26 Cuba Street
 11. 100 to 120 Phoenix Heights West
 12. 1-3 Bosun Close
 13. 2 Millharbour Block B1
 14. 2 Millharbour Block D
 15. Alpha Square
 16. Discovery Dock East

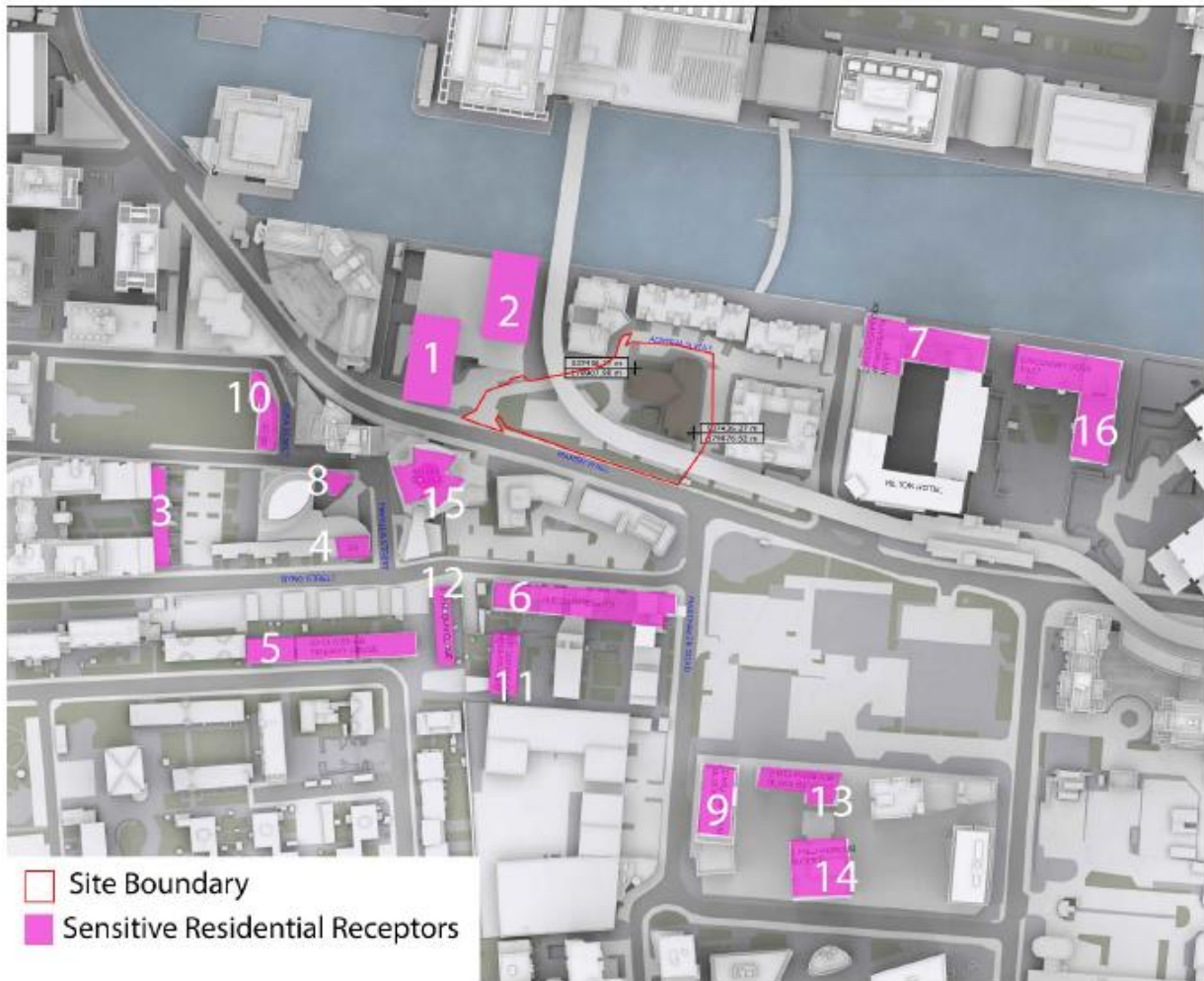


Figure 36: Plan view of Neighbouring Buildings in Relation to Proposal.

Daylight:

7.241 The daylight assessment finds that of the 4982 windows assessed for VSC, 3224 (64.7%) would meet BRE criteria and of the 2274 rooms assessed for NSL, 2225 (97.8%) would meet BRE criteria. Of the 16 buildings assessed the following receptors meet BRE criteria and would experience Negligible (Not Significant) effect following completion of the development:

- 1-7 Bellamy Close
- Dowlen Court
- 10-14 & 24-28 Tideway House
- 74 Manilla Street
- 19-26 Cuba Street
- 100 to 120 Phoenix Heights West
- 1-3 Bosun Close.

7.242 The remaining 9 properties are considered further below:

Wardian London West

7.243 A total of 597 windows serving 404 rooms were assessed for daylight within this building. For VSC, 211 (35.3%) of the 597 windows assessed would meet BRE criteria with rooms experiencing a Negligible effect.

7.244 Of the 386 (64.7%) affected windows, 263 windows would experience a reduction in VSC between 20-29.9% which is considered a Minor Adverse effect and 88 windows would

experience a VSC reduction of between 30-39.9%, which is considered a Moderate Adverse effect. The remaining 36 windows would experience a reduction in excess of 40%, which is considered a Major Adverse effect.

- 7.245 Of the windows that fail, 245 windows serve bedrooms and 3 windows serve kitchens which are considered less important in the consideration of daylight. The absolute reduction to these windows range from 0-3.5% VSC which would not be noticeable to the occupants.
- 7.246 The remaining 138 windows serve living room/lounge-kitchen-dining rooms (LKDs). As the room layouts are known, ADF has also been considered as an additional measure of daylight. The assessment demonstrates that the absolute reductions to the LKD windows ranges from 0-3.6% VSC which would be unlikely to be noticeable to the occupants. Additionally, all living rooms/LKDs in this building are dual aspect, and of the 145 rooms assessed from the rooms that fail, 132 meet the ADF criteria of 1.5% in both the baseline and proposed scenarios therefore retain good levels of daylight.
- 7.247 In terms of NSL, 391 (96.8%) of the 404 rooms assessed would meet BRE's criteria, retaining 0.8 of their former value and therefore would experience Negligible effect. Of the 13 affected rooms, all would experience a reduction in NSL of between 20-29.9% which is considered a Minor Adverse effect.
- 7.248 A no balconies assessment has also been undertaken for this building, whereby the assessment demonstrates that there would be 84.3% VSC compliance, with only reductions of Minor Adverse significant occurring.
- 7.249 Overall, owing to the number of affected windows being bedrooms, and the retained levels of daylight in living room/LKDs which meet or exceed the ADF targets, the ES ascribes the effect to this building as being **Moderate Adverse (Significant)**.

Wardian London East

- 7.250 A total of 616 windows serving 456 rooms were assessed for daylight in this building. For VSC, 190 (30.8%) of the 616 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.251 Of the 426 (69.2%) affected windows, 195 would experience a reduction in VSC of between 20-29.9% which is considered a Minor Adverse effect and 205 would experience a reduction of between 30-39.9%, which is considered a Moderate Adverse effect. The remaining 26 windows would experience an alteration in excess of 40%, which is considered a Major Adverse effect.
- 7.252 A total of 243 affected windows serve bedrooms, which are considered by BRE guidelines to be less important in relation to the consideration of daylight.
- 7.253 The remaining 183 affected windows serve living room/LKDs, each of which are dual aspect. As the room layouts are known, an ADF assessment has been undertaken as an additional measure of daylight. The assessment demonstrates that of the 152 living/LKD rooms identified in the baseline scenario, 141 rooms would retain the ADF criteria of 1.5% following completion of the development and therefore considered to retain good levels of daylight. The 11 rooms which do not retain an ADF level of 1.5% would retain 1.2-1.4% ADF and each of the LKDs have mitigating windows not affected by the proposed development beyond the BRE Guidelines threshold.
- 7.254 In terms of NSL, all rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect.
- 7.255 A no balconies assessment has also been undertaken for this building, whereby the assessment demonstrates that there would be a 70.8% VSC compliance, with only reductions of Minor Adverse significance occurring.

7.256 Overall, owing to the number of affected windows being bedrooms, and the retained levels of daylight in the living room/LKDs, meeting or only marginally below ADF targets, the ES ascribes the effect to this building as being **Moderate Adverse (Significant)**.

Phoenix Heights

7.257 A total of 366 windows serving 204 rooms were assessed for daylight within this building. For VSC, 148 (40.4%) of the 366 windows assessed would meet BRE's criteria and would experience a Negligible effect.

7.258 Of the 218 (59.6%) affected windows, 205 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect, whilst 13 would experience a reduction of between 30-39.9%, which is considered a Moderate Adverse effect.

7.259 A total of 75 affected windows serve bedrooms and 11 serve kitchens which are considered less important in the consideration of daylight by BRE Guidelines. The remaining 129 windows serve living rooms/LKDs and three serve rooms of unknown use. 105 of these affected rooms would retain 15-26% VSC which would be considered acceptable in an inner-city environment, with a number of these rooms being dual aspect. The remaining 27 living room/LKD windows are set back into the façade or situated beneath a balcony and therefore are obstructed in the baseline condition.

7.260 In terms of NSL, all rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect.

7.261 Overall, owing to the number of affected windows being bedrooms, and the retained levels of daylight in the living room/LKDs, the ES ascribes the effect to this building as being **Minor Adverse (Not Significant)**.

Discovery Dock Apartments West

7.262 A total of 112 windows serving 65 rooms were assessed for daylight within this building. For VSC, 110 (90.2%) of the 122 windows assessed would meet BRE's criteria and are would therefore experience a Negligible effect.

7.263 Of the 12 (10.8%) affected windows, all would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect. Each of the affected windows are obstructed in the baseline condition by being located beneath balconies.

7.264 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.265 Overall, as only 12 of the 122 windows would be affected for VSC, the ES ascribes the affect to this building as being **Minor Adverse (Not Significant)**.

2 Millharbour Block A

7.266 A total of 240 windows serving 108 rooms were assessed for daylight within this building. For VSC, 204 (85%) of the 240 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.267 Of the 36 (15%) affected windows, all would experience a reduction in VSC between 20-29.9%, which would be a Minor Adverse effect. A total of 20 affected windows serve bedrooms, which are considered by BRE Guidelines to be less important in the consideration of daylight. The remaining 16 affected windows serve LKDs located on the uppermost storeys beneath recessed balconies and are thereby obstructed in the baseline condition. Each of the LKDs have mitigating windows not affected by the proposed development beyond BRE Guidelines threshold.

7.268 In terms of NSL, all rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect.

7.269 Overall, owing to the number of affected windows being bedrooms, with each of the LKDs affected having a mitigating window, the ES ascribes the effect to this building as being **Minor Adverse (Not Significant)**.

2 Millharbour Block B1

7.270 A total of 112 windows serving 61 rooms were assessed for daylight within this building. For VSC, 94 (83.9%) of the 112 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.271 Of the 18 (16.1%) affected windows, 6 windows would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect, whilst 12 would experience a reduction in VSC of between 30-39.9% which would be a Moderate Adverse effect.

7.272 All the windows affected, of which 3 serve bedrooms and 15 serve LKDs, are obstructed in the baseline scenario owing to their location beneath recessed balconies and experience existing levels of VSC below 8%. The assessment therefore considers that the percentage reductions would be disproportionate to what would be perceptible to the occupants. However, each of the LKDs affected are served by additional windows not affected by the proposed development beyond BRE Guidelines.

7.273 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.274 Overall, owing to the disproportionate percentage reductions at the affected windows, with all affected LKDs served by additional windows not affected by the proposed development, the ES ascribes the effect to this building to be **Negligible to Minor Adverse (Not Significant)**.

2 Millharbour Block D

7.275 A total of 209 windows serving 138 rooms were assessed for daylight within this building. For VSC, 205 (98%) of the 209 windows assessed would meet BRE's criteria and would experience a Negligible effect.

7.276 Of the 4 (2%) affected windows, all would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect. The affected rooms are bedrooms which are considered less important by BRE Guidelines in the consideration of daylight.

7.277 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.278 Overall, the ES ascribes the effect to this building as to be **Negligible to Minor Adverse (Not Significant)**.

Alpha Square

7.279 A total of 2163 windows serving 432 rooms were assessed for daylight within this building. For VSC, 1514 (70%) windows assessed would meet BRE's criteria and would experience a Negligible effect.

7.280 Of the 649 (30%) affected windows, 573 windows would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect and 75 windows would experience a reduction of between 30-39.9%, which would be a Moderate Adverse effect. The remaining window would experience a reduction in excess of 40%, which would be a Major Adverse effect.

- 7.281 Of the windows affected, 170 affected windows serve bedrooms, which are considered less important in the consideration of daylight by BRE Guidelines. The remaining 479 affected windows serve LKDs, however, all of these are dual aspect, with the affected windows experiencing absolute reductions ranging between 0.2%-4.9% VSC which may not be noticeable to occupants.
- 7.282 An ADF assessment has also been undertaken as room layouts are known which demonstrates that of 146 LKDs assessed, 137 would meet the ADF target of 1.5% in the baseline condition which would be reduced to 120 LKDs meeting the ADF target following completion of the development. The 17 LKDs that would see a reduction in ADF would retain between 1.1-1.4% ADF therefore seeing a reduction of only 0.2-0.3% from the baseline condition.
- 7.283 In terms of NSL, 396 (91.7%) of the 432 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 36 (8.3%) affected rooms, 30 would experience a reduction in NSL of between 20-29.9%, which would be a Minor Adverse effect, whilst 6 rooms would experience a reduction of NSL of between 30-39.9%, which would be a Moderate Adverse effect.
- 7.284 Overall, owing to the number of the windows affected being bedrooms, with the majority of LKDs achieving recommended levels of ADF, or only marginally below, the ES ascribes the effect to this building to be **Moderate Adverse (Significant)**.

Discovery Dock East

- 7.285 A total of 226 windows serving 152 rooms were assessed for daylight within this building. For VSC, 217 (96%) of the 226 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.286 Of the 9 (4%) affected windows, 3 would experience a reduction in VSC of between 30-39.9%, which would be a Moderate Adverse effect, whilst 6 windows would experience a reduction in excess of 40% which would be a Major Adverse effect. However, the ES reports that each of the affected windows have existing VSC levels of between 0.2-3% and therefore the percentage reductions are disproportionate to what would be a noticeable change.
- 7.287 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.288 Overall, the ES ascribes the effect to this building to be **Negligible to Minor Adverse (Not Significant)**.

Sunlight:

- 7.289 The ES assessment identifies that the following 13 buildings were assessed for sunlight where main habitable rooms are facing within 90° of due south:

- Wardian London West
- Wardian London East
- 1-7 Bellamy Close
- Phoenix Heights
- Discovery Docks Apartments West
- 74 Manilla Street
- 2 Millharbour Block A
- 19-26 Cuba Street
- 100 to 120 Phoenix Heights West
- 2 Millharbour Block B1
- 2 Millharbour Block D
- Alpha Square
- Discovery Dock East

7.290 With regards to sunlight, 1281 rooms were assessed of which 661 (51.6%) would meet the BRE criteria for both Annual and Winter PSH and therefore would experience a Negligible effect. The ES illustrates that all the buildings with the exception of Wardian London West and East would experience little or no change in sunlight levels with completed development in place and therefore the effect of the proposal would be Negligible on the other buildings. In terms of Wardian London West and East, these are discussed in further detail below.

Wardian London West

7.291 A total of 404 rooms were assessed for sunlight within this building of which 54 (13.4%) would meet the BRE's criteria for both Annual and Winter PSH (APSH) and therefore would experience a Negligible effect.

7.292 Of the 350 (86.7%) rooms affected annually, 83 would experience a reduction in APSH of between 20-29% resulting in a Minor Adverse effect and 157 rooms would experience a reduction of between 30-39% resulting in a Moderate Adverse effect. The remaining 110 rooms would experience a reduction in excess of 40% thus resulting in a Major Adverse effect.

7.293 For Winter PSH, 396 (98%) of the 404 rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect. The remaining 8 (2%) rooms see losses of between 20-29.9%, which is considered a Minor Adverse effect.

7.294 A total of 235 rooms which do not meet BRE Guidelines for sunlight are bedrooms, with a further 3 being kitchens which are considered less important in relation to sunlight. The remaining 112 affected rooms are living room/living room diners (LDs) or LKDs. Each of these are served by windows located beneath balconies, however approximately half would retain between 15-23% APSH, which the ES assesses to be good considering the inner city environment.

7.295 The assessment also undertook a no balconies assessment for this building, whereby it can be seen that there would be 100% compliance for sunlight.

7.296 Overall, the ES concludes that given that the majority of impacts occur at secondary rooms, with a portion of the primary rooms affected retaining sunlight levels which may be considered acceptable despite being beneath balconies, the ES ascribes the effect to this building as being **Moderate Adverse (Significant)**.

Wardian London East

7.297 A total of 456 rooms were assessed for sunlight within this building of which 186 (40.8%) rooms would meet the BRE's criteria for both Annual and Winter PSH.

7.298 For APSH, 186 (40.8%) of the 456 rooms assessed would meet BRE's criteria experiencing a Negligible effect.

7.299 Of the 270 (59.2%) rooms affected annually, 114 rooms would experience a reduction in APSH of between 20-29.9% which would be a Minor Adverse effect and 93 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 63 rooms would experience a reduction in excess of 40% which would be a Major Adverse effect.

7.300 For Winter PSH, 246 (54%) of the 456 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the remained affected 210 (46%) rooms assessed in Winter, 1 would experience a reduction in Winter PSH of between 30-39.9% which would be a Moderate Adverse effect, whilst 209 rooms would experience a reduction in excess of 40% which would be a Major Adverse effect.

7.301 A total of 183 rooms that do not meet the BRE Guidelines for sunlight are bedrooms, which are considered less important in relation to sunlight. The remaining 87 affected rooms are LKDs,

each of which are served by windows located beneath balconies, however, 67 rooms would retain between 15-24% APSH.

- 7.302 The assessment also undertook a no balconies assessment for this building, whereby it can be seen that there would be 100% compliance for sunlight.
- 7.303 Overall, the ES concludes that given that the majority of impacts occur at secondary rooms, with a portion of the primary rooms affected retaining sunlight levels which may be considered acceptable despite being beneath balconies, the ES ascribes the effect to this building as being **Moderate Adverse (Significant)**.

Overshadowing

- 7.304 In respect of overshadowing, the ES has adopted two methodologies to assess overshadowing of public and private amenity areas; Transient Overshadowing and Sun Hours on Ground.
- 7.305 For Transient Overshadowing, the assessment requires the plotting of a shadow plan to illustrate the location of shadows at different times of the day and year. The ES therefore mapped the hourly shadows for the following three key dates:
- 21st March (Spring Equinox)
 - 21st June (Summer Solstice)
 - 21st December (Winter Solstice)
- 7.306 The ES reports that 21st September (Autumn Solstice) provides the same overshadowing images as 21st March (Spring Equinox) as the sun follows the same path at these corresponding times of year. Therefore, the assessment results for 21st March would be the same for 21st September.
- 7.307 In relation to the Sun Hours on Ground test, the assessment requires that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21st March to appear adequately sunlit throughout the year. If as a result of new development an existing amenity area does not meet the above, and the area that can receive 2 hours of sun on 21 March is less than 0.8 times its former value (i.e., a 20% reduction), then the loss of sunlight is likely to be noticeable.
- 7.308 The ES identifies 5 amenity areas for the assessment including West India Dock SINC. The location of the amenity areas in relation to the application site can be seen in the image below.

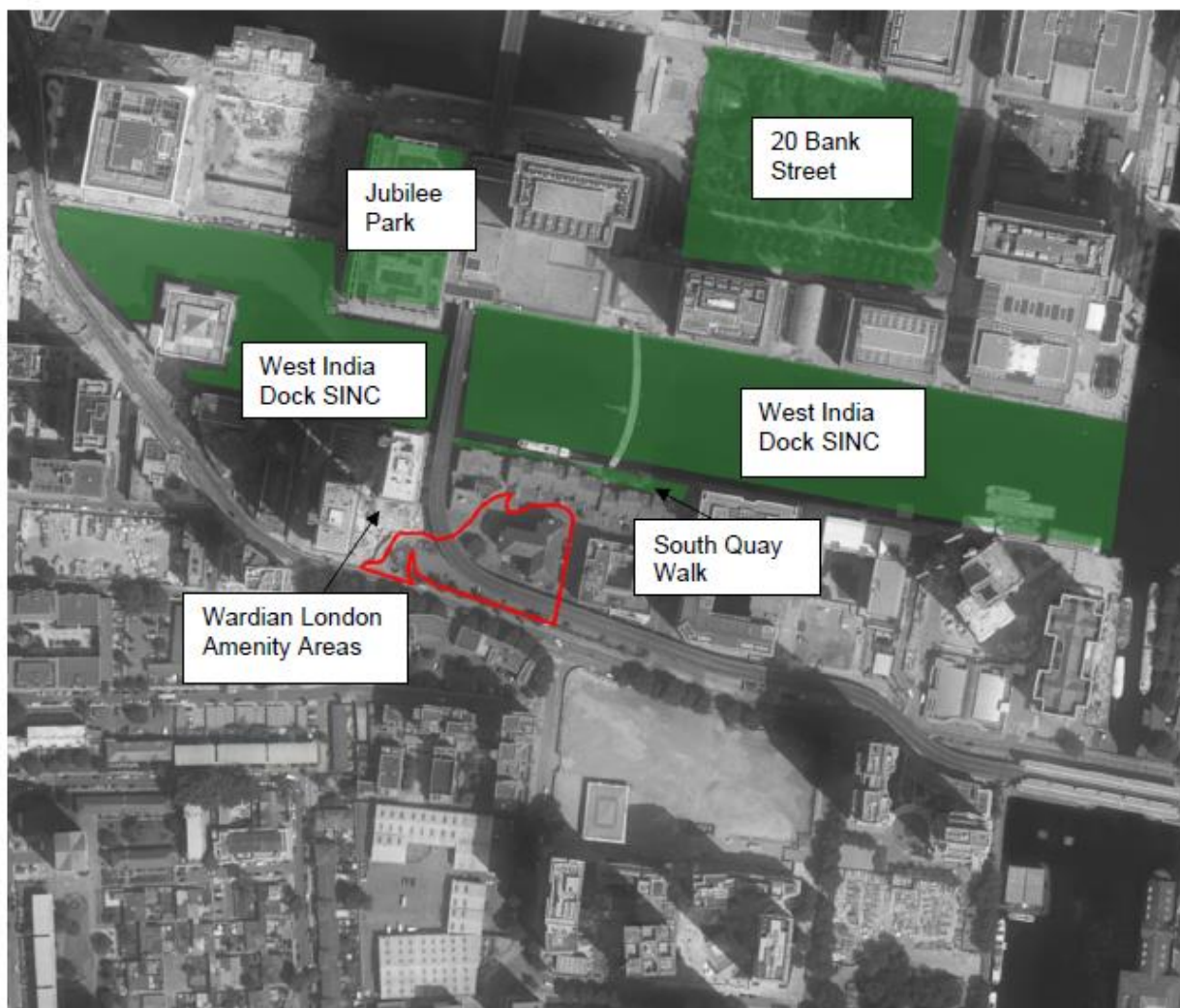


Figure 37: Overshadowing Amenity Area Receptors

Transient Overshadowing

21st March:

7.309 The ES illustrates that on this day, shadow is cast from the proposed development from 08:00 GMT in a north-westerly direction, moving clockwise across the surrounding area throughout the day. There would be no additional shadow from the development cast over any amenity areas at this time. At 09:00 GMT, a small strip of shadow from the development is cast over West India Dock alongside shadows from existing structures. This strip of shadow traverses across West India Dock until 16:00 GMT at which point the area is almost completely overshadowed by existing structures. During this period, South Quay Walk is almost completely overshadowed in the baseline condition, with a small strip of additional shadow from the development at midday.

7.310 At 13:00 GMT and again at 15:00 GMT, a small strip of shadow from the development would be cast over Jubilee Park. By 17:00 GMT, no shadow from the proposed development is cast, given the overshadowing in the existing condition. Shadow from the proposed development does not reach 20 Bank Street (Morgan Stanley) roof terrace or the Wardian amenity area on this day.

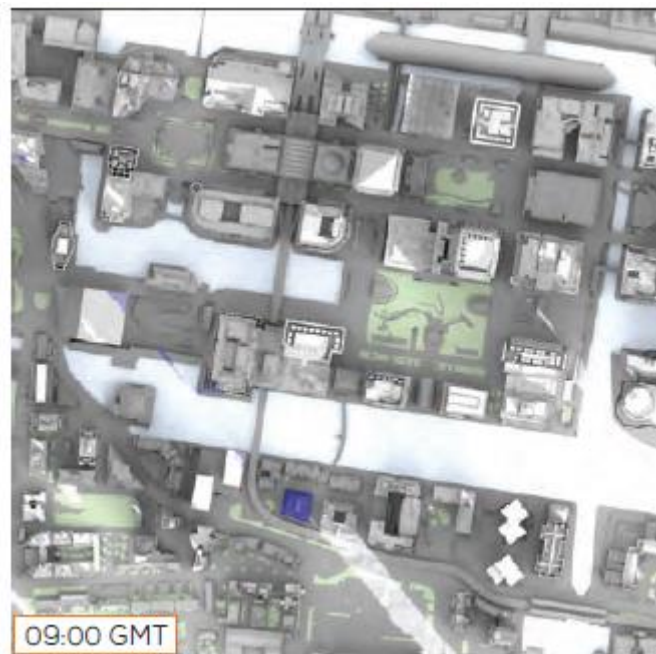
21st June:

7.311 On this day, shadow is cast from the development from 06:00 BST in a south-westerly direction, moving clockwise and until 07:00 BST no amenity areas are overshadowed. Between 08:00 BST and 10:00 BST, the Wardian amenity area is partially overshadowed by the development

but is then unaffected for the remainder of the day. AT 11:00 BST until 17:00 BST, shadow from the development traverses across West India Dock alongside shadow from existing structures. During this period, South Quay Walk would be partially overshadowed in the existing condition, with a small portion of additional shadow from the development at midday. Shadow from the proposed development does not reach Jubilee Park, 20 Bank Street roof terrace or the Wardian amenity area on this day.

21st December:

7.312 On this day, shadow is cast from the development from 09:00 GMT in a north-easterly direction, moving clockwise throughout the day. Owing to the lower position of the sun in the sky, the shadows cast are much longer and due to the overshadowed condition in the baseline scenario, the assessment illustrates that the proposal adds only very small portions of additional shadow across West India Dock between 09:00 GMT and 14:-00 GMT. At 13:00 GMT, 20 Bank Street roof terrace is partially overshadowed by the development and at 14:00 GMT, a small strip of shadow is cast over Jubilee Park. The Wardian amenity area would be unaffected on this day. As 21st December represents the worst-case scenario in terms of overshadowing, the transient overshadowing assessment at 09:00 GMT, 12:00 GMT and 14:00 GMT in the proposed scenario can be seen below. A more detailed comparison between the baseline and proposed is indicated in Appendix 5 of this report.



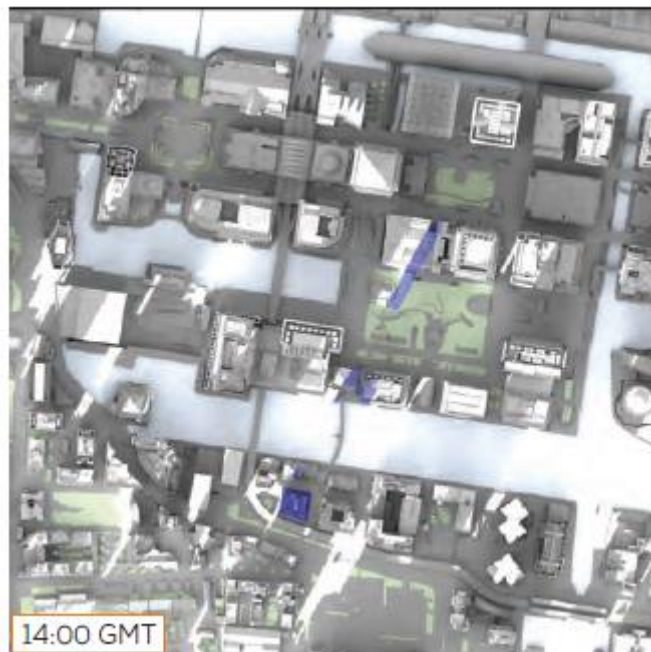
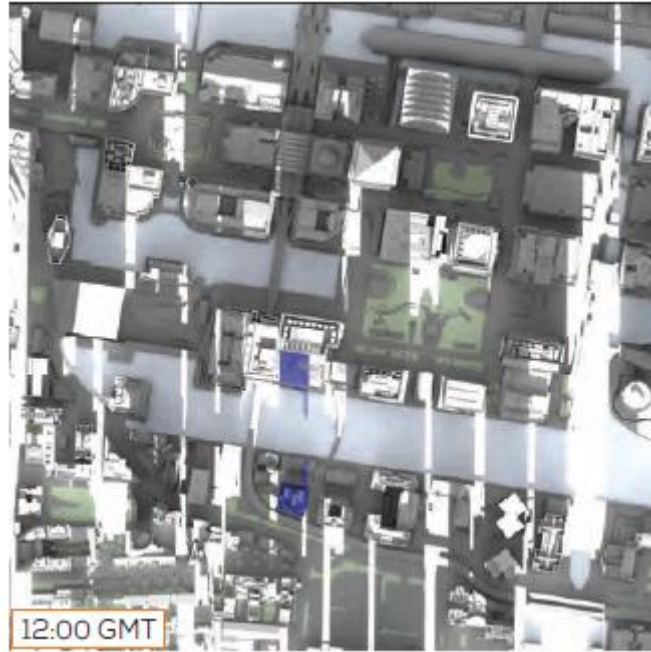


Figure 38: Overshadowing on 21st December

7.313 Overall, the ES concludes in the assessment of Transient Overshadowing that West India Dock SINC would experience a Minor Adverse effect.

Sun Hours on Ground

7.314 The following four amenity areas have been assessed using the sun hours on ground methodology as follows:

- Area 1 – Jubilee Park (Canary Wharf Station)
- Area 2 – 20 Bank Street (Morgan Stanley) Roof Terrace
- Area 3 – South Quay Walk
- Area 4 – The Wardian Amenity Area

- 7.315 The ES finds that on 21st March, all four areas would meet BRE Guidelines criteria for overshadowing, with each area seeing little to no reduction in the percentage of total area receiving two hours of sun. Areas 2 and 4 would experience no reduction, whilst Areas 1 and 3 would experience 2% and 15% reduction respectively. Overall, with the proposed development completed, Areas 1 and 2 would remain well sunlit, with 85% and 95% of each of the respective total area receiving at least 2 hours of sun. Area 3 would receive less sunlight than recommended by BRE Guidelines as only 8% of the total area meeting the BRE criteria in the baseline scenario. In this instance a reduction of 13% would occur with the development completed, which would be below the threshold of 20% recommended. The ES therefore concludes that all four areas would experience a Negligible effect (Not Significant).
- 7.316 The ES has also considered two terraces located within the consented Quay House development and undertaken a sun hours on ground test on the following amenity areas.
- Area 5 – Quay House North Terrace
 - Area 6 – Quay House South Terrace
- 7.317 Area 5 would be located to the north of Quay House and as such the assessment highlights that the area would receive higher levels of overshadowing from Quay House, given that in the future baseline condition for Quay House, this amenity area would not be compliant, with only 16% of the total area receiving at least 2 hours of sunlight, the percentage reduction is disproportionate to the true quantum of sunlight lost. The assessment finds that the section which sees a reduction would only achieve approximately 2 hours of sunlight on March 21st in the future baseline condition. Therefore, the ES concludes that the effect to Area 5 would be Moderate to Major Adverse (Significant).
- 7.318 In terms of Area 6, there would be a reduction of 24% which is considered a Minor Adverse effect. However, the area would retain 58% of the total area which receives at least 2 hours of sun with the proposed development completed and as such would remain BRE compliant. The ES ascribes the effect to Area 6 as being Minor Adverse (Not Significant).

Solar Glare

- 7.319 The ES has undertaken a full solar glare assessment from nearby road and rail locations for the potential of solar reflection to occur. These locations are indicated in the image below and include traffic junctions and the DLR line.



Figure 39: Solar Glare Assessment Points

- 7.320 A total of 13 locations have been assessed and the ES finds that there would be no significant effects occurring at the following four locations: NW1, W1, W2 and SW1 as the proposed development would not be visible from these viewpoints and therefore No Impact (Not Significant) would occur.
- 7.321 Viewpoints SE2, SW2 and TLS1 would experience Negligible (Not Significant) effect with solar glare instances beyond the driver or road user's line of sight occurring for a very short period of time, on a very limited portion of the façade and above the 5° visor cut-off line.
- 7.322 In terms of the remaining 6 viewpoints, 3 would comprise road viewpoints (SE1, SE3 and SE4) and 3 would be DLR viewpoints (TLN2, TLS2 and TLS3), and all would experience Minor Adverse effects (Not Significant). Solar reflections would be visible within 30° to 10° or between 10° to 5° of the driver's line of sight for a short period of time. The period of reflections occurs for an hour with reflections occurring between 15:00 GMT to 16:00 GMT for SE3, 09:00 GMT to 10:00 GMT for SE4, 06:00 GMT to 07:00 GMT in the summer months on one façade and between 14:00 GMT and 16:00 GMT throughout the year for a second visible façade for TLN2. Viewpoint SE1 would experience reflections occurring between 14:00 GMT and 16:00 GMT throughout the year, and both TLS2 and TLS3 would experience reflections occurring between 06:00 GMT to 08:00 GMT throughout the year and from mid-November to mid-August respectively.
- 7.323 The assessment concludes that whilst there are viewpoints that may, in worst case scenarios experience solar glare effects, no additional mitigation is deemed necessary. The reason being the short duration of reflections, the number of solar reflections which occur above the visor line and locations which include a potentially affected viewpoint including an unaffected viewpoint. The ES also highlights that the potential for solar glare has been considered throughout the design process and as such solar glare mitigation is embedded within the design of the building. This includes considerations such as orientation of the reflective elements on the façade.

Cumulative Effects

7.324 Cumulative daylight/sunlight effects on nearby residential receptors have been assessed within the ES as an 'existing baseline vs proposed development + cumulative schemes' scenario. The results for the cumulative assessment are summarised in the table below:

Address	Significance of Cumulative Daylight Effects	Significance of Cumulative Sunlight Effects
1. Wardian London West	Major Adverse	Major Adverse
2. Wardian London East	Major Adverse	Major Adverse
3. 1-7 Bellamy Close	Minor to Moderate Adverse	Negligible
4. Dowlen Court	Negligible	N/A
5. 10-14 & 24-28 Tideway House	Minor to Moderate Adverse	N/A
6. Phoenix Heights	Major Adverse	Major Adverse
7. Discovery Dock Apartments West	Minor to Moderate Adverse	Minor to Moderate Adverse
8. 74 Manilla Street	Negligible	Negligible
9. 2 Millharbour Block A	Major Adverse	Negligible
10. 19-26 Cuba Street	Negligible	Negligible
11. 100 to 120 Phoenix Heights	Minor to Moderate Adverse	Negligible
12. 1-3 Bosun Close	Minor to Moderate Adverse	N/A
13. 2 Millharbour Block B1	Major Adverse	Negligible
14. 2 Millharbour Block D	Major Adverse	Negligible
15. Alpha Square	Major Adverse	Major Adverse
16. Discovery Dock East	Major Adverse	Minor to Moderate Adverse

Table 4: Cumulative Daylight and Sunlight Effects on Nearby Residential Receptors

7.325 In the cumulative scenario for daylight effects, of the 4982 windows assessed for VSC, 1754 windows (35.2%) would meet BRE criteria. Of the 2274 rooms assessed for NSL, 1580 (69.5%) would meet BRE criteria. Three buildings as highlighted above in the daylight effects column will experience a Negligible (Not Significant) effect. The remaining buildings would experience additional impacts of Minor to Major Adverse significance beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forward.

7.326 In the cumulative scenario for sunlight effects, of the 1281 rooms assessed for APSH and Winter PSH, 460 rooms (35.9%) would meet BRE criteria. Of the 13 buildings assessed, 7 buildings as highlighted above will continue to experience a Negligible (Not Significant) effect. The remaining 6 buildings would experience additional impacts of Minor to Major Adverse significance beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forward.

7.327 In terms of overshadowing and the 2 hours Sun-on Ground assessments for the surrounding amenity spaces in the cumulative scenario, West India Dock SINC would experience additional overshadowing which would result in a Moderate Adverse effect. Amenity Areas 1 (Jubilee Park) and 2 (20 Bank Street/Morgan Stanley) would continue to experience a Negligible effect, Area 3 (South Quay Walk) would experience a Minor to Moderate Adverse effect and Area 4 (The Wardian) would experience a Major Adverse effect.

Conclusions on Daylight, Sunlight, Overshadowing and Solar Glare.

- 7.328 In conclusion, the ES demonstrates that of the 16 buildings assessed for daylight, significant effects are likely to occur at three: Wardian London East and West and Alpha Square would experience Moderate Adverse, significant effects. The remaining 13 buildings would experience Negligible to Minor Adverse effects which are Not Significant.
- 7.329 In terms of sunlight, of the 13 buildings assessed for sunlight, significant effects would occur at two buildings: Wardian London (West and East), both experiencing Moderate Adverse effects. The remaining 11 buildings would experience Negligible effects, which are considered to be Not Significant.
- 7.330 The Daylight, Sunlight, Overshadowing and Solar Glare assessment has been independently reviewed by both Temple Group (ES Chapters 10, 14 and NTS) and Delva Patman Redler (DPR) who agree with the significance of effects ascribed in the ES and the conclusions drawn. DPR confirm that the results of the 'without balconies' test show that that a greater number of windows and rooms in Wardian London West and East would satisfy the VSC guidelines and the relative impacts would be less, were it not for the balconies. There would still be impacts in excess of guidelines, but these are of Minor Adverse Significance. The test demonstrates full compliance with the APSH guidelines when the balconies are removed which confirms therefore that whilst the scale and massing of the development does result in some impacts outside of the guidelines, the balconies on the affected buildings are the main factor in the relative impacts. DPR also agree with the findings of the ES in respect of 'Sun on Ground'/Overshadowing to Amenity Areas and Solar Glare. The ES ascribes a Minor Adverse effect for West India Dock SINC and a Negligible effect for all other amenity areas in the proposed development scenario.
- 7.331 In the cumulative scenario, there would be further effects beyond those occurring of the proposed development in isolation however, the Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.
- 7.332 In taking all the above into account and the wider benefits of the proposal, the proposal is not considered to result in any material loss of daylight, sunlight, overshadowing and solar glare detrimental to the living standards and amenities enjoyed by neighbouring occupiers and as such the development is considered to be acceptable on matters relating to daylight, sunlight, solar glare and overshadowing.

Overlooking, Loss of Privacy, Sense of Enclosure and Outlook.

- 7.333 Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.
- 7.334 In respect of the proposed development, particular adjacent residential blocks of note are considered to be the following:
- Wardian London East
 - Wardian London West
 - Alpha Square

- 7.335 There would be a separation distance of approximately 53 metres distance between the western elevation of the proposed development and the eastern elevation of Wardian London East. It should be noted however that the redeveloped Quay House once constructed would sit as an intervening building between the proposed development and Wardian London East reaching either 40-storeys (originally consented scheme) or 35-storeys (amended scheme). There would be a greater separation distance of approximately 85 metres between the western elevation of the proposed development and the eastern elevation of Wardian London West.
- 7.336 In terms of Alpha Square, this building is sited approximately 82 metres to the southwest of the proposed development and at an oblique angle and therefore is not considered to result in any loss of privacy, overlooking, outlook or sense of enclosure to the occupiers of this development.
- 7.337 In consideration of all three neighbouring buildings highlighted above, Members are also reminded that the elevation section of the DLR tracks also forms an intervening visual structure between the proposed development and the neighbouring residential buildings.
- 7.338 Other nearby residential developments are sited at greater distances than the residential blocks identified above and therefore are not considered to be impacted upon in terms of any material loss of privacy, overlooking, outlook and sense of enclosure to residential occupiers as a result of the proposed development.
- 7.339 In summary, it is considered that the proposed development has been designed having regard to neighbouring residential buildings and the amenities enjoyed by neighbouring residential occupiers. Sufficient separation distances would be maintained between the proposed development and neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

Noise and Vibration

- 7.340 The application has been accompanied by an Environmental Noise Assessment forming Chapter 9 of the Environmental Statement (ES).

Demolition and Construction Phase

- 7.341 The assessment adopts three categories or levels as set out in the Defra Noise Policy Statement for England (NPSE) (2010) which describes the presence or absence of noise effects but does not quantify these categories. These categories are as follows:
- NOEL – No Observed Effect Level: This is the level below which no effect can be detected and therefore there would be no detectable effect on health and quality of life due to noise.
 - LOAEL – Lowest Observed Adverse Effect Level: This is the level above which adverse effects on health and quality of life can be detected.
 - SOAEL – Significant Observed Adverse Effect Level: This is the level above which significant adverse effects on health and quality of life occur.
- 7.342 The Local Plan in Appendix 6 defines the LOAEL and SOAEL threshold levels for external noise levels (expressed as ranges), 1m from the façade of a proposed noise sensitive development. This has been reproduced in the ES as follows:

Assessment location	Design period	LOAEL	LOAEL to SOAEL	SOAEL
Noise at 1m from noise sensitive façade	Day	<50 dB L _{Aeq,16h}	50 dB to 69 dB L _{Aeq,16h}	>69 dB L _{Aeq,16h}
	Night	<45 dB L _{Aeq,8h}	45 dB to 60 dB L _{Aeq,8h}	>60 dB L _{Aeq,8h}

Figure 40: Threshold for External Noise Levels

- 7.343 The Local Plan goes on to state that where the development falls within an area of high noise (i.e., LOAEL to SOAEL or SOAEL), British Standard 8233 (*Guidance on Sound Insulation and Noise Reduction for Buildings*) should be met. The ES notes that BS 8233 states that “where development is considered necessary or desirable...the internal L_{aeq} target levels may be relaxed by up to 5 db and reasonable internal conditions still achieved”. This aligns with the ranges set out in Appendix 6 of the Local Plan.
- 7.344 In line with British Standard BS:5228-1 (*Code of Practice for Noise and Vibration Control on Construction and Open Sites*), the daytime threshold value has been determined to be 75 dB L_{aeq} and as such based on the measured and predicted ambient noise levels, the ES adopts the following magnitude of impact for construction noise which also aligns the NPSE categories against each scale of effect.

Construction Noise Level (Threshold Value) dB L _{Aeq,10h}	Scale of effect	NPSE category
< 70 dB	Negligible	NOEL
70 dB – 74.9 dB	Minor	LOAEL
75 dB – 79.9 dB	Moderate	SOAEL
≥ 80 dB	Major	SOAEL

Figure 41: Magnitude of Impact for Construction Noise

- 7.345 The ES identifies the Wardian London as being the closest residential receptor which may be affected by the proposed development. All other existing noise sensitive receptors are located at a greater distance away and the likely impacts and effects would therefore be less than those predicted at Wardian London.
- 7.346 The assessment divides the proposed development into 3 defined stages for the purpose of the noise assessments; demolition and enabling works, substructure (including piling) and superstructure, access roads and landscaping and the following magnitude of impact have been identified for each stage based on both average-case and worst-case scenarios.

Scenario	Scale of Effect		
	Demolition and enabling works	Substructure	Superstructure, access roads and landscaping
Worst-case	Moderate	Moderate	Moderate
Average-case	Minor	Minor	Minor

Figure 42: Construction Noise Scale of Effect

- 7.347 During the worst-case construction works for all three phases, temporary, localised, short term, Moderate Adverse (Significant) effects are predicted at Wardian London. However, these adverse effects would likely only occur for the units facing east and overlooking the site, with units set further back or facing away from the development likely to experience lesser effects. The ES highlights that whilst the worst-case effects are expected to exceed the SOAEL, these worst-case scenarios are not anticipated to be this high for the entire duration of the construction period. All average-case effects are likely to be temporary, localised, short-term and Minor Adverse (Not Significant) and would therefore fall below SOAEL. The ES therefore

concludes that adverse health effects are unlikely to occur as a result of construction noise associated with the proposed development.

7.348 In terms of vibration during the demolition and construction phase, the ES identifies that there would be some disturbance in terms of vibration caused at nearby sensitive receptors, however, any disturbance will be localised and temporary and result in Minor Adverse (Not Significant) effect. In respect of potential damage to existing buildings, the ES notes that the levels of vibration that could damage buildings are an order of magnitude above those which are likely to cause disturbance. Consequently, the ES confirms that it is extremely unlikely that any building damage, even of a cosmetic nature, would arise as a result of the demolition and construction works. Similarly, the levels of vibration associated with Continuous Flight Auger piling would be minimal the effect of which would be Negligible.

Noise Impact on Proposed Development

7.349 The ES identifies that both BS 8233 and the ProPG (*Professional Practice Guidance on Planning and Noise: New Residential Development 2017*) provide quantitative guidance for internal and external noise levels for residential spaces as follows:

	Daytime (07:00 – 23:00)		Night-time (23:00 – 07:00)
	dB LAeq,18h	dB LAeq,8h	Typical dB LA _{PM} max
Target Internal Noise Levels (habitable rooms)	35	30	45
External Noise Levels (amenity areas)	55	-	-

Figure 43: Internal and External Ambient Noise Criteria

7.350 The ES reports that the non-glazed elements of the building envelope will provide sufficient sound insulation against external noise sources and therefore notes that the glazed elements of the development will be the acoustic “weak link” of the external façade as described in the ES. The ES therefore goes on to evaluate the level of protection required by the glazing based on detailed calculation methodology contained within BS 8233.

7.351 In order to meet the target internal average noise levels, the ES confirms that the highest glazing performance will be required on the worst affected facades overlooking the DLR. This would be applicable to the worst affected residential spaces on the lower floors of the proposed development. For each floor above the 6th floor (lowest floor containing residential apartments), the external noise level may decrease and therefore consequently the ES notes that the required sound insulation performance could decrease as the height increases.

7.352 Based on the identified required sound insulation performance of the glazing, the ES confirms that internal ambient noise levels below the SOAEL would be expected for all residential properties within the development. Moreover, all habitable rooms will be provided with Mechanical Ventilated and Heat Recovery (MVHR) units and comfort cooling will be provided in all units to ensure that residents will not need to rely on opening their windows (when the target internal noise criteria may be exceeded in some units) for ventilation or cooling.

7.353 In terms of the noise to the external amenity spaces namely the balconies, the ES reports that it is likely that many balconies at lower levels will exceed the target level whilst balconies on the upper levels are likely to achieve the target. As such winter gardens have been proposed for the balconies likely to be worst-affected, which are closest to the DLR line. The winter gardens will have areas of glazing which are openable at the occupant’s discretion and allow the user to enjoy the space either open or closed. The location of the dwellings with winter gardens can be seen in figure 44 below.



Figure 44: Flats with Winter Gardens

- 7.354 The ES reports that whilst some of the amenity areas will not meet the 55 dB L_{aeq} target level, BS 8233 recognises that in high noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations, or making efficient use of land resources to ensure development needs can be met, may be warranted.

Agent of Change

- 7.355 The proposal would be subject to the Agent of Change principle, particularly with regard to the DLR. The ES notes that there is an aspiration (but not a firm plan) for the DLR to run services through the entire night (rather than just the late evening hours and early morning hours as is currently the case) and has considered this in the assessment. In order to future-proof the development and ensure that suitable noise levels could continue to be achieved were the DLR to expand its service, an assessment of night-time noise that would result from that additional use of the DLR has been undertaken. This is based on assumptions of the number of likely services (potentially 40 additional services).

- 7.356 In terms of noise, as set out earlier whilst the existing noise levels on the site are high, suitable internal noise levels can be achieved for the residential units through a combination of high-performance glazing, MVHR and comfort cooling. The façade sound insulation performance has been designed such that the typical maximum event noise levels (dB L_{AFmax}) do not exceed 45 dB L_{AFmax} inside bedrooms. As the DLR currently runs services during the during parts of the night (current night-time operating hours are 23:00-00:30 and 05:30-07:00), DLR services are already taken into account as typical maximum event levels. The ES therefore confirms that the façade sound insulation performance would not need to increase to account for any number of additional DLR services throughout the night.

- 7.357 In terms of vibration, the assessment finds that existing vibration levels would not be altered when taking into account 40 additional services (4 services per hour in each direction between 00:30 – 05:30)

Conclusions on Noise and Vibration

- 7.358 In conclusion, the relevant ES chapter demonstrates that broadly speaking technical compliance is achieved with regards to relevant planning policies to ensure that future residents will enjoy a satisfactory standard of living accommodation within the dwellings, whilst also safeguarding existing background noise levels through appropriate design and mitigation measures including the location of residential units from level 6 onwards, the use of high performance glazing, MHVR and comfort cooling within dwellings.

- 7.359 No objections have been received from Environmental Health Noise Team. Conditions will be imposed accordingly to ensure that a suitable noise environment is maintained to neighbouring occupiers during the construction period of the development.

Construction Impacts

- 7.360 The Council's Code of Construction Practice Guidance requires major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how the Code of Construction Practice would be met and requires the CEMP to outline how environmental, traffic and amenity impacts attributed to construction traffic will be minimised. The application is supported by an Outline Construction Environmental Management Plan in the form of an Appendix to the Environmental Statement.
- 7.361 The Outline CEMP notes an overall timeframe for construction of approximately 4 years (208 weeks) with enabling works (including demolition) likely to commence in Quarter 4 of 2022 and completing in Q3 of 2026. It is acknowledged that demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. However, the ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction, including as mentioned above the outline CEMP. 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 an updated and detailed CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.
- 7.362 In addition to the above, the Council's recently adopted Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace and £100 per residential unit towards Development Co-ordination and Integration. This would assist the Council in managing construction activity both on-site and within the surrounding streets and spaces proactively and strategically across the Borough. The Applicant has agreed to pay the required contribution and this would be secure through the S106 legal agreement.

TRANSPORT AND SERVICING

- 7.363 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development by promoting walking, cycling and public transport use but also contributing to wider health and environmental objectives to reduce congestion and emissions, and improve air quality and public health. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.
- 7.364 Policies T1 to T6.1 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at local, network-wide and strategic level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network. Policy T7 (Part G) of the London Plan requires development proposals to facilitate safe, clean, and efficient deliveries and servicing.
- 7.365 The above strategic messages are similarly echoed in Local Plan Policies S.TR1, D.TR2, D.TR3 and D.TR4 which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling. Policy S.TR1 particularly promotes the need to prioritise pedestrians and cyclists as well as access to public transport, including river transport, before vehicular modes of transport.

Vehicular, Pedestrian and Cycle Access

- 7.366 As described in the Site and Surroundings section of the report, the site has a PTAL of 3-4 on a scale of 1 to 6 where 6b is considered excellent with a PTAL of 3-4 reflecting Moderate-Good.

Heron Quays Docklands Light Railway (DLR) station is located within approximately 320 metres walking distance (within 5 minutes walking distance) and accessible via South Dock footbridge. South Quay DLR station is located approximately 480 metres walking distance (6 minutes walking distance) to the south east of the site and serves the same branch (Stratford to Lewisham) of the DLR as Heron Quays. Canary Wharf Station which serves the DLR, Jubilee Line and will eventually serve the Elizabeth Line (Crossrail) is located approximately 482 metres walking distance (7 minutes walking distance) to the north east of the site and accessed via South Dock footbridge.

- 7.367 The site also lies within close proximity to local bus stops adjacent to the site on Marsh Wall with bus stops located within 100m and provide access to a number of bus routes including; route 135 (Old street-Crossharbour), route D3 (Bethnal Green Chest Hospital – Crossharbour), route D7 (Mile End – Poplar) and route D8 (Crossharbour – Stratford City Bus Station). Bus route 277 is also located nearby serving Dalston Junction to Isle of Dogs Asda.
- 7.368 The local highway network surrounding the site consists of a network of single carriageway roads adopted by the Council and private roads. Admirals Way which bounds the site to the north, east and west is a single carriageway two-way private road which has a 20mph speed restriction in place. The road is paved with granite setts and has double yellow line parking restrictions on both sides of the carriageway. Westferry Road to the west of the site comprises a single carriageway road which forms part of the main route around the Isle of Dogs and traverses to the southern part of the island whereby it becomes Manchester Road, then Preston's Road continuing north to connect with Aspen Way (A1261). Marsh Wall is a single carriageway road with 20mph restrictions in place that links Westferry Road to the west and Manchester Road/Preston's Road to the east. The road has double yellow lines with loading restrictions in place as well as bus cages. Vehicular access to the site is from Marsh Wall via Admirals Way and the development proposes that all vehicles will enter from the western end of Admirals Way, drive eastbound and then exit back onto Marsh Wall in the return direction.
- 7.369 The main pedestrian access to the existing site is taken via Marsh Wall and Admirals Way. There are also routes east and west of the site through to South Quay from Admirals Way which also lead to South Quay footbridge leading towards Canary Wharf. The Transport Assessment (TA) notes that the site is well located for pedestrian routes to public transport nodes in the area and to local cycle routes. The site also has access to a wide range of amenities within the surrounding area including; retail uses at South Quay Plaza, Tesco at Westferry Road and shopping facilities at Canary Wharf and Heron Quays; leisure uses/opportunities at Millwall Dock, Mudchute Park and Sir John McDougall Gardens and nearby educational establishments including Seven Mills Primary School to the south. The TA therefore anticipates that the proximity of the development to nearby local amenities will assist in reducing the need to travel by private car.
- 7.370 In terms of access for cyclists, the TA highlights that the site is well located in terms of cycle access with established cycle routes between the Isle of Dogs and the wider network located nearby. The cycle network in the vicinity of the site is predominantly on the public highway and offers good connections in all directions. Cycle Superhighway 3 (CS3) runs from Tower Gateway to Barking via Westferry, Poplar and Canning Town. The route offers cyclists a direct route in and out of central London which the TA notes that whilst on-road, benefits from partial segregation and enhanced cyclists prioritisation with road markings, signage and configuration. CS3 can be accessed at the junction of Westferry Road/Limehouse Causeway which is less than a 10-minute cycle ride from the site.
- 7.371 The site is easily accessed by all modes with networks of footpaths, cycle facilities and access to public transport facilities mentioned above within close proximity of the site. Overall, the access arrangements to the site are considered to be satisfactory. The Highways Officer has reviewed the access arrangements and has expressed no objections. The applicant would be required to enter into a Section 278 agreement under the Highways Act 1980 for any reparation works should any part of the public highway be damaged as consequence of construction works and this will be secured via the S106 agreement.

Car Parking

- 7.372 The site currently has 40 car parking spaces located within the surface level car park which would be removed as part of the proposal. The development would essentially be 'car free' with the exception of seven blue badge spaces proposed to be located within the basement. The basement would be accessed via a car lift which would be entered from Admirals Way from the northern side of the building. The 'car free' nature of the proposed development is supported in policy terms and the occupiers of the development would be required to enter into a 'permit-free' agreement preventing residents from obtaining a parking permit for on-street parking within the Borough. This will be secured via condition.
- 7.373 Policy T6.1(G) of the London Plan seeks to ensure that blue badge parking spaces are provided for 3% (15 spaces required) of the total number of units from the onset of the development. The scheme proposes only 7 blue badge spaces however this figure was agreed with TfL Transport Planners during the pre-application process. The reason being that given the constrained nature of the site, the site's PTAL rating, the availability of step-free access to public transport services and the overriding requirement to provide on-site landscaping and public realm at street level, it was considered that that the provision of 7 blue badge spaces would be appropriate for the longer-term operation of the development proposal. The Council's Highway's Team have no objection to this approach. The Applicant is required to demonstrate via a Car Parking Management Plan how these spaces will be allocated based on an assessment of needs and that the lease of these bays are only to residents of the development and whom are in receipt of a registered blue badge. This will be secured via the imposition of a suitable condition.
- 7.374 In accordance with Policy T6.1(C), 20% (2 parking spaces) of the total spaces are required to be fitted with an electric vehicle charging point with passive provision for all remaining spaces. This will be secured via condition.

Cycle Parking

- 7.375 Policy T5 of the London Plan and Policy D.TR3 of the Local Plan requires adequate cycle parking provision to be provided for the development. In this regard Table 10.2 of the London Plan requires the proposal to provide 849 long stay and 13 short stay cycle spaces for the residential component of the development and 4 long stay cycle spaces and 15 short stay cycle spaces for the non-residential component.
- 7.376 The submitted plans indicate that 847 long stay cycle parking spaces are proposed for the residential units which does not meet London Plan policy requirements. The residential long stay spaces will be located on Levels 01 and 02 and secured in cycle stores. In terms of short stay cycle parking provision, there have been no plans submitted fully detailing this however the TA suggests that 12 short stay cycle parking spaces would be provided. The Applicant's Transport Consultants WSP have submitted an update technical note confirming that an additional 2 short stay cycle parking spaces could be provided within the public realm for residential use.
- 7.377 In terms of the non-residential uses, the TA proposes 1 long stay and 16 short stay cycle parking spaces. The updated technical note advises that long stay retail provision can be increased to 2 spaces however it should be noted that 4 long stay retail parking spaces are required to meet policy requirement. Officers would therefore be seeking to secure full details of cycle parking provision and full compliance through the imposition of a condition to ensure that policy compliant levels of cycle parking is provided for this development. The TA also confirms that in accordance with the London Cycling Design Standards (LCDS), up to 5% of cycle spaces will be provided in the form of accessible cycle spaces; these will be appropriately spaced Sheffield stands to accommodate larger cycles to ensure that a diverse range of cycle parking spaces are provided rather than wholly two-tier racks. The remainder of the spaces will

be provided in the form of two-tier stands. The LCDS cycle parking spaces will be secured via condition.

Healthy Streets and Vision Zero

- 7.378 Policy T2 of the London Plan requires Development Plans to promote the Mayor's Healthy Streets Approach and directs development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Part C of the policy states that in Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport.
- 7.379 The Healthy Streets approach seeks to improve health and reduce inequalities. The aims of the strategy is to improve air quality, reduce congestion and make attractive places to live, work and do business. The approach seeks to encourage all Londoners to do at least 20 minutes of active travel each day by 2041 to stay healthy. To this end TfL has defined 20-minute walking and cycling distances as an Active Travel Zone (ATZ). 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 road networks to improve the safety of vulnerable road users.
- 7.380 The TA has undertaken an Active Travel Zone (ATZ) assessment that covers active travel routes to and from six key local nodes and destinations that would be used by future residents in order to identify deficiencies and appropriate improvements along these routes against the healthy street criteria. These key routes are as follows::
- Route 1: Route towards Barkentine Practice and City Community College.
 - Route 2: Route towards Heron Quays DLR
 - Route 3: Route towards Canary Wharf Underground
 - Route 4: Route towards South Quay DLR
 - Route 5: Route towards Seven Mills Primary School and Barkentine Community Centre
 - Route 6: Route towards Mudchute Park and Millwall Park
- 7.381 The assessment identifies that improvements could be made to all 6 routes with the worst performing appearing to be Routes 1, 4 and 5 with a greater degree of recommendations for improvements being identified over the other remaining routes. Some of these recommendations include but not limited to; traffic calming measures to reduce vehicle speed and pedestrian crossing points that meet pedestrian desire lines, resurfacing and widening of pavements/footways, street decluttering and an additional crossing point. The Applicant has confirmed that they will work with the Council to implement proposed improvements in line with the TA and this will be secured through a financial contribution via a S106 agreement.

Servicing and Deliveries (Including Waste)

- 7.382 The submitted TA includes a Delivery and Servicing Plan chapter which outlines the indicative strategy for servicing and deliveries. The strategy for servicing and refuse collection associated with the proposed development will be from a series of kerbside lay-bys along Admirals Way in order to minimise drag distances for bins to the refuse vehicles. Waste collection will take place from within 10m trolleying distance of the bin stores located on site. Lay-bys are deemed to be the best option due to the constrained nature of the site which would restrict the manoeuvring of vehicles within it. Whilst the Delivery and Servicing Plan is broadly acceptable, TfL have advised that the Delivery and Servicing Plan will need to be updated to reflect TfL's latest guidance and therefore an updated Delivery and Servicing Plan will be secured via condition.

- 7.383 In terms of the proposed Waste Management Strategy specifically, a standalone strategy has been submitted with the planning application. The strategy advises that each residential unit will be provided with a segregated waste bin, which will be fixed into an appropriate kitchen unit. The segregated waste bin will be capable of accommodating bin sizes as follows; Refuse (35 litres) Recycling (35 litres) and Food Waste (21 litres).
- 7.384 The two residential service cores within the building will share the use of two waste chutes. The waste chute hoppers will be located on Levels 00 and 01 and will discharge into the main waste storage area at Level -2 (Basement). The on-site Facilities Management (FM) team will be responsible for monitoring the waste chutes in the main waste storage area to ensure that sufficient storage capacity is always provide in the bins under the chute outlets. On the agreed collection days for each waste stream, the FM team will transport the relevant bins from the main waste storage area to the waste presentation area at Level 00 using the dedicated service lift to enable the relevant waste contractor to collect the bins.
- 7.385 A bulky waste storage area will be provided at Level -2 (Basement) to service the residential units. The FM team will be responsible for the monitoring of the bulky waste storage area and ensuring that it is well managed and maintained. Once sufficient bulky waste items have been accumulated, the FM team will arrange collection either through the Council, a licensed waste management contractor or through a relevant local reuse charity. Bulky waste will be collected on collection day from the waste presentation area. It should be noted however that the Waste Team have expressed concerns that the drag distance for refuse collection would exceed 10m as the distance between the HGV Loading Bay and the door of the Waste Presentation Area measures approximately 9 metres as indicated in the image below.

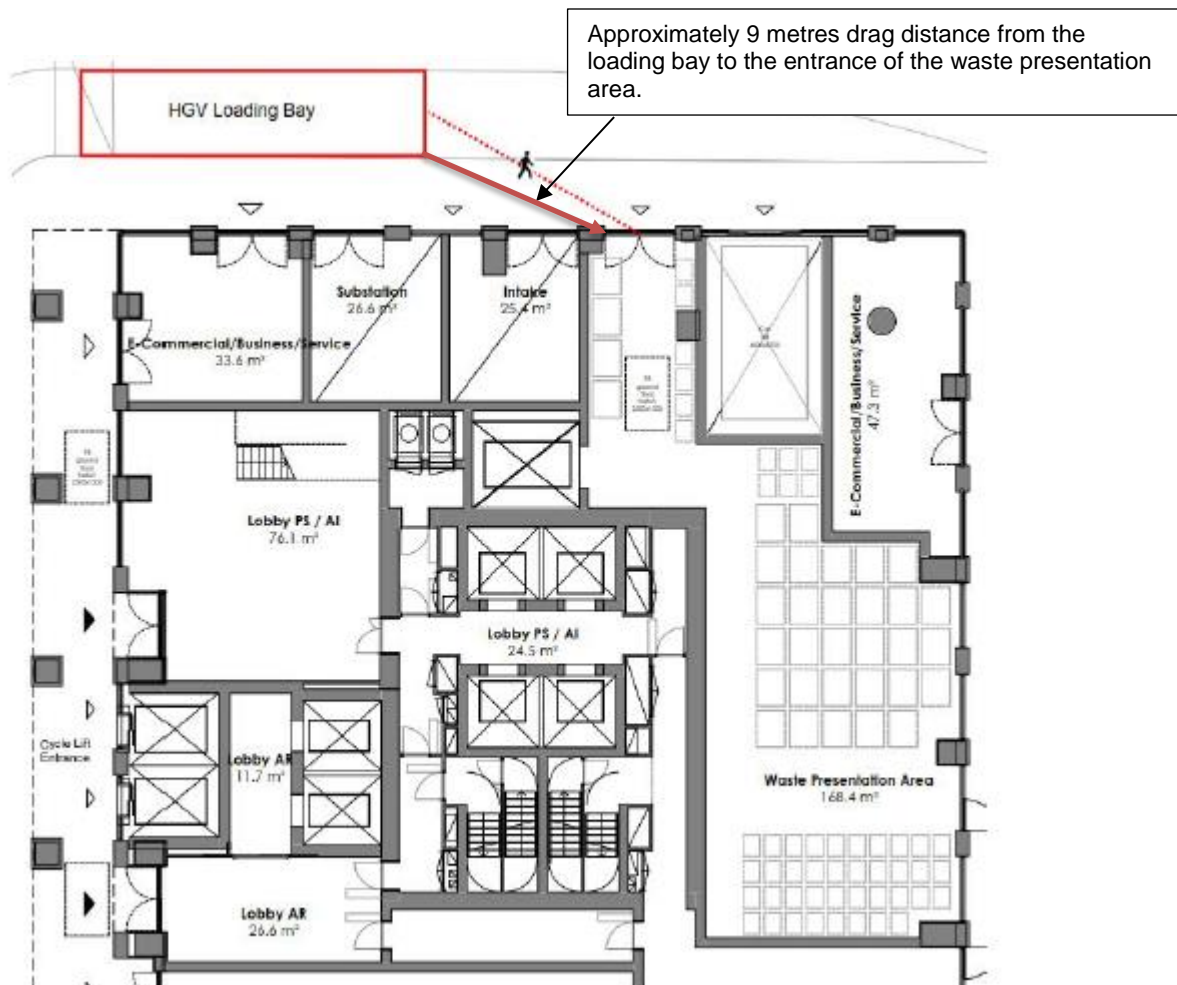


Figure 45: Location Waste Presentation Area

- 7.386 However, the Applicant has advised that the on-site Facilities Management Team would be present to assist in transporting the bins out from the Waste Presentation Area to ensure that the drag distance by the Council's waste collection Officers is not exceeded. This would need to be managed to ensure that there are no conflict between the on-site Facilities Management Team and LBTH Waste Collection. The detailed management of this strategy will be secured through an updated Refuse Strategy; this approach is supported by the Waste Team.
- 7.387 In terms of waste management for the commercial units, each unit will be provided with a suitable internal waste storage area that encourages their employees to segregate waste. The tenants of the units will be responsible for the collection of their own waste through a suitable commercial waste management contractor. Tenancy agreements for the commercial units will incorporate contractual requirements for the management of waste including the requirement to provide a suitable internal waste storage area, procurement of their own waste storage contractor and no waste shall be presented for collection on-street with all waste to be collected directly from the tenant's waste storage area. The appointed waste management contractors will park their refuse collection vehicle using the nearest on-site loading bay and collect the waste directly from the tenant's storage area.
- 7.388 Overall, the servicing, deliveries and waste strategies for the proposal are considered to be acceptable in principle and are supported by the Highways Officer and the Waste Team. Officers would be seeking to request that the Waste Strategy is updated to address the above matters and secured via the imposition of a suitable condition.

Trip Generation

- 7.389 The submitted TA has undertaken a standard TRICS-based assessment of the proposed development to determine the anticipated level of traffic generation for the proposed development. As the site has very low occupancy levels, for the purpose of the TA, the assessment assumes a vacant scenario for the existing use and as such no trip generation has been undertaken for the existing use with all trips associated with the proposed development being treated as new.
- 7.390 As the proposed development will essentially be 'car free' with only 7 blue badge parking spaces, and there will be no opportunities for future residents to park on-street, the TA has adjusted the TRICS data generated for the residential use (which would have been based on a worst case scenario) and re-allocated trips to sustainable and active modes of travel. The adjusted forecast trips per mode for the proposed residential use demonstrates that in the AM Peak Hour (08:00-09:00) there would be 295 two-way person movements and 238 two-way person movements in the PM Peak Hour (18:00-19:00). The assessment reports that the majority of trips to and from the site will be undertaken by public transport, and in particular by underground services on the Jubilee Line (Westbound) which would generate 104 two-way trips during the AM Peak Hour and 78 two-way trips during the PM Peak Hour. The DLR accounts for the second most mode of travel and identifies that there would be 76 two-way person movement during the AM Peak Hour and 57 two-way person movements during the PM Peak Hour. Car trips will account for 3 two-way trips during the AM Peak Hour and 4 two-way trips during the PM Peak Hour.
- 7.391 With regards to the retail uses, as the proposed scale and nature of the units would generally serve local residents and the daytime population of the surrounding area, the assessment considers that mainly walk-in trips from the adjacent network would be generated and therefore no trip generation has been undertaken for this element on the basis that these units are being treated as ancillary uses to the residential component.
- 7.392 In terms of delivery and servicing trip generation, this has been calculated using focused surveys conducted at new developments in London to determine servicing trip rates for specific land uses and the associated dwell times. The data forecasts that there would be 68 servicing trips associated with the development each day, 62 of which will account for residential servicing and 6 will account for the retail. 5 (7%) of these trips will be undertaken by HGV's

(Heavy Goods Vehicle) whilst the remaining 63 (93%) trips will be undertaken by LGV's (Light Goods Vehicle). No HGV trips are anticipated to be undertaken for the retail use. During the peak servicing hour (10:00-11:00), a total of 8 trips can be anticipated, including 6 LGV and 2 HGV trips.

- 7.393 The TA notes that the average dwell times for servicing vehicles for each land use will be 11.48 minutes for the residential component and 10.08 minutes for the retail element. Based on the anticipated trip generation for delivery and servicing, the TA confirms that the 3 proposed servicing bays would be able to accommodate the number of deliveries identified.
- 7.394 Overall, there are no objections to the assessment provided and it is not considered that the proposal will detrimentally impact on the local highway network.

Travel Plan

- 7.395 The application has been accompanied by an indicative Travel Plan forming Appendix F of the TA. The Travel Plan identifies that all residents of the development will be provided with a Travel Pack upon occupation which will contain details of the cycling, walking and public transport routes to key local facilities, plus current timetables for local bus and rail services. A key role of the Travel Pack will also be to raise awareness of the sustainable travel initiatives being implemented through the Travel Plan including the promotion of key services and facilities, promotion of membership to the London Cycling Campaign, promotion of web based working from home and the promotion of car share clubs and car clubs. Community notice boards providing travel and community information to residents will also be placed in prominent locations and will include maps of the immediate local area identifying locations of cycle parking, car club bays and public transport service access points. The draft Travel Plan is considered acceptable in principle and Officers would be seeking to impose a condition to secure the submission of a finalised detailed Travel Plan.

Demolition and Construction Traffic

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

Summary

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

ENVIRONMENT

Environmental Impact Assessment

- 7.398 The planning application represents an Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) co-ordinated by Trium.
- 7.399 Regulation 3 prohibits the Council from granting planning permission without consideration of the '*environmental information*' that comprises the ES, including any further information submitted following request(s) under Regulation 25 and any other information, any representations made by consultation bodies or by any other person about the environmental effects of the development.

7.400 The Council issued an EIA Scoping Opinion (PA/20/01992) on 04/11/2020. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- Socio-Economics;
- Health;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Wind Microclimate;
- Daylight, Sunlight and Overshadowing and Solar Glare;
- Archaeology;
- Built Heritage, Townscape and Visual;
- Climate Change and
- Greenhouse Gas Emissions.

7.401 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).

7.402 The Council has appointed Temple Group Consulting to independently examine the ES, to prepare an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the Authority's internal environmental specialists. The IRR dated 21st July 2021 identified clarifications and potential '*further information*' required under Regulation 25. Clarifications were sought across a broad range of topics, with potential Regulation 25 '*further information*' identified within the following topics:

- ES Format, Presentation and Scope;
- Socio-Economics
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Daylight, Sunlight, Overshadowing, Solar Glare
- Wind Microclimate
- Built Heritage
- Townscape and Visual Impact
- Greenhouse Gases and Climate Change

7.403 In response to the IRR, the Applicant submitted on the 27th August 2021 an Interim Review Report Response document dated 26th August 2021. On the 13th October 2021, Temple issued a Final Review Report (FRR) that took account of the Applicant's Interim Review Report Response which identified that clarifications sought and Potential Regulation 25 requests remained unacceptable under the following topics:

- ES Format, Presentation and Scope;
- Traffic and Transport;
- Air Quality;
- Noise and Vibration;
- Daylight, Sunlight, Overshadowing and Solar Glare;
- Wind Microclimate;
- Built Heritage and
- Townscape and Visual Impact.

7.404 In response to the FRR, the Applicant submitted on the 4th November 2021 an ES Clarifications and Potential Regulation 25 Request Response dated 29th October 2021 together with an updated Non-technical Summary, an amended ES Chapter 10 (DSOSG), an amended Chapter 14 (Likely Significant Effects) and an amended Annex 3 (Cumulative Schemes List and Map). Subsequently a consultation under Regulation 142 of the EIA regulations commenced on 16th November 2021.

- 7.405 On the 22nd November 2021, the Applicant submitted an ES Statement of Conformity which considers amendments to the scheme in relation to unit mix.
- 7.406 The Applicant's response to the FRR was reviewed by Temple and the ES Statement of Conformity was reviewed by the Council's EIA Officer. A FRR002 was provided by Temple on the 29th November 2021.
- 7.407 On the 21st December 2021, the Applicant submitted an updated Non-technical Summary, an amended ES Chapter 10 (DSOSG) and an amended Chapter 14 (Likely Significant Effects) to address an inconsistency in likely significant cumulative effects on daylight and sunlight. Subsequently a consultation under Regulation 25 of the EIA regulations commenced on 5th January 2022.
- 7.408 The Council's EIA Officer and the Council's Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.
- 7.409 The 'environmental information' has been fully examined by the Council and has been taken into consideration by Officers to reach a reasoned conclusion of the significant effects of the proposed development, which forms the basis of the assessment presented in this report.
- 7.410 Appropriate mitigation/monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations. The environmental information includes the ES, including any supplementary information and any representations made by consultation bodies and by any other person about the environmental effects of the proposed development.

Health Impact Assessment

- 7.411 Policy D.SG3 of the Local Plan requires developments that are referable to the Mayor to be supported by a Health Impact Assessment (HIA). A detailed HIA, given the scale of the application is required and has been submitted and forms and Appendix to the Socio-Economic chapter of the ES.
- 7.412 The submitted HIA considers the potential health impacts (during the demolition and construction phase, and occupation following completion) arising from the development. The HIA is structured around the following key themes: delivering healthy layouts, promoting neighbourhood cohesion, enabling active living and creating the healthiest of environments.
- 7.413 In consideration of the above themes, the HIA concludes that the proposed development is likely to have an overall positive impact on health. The identified positive health impacts under each theme include but not limited to the following (it should be noted that some of these themes are also discussed elsewhere in this report under relevant sections):
- 7.414 *Delivering Healthy Layouts:* As set out in an earlier sections of this report, 90% of all homes would be designed to part M4(2) (wheelchair adaptable) of the Building Regulations whilst the remaining 10% would be designed to part M4(3) (wheelchair user dwellings). In addition to minimizing acoustic and visual impacts on residential spaces from the DLR, non-residential functions have been prioritised from the ground level to level 6 and the provision of wintergardens at lower levels will mitigate any potential noise effects arising from the DLR. Windows to residential units have also been designed to maximise daylight, views and reduce heat gains and keep heat losses to a minimum.
- 7.415 *Promoting Neighbourhood Cohesion:* The new pocket park creates a focal point to the surrounding area which provides breathing space along Marsh Wall. The new public realm integrates existing mature trees and proposes new planting, seating, lighting and play spaces to encourage residents and the community to enjoy. It is intended that the pocket park would be accessible and welcoming to all with no limitation on access from the public or the proposed residential units, fostering a sense of wellbeing that places people and placemaking at the

centre of design and one which encourages community cohesion along Marsh Wall. A dedicated play terrace and additional play space are also provided within the building which have been designed to allow parents to socially interact as they supervise children playing nearby. The scheme would also incorporate commercial space at ground floor level which could accommodate community uses. Similarly, the commercial premises could accommodate retail uses that could support access to healthy food for the wider community. The commercial uses will also offer employment opportunities which the HIA identifies can be a significant contributing factor to increased health whilst addressing identified business need. The HIA notes that being in work can make it easier to pursue a healthy lifestyle, with unemployment often related to a multitude of elevated health risks (physical and mental).

- 7.416 *Enabling Active Living:* As mentioned above and elsewhere in this report, the scheme would provide access to areas of children's play thus encouraging physical activity amongst children. The pocket park would also provide new open space in an area of open space deficiency and the creation of new north south connections supporting active travel across the local area and improving the permeability of the site between Marsh Wall and the docks thus encouraging walking. The development would also encourage active travel through the provision of policy compliant level of cycle parking of which 5% of the total cycle parking spaces would be accessible to accommodate larger cycles. In addition to this, the HIA highlights that the area is well supplied in Santander Cycles with a docking station located to the south of the site (240 metres distance). Access to these cycles would encourage residents to take shorter local journeys by bikes.
- 7.417 *Creating the Healthiest Environment:* The HIA identifies that poor air quality (from factors such as dust and emissions from transport and construction processes) is associated with negative health outcomes (such as chronic lung disease, heart conditions and asthma). The demolition and construction phase of the development may result in some air quality impacts. These have been assessed in detail in the Air Quality chapter of the ES. The assessment finds that the demolition and construction phase of the development without mitigation could have a low risk to human health. However, a number of measures have been put into place to ensure that the development reduces any potential impacts and maximises air quality improvements were possible including sourcing materials locally where possible to minimise transport impacts and in turn emissions, adopting a Construction Environmental Management Plan along with other required Management Plans (Dust, Construction Logistics Plan and Site Waste Management Plan) to minimise environmental impacts of the construction works. Other measures towards creating a healthy environment identified in the HIA include biodiversity and ecological enhancements and urban greening, a sustainable energy strategy that seeks to reduce carbon dioxide emissions and the recycling of materials.
- 7.418 The HIA Officer sought further clarification on the provision of affordable housing, confirmation that the pocket park would be accessible to the wider community and further clarity on the cycle parking provision. The Applicant has provided an updated response to clarify matters which the HIA Officer has accepted as being satisfactory. The HIA Officer has confirmed that the submitted HIA is acceptable.

Wind/Microclimate

- 7.419 Policies D3, D8 and D9 of the London Plan requires developments, particularly those with tall buildings, to be considerate of microclimate impacts associated with their scale and mass. Similarly, Local Plan Policies S.DH1 and D.DH6 seeks to ensure that new developments do not adversely impact on the microclimate and amenity of the application site and the surrounding area.
- 7.420 Chapter 11 of the Environmental Statement reports the findings of the wind and microclimate study. The assessment has been prepared based on Wind Tunnel Testing undertaken in February 2021 which was based on a taller iteration of the proposed development at the pre-application stage. The ES refers to Page 144 iteration as "the February 2021 scheme". Following the Wind Tunnel Testing, the design team introduced localised modifications of the

massing to the February 2021 scheme however for the purpose of the ES the assessment of potential effects identified in the ES is based on the February 2021 scheme with subsequent explanations of implications of the massing changes on the residual effects identified for the February 2021 scheme, based on professional opinion from the Applicant's consultants (WSP Wind Engineering Team). The key modifications to the proposal as submitted from the February 2021 scheme are summarised below:

- The highest point of the massing of the building (excluding the spire) was reduced by approximately 12m (from 216.600 AOD to 204.930 AOD).
- Articulation at the top of the building changed resulting in terraces at Level 46, Level 49, Level 52 and Level 55 being removed and consolidated into a single rooftop terrace at Level 54.
- The position of the 'Clubhouse' dropped by approximately 14 metres from Level 40 to Level 38 and its outdoor terrace is now inset within the fabric of the building.

7.421 Wind microclimate conditions have been assessed at various street and elevated level locations such as: all pedestrian circulation routes, building entrances, waiting areas and leisure open areas in the surrounding vicinity and within the site, outdoor seating areas within the site, elevated terraces and balconies within the scheme and elevated balconies on the adjacent commercial buildings. The assessment of wind comfort and safety is based on the City of London (CoL) Lawson Comfort Criteria; an industry-standard practice for wind microclimate assessments which sets out the threshold windspeed and threshold frequency to the suitability of an activity. Under this assessment method if the measured wind conditions exceed the threshold for more than 5% of the time, then they are unacceptable for the stated pedestrian activity. The below figure sets out the criteria used based on the CoL Lawson Comfort Criteria for pedestrian wind comfort.

Category	Mean and GEM wind speed (5% exceedance)	Description
Frequent sitting	2.5m/s	Acceptable for frequent outdoor sitting use, e.g. restaurant, café.
Occasional sitting	4m/s	Acceptable for occasional outdoor seating, e.g. general public outdoor spaces, balconies and terraces intended for occasional use, etc.
Standing	6m/s	Acceptable for entrances, bus stops, covered walkways or passageways beneath buildings.
Walking	8m/s	Acceptable for external pavements, walkways.
Uncomfortable	>8m/s	Not comfortable for regular pedestrian access.

Figure 46 - Lawson Comfort Criteria for Pedestrian Wind Comfort.

7.422 In terms of pedestrian safety, the criteria for safety is defined based on 0.022% exceedance per year. The criterion for pedestrian safety is presented in figure 47 below.

Category	Mean and GEM wind speed from any wind direction (0.022% exceedance)	Description
Pedestrian Safety Limit	15m/s	Presents a safety risk for pedestrians, especially to more vulnerable members of the public.

Figure 47 - Lawson Comfort Criteria for Pedestrian Safety

- 7.423 In the wind tunnel tests, local wind speeds were measured at a total of 135 locations (98 at street level and 37 at elevated level on site).
- 7.424 The assessment for pedestrian safety indicates that all receptors at street level were safe for pedestrian use. At the elevated levels, exceedance of safety criteria occurred at the following receptors: 305, 307 and 308 (Level 3 terrace: play space), 808 (Level 46 terrace) and 806 (Level 49 terrace) whereby the significance of effect would be Major Adverse (Significant) therefore the requirement for mitigation was identified. It should be noted that Level 3 Terrace/Mezzanine is now identified in the submitted application as Level 5 Terrace/Mezzanine and any further reference to Level 3 terrace/mezzanine should be taken to mean Level 5 Terrace/Mezzanine as submitted.
- 7.425 In terms of pedestrian comfort, at street level, receptors that are or become unsuitable, in terms of wind comfort for their intended use are: receptors 13 and 18 (recreational spaces in the proposed pocket park), 40 (entrance at the southwest corner of the February 2021 scheme) whereby the significance of effect for these three receptors would be Moderate Adverse (Significant) and 61 (thoroughfare at the northwest corner of the Millharbour development) whereby the significance of the impact would be Major Adverse (Significant). In the assessment of all the above receptors the requirement for mitigation was identified.
- 7.426 At the elevated levels, the exceedance of wind comfort criteria occur at the following receptors: 305, 307 and 308 (Level 3 terrace: play space), 306 (southern access point to the Level 3 terrace), 703, 704 (corner and access point near the south east corner of Level 40 terrace), 808 (south west corner of Level 46 terrace) and 806 (Level 49 terrace). The significance of effect for all these receptors would be Moderate Adverse (Significant) and as such the requirement for mitigation was identified.
- 7.427 Adverse wind effects resulting from the February 2021 scheme are more predominately observed at the elevated levels as prevailing winds impacting the façade of the building generate downdraughts, which get drawn into the gaps in the massing at the upper and lower terrace levels thereby resulting in windier conditions within these areas (particularly at the building corners) but also subsequently diminishing the impact at street level.
- 7.428 The ES identifies that a number of wind mitigation measures were tested which include the following:
- 9 x 8 tall trees at street level;
 - 1.5m tall hedge near the intersection of Admirals Way and Marsh Wall;
 - Removal of street level entrance at the northeast corner of the February 2021 scheme;
 - Street level entrance at the southwest corner of the February 2021 scheme recessed by 1.5m depth;
 - 8 x 3m tall trees at the northeast and northwest corners of the Level 3 terrace;
 - 1.5m x 0.6m hedges along the perimeter of the Level 3 terrace;
 - Southern entrance to Level 3 terrace recessed by 1.5m;
 - Pergolas mounted at 3 metres above the floor slab on Levels 46 and 49 along the southern façade, covering the full width of the terraces and
 - Full height vertical trellis-like structure along the southern façade of the Level 3 terrace, with green planting growing over it to provide an overall solidity of ~50%.
- 7.429 The results of the mitigation assessment indicated that with the introduction of mitigation measures identified, wind conditions have improved such that all occurrences of pedestrian safety breaches (receptors 305, 307, 308, 806 and 808 on the elevated terraces) as identified above have been alleviated and are now safe for the intended use. Therefore, all receptors which were reported as Major Adverse (Significant) have now become Negligible (Not Significant) after mitigation.

- 7.430 In terms of pedestrian comfort, the introduction of mitigation measures results in the alleviation of all exceedances of the pedestrian comfort criteria at street level. At the elevated levels, the vast majority of receptors are or have become suitable, in terms of wind comfort, for the intended pedestrian uses. The wind comfort ratings across the majority of the south-facing outdoor spaces (receptors 305, 307, 308, 703, 806 and 808 on the elevated terraces) have improved to being suitable for at least walking in winter, whilst being suitable for standing in summer. The significance of effect to these receptors following mitigation would be Negligible (Not Significant). In terms of receptor 306 (southern access point to Level 3 terrace), following mitigation, wind conditions would become suitable with the significance of impact being Moderate Beneficial (Not Significant).
- 7.431 Wind conditions at receptor 704 (access point to Level 40 terrace) at the southeast corner of the southern façade remain uncomfortable for ingress/egress activity in winter but is suitable for intended use in all other seasons. However, subsequent to the wind testing, described earlier, Level 40 has now become Level 38 thereby the decreased in height by 14 metres and the recessing of the entrance will have improved the adverse wind conditions such that the wind comfort requirement will be met. The significance of effect to this receptor, level 38 clubhouse terrace, following mitigation would remain Negligible (Not Significant).

Cumulative Effects

- 7.432 In terms of cumulative effects, for the purpose of the wind microclimate assessment, the ES has considered the following schemes in the cumulative scenario: 30 Marsh Wall, Cuba Street, Quay House and Bellamy House. In terms of pedestrian safety, all receptors at street level were safe for pedestrian use with exceedance of the safety criteria occurring on elevated levels at receptors 305, 307 and 308 (Level 3 terrace), 808 (Level 46 terrace) and 809 (Level 49 terrace) with the significance of effect being Major Adverse (Significant). However, with the introduction of the proposed wind mitigation scheme within the cumulative assessment scenario, window conditions would have improved such that all occurrence of safety breaches have been alleviated and are now safe for the intended use. Therefore, all receptors that were reported as Major Adverse (Significant) have become Negligible (Not Significant) after mitigation.
- 7.433 With regards to pedestrian comfort, at street level receptors that become unsuitable in the cumulative scenario for their intended use are receptors 13 (recreational space in the proposed park), 40 and 49 (entrances at the southwest and north east corners), 61 (thoroughfare at the northwest corner of the Millharbour Development) and 68 (residential entrance along Admirals Way). The significance of effect in all these instances would be Major Adverse (Significant) in the cumulative scenario. At the elevated levels, exceedances of the wind comfort criteria occur at receptors 305, 307, 308, 704 (access point at southeast corner of Level 40 terrace), 806 (Level 49 terrace) and 808. The significance of effect at these elevated receptors in the cumulative scenario would be Moderate Adverse. The introduction of wind mitigation measures would alleviate all of the exceedances of pedestrian comfort criteria at street level with the significance of impact ranging between Negligible (Not Significant) and Moderate Beneficial.
- 7.434 At elevated level, the vast majority of receptors would become suitable for the intended use and have improved from being uncomfortable for all uses to being suitable for at least walking in winter, whilst being suitable for standing in summer. The significance of effect in most instances following mitigation would be Negligible (Not Significant). The exception would be receptor 704 whereby the significance of effect would remain at Moderate Adverse however the ES notes that this would become Negligible (Not Significant) with additional mitigation measures. It should also be noted however that the ES confirms that this receptor is no longer applicable to the proposed development given the modifications to the proposal subsequent to the wind assessment being undertaken.

Surrounding Neighbouring Balconies

- 7.435 The wind tunnel tests included three balcony locations on the adjacent office building at Beaufort Court as they are located in an area that could have been impacted by downdraft from the southern façade of the February 2021 scheme as well as funnelling. The ES confirms that wind conditions at these receptors were reported as safe for intended use. The wind comfort rating at these locations remained the same thus indicating the absence of any material impact on local wind conditions.
- 7.436 In terms of the Wardian London scheme, as this development is located to the west of the proposed development (i.e., downstream of the development under non-prevailing wind directions), the ES considers the impact of the development on the balconies of the Wardian to be minimal. As such the balconies of the Wardian London were not assessed during the wind tunnel tests. Similarly, the ES confirms that Quay House which does not feature external balconies was not tested.
- 7.437 Overall, it is considered that the development would not result in any unreasonable impacts with respect to wind/microclimate within or outside of the development boundaries. Additional mitigation measures have been identified within the ES review by Temple Group and will be secured by way of condition.

Energy Efficiency and Sustainability

Energy

- 7.438 At the national level, the NPPF sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate. In this regard, the planning system should help to amongst other things, shape places in ways that contribute to radical reductions in greenhouse gas emissions and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.
- 7.439 At the strategic level, Chapter 9 of the London Plan requires development to contribute to mitigation and adaptation to climate change. Specifically, Policy SI2 requires development proposal to make the fullest contribution to minimising carbon dioxide emissions and directing that major developments should be net zero-carbon. This means reducing greenhouse gas emissions and minimising energy demand in accordance with the following hierarchy:
1. Be Lean: Use Less Energy
 2. Be Clean: Supply Energy Efficiently
 3. Be Green: Use Renewable Energy
 4. Be Seen: Monitor and Report
- 7.440 At the local level, the national and strategic messages are similarly echoed in Policies S.ES1 and D.ES7 of the Local Plan. Policy D.ES7 specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution.
- 7.441 The application has been accompanied by an Energy Strategy prepared by WSP which demonstrates that the development is anticipated to achieve a site-wide reduction in carbon dioxide emissions of 57.4% through the adoption of passive and active design measures (Be Lean) i.e., through the building fabric) and the use of Photovoltaic Panels (6kWp and 20sqm photovoltaic array), the use of ambient loop Air Source Heat Pumps (ASHP) and Water Source Heat Pumps (WSHP) to provide renewable energy (Be Green).
- 7.442 No carbon savings are proposed to be achieved for the Be Clean step of the energy hierarchy as this would not currently be possible. The Energy Strategy notes that the network operator is considering extending the network, it is not anticipated to extend north to the application site in time for first occupation of the proposed development. However, Energy Strategy confirms that provision will be made to allow for future connection to a district heating network with a low

temperature hot water system designed into the scheme to facilitate connection to a network should connection become viable.

- 7.443 The Energy Statement identifies a baseline emission rate of 242.6 tonnes per annum after each step of the Energy Hierarchy for the development using SAP10 factors. The proposal results in 327.5 tonnes of regulated CO₂ savings on-site with the remainder to be off-set through a carbon offsetting contribution of £691,140.00 to achieve net zero carbon for the development and deliver a policy compliant scheme.

Overheating

- 7.444 In terms of overheating, the Energy Strategy confirms that a range of overheating studies have been undertaken in line with guidance contained in industry documents CIBSE (The Chartered Institution of Building Services Engineers) TM52 and TM59 as required by Policy SI4 of the London Plan.
- 7.445 The strategy for minimising cooling demand in accordance with the London Plan includes the following provisions:
- 100% low energy lighting will be provided to reduce internal heat gains within the apartments.
 - Highly efficient fabric and glazing is proposed incorporating glazing with low-e solar shield glass to protect the interior from solar gain.
 - Openable windows to all apartments.
 - Mechanical Ventilation will be provided in all apartments.
- 7.446 The Energy Strategy confirms that the scheme would be compliant with TM52 and TM59 overheating criteria for DSY1 weather scenario (A moderately warm summer), however a significant number of apartments do not achieve compliance with TM52 and TM59 criteria for DSY2 (A year with a very intense single warm spell) or DSY3 (A year with a prolonged period of sustained warmth). However, active cooling is proposed in all apartments to reduce the peak temperatures to acceptable levels and provide comfort with windows closed and when future weather conditions are considered. This has been accepted by the GLA Energy Team due to the external constraints of the site (i.e., the proximity of the DLR) and the proposal has followed the London Plan's cooling hierarchy as required by Policy SI14 of the London Plan.

BREEAM and Home Quality Mark

- 7.447 Policy D.ES7 of the Local Plan also requires all new non-residential development over 500sqm floorspace to meet or exceed BREEAM 'excellent' rating. The policy also encourages all self-contained residential proposals to meet the Home Quality Mark. These requirements are repeated in Policy SD1 of the Isle of Dogs Neighbourhood Plan.
- 7.448 The submitted BREEAM Pre-Assessment Report indicates that the non-residential units will achieve a BREEAM rating of 'Very Good'. This is considered acceptable as the total floorspace of the commercial units will fall below 500sqm. The application has also been accompanied by a Home Quality Mark Pre-assessment report which demonstrates that the development will achieve a 3-star HQM rating as a minimum.

Circular Economy

- 7.449 The application has been accompanied with a detailed Circular Economy Statement that sets out key circular economy commitments for the proposed development which include but not limited to as summarised below:

- 7.450 *Minimising the quantities of materials used:* The design of the proposed development will consider opportunities to reduce material demand and conserve resources. The scheme will aim to reduce material demand by using materials with recycled content. Other measures include off-site manufacturing will be used for elements of the structure and the Shell/Skin, exposed soffits will be considered where appropriate, to eliminate the initial resource demand and facilitate waste-free service maintenance.
- 7.451 *Minimising the quantities of other resources used (energy, water, land):* The use of natural and low-carbon materials with minimal processing will be considered for elements in the Shell/Skin and space of the building. Concrete will be mixed close to the site to minimise transportation, as the option of mixing on-site has been due to site constraints. A plan will also be considered to reduce the number of trips, the distance of each trip and consideration will be given for cleaner modes of transportation. Extension of the Barkantine District Heat Network will be considered in subsequent phases.
- 7.452 *Specifying and sourcing materials responsibly and sustainably:* A Sustainable Procurement Plan will be put in place, addressing the material and components used for the superstructure as a minimum.
- 7.453 *Designing out construction, demolition, excavation, industrial and municipal waste:* The materials and components resulting from the demolition of the existing building will be recovered for recycling and reuse off-site, with the ambition that 95% of the construction and demolition waste will be diverted from landfill. On-site recycling and reuse has been eliminated due to site constraints. Specific elements to be recovered and recycled include steel frame components, bricks, handrails and frames. A series of best practice construction measures (specified in the on-site construction management plan) will be considered when appropriate, including reuse of materials for temporary works, clear labelling for waste segregation, plasterboard recycling services, take back scheme for packaging materials and training and engagement of staff.
- 7.454 In terms of excavation waste, a target is set for 95% of the excavation waste to have beneficial use. Due to severe noise and dust implications, the excavation waste will be transported to another site located as close as possible where it will be recycled. The on-site segregation system will aim to divert approximately 50% of the generated municipal waste from the landfill, with the ambition to increase this to 65% by 2030.
- 7.455 All of the above key commitments identified within the submitted Circular Economy Statement are considered acceptable and in accordance with Policy SI7 of the London Plan.

Likely Significant Carbon Greenhouse Gas Environmental Effects

- 7.456 A greenhouse gas emissions assessment has been undertaken as part of the ES to assess the potential greenhouse gas emissions from the construction and operation of the proposed development. A number of proposed mitigation measures are identified to reduce and avoid greenhouse gas emissions during the construction stage which include the implementation of a Construction Environmental Management Plan which shall include measures to reuse material on site where possible, minimising waste to landfill and good practice measures to minimise energy use from construction activities.
- 7.457 The design of the proposed development has also incorporated a number of measures to minimise the creation of greenhouse gases, including the type of materials proposed, construction site management, low carbon technologies and the provision of bicycle storage facilities. Further measures such as Electric Vehicle Charging Points, Travel Plan, the proposed Energy Strategy, carbon offsetting and BREEAM 'Very Good' standard would all contribute to mitigating against greenhouse gas emissions during the operational stage of the development. These are discussed in **Page 150** in other sections of this report and it is recommended that they are secured by way of planning conditions and obligations.

Summary and Securing the Proposals

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

- Submission of a Zero Carbon Futureproofing Statement.
- Submission of post construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO2 emissions have been delivered on-site.
- Implementation of the submitted Energy Strategy, including a minimum of 57.4% reduction in carbon reduction compared to the baseline.
- BREEAM rating of 'Very Good' for the non-residential units.

7.459 A carbon off-setting contribution of £691,140.00 would be required to deliver a policy compliant net zero carbon development and this would be secured via the S106 agreement.

Air Quality

7.460 Policy SI1 of the London Plan requires amongst other things that development proposals must be at least Air Quality Neutral. At the local level, Policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral' standard.

7.461 The Air Quality Assessment forms a chapter in the Environmental Statement and has considered the potential of both the construction phase and operational phase of the development, to result in air quality impacts. The site is within the borough-wide Air Quality Management Area (AQMA) (NO2 objective and 24-hour mean PM10 objective).

7.462 The assessment finds that during the demolition and construction phase of the development, the effects of dust emissions would be adverse, however with the application of recommended dust mitigation measures, the effects will be Not Significant. Similarly, emissions from construction traffic would be Negligible and Not Significant. Construction Logistics Management and Construction Environmental Management Plans will manage vehicle and delivery movements to and from the site to minimise construction traffic where possible and potential air quality impacts arising from dust during construction works.

7.463 The ES finds that the air quality effects without mitigation once the development is completed and operational are judged to be Not Significant. The proposed development will not generate a significant volume of traffic and pollutant concentrations at worst-case locations within the proposed development will all be below the air quality objectives, thus future residents will experience acceptable air quality. Similarly, within the proposed play space, pollutant concentrations will be well below air quality objectives.

7.464 The proposed development also incorporates the following measures to contribute towards and air quality positive development:

- Sourcing construction materials locally, where possible, to minimise transport impacts;
- Ensuring that residential uses are located on the 6th floor and above, thus increasing the distance between sensitive uses and road traffic emissions at street level;
- 'Car-free' development, with limited (seven) blue badge spaces;
- Provision of long-stay and short-stay cycles spaces for both residential and commercial uses.
- Creation of a site wide Bicycle Users Group for residents providing the opportunity for cyclists to meet informally and discuss cycling related issues;
- A Travel Plan which sets out a package of measures aimed at promoting sustainable travel, with an emphasis on 'promoting alternatives to the car';

- Residential travel packs will be given to all residents containing details of the cycling, walking and public transport routes to key local facilities, plus timetables for local bus and rail services; and
- No new on-site combustion for the provision of energy, with the use of ASHP to provide heating and hot water.

7.465 In terms of the Air Quality Neutral Assessment, as mentioned above the development does not include any combustion plant and therefore will have no direct building emissions and will be better than air quality neutral in terms of building emissions. In terms of road transport emissions, the assessment finds that the total development transport emissions are less than the total transport emissions benchmark for both NO_x and PM₁₀. The proposed development is therefore better than air quality neutral in terms of net transport emissions.

7.466 The ES has been reviewed by Temple and the Council's Air Quality Team. Temple have sought a number of clarifications through the assessment process which have all now been addressed. The Council's Air Quality Team concur with the findings of the ES. No objections have been raised subject to conditions relating to low NO_x boilers, extraction and filtration systems for the commercial units and details of construction plants and machinery.

Flood Risk & Drainage

7.467 Policies SI12 and SI13 of the London Plan seeks to ensure that flood risk is minimised and mitigated, should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within the London Plan. The policy aspirations are also reiterated at the local level in Policies D.ES4 and D.ES5 which seek to reduce the risk of flooding.

7.468 The site falls within Flood Zone 3a and is protected by the River Thames Tidal Flood defences. The overall drainage strategy is accepted in principle by the Council's Flood and Water Management Team however the submitted strategy has not undertaken a SUDs hierarchy assessment and the Engineers consider that greater commitment is required by the Applicant to deliver the pocket park, green roofs, trees and demonstrate how they will interact with the site's drainage.

7.469 Officers consider the proposal would increase the permeability of the site through enhancements identified above and earlier in the landscaping and biodiversity section of this report thus complying with Local Plan policy requirement for incorporating principles of sustainable urban drainage. The proposals for the new pocket park, green roof and additional tree planting forms part of the proposals and are within the application red line boundary, therefore it would be expected that these elements are delivered by the Applicant. Moreover, these elements will be secured via relevant conditions. Officers consider however that to ensure that the scheme has appropriately followed the SUDS hierarchy and appropriate mitigation measures are secured that a detailed Surface Water Drainage Scheme is secured for the development via condition as recommended by the Flood and Water Management Team.

Land Contamination

7.470 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition approval process and will ensure that the site is made safe prior to any construction or demolition works taking place.

INFRASTRUCTURE IMPACT

7.471 Policy D1 (Part A) of the Isle of Dogs Neighbourhood Plan requires that in order to support sustainable development and in view of the strain on infrastructure in the area and the shortage of publicly owned land, applicants for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the planning application.

- 7.472 The supporting text to Policy D1 highlights that the Neighbourhood Plan seeks to identify those developments that are most likely to impact on the infrastructure needs of the Neighbourhood Plan Area and the wellbeing of its residents, with the aim that both the existing infrastructure provision and the likely impact of the development in question are taken into account when such applications are determined.
- 7.473 The Applicant has not submitted a standalone Infrastructure Impact Assessment however has advised that infrastructure impact has been considered within Chapter 6 (Socio-Economics) of the ES.
- 7.474 The ES has conducted an audit of existing community facilities and an assessment of the potential level of demand for community facilities resulting from the proposed development. The most notable in respect of this proposal are considered below:

Primary and Secondary Schools:

- 7.475 The assessment identifies that there are 22 primary schools within 2 relevant catchment areas; Poplar (identified as area 3) and Isle of Dogs (identified as area 4). Based on the Annual Schools Census Data (2020) and the Council's Published Admissions Numbers (PANs), the ES notes that the current combined surplus capacity of these schools is approximately 5% (481 places). Therefore, there is some but limited surplus capacity available within the local area. The ES goes on to note however that some of these schools (Canary Wharf College, Steborn Primary School, Woolmore Primary School and St Paul's Way Trust School) have recently opened or expanded and therefore the capacities do not represent the full capacity of schools in coming years.
- 7.476 The schools identified above provide an additional 190 places to the existing capacity of 9,015 places and will be fully available in September 2026. The ES notes that projections for catchment areas 3 and 4 are expected to increase as a result of planned housing development. The ES makes reference to a number of new primary schools with two new schools planned at Blackwall Yard and within the Ailsa Street Site Allocation in catchment area 3 and potentially up to 5 new or expanded schools in catchment area 4 with new schools at Wood Wharf (estimated to open September 2022) and 3 Millharbour (estimated to open September 2025/26), new school at Skylines Village (no defined timescale), possible expansion of an existing school at Crossharbour Town Centre and new schools allocated in the Local Plan in site allocations Marsh Wall East and Millharbour South both within the Local Plan period to 2031.
- 7.477 In terms of secondary schools, analysis of secondary school provision was carried out at the borough-wide level. Based on the Annual Schools Census Data (2020), there are 17 secondary schools with surplus capacity of 785 places, equivalent to 5%, therefore there is some but limited surplus capacity available. As with primary schools, the ES identifies that a number of these schools (Canary Wharf College, Mulberry School for Girls, Stepney Green Mathematics and Computing College, Oaklands School and Sir John Cass Foundation and Redcoat Church of England) have recently opened or expanded and therefore the capacities do not represent the full capacity of schools in coming years. The schools identified will provide 278 additional places to the existing capacity of 15,108 places; this new capacity of 15,384 places will be reached in September 2022. The ES notes however that at the time of formulating the ES that Bow School would be reducing its PAN from 270 to 240 from September 2020 and as such this would affect the stated capacity downwards by 150 places by September 2024. The ES also notes that five secondary school sites are allocated within the Local Plan including Westferry Printworks (approximately 500m south of the site) and London Dock in Wapping which is currently under construction and has a planned opening of 2022.
- 7.478 Given the limited surplus capacity within existing local primary schools, the effect of the development would be Moderate Adverse (Significant) at the local level. In terms of secondary school places, the effect of the development would be Minor Adverse (Not Significant) at the borough level. The ES notes however that education is covered by the Council's Community Infrastructure Levy (CIL) and on this basis concludes that it would be the Council's remit to direct funding secured through CIL to meet social infrastructure requirements in line with growth and this would be the appropriate means of mitigating against impact on schools. Following

implementation of this mitigation, the residual effect of the proposed development on primary and secondary education would be Negligible (Not Significant).

Primary Healthcare:

- 7.479 The capacity of existing healthcare facilities has been assessed across Local Area Partnerships (LAPs) 7 and 8 within which the proposed development is located. The ES identifies eight existing GP surgeries within LAP 7 and 8 which have an average of 2,623 registered patients per FTE GP, which is higher than the London Health Urban Development Unit (HUDU) suggested benchmark provision of 1,800 patients per FTE GP. There are also six pharmacies, four dentists and four opticians within 1km of the site, however the ES does not assess the capacity of these facilities as it is a choice for an individual to attend dental practices/opticians/pharmacies at their own discretion and therefore these facilities cannot be assessed in the same manner as GPs.
- 7.480 The assessment finds that the proposed development would accommodate 1,031 residents which would result in the need for the equivalent of 0.6 full time GPs. The ES considers that as the GP surgeries within LAP 7 and 8 are collectively operating above the HUDU benchmark of 1,800 patients per GP, the effect of the proposed development on primary healthcare would be Minor Adverse (Not Significant) at the local level. On the impact of the proposed development on primary healthcare infrastructure, the ES concludes that site allocations for health centres are set out within the Council's Local Plan to support new development. If deemed necessary by the Council, financial contributions towards additional GP provision could be secured through the use of CIL. Following implementation of this mitigation, the residual effect of the proposed development on primary healthcare infrastructure would be Negligible (Not Significant). The ES also identifies that new health centres are being delivered as part of the Wood Wharf, the South Quay Plaza and Alpha Square developments.
- 7.481 Overall, the ES concludes that the new population accommodated by the proposed development could create an increase in demand for community facilities such as education and healthcare facilities. However, the ES finds that cumulative schemes will deliver a range of new social infrastructure including four new primary schools, a new secondary school and three new health centres. In addition, further mitigation will be delivered through CIL/Section 106 contributions where necessary whereby following mitigation, the cumulative effect in terms of demand for social infrastructure is expected to be Negligible (Not Significant).

CIL and S106 Planning Obligations

- 7.482 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £10,264,615.23 and Mayor of London CIL of approximately £2,277,064.62 (inclusive of social housing relief and exclusive of indexation).
- 7.483 This would result in a total CIL payable of £12,541,679.85. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement of the development following the grant of planning permission.
- 7.484 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.
- 7.485 The Applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD as follows:
- £191,504 towards construction phase employment and skills training.
 - £5,243.87 towards end phase employment and skills training.
 - £691,140.00 towards carbon offsetting.
 - £70,000 towards off-site play space enhancements
 - £50,296 towards development Co-ordination and Integration
 - £50,000 towards implementation of healthy streets/active travel zone measures

HUMAN RIGHTS & EQUALITIES

- 7.486 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.
- 7.487 The proposed new residential accommodation meets inclusive design standards and 10% (50 dwellings) of the new homes will be wheelchair accessible with 11 dwellings allocated to the Affordable Rented tenure. The proposal will also provide 7 blue badge spaces which will be allocated based according to need. The development will also secure cycle parking in accordance with the London Design Cycling Standards to enable cycle parking for different user groups i.e., wider cycle parking spaces to accommodate non-standard sized cycles.
- 7.488 The application has undergone the appropriate level of consultation with the public and Council consultees. The Applicant has also carried out engagement with nearby residents and occupiers prior to the submission of the planning application.
- 7.489 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 the prior completion of a legal agreement to secure the following obligations:

8.2 Financial Obligations

- £191,504 towards construction phase employment and skills training.
- £5,243.87 towards end phase employment and skills training.
- £691,410.00 towards carbon offsetting.
- £70,000 towards off-site play space enhancements
- £50,296 towards development Co-ordination and Integration
- £50,000 towards healthy streets/active travel zone measures
- Monitoring fee

8.3 Non-Financial Obligations

1. Housing

- 35% Affordable Housing by habitable room (131 units)
- 44 units Tower Hamlets Living Rent
- 44 Units London Affordable Rent
- 43 Units Intermediate
- Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)

2. Access to Employment

- 20% of goods, services and construction phase workforce to be secured locally.
- 46 construction phase apprenticeships.
- 1 end use phase apprenticeships.

3. Transport Matters

- Car and Permit Free
- S278 Scheme of Highway Works
- Travel Plan

4. Compliance with Considerate Constructors Scheme

8.4 Planning Conditions

Compliance

1. 3 Years Deadline for Commencement of Development.
2. Development in Accordance with Approved Plans.
3. Environmental Statement Mitigation Measures (Implementation of mitigation measures identified in the ES)
4. Restrictions on Demolition and Construction Activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice
 - b. Standard hours of construction and demolition
 - c. Air quality standards for construction machinery
 - d. Ground-borne vibration limits
 - e. Noise pollution limits.
5. Air Quality (Restriction of emission standard for any gas-fired boilers or gas-fired CHP plant installed)
6. Air Quality (Continuous PM10 Monitoring to be carried out on site)
7. London City Airport (Submission of construction methodology and diagrams for the location, maximum height, radius and start/finish dates for the use of cranes)
8. London City Airport (Lighting to be carried out in accordance with submitted 'Aviation Assessment')
9. Noise from Plant (Restriction on noise levels from plant)
10. Use Class Order Restriction (Commercial uses restricted to Classes E(a) and E(e))
11. No Plant on Roof (Plant to be erected in accordance with the approved plans).
12. No Pipes on Building Face
13. Shopfront Frontage (Shopfronts to remain transparent)
14. No Roller Shutters
15. Fire Strategy (Compliance with submitted Fire Strategy)
16. Tree Protection (Trees to be protected in accordance with British Standard 5837)
17. Nesting Birds (Removal of existing landscaping to be undertaken between September and February inclusive)
18. Fire Escape Door (Internal door on Levels 21-37 and 39-55 to be maintained as fire escape)
19. Construction Programme (Implemented in accordance with construction programme set out in CEMP to be submitted under condition 22)

Pre-Commencement

20. Piling (Submission of piling method statement)
21. No Aerials on Roof
22. Construction Environmental Management Plan and Construction Logistics Plan.
 - a). Telephone, email and postal address of the site manager and details of complaints procedures for
 - b) Measures to maintain the site in a tidy condition in terms of disposal/storage of waste and storage of construction plant and materials;
 - c) Scheme for recycling/disposition of waste resulting from demolition and construction works;

- d) Ingress and egress to and from the site for vehicles;
 - e) Safeguarding of buried services;
 - f) Proposed numbers and timing of vehicle movements through the day and the proposed access routes;
 - g) Parking of vehicles for site operatives and visitors;
 - h) Site Waste Management Plan
 - i) Construction lighting and timings of such, not to unduly impact on neighbouring amenity;
 - j) Location and size of site offices, welfare and toilet facilities;
 - k) Erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
 - l) Measures to ensure that pedestrian access past the site is safe and not obstructed;
 - m) Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation;
 - n) Mitigation and monitoring measures for Spills and Pollution Prevention, Noise and Vibration and
 - o) A feasibility survey, which shall be carried out to consider the potential for moving demolition and
23. Air Quality (Submission of a Dust Management Construction Plan)
 24. Air Quality (Details of all plant and machinery to be submitted and all NRMM and plant to be registered).
 25. Contaminated Land (Submission of site investigation report, risk assessment, remedial works and detailed UXO assessment).
 26. TfL Safeguarding (Submission of detailed design and method statement for all structures and cranes)
 27. Archaeology WSI (Submission of Written Scheme of Investigation).
 28. Bat Protection.
 29. Zero Carbon Futureproofing (Submission of statement demonstrating futureproofing to achieve zero-carbon on site emissions by 2050).

Pre- Superstructure Works

30. Materials (Submission of mock-up panels of external cladding, samples and drawings of fenestration, details and drawings of entrances, shopfronts, roofing, balconies, terraces/wintergardens, rainwater goods, flues, grilles, louvres, vents and any external plant)
31. Details of Landscaping (Hard and soft landscaping, maintenance plan, lighting, boundary treatment and any street or play furniture).
32. Water Efficiency (Part G calculation)
33. Biodiversity Mitigation and Enhancements (biodiverse roof, nectar rich planting, bat boxes, insect boxes and nest boxes)
34. SUDS (Submission of SUDs Scheme)
35. Secure by Design Standards (Details of measures to be incorporated)
36. Cycle Parking (details of cycle parking provision for both residential and non-residential)
37. Communal Amenity Space and Children's Play Space (Details of communal amenity and children's play space areas)

Pre-Occupation

38. Inclusive Access (Details of 11 x M4(3)(2)(b) wheelchair units to be submitted, implementation of 39 x M4(3)(2)(a) wheelchair units and remainder to be constructed as M4(2) units).
39. Accessible Car Parking, EVCP and Parking Management Plan (implementation of wheelchair accessible parking spaces, 2 x EVCP spaces and submission of a Parking Management Plan).
40. Delivery, Servicing and Waste Management Plan.
41. Refuse Strategy
42. Energy and Efficiency Standards (Compliance with Energy Strategy and minimum 57.4% reduction in carbon emissions to be achieved).
43. Noise Verification Report for New Residential Units and Outdoor Amenities

9. INFORMATIVES

1. Permission subject to Legal Agreement
2. Evidence of compliance with S106 Obligations
3. Development is Liable for CIL
4. Street Naming and Numbering
5. MMO Marine Licence
6. Air Emissions Flue
7. GLAAS – Archaeology WSI to be prepared by a suitably qualified accredited archaeological practice.
8. Metropolitan Police (DOCO)
9. S61 Consent Process
10. PM10 Monitoring
11. Cadent Gas – Works not to infringe on legal rights of access or restrictive covenants that exists.
12. DLR - Developer to contact DLR in advance of final design and associated method statements.

APPENDIX 1 – LIST OF DRAWINGS AND DOCUMENTS

EXISTING DRAWINGS

Application Drawing No:	Revision No:	Description
ENSH-MLNL-XX-00-DR-A-00010000	P02	Existing Location Plan
ENSH-MLNL-XX-00-DR-A-00110000	P0	Existing Site Plan
ENSH-MLNL-XX-00-DR-A-00030000	P0	Existing Context Elevations
ENSH-MLNL-XX-XX-DR-A-00120001	P0	Existing Site Elevation North
ENSH-MLNL-XX-XX-DR-A-00120002	P0	Existing Site Elevation East
ENSH-MLNL-XX-XX-DR-A-00120003	P0	Existing Site Elevation South
ENSH-MLNL-XX-XX-DR-A-00120004	P0	Existing Site Elevation West
ENSH-MLNL-XX-00-DR-A-00310000	P0	Existing GA Plan – Level 00
ENSH-MLNL-XX-01-DR-A-00310001	P0	Existing GA Plan – Level 01
ENSH-MLNL-XX-02-DR-A-00310002	P0	Existing GA Plan – Level 02
ENSH-MLNL-XX-03-DR-A-00310003	P0	Existing GA Plan – Level 03
ENSH-MLNL-XX-04-DR-A-00310004	P0	Existing GA Plan – Level 04
ENSH-MLNL-XX-05-DR-A-00310005	P0	Existing GA Plan – Level 05
ENSH-MLNL-XX-06-DR-A-00310006	P0	Existing GA Plan - Roof
ENSH-MLNL-XX-XX-DR-A-00320001	P0	Existing GA Section 1
ENSH-MLNL-XX-XX-DR-A-00320002	P0	Existing GA Section 2

PROPOSED DRAWINGS

Application Drawing No:	Revision No:	Description
ENSH-MLNL-XX-00-DR-A-0011100	P0	Proposed Site Plan
ENSH-MLNL-XX-00-DR-A-0031000	P0	Proposed Context Elevations
ENSH-MLNL-XX-XX-DR-A-00121001	P0	Proposed Site Elevation North
ENSH-MLNL-XX-XX-DR-A-00121002	P0	Proposed Site Elevation East
ENSH-MLNL-XX-XX-DR-A-00121003	P0	Proposed Site Elevation South
ENSH-MLNL-XX-XX-DR-A-00121004	P02	Proposed Site Elevation West
ENSH-MLNL-XX-00-DR-A-00211000	P1	Schematic Plan Level 00
ENSH-MLNL-XX-01-DR-A-00211010	P1	Schematic Plan Level 01
ENSH-MLNL-XX-02-DR-A-00211020	P1	Schematic Plan Level 02
ENSH-MLNL-XX-03-DR-A-00211030	P1	Schematic Plan Level 03
ENSH-MLNL-XX-04-DR-A-00211040	P1	Schematic Plan Level 04
ENSH-MLNL-XX-05-DR-A-00211050	P1	Schematic Plan Level 05
ENSH-MLNL-XX-05-DR-A-00211051	P1	Schematic Plan Level 05 Mezzanine
ENSH-MLNL-XX-06-DR-A-00211060	P1	Schematic Plan Level 06-09
ENSH-MLNL-XX-10-DR-A-00211100	P1	Schematic Plan Levels 10-13
ENSH-MLNL-XX-14-DR-A-00211140	P1	Schematic Plan Level 14
ENSH-MLNL-XX-15-DR-A-00211150	P1	Schematic Plan Levels 15-17
ENSH-MLNL-XX-18-DR-A-00211180	P1	Schematic Plan Level 18
ENSH-MLNL-XX-19-DR-A-00211190	P1	Schematic Plan Levels 19-20
ENSH-MLNL-XX-21-DR-A-00211210	P1	Schematic Plan Level 21
ENSH-MLNL-XX-22-DR-A-00211220	P1	Schematic Plan Level 22
ENSH-MLNL-XX-23-DR-A-00211230	P1	Schematic Plan Levels 23-29/31-37
ENSH-MLNL-XX-30-DR-A-00211300	P1	Schematic Plan Level 30
ENSH-MLNL-XX-38-DR-A-00211380	P1	Schematic Plan Level 38
ENSH-MLNL-XX-39-DR-A-00211390	P1	Schematic Plan Levels 39-42
ENSH-MLNL-XX-42-DR-A-00211430	P1	Schematic Plan Levels 43-53

ENSH-MLNL-XX-54-DR-A-00211540	P1	Schematic Plan Level 54
ENSH-MLNL-XX-55-DR-A-00211550	P1	Schematic Plan Level 55
ENSH-MLNL-XX-56-DR-A-00211560	P1	Schematic Plan Level 56
ENSH-MLNL-XX-70-DR-A-00211700	P1	Schematic Plan Roof
ENSH-MLNL-XX-B1-DR-A-00211910	P1	Schematic Plan Level -1 (Basement)
ENSH-MLNL-XX-B2-DR-A-00211920	P1	Schematic Plan Level -2 (Basement)
ENSH-MLNL-XX-B2-DR-A-00211921	P1	Schematic Plan Level -2 Mezzanine (Basement)
ENSH-MLNL-XX-B3-DR-A-00211930	P1	Schematic Plan Level -3 (Basement)
ENSH-MLNL-XX-XX-DR-A-00221001	P1	Schematic Section 1
ENSH-MLNL-XX-XX-DR-A-00221002	P1	Schematic Section 2
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ENSH-MLNL-XX-05-DR-A-00311051	P1	GA Plan Level 05 Mezzanine
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ENSH-MLNL-XX-15-DR-A-00311150	P1	GA Plan Levels 15-17
ENSH-MLNL-XX-18-DR-A-00311180	P1	GA Plan Level 18
ENSH-MLNL-XX-19-DR-A-00311190	P1	GA Plan Levels 19-20
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ENSH-MLNL-XX-22-DR-A-00311220	P1	GA Plan Level 22
ENSH-MLNL-XX-23-DR-A-00311230	P1	GA Plan Levels 23-29/31-37
Rev P1		
ENSH-MLNL-XX-30-DR-A-00311300	P1	GA Plan Level 30
ENSH-MLNL-XX-38-DR-A-00311380	P1	GA Plan Level 38
ENSH-MLNL-XX-39-DR-A-00311390	P1	GA Plan Levels 39-42
ENSH-MLNL-XX-42-DR-A-00311430	P1	GA Plan Levels 43-53
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ENSH-MLNL-XX-B2-DR-A-00311920	P1	GA Plan Level -2 (Basement)
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ENSH-MLNL-XX-XX-DR-A-00321002	P1	GA Section 2
ENSH-MLNL-XX-XX-DR-A-00331001	P1	GA Elevations North and West
ENSH-MLNL-XX-XX-DR-A-00331002	P1	GA Elevations South and East
ENSH-MLNL-XX-XX-DR-A-00431001	P0	Bay Study 1 – Plinth Colonnade
ENSH-MLNL-XX-XX-DR-A-00431002	P0	Bay Study 2 - Plinth
ENSH-MLNL-XX-XX-DR-A-00431003	P0	Bay Study 3 - Top
ENSH-MLNL-XX-XX-DR-A-00431004	P0	Bay Study 4 – Typical Levels
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ENSH-MLNL-A1-ZZ-DR-A-00611841	P1	1 Bedroom Apartment Type 1841
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ENSH-MLNL-A1-ZZ-DR-A-00612821	P1	2 Bedroom Apartment Type 2821
ENSH-MLNL-A1-ZZ-DR-A-00642541	P0	2 Bed Apartment Type 2541
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ENSH-MLNL-A1-ZZ-DR-A-00612721	P0	2 Bedroom Duplex Type 2721
ENSH-MLNL-A1-ZZ-DR-A-00612731	P0	2 Bedroom Duplex Type 2731
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ENSH-MLNL-A1-18-DR-A-00613811	P1	3 Bedroom Apartment Type 3811
ENSH-MLNL-A1-ZZ-DR-A-00613821	P1	3 Bedroom Apartment Type 3821
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ENSH-MLNL-XX-03-DR-A-00911030	P1	GIA Plan Level 03
ENSH-MLNL-XX-04-DR-A-00911040	P1	GIA Plan Level 04
ENSH-MLNL-XX-05-DR-A-00911050	P1	GIA Plan Level 05
ENSH-MLNL-XX-05-DR-A-00911051	P1	GIA Plan Level 05 Mezzanine
ENSH-MLNL-XX-06-DR-A-00911060	P1	GIA Plan Levels 06-09
ENSH-MLNL-XX-10-DR-A-00911100	P1	GIA Plan Levels 10-13
ENSH-MLNL-XX-14-DR-A-00911140	P1	GIA Plan Level 14
ENSH-MLNL-XX-15-DR-A-00911150	P1	GIA Plan Levels 15-17
ENSH-MLNL-XX-18-DR-A-00911180	P1	GIA Plan Level 18
ENSH-MLNL-XX-19-DR-A-00911190	P1	GIA Plan Level 19-20
ENSH-MLNL-XX-21-DR-A-00911210	P1	GIA Plan Level 21
ENSH-MLNL-XX-22-DR-A-00911220	P1	GIA Plan Level 22
ENSH-MLNL-XX-23-DR-A-00911230	P1	GIA Plan Level 23-29/31-37
ENSH-MLNL-XX-30-DR-A-00911300	P1	GIA Plan Level 30

ENSH-MLNL-XX-08-DR-A-00911380	P1	GIA Plan Level 38
ENSH-MLNL-XX-39-DR-A-00911390	P1	GIA Plan Level 39-42
ENSH-MLNL-XX-44-DR-A-00911430	P1	GIA Plan Levels 43-53
ENSH-MLNL-XX-54-DR-A-00911540	P1	GIA Plan Level 54
ENSH-MLNL-XX-55-DR-A-00911550	P1	GIA Plan Level 55
ENSH-MLNL-XX-56-DR-A-00911560	P1	GIA Plan Level 56
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ENSH-MLNL-XX-B2-DR-A-00911920	P1	GIA Plan Level -2 (Basement)
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ENSH-MLNL-XX-02-DR-A-00812020	P0	Cycle Strategy Level 02
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ENSH-MLNL-XX-B1-DR-A-00813010	P0	Waste Strategy Level 01
ENSH-MLNL-XX-B2-DR-A-00813920	P0	Waste Strategy Level -2 (Basement)
ENSH-MLNL-XX-B2-DR-A-00813921	P0	Waste Strategy Level -2 Mezzanine
8331-PL-00-GA		General Arrangement Plan
8331-PL-02-GA		General Arrangements Plan Second Floor Plan
8331-PL-03-GA		General Arrangements Plan Third Floor Plan
8331-PL-04-GA		General Arrangements Plan Fourth Floor Plan
8331-PL-04-GA		General Arrangements Plan Fifth Floor Terrace
ENSH-MLNL-XX-00-DR-A-00818000	P1	Communal Space Strategy – Level 00
ENSH-MLNL-XX-01-DR-A-00818001	P1	Communal Space Strategy – Level 01
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ENSH-MLNL-XX-03-DR-A-00818030	P1	Communal Space Strategy – Level 03
ENSH-MLNL-XX-05-DR-A-00818050	P1	Communal Space Strategy – Level 05
ENSH-MLNL-XX-05-DR-A-00818051	P1	Communal Space Strategy – Level 05M

APPLICATION DOCUMENTS

DOCUMENT TITLE	PREPARED BY
Ensign House Planning Statement – April 2021	DP9
Design and Access Statement – April 2021	Maccreanor Lavington
Design and Access Statement Addendum – November 2021	Maccreanor Lavington
Landscape and Public Realm Strategy Report – April 2021	Spacehub
Ensign House Landscape Strategy Addendum: 8331-DAS-002 August 2021	Spacehub
Ensign House Arboricultural Impact Assessment – April 2021	Greengage
Ensign House Biodiversity Impact Assessment – April 2021	Greengage
Ensign House Preliminary Ecological Appraisal – April 2021	Greengage
Ensign House Transport Assessment and	WSP

Travel Plan – April 2021 Ref: ENSH-WSP-XX-XX-AS-TP-0001 P04	
Ensign House Transport Technical Note dated 9 th July 2021	WSP
Ensign House Transport Assessment Addendum – November 2021 Ref: 70067825-TAA	WSP
Ensign House Wind Microclimate Study – April 2021 Ref: ENSH-WSP-XX-XX-RP-WE-0001 P07	WSP
Ensign House Be Seen TM54 Analysis – April 2021	WSP
Ensign House BREEAM Pre-Assessment Report – April 2021 Ref: ENSH-WSP-XX-XX-RP-BE-001 P04	WSP
Ensign House Sustainability Statement – April 2021 Ref: ENSH-WSP-XX-XX-ST-ES-0001 P03	WSP
Ensign House Detailed Circular Economy Statement – April 2021 Ref: ENSH-WSP-XX-XX-ST-ES-0003 P03	WSP
Ensign House Preliminary Risk Assessment – April 2021 Ref: ENSH-WSP-XX-XX-RP-EV-0001-P01 August 2020	WSP
Ensign House Energy Statement – April 2021	WSP
Ensign House Fire Report – April 2021 Ref: ENSH-WSP-XX-XX-RP-FI-001 P04	WSP
Ensign House Fire Strategy Compliance Note – 18/11/2021 Ref: ENSH-WSP-DDN-FI-0003 Rev P01	WSP
Ensign House Lighting Strategy – April 2021 Ref: ENSH-WSP-XX-XX-RP-SL-0001-April 2021	WSP
Ensign House Façade Access Stage 2 Report – April 2021	WSP
Ensign House Flood Risk Assessment and Drainage Strategy April 2021 Ref: ENSH-WSP-XX-XX-RP-DR-001 P03	WSP
Ensign House Utility Stage 2 Report – April 2021 Ref: ENSH-WSP-XX-XX-RP-UT-0001 P03 January 2021	WSP
Ensign House HQM Pre-Assessment Report – April 2021 Ref: ENSH-WSP-XX-XX-RP-BE-0002 P04	WSP
Ensign House Waste Management Strategy (Update) – November 2021 Ref: ENSH-WSP-XX-XX-RP-WM-0002 P05	WSP
Ensign House Statement of Community Involvement – April 2021	BECG
Ensign House Affordable Housing Statement – 25 November 2021	DS2
Daylight, Sunlight Updated Internal Daylight, Sunlight and Overshadowing Report – 18 November 2021	GIA

VOLUME/REPORT	DOCUMENT	PREPARED BY
	Non-Technical Summary (NTS)	Trium
VOLUME 1	Chapter 1: Introduction	Trium - All Volume 1 Chapters
	Chapter 2: EIA Methodology	
	Chapter 3: Alternatives and Design Evolution	
	Chapter 4: The Proposed Development	
	Chapter 5: Demolition and Construction	
	Chapter 6: Socio-Economics	
	Chapter 7: Traffic and Transport	
	Chapter 8: Air Quality	
	Chapter 9: Noise and Vibration	
	Chapter 10: Daylight, Sunlight, Overshadowing and Solar Glare	
	Chapter 11: Wind Microclimate	
	Chapter 12: Archaeology	
	Chapter 13: Effect Interactions	
	Chapter 14: Likely Significant Effects	
	Chapter 15: Mitigation and Monitoring Schedule	
VOLUME 2	Heritage, Townscape and Visual Impact Assessment (HTVIA)	Trium
VOLUME 3 (TECHNICAL APPENDICES)	Introduction	Trium – All Volume 3 Appendices
	EIA Methodology	
	Demolition and Construction	
	Socio-Economics	
	Traffic and Transport	
	Air Quality	
	Noise	
	Daylight, Sunlight, Overshadowing	
	Wind	
	Archaeology	
	EIA Statement of Conformity November 2021	Trium
THIRD PARTY REVIEW	Interim Review Report: July 2021	Temple Group
	Final Review Report 001: October 2021	Temple Group
	Final Review Report 002: November 2021	Temple Group
ES FURTHER/OTHER INFO	Interim Review Report Response August 2021	Trium
	Final Review Report Response	Trium

	October 2021	
	Ensign House Wintergardens Locations	Maccreeanor Lavington

APPENDIX 2 - Views 20 and 22 from the Grand Axis



HTVIA View 20 Existing – Greenwich Park, Junction of Blackheath Avenue and Great Cross Avenue



HTVIA View 20 Proposed and Cumulative – Greenwich Park, Junction of Blackheath Avenue and Great Cross Avenue



HTVIA View 22 Existing – College Way Looking North



HTVIA View 22 Proposed and Cumulative – College Way Looking North

APPENDIX 3 – HTVIA View 29 London Bridge



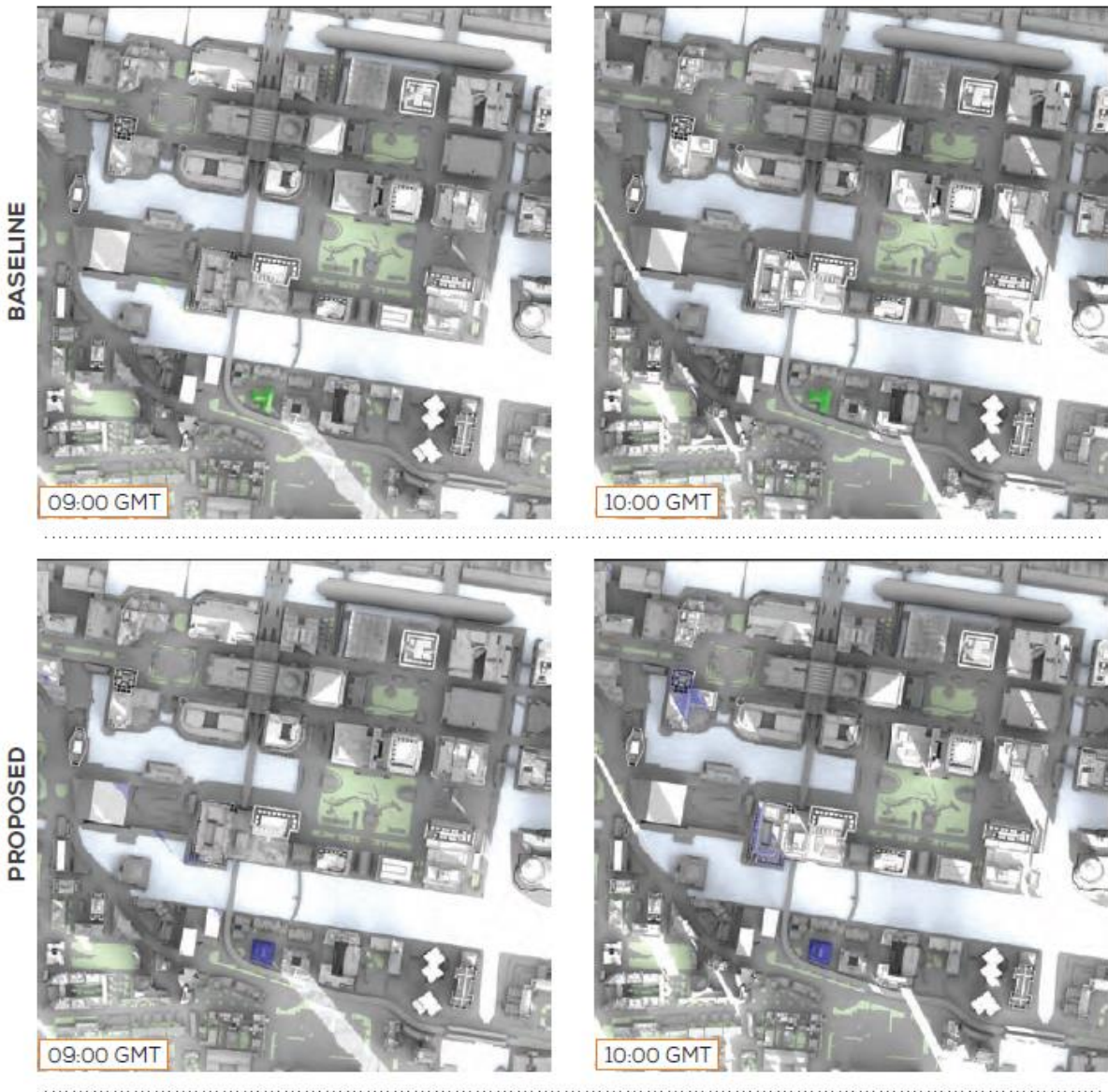
HTVIA View 29 Proposed and Cumulative – London Bridge (LVMF 11B.1) Looking East (wireline of proposed development in blue).

APPENDIX 4 - Listed Buildings (Grouped)

The following listed buildings are included in this assessment:

- | | | |
|---|--|---|
| <p>1) Canary Wharf</p> <p>1a) Quay walls, copings and buttresses to Import Dock and Export Dock (Grade I)</p> <p>1b) Blackwall Basin (Grade I)</p> <p>1c) Poplar Dock, original eastern part (Grade II)</p> <p>1d) Former west entrance gate to west India Docks with curved walling and bollards (Grade II)</p> <p>2) Westferry Road</p> <p>2a) Former west entrance lock to South Dock, West India Docks (Grade II)</p> <p>2b) Cascades (Grade II)</p> <p>3) Formerly St. Pauls Presbyterian Church, now part of Herbert Brown Lenox Limited industrial premises (Grade II)</p> <p>4) Westferry Road, south</p> <p>4a) Former Millwall ironworks building (Grade II)</p> <p>4b) Burrell's Wharf, the 3 works ranges west of the main entrance yard including south west corner chimney stack (Grade II)</p> <p>4c) Burrell's Wharf office block to south east of main gate and works range to south with chimney stack (Grade II)</p> <p>4d) Fire Station Cottages (Grade II)</p> <p>4e) Millwall Fire Station (Grade II)</p> | <p>4f) Site of launch ways to the SS Great Eastern Scheduled Monument (SAM)</p> <p>5) Island Gardens</p> <p>5a) The Ferry House Public House (Grade II)</p> <p>5b) 58 and 60 Ferry Street (Grade II)</p> <p>5c) Entrance building to Greenwich footway tunnel (Grade II)</p> <p>5d) Isle of Dogs War Memorial (Grade II)</p> <p>5e) Christ Church (Grade II*)</p> <p>5f) The Watermans Arms (Grade II)</p> <p>5g) Newcastle Draw Dock (Grade II)</p> <p>5h) Bollards at dock entrance to Newcastle Draw Dock (Grade II)</p> <p>6) Millwall Wharf riverside range of warehouse (Grade II)</p> <p>7) Carnegie Library (Grade II)</p> <p>8) Isle of Dogs Pumping Station, including transformer house, paving, bollards and surrounding wall to the west and south (Grade II*)</p> <p>9) Blackwall Reach</p> <p>9a) The Gun Public House (Grade II)</p> <p>9b) Blackwall River Police Station (Grade II)</p> <p>9c) 15 Coldharbour (Grade II)</p> <p>9d) 5 and 7 Coldharbour (Grade II)</p> <p>9e) 3 Coldharbour (Grade II)</p> <p>9f) Isle House (Grade II)</p> <p>9g) Bridge House (Grade II)</p> | <p>10) West India Dock Conservation Area</p> <p>10a) Warehouses and general offices at western end of North Quay (Grade I)</p> <p>10b) Quadrangle stores at West India Dock (Grade II)</p> <p>10c) West India Dock Former Guard House (Grade II)</p> <p>10d) Railings to West of Main Gate at West India Dock (Grade II)</p> <p>10e) Entrance Gates to West India Docks (Grade II)</p> <p>10f) Former Excise Office (Grade II)</p> <p>10g) Railings and Gatepiers to Former Excise Office (Grade II)</p> <p>10h) Salvation Army Hostel (Grade II)</p> <p>10i) 10 And 12, Garford Street (Grade II)</p> <p>10j) 14, Garford Street (Grade II)</p> <p>10k) 16 And 18, Garford Street (Grade II)</p> <p>11) Rotherhithe</p> <p>11a) Canada Wharf and Columbia Wharf, Including Former Engine House and Boiler to South (Grade II)</p> <p>11b) 263, Rotherhithe Street (Grade II)</p> <p>11c) Nelson Dock Patent Slip, Including Gates (Grade II)</p> <p>11d) Forecourt Wall, Gate Piers and Gates at Number 265 (Nelson House) (Grade II)</p> <p>11e) Nelson House Including Railings to Steps (Grade II*)</p> <p>11f) Nelson Dry Dock Including Gate (Grade II)</p> |
|---|--|---|

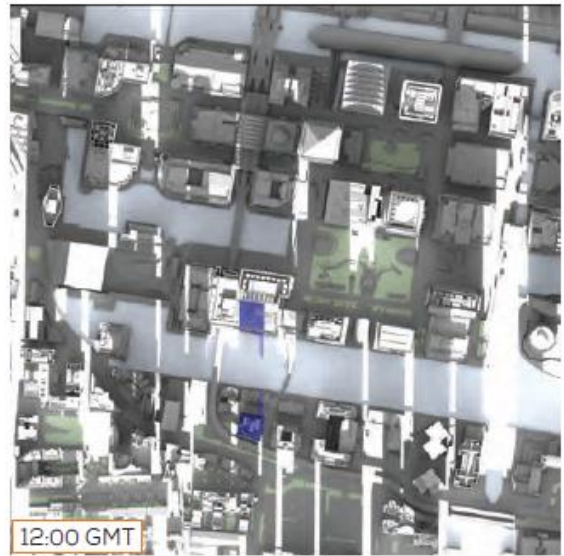
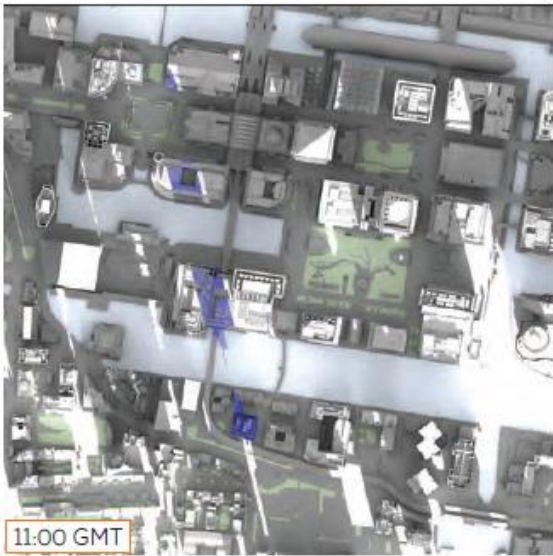
Appendix 5 - Baseline and Proposed Transient Overshadowing on 21st December



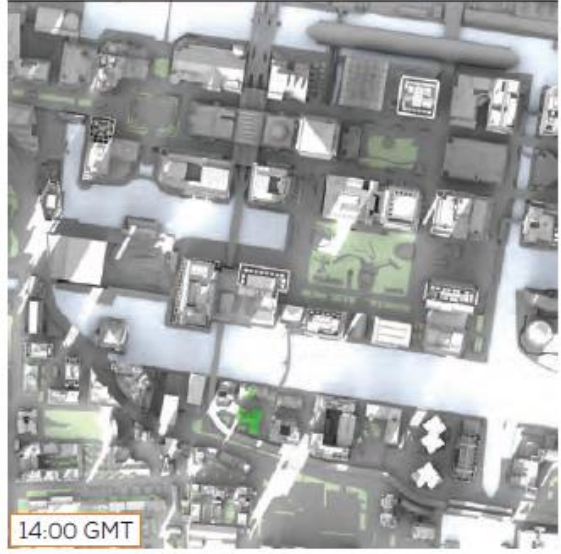
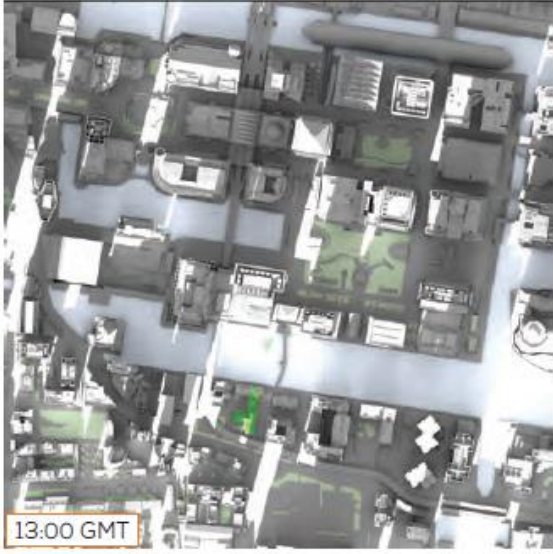
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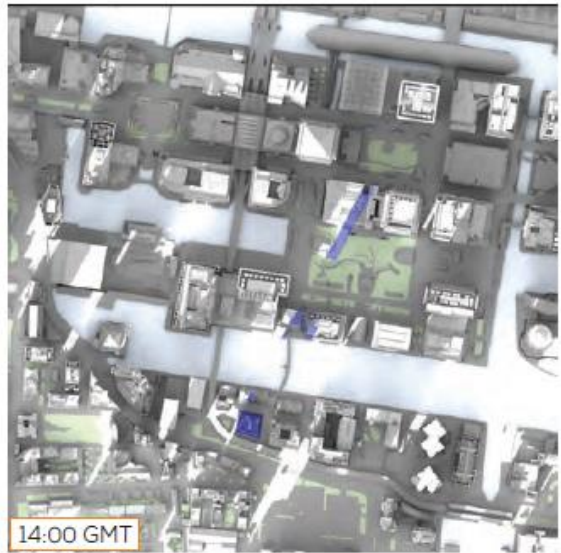
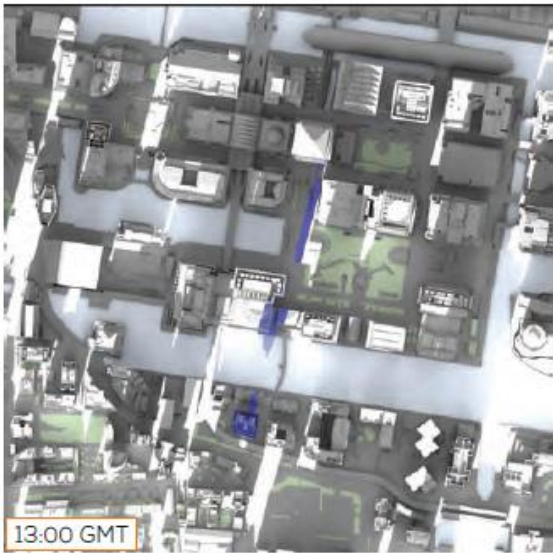
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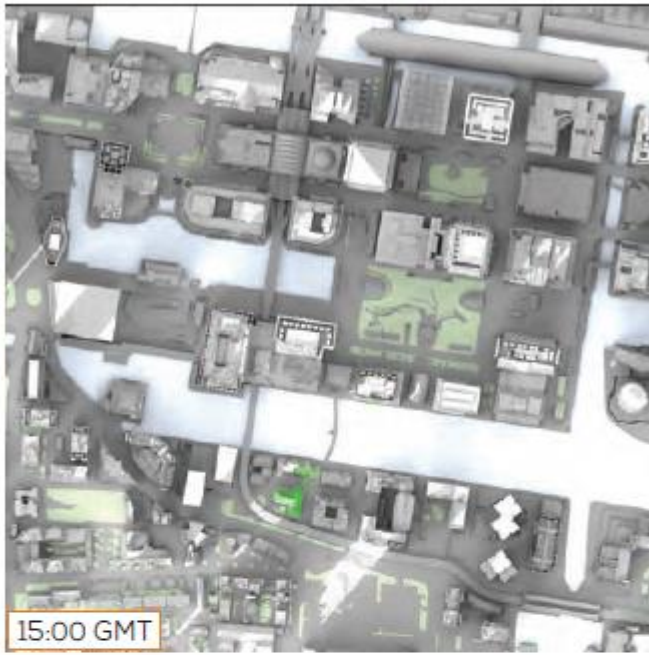
BASELINE



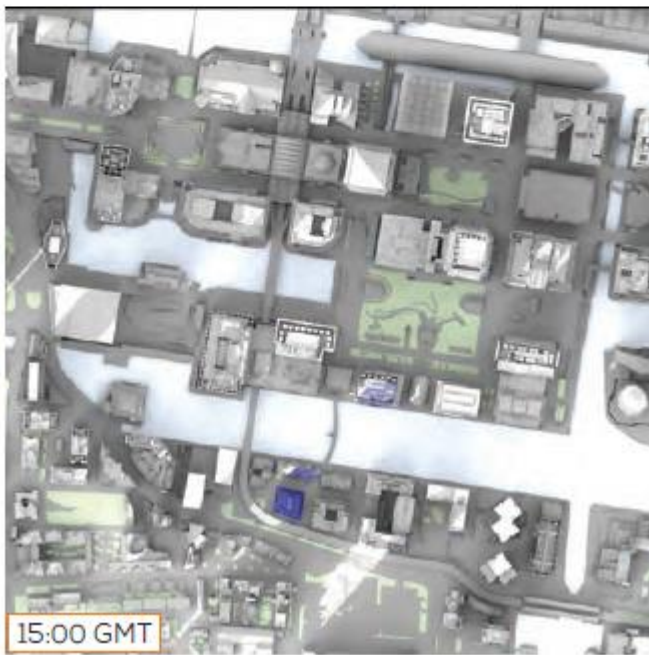
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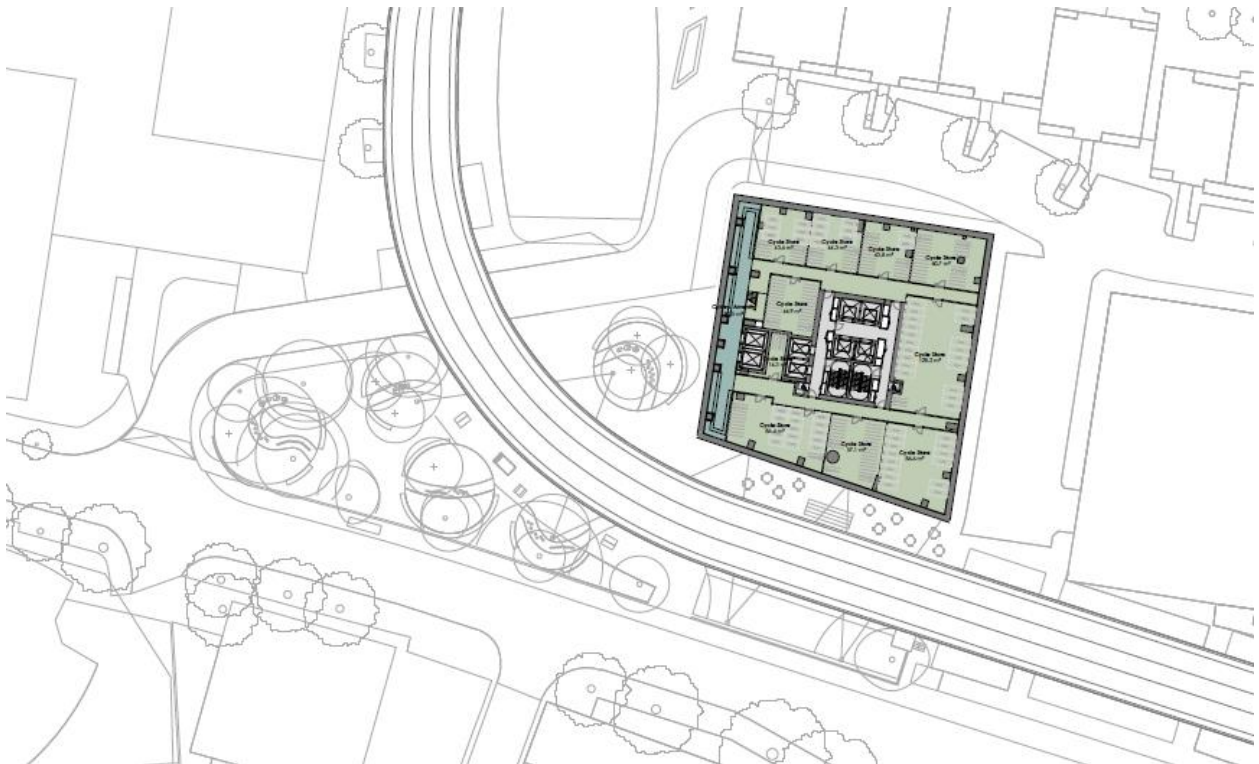
BASELINE



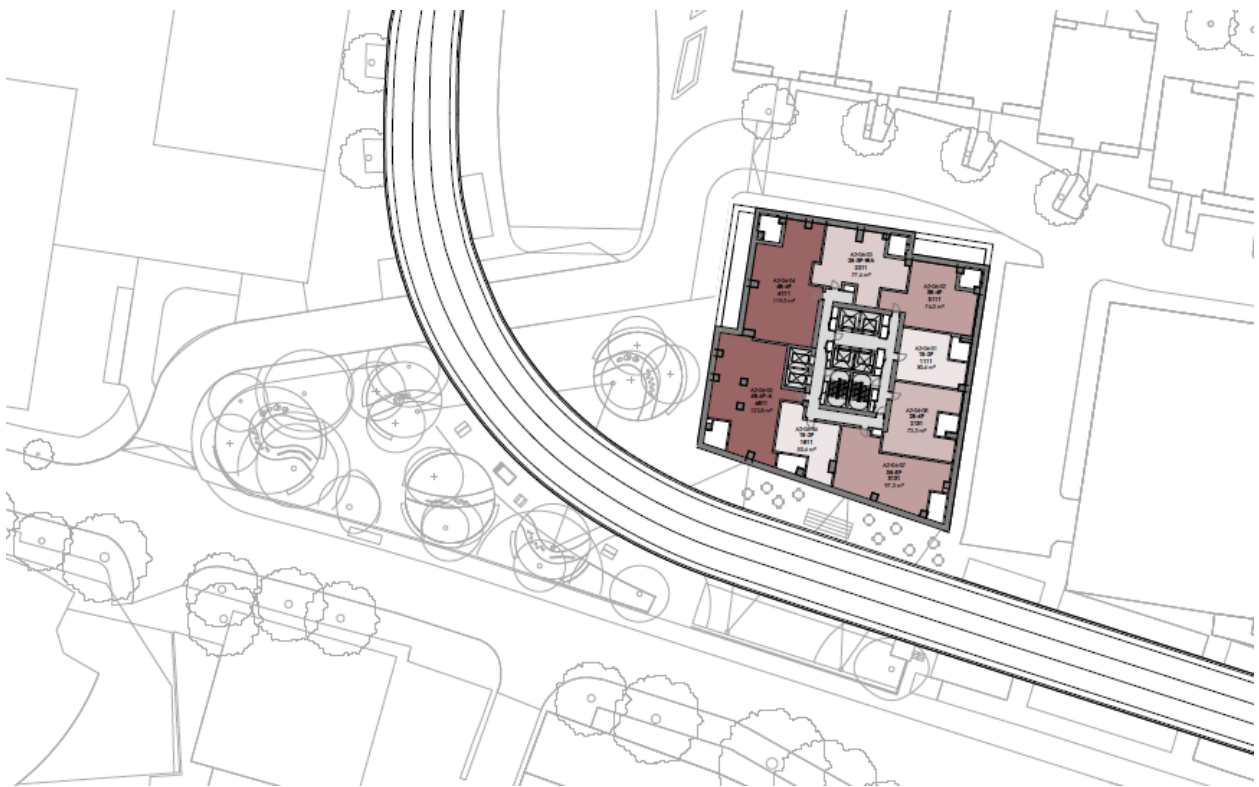
PROPOSED



Appendix 6 – Selection of Plans and Images



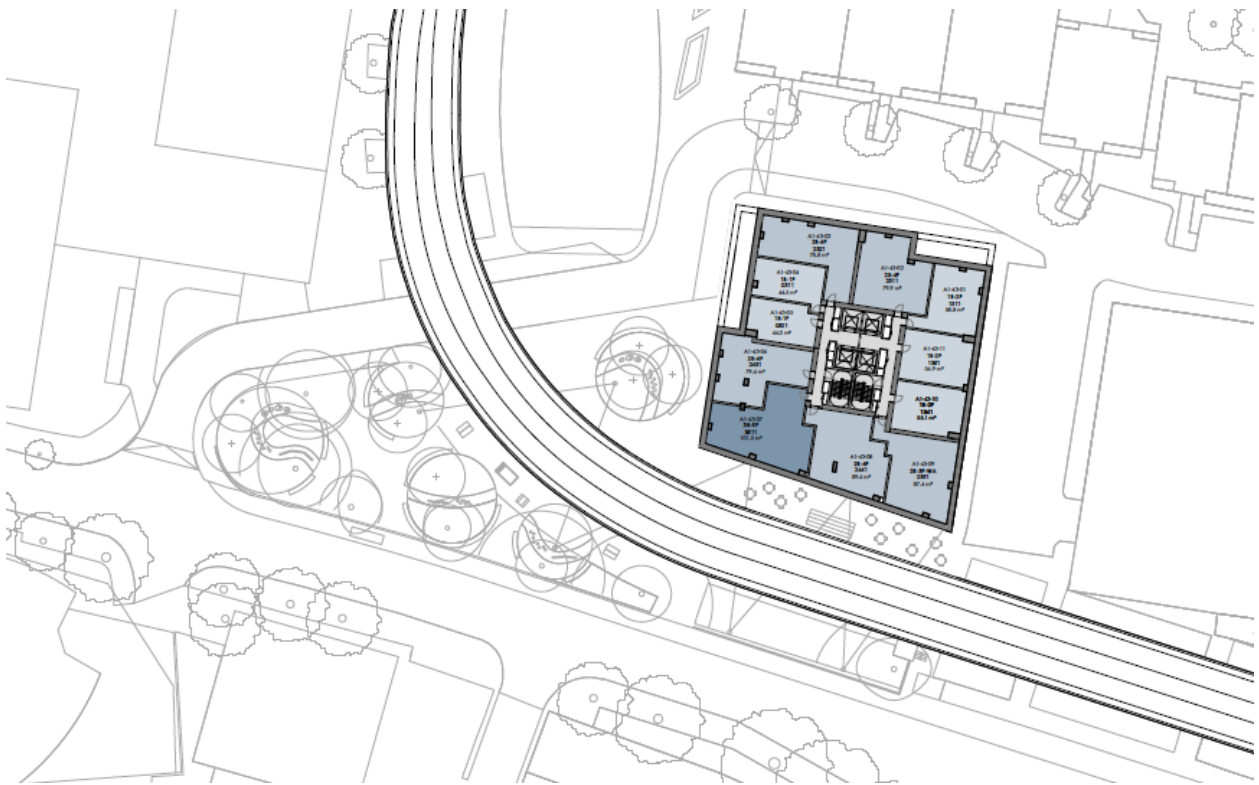
Proposed Level 02 Layout Plan



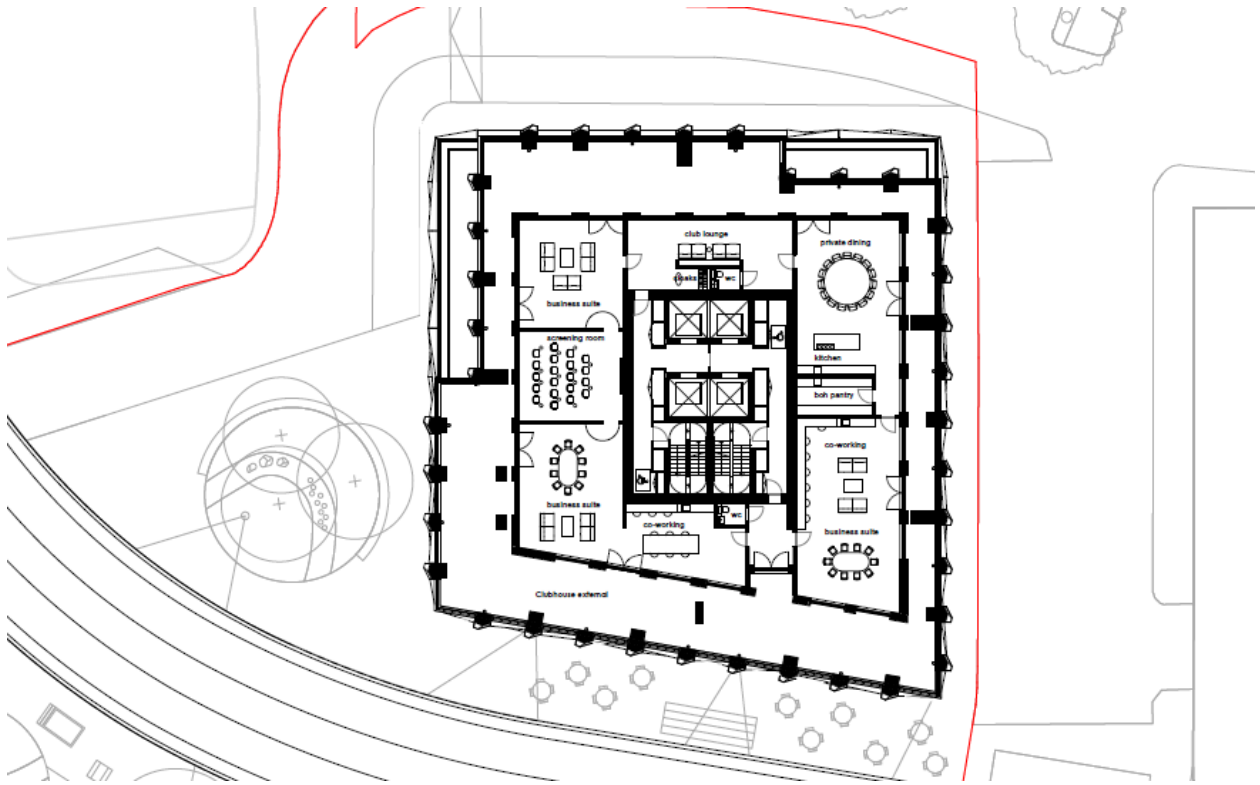
Typical Affordable Rented Housing Layout Plan – Levels 06-09



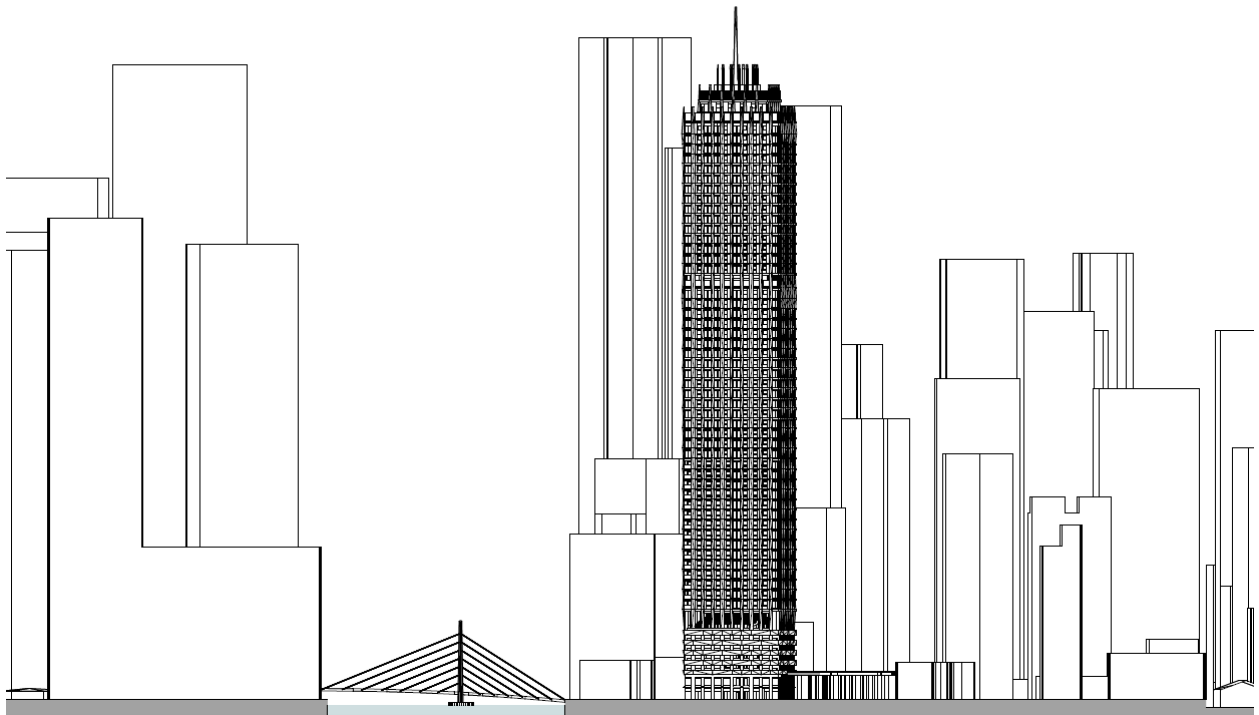
Typical Intermediate Housing Layout Plan – Levels 19-20



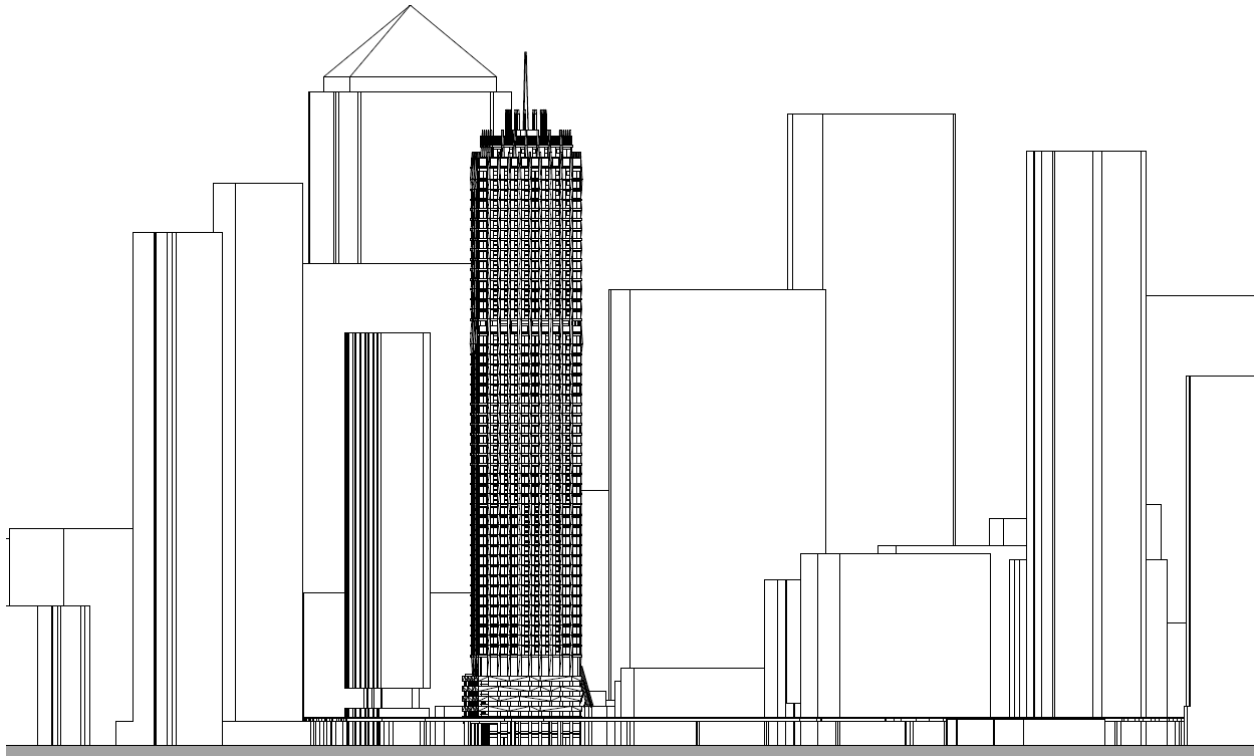
Typical Market Housing Layout Plan – Levels 43-53



Level 38 – Clubhouse Level Floor Plan



Proposed West Elevation



Proposed South Elevation – Marsh Wall



CGI of Pocket Park from Marsh Wall

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STRATEGIC DEVELOPMENT COMMITTEE

16 February 2022

Report of the Corporate Director of Place

Classification: Unrestricted

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

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

3. PUBLIC SPEAKING

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

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

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:

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Page 179

Name and telephone no. of holder:
See individual reports

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DEVELOPMENT COMMITTEE

16/02/2022

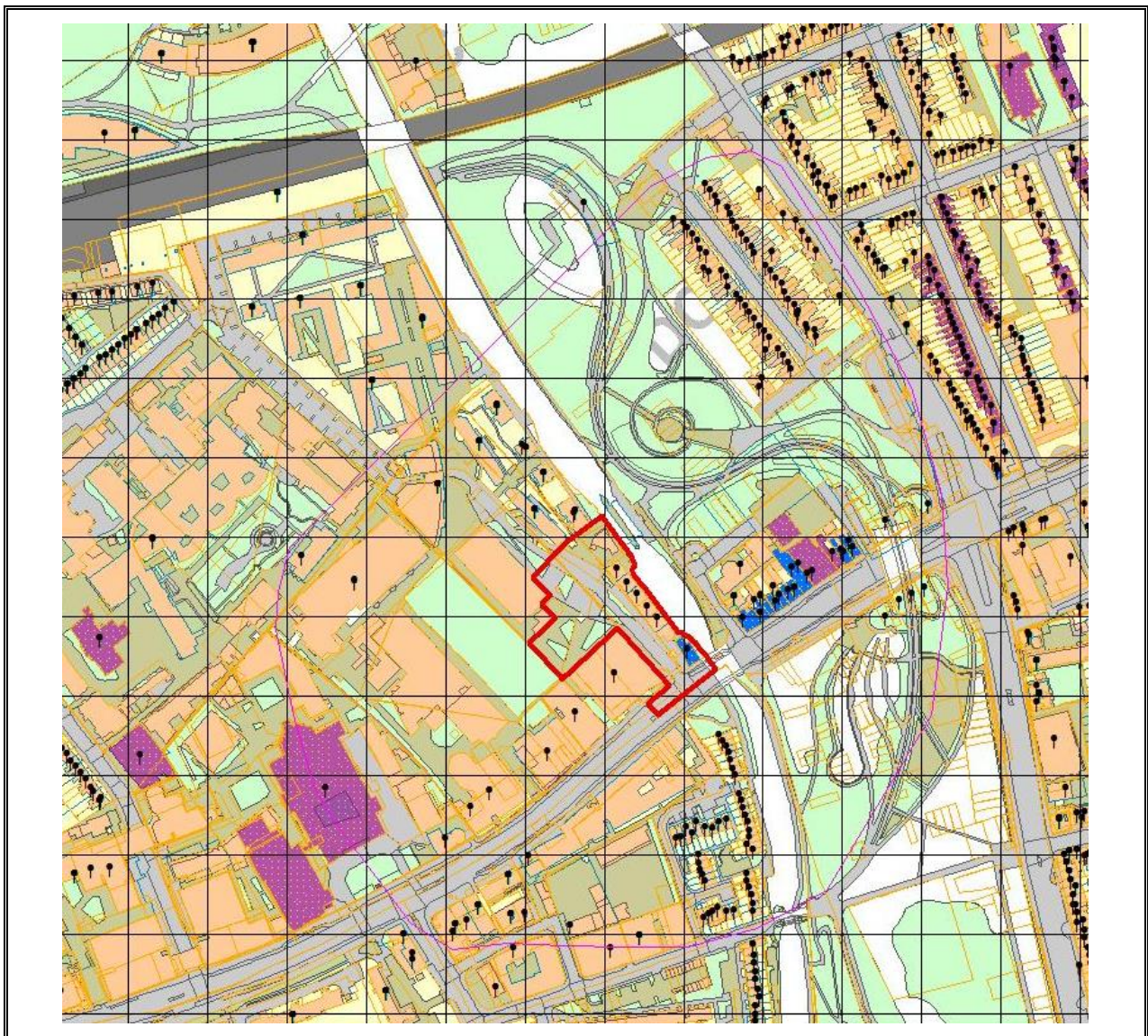
Report of the Corporate Director of Place

Classification: Unrestricted

Pre-application presentation

Reference	PF/21/00192
Site	Former Hatton House, Queen Mary University, Westfield Way, London, E1
Ward	Bethnal Green
Proposal	Redevelopment of the former Hatton House site to provide Education and Teaching Floorspace (Use Class F.1)
Applicant	Queen Mary University London
Architect	Nicholas Hare Architects
Agent	CBRE
Case Officer	Patrick Harmsworth
Key dates	Pre-application request submitted August 2021 Pre-app discussions began in October 2021 CADAP review in February 2022

SITE PLAN



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

Planning Applications Site Map PF/20/00126

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: 08 February 2022

1. BACKGROUND

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

2. DESCRIPTION OF THE PROPOSAL

Figure 1: Proposed Site Layout



- 2.1 The pre-application proposal involves the demolition of Hatton House (student accommodation) and redevelopment to provide a new university building (Use Class F.1)

(6,476 sqm GIA) and refurbishment of No. 357 Mile End Road. The new building would accommodate the university's School of Business Management (SBM). Proposals also include new access to the Regent's Canal and other associated public realm and landscaping works, cycle parking and refuse/recycling.

- 2.2 The retained 357 Mile End Road would provide a free legal advice hub for the local community and a small amount of teaching space in the lower ground floor.
- 2.3 The Lock Keepers Cottage to the rear of the new building would be retained and incorporated into the proposals, providing a new café and event/social space.

Figure 1: CGI Visualisation – view from Mile End Road



3. SITE AND SURROUNDINGS

- 3.1 The application site is located in Mile End on the south-eastern boundary of the Queen Mary University of London ('QMUL') Mile End Campus. The site is bounded by Mile End Road to the south; Westfield Way to the west; Regents Canal to the east; and student accommodation to the north (Chapman House and Maynard House).
- 3.2 The site area is approximately 0.6ha and contains four separate buildings:
 - No. 357 Mile End Road - a 3 storey locally listed building fronting Mile End Road comprising education/community uses;
 - Hatton House - a 4 storey building comprising student accommodation (62 bedrooms);
 - The Lock Keeper's Cottage – a 2 storey cottage comprising teaching and study space; and
 - A small gatehouse security building.
- 3.3 The site is located within the Regents Canal Conservation Area and the building at no. 357 Mile End is locally listed. The nearest statutory listed buildings to the site are the Grade II listed Novo Cemetery boundary walls and the Grade II listed Queens Building to the west of

the site; and the Grade II listed Guardian Angels Roman Catholic Church to the east. The Clinton Road Conservation Area is located approximately 35 metres to the east of the site.

- 3.4 The surrounding area is very diverse in its architectural style and building scale. Along the north side of Mile End Road to the west of the site, other QMUL buildings have a large scale and presence, but generally suffer from a lack of activation. Within the campus itself, there is a diverse mix of university buildings that have developed organically over time around the 1887 Grade II listed 'Queens Building'. To the east of the site across the canal, buildings on the Mile End Road are more finely grained with active frontages.

4. RELEVANT PLANNING HISTORY

PA/19/01422: Demolition of the existing Hatton House (Student Accommodation Use Class C2) and No.357 Mile End Road (Use Class D1 Non-Residential Institution) and the construction of a new building for teaching and educational purposes (Use Class D1) along with associated access, public realm works, landscaping and cycle parking.

Refused at SDC, against officer recommendation, on 13/12/2019.

Reasons for refusal:

- 1. The proposed development, by reason of the demolition of the locally listed no. 357 Mile End Road, would result in harm to the character and appearance of the Regent's Canal Conservation Area. The harm, whilst significant, would be less than substantial and would not be outweighed by the public benefits of the proposed development. The proposal would therefore be contrary to Policies 7.4, 7.6, 7.7 and 7.8 of the London Plan (MALP 2016); Policy SP10 of the Core Strategy (2010); Policies DM24 and DM27 of the Managing Development Document (2013); Policies HC1, HC3 of the draft London Plan (2019); Policies S.DH1, S.DH3 and D.DH4 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2019); and paragraph 196 of the National Planning Policy Framework.*
- 2. The proposed development, by reason of its height, scale, mass and relationship with existing non-designated heritage assets including the Lock Keeper's Cottage, would result in harm to the character, appearance and heritage significance of both the Regent's Canal Conservation Area and the Clinton Road Conservation Area. The harm to each of these heritage assets, whilst significant, would be less than substantial and would not be outweighed by the public benefits of the proposed development. The proposal would therefore be contrary to 7.4, 7.6, 7.7 and 7.8 of the London Plan (MALP 2016); Policy SP10 of the Core Strategy (2010), Policies DM24 and DM27 of the Managing Development Document (2013); Policies HC1 and HC3 of the draft London Plan (2019); Policies S.DH1, S.DH3 and D.DH4 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2019); and paragraph 196 of the National Planning Policy Framework.*

Figure 2: Refused scheme (2019) showing building scale involving the loss of locally-listed building on Mile End Road



5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant has undertaken their own public engagement and consultation. This includes engagement with the Canal and Rivers Trust, and future engagement is proposed with various local groups such as the Friends of Mile End Park and the Friend's of Regents Canal. Further details will be presented by the applicant at SDC.
- 5.2 The current proposal will be presented to the Council's Conservation and Design Advisory Panel (CADAP) on 14th February 2022 to test the design and appearance of the proposal.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 The Development Plan comprises:
- The London Plan (2021)
 - Managing Growth and Sharing the Benefits - Tower Hamlets Local Plan 2031 (2020)
- 6.2 Other policy and guidance documents relevant to the proposal are:
- National Planning Policy Framework (2021)
 - National Planning Practice Guidance (2021)
 - National Design Guide (2021)
 - GLA, Accessible London: Achieving an Inclusive Environment (2014)
 - GLA, Character and Context (2014)
 - GLA, Sustainable Design and Construction (2014)
 - GLA, Green Infrastructure and Open Environments: The All London Green Grid (2012)
 - GLA draft Design for a Circular Economy Statement SPD (2020)
 - LBTH, Planning Obligations SPD (2021)
 - LBTH, Regents Canal Conservation Area Character Appraisal and Management Guidelines (2009)
 - LBTH, Clinton Road Conservation Area Character Appraisal and Management Guidelines (2007)
 - BRE - Site Layout Planning for Daylight and Sunlight (2011)

Mile End Campus Masterplan SDP

- 5.3 In the wake of the refused development, Council officers and QMUL worked in partnership to produce masterplan to help manage and provide strategic context for the future redevelopment of the Mile End Campus, in ways appropriate for the surrounding community context. The masterplan was adopted as a supplementary planning document (SPD) at the cabinet on 28 July 2021.
- 5.4 In the context of Hatton House, the SPD provides the following principles:
- The importance of respecting heritage assets;
 - Retention of 357 Mile End Road and being brought into use as public-facing use;
 - Seeking to create an important gateway/arrival onto the campus, for arrivals from the east (Mile End Station);
 - Provide opportunities for potential additional building height to the north of Hatton House where there are fewer site constraints. Tall buildings (to the north of Hatton House) must be proportionate and contribute to general legibility, e.g. marking routes through the campus for a potential new canal footbridge to the park; or perhaps more likely set up an opportunity for a new well defined and landscaped public space set alongside the canal.

Figure 3: indicative view and plan view from the SPD showing development opportunities along Regent’s Canal

(N.B. the Hatton House site is adjacent to Mile End Road)



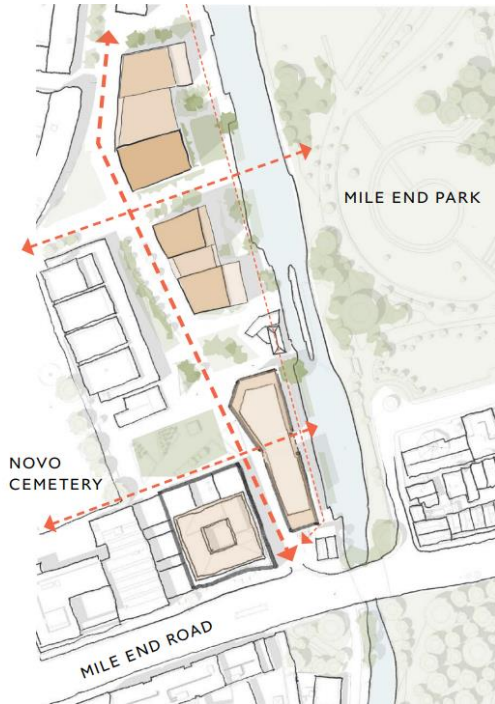


Figure 3: indicative view from the SPD showing potential development of the 'Eastern Gateway' from Mile End Road



7. PLANNING ISSUES

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

Land Use

7.2 The proposed demolition of Hatton House would result in the loss of 65 student bedrooms; and this would be replaced with a new university building to accommodate the School of Business Management.

7.3 Local Plan Policy D.CF3 supports the expansion of existing further and higher education facilities within the borough; however Policy D.H6 seeks to prevent the loss of student accommodation unless it can be demonstrated that the accommodation is no longer needed

because the needs of students can be better met elsewhere; or adequate replacement housing will be provided.

- 7.4 The adopted SPD sets out the wider development strategy for the campus in line with QMUL's aspirations. This includes the provision of additional student accommodation in the northern quarter of the campus. Such proposals would ensure that any lost student accommodation on the Hatton House site would be replaced and uplifted in the longer term.
- 7.5 In principle it would appear that the loss of student accommodation as a result of the proposed development is acceptable on the basis that the adopted SPD sets out a site-wide strategy for student accommodation. Notwithstanding, a robust justification and strategy for this land use issue would be required at application stage.

Heritage & Design

- 7.6 Planning policies requires 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.
- 7.7 The design of the scheme has evolved since the 2019 refused scheme and throughout the pre-application meetings with officers. CGI images are provided in the appendix. These are the first major proposals to be progressed since the adoption of the campus-wide SPD.
- 7.8 Key features of the current proposals include:
- Retention and extension of the locally listed building at 357 Mile End Road;
 - Height reduction across the scheme by one storey – now 6 storeys at its tallest from Westfield Way. The building would appear taller from the Regent's Canal due to the basement level being revealed.
 - Greater set back of building lines from front and rear in response to heritage assets;
 - Greater setback of the west elevation to allow for views along Westfield Way;
 - Introduction of a community focused Legal advice Centre within No 357 Mile End Road.
- 7.9 The proposed development is highly visible within its canal-side conservation area setting, and therefore the quality of the elevational treatment is key. It is considered that the key elevations of note are:
- The canal-side (east) elevation which is highly visible from the towpath and Mile End Park; and set between two heritage assets. The design of this elevation is articulated and provides several features such as angled bays; projecting fins; horizontal bands; and a top crown.
 - The Mile End Road (south) elevation which provides the setting for the new 'Eastern Gateway' from Mile End Road. This frontage steps down to the locally listed 357 Mile End Road and includes textured brickwork to add interest.
- 7.10 The double-height main entrance to the building is located along Westfield Way, signposted by a projecting glazed element.
- 7.11 The proposals include enhanced public realm on the land surrounding the site's buildings, including new paving and planting. New access to a canal-side path is proposed; as well as two projecting timber decks onto the canal.

Neighbouring Amenity

- 7.12 Planning policy seeks to protect and where possible improve the amenity of surrounding neighbouring properties and provide a good standard of amenity for all future occupants of development proposals.
- 7.13 The full planning application will benefit from daylight, sunlight and overshadowing assessment in accordance with policy D.DH8 (Amenity) of the Local Plan which states that these must accompany all major planning applications and/or smaller schemes where adverse effects on daylight and sunlight levels are anticipated. It should follow the methodology set out in the most recent version of Building Research Establishment's 'Site layout planning for daylight and sunlight' guidance (2011) and the British Standard Code of Practice for daylighting, the results of which must be submitted with the planning application.
- 7.14 As discussed in the committee report for PA/19/01422, given that the site is predominantly surrounded by university buildings and student accommodation, there was a minimal impact to residential amenity and daylight and sunlight. The closest residential units to the site are located approximately 40 metres to the east of the site on the other side of the Regents Canal. On the basis that the proposed massing has decreased in the revised proposals, the scheme is not considered to cause any unacceptable issues in terms of daylight and sunlight to nearby residences.
- 7.15 Notwithstanding, in accordance with previous comments from Canal and Rivers Trust and the CA Appraisal Guidance, there is potential for overshadowing of the canal and the public realm set around the canal such as the towpath. Studies would be undertaken at application stage to demonstrate this impact and to set out how mitigation would be incorporated.

Transport and Servicing

- 7.16 Planning policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.17 The site is in an area of PTAL (Public Transport Access Level) 6a, on a scale of 0-6b where 6b represents the highest level of public transport connectivity.
- 7.18 The applicant has stated that the cycle parking requirements in the London Plan and Local Plan will be fully adhered to. The correct quantum, location, and design of the long and short-stay cycle parking requirements will be supplied across the site.
- 7.19 Westfield Way will continue to provide for vehicular access to/from the Mile End campus as existing. Vehicles will enter onto Westfield Way and stop at the gated entrance to the site without obstructing the eastbound carriageway of Mile End Road, pedestrians crossing Westfield Way on the northern footway adjacent to Mile End Road or users of Cycle Superhighway 2 (CS2).

Environment

- 7.20 Planning policies seek to secure a range of sustainable development outcomes including net biodiversity gains whilst not impacting on existing protected species; the implementation of efficient energy systems which seek to minimise carbon emissions and to secure effective

strategies for addressing matters relating to contaminated land and sustainable urban drainage.

- 7.21 The proposals would comply with Local Plan and London Plan objectives for carbon reduction. Furthermore, the proposals would enhance biodiversity value, particularly along the canal-side, and contribute towards the Local Biodiversity Action Plan (LBAP).
- 7.22 The proposals do not constitute Environmental Impact Assessment (EIA) development.

Public benefits

- 7.23 The development would provide a number of key public benefits, alongside additional teaching space for the University, including enhanced public realm, improved canal side access, a free legal advice hub for the local community and a café and event space on the Lock Keeper's cottage.
- 7.24 Officers will also work with QMUL to ensure that opportunities for wider community and local business engagement and outreach are secured with the development using appropriate conditions or planning obligations.

Infrastructure Impact

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

8. RECOMMENDATION

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

9. APPENDIX – CGI IMAGES

Front elevation



East elevation



New canal-side path (along east elevation)



View from towpath beneath Mile End Bridge (east elevation)



View from towpath (east elevation)



Aerial view



West elevation



Building entrance from Westfield Way



North elevation



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TOWER HAMLETS

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

NOVEMBER 2019

1. BACKGROUND

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

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

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

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

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

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

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

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

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

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

2. PROTOCOL FOR COMMITTEE MEMBER ENGAGEMENT

What sort of development is covered by the protocol?

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

When should pre-application engagement take place?

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

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

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

Developer presentations

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

2.7 The purpose of the pre-application presentations are:

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

3. PROCEDURES FOR PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

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

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

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

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

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

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

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

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

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

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

4. IMPLEMENTATION AND MONITORING

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

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