

Strategic Development Committee

Agenda

Tuesday, 18 May 2021 6.00 p.m.

Committee Room One - Town Hall Mulberry Place

The meeting will be broadcast live on the Council's website. A link to the website is here - <https://towerhamlets.public-i.tv/core/portal/home> The press and public are encouraged to watch this meeting on line

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers will be extremely limited due to the Covid 19 pandemic restrictions. You must contact the Democratic Services Officer to reserve a place, to be allocated on a first come first served basis. No one will be admitted unless they have registered in advance.

Details of the how the meeting will work, including ways of contributing to this meeting, are set out in the information sheet at item 3.

Chair:

Councillor Kevin Brady

Vice Chair:

Councillor Abdul Mukit MBE

Members:

Councillor John Pierce, Councillor Dipa Das, Councillor Sabina Akhtar, Councillor Tarik Khan, Councillor Val Whitehead and Councillor Rabina Khan

Substitute Members:

Councillor Dan Tomlinson, Councillor Leema Qureshi and Councillor Sufia Alam

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Friday, 14 May 2021**

The deadline for submitting information for the update report is Noon
Monday, 17 May 2021

Contact for further enquiries:

Zoe Folley, Democratic Services, Zoe.Folley@towerhamlets.gov.uk 020 7364 4877 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

<http://www.towerhamlets.gov.uk/committee>

Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

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

View Planning application documents here:

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

Electronic agendas reports and minutes.	
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London Borough of Tower Hamlets

Strategic Development Committee

Tuesday, 18 May 2021

6.00 p.m.

APOLOGIES FOR ABSENCE

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

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

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

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

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

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 20th April 2021.

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

To RESOLVE that:

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

	PAGE NUMBER	WARD(S) AFFECTED
4. DEFERRED ITEMS	23 - 24	
4 .1 Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street (PA20/00557)	25 - 120	Weavers

Proposal:

Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14,393 sqm of B1(a)) floorspace, up to 1,444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1,181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.

Recommendation:

Grant Planning Permission subject to conditions

5. PLANNING APPLICATIONS FOR DECISION	121 - 126	
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5 .1 Site at Stroudley Walk, London, E3 3EW (PA/20/01696)	127 - 188	Bromley North
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Recommendation:

Demolition of existing buildings and structures and redevelopment to provide four buildings, including a tall building of up to 25 storeys, comprising residential units and flexible commercial space (A1/A2/A3/B1) at ground floor level and alterations to façade of retained building, together with associated ancillary floorspace, cycle and car parking, landscaping and highway works.

Recommendation:

Grant planning permission with conditions and planning obligations

Next Meeting of the Strategic Development Committee
Wednesday, 9 June 2021 at 6.00 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 5.30 P.M. ON TUESDAY, 20 APRIL 2021

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

Members Present:

Councillor Kevin Brady (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Dipa Das
Councillor Sabina Akhtar
Councillor Tarik Khan
Councillor Val Whitehead
Councillor Leema Qureshi (Substitute for Councillor John Pierce)

Other Councillors Present:

Councillor Andrew Wood

Apologies:

Councillor John Pierce
Councillor Rabina Khan

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Jane Jin	– (Team Leader, Planning Services, Place)
Siddhartha Jha	– (Principal Planning Lawyer, Governance, Legal Services)
Aleksandra Milentijevic	– (Planning Services)
Simon Westmorland	– (West Area Team Leader, Planning Services),
Tanveer Rahman	– (Senior Planning Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Kevin Brady declared a Non DPI interest in Agenda Item 5.1. Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557) .This was on the grounds of membership of a Members Club, that had objected to the application. He did not consider that this had affected his views on the application.

Councillor Abdul Mukit MBE, declared a Non DPI interest in Agenda Item 5.1, Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557). This was because the application was within his ward.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the minutes of the meeting of the Strategic Development Committee held on 8th February 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

There were none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, (PA/20/00557)

Update report published

Paul Buckenham introduced the application for the demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development and associated works. The Committee noted that the update report covered additional clarifications and correctly reproduced the sunlight and daylight report.

Tanveer Rahman presented the report – explaining the character of the surrounding site, including the surrounding tall developments and emerging context. There were also a number of listed buildings nearby and part of the site was located in the Redchurch Street Conservation Area. 12 letters of objections and on letter of support had been received, as set out on the presentation slides. Some supported elements of the proposal.

The Committee noted the following.

- The key features of the application.
- That in land use terms – it raised no land use issues and generally accorded with relevant policies.
- The high quality design, including the delivery of affordable workspace for the lifetime of the development. This exceeded policy requirements,
- That the scale, height and massing was considered to be appropriate and be in keeping with tall buildings context, providing a vibrant addition to the area.
- The site is not in a secondary Preferred Office Location as stated in the Committee Report.
- The Council's tall building policy. It was considered that the lapsed appeal decision is a material planning consideration that overrides the conflict with Local Plan's Tall Building's policy.
- Comparisons with the previously consented scheme in terms of the height and the step downs in the design to be in keeping with the area.
- The Heritage Assessment. The development would only be slightly visible to local buildings. Whilst it was acknowledged that the scheme would add additional height to the area, it would cause less than substantial harm to heritage assets, at the lower end. It was considered that public benefits would outweigh harm. These public benefits included: the provision of affordable work space, benefits for the local economy, a through route and pedestrian crossing
- It was noted that neighbouring properties would be affected in terms of loss of sunlight and daylight. Details of the failings in VCS and NSL were noted, including the major adverse impacts. Officers did not

consider that these impacts were of undue concern given the specific site context of buildings with close relationships.

- Officers were mindful of the concerns about overshadowing to the Owl and Pussycat public house's 'beer garden'. Details of the assessment were set out in the report and the update and summarised at the meeting.
- It was noted that the failures were broadly similar to the and already existed for 21st March and 21st December. The results showed that there will be additional overshadowing over the consented scheme on 21st June. Given this, and having regard to the consented scheme, Officers did not consider it would result in an unacceptable impacts.
- In terms of overlooking, the impacts were not considered to be unacceptable. However, conditions were recommended to mitigate any impacts towards residential properties to the east
- Overall, the, adverse impacts were considered to be acceptable and in compliance with policy.
- Given the merits of the application, Officers were recommending that it was approved.

The Chair invited registered speakers to address the Committee.

Helen Cuthbert (Planning consultant to Young & Co.'s Brewery PLC (Owl & Pussycat PH tenant) and Brakspear (Owl and Pussycat PH owner)).

Stuart Brown, and (Brakspear) addressed the Committee in objection to the application.

They expressed concerns about:

- Adverse impact on amenity space for customers of the public house, due to the overshadowing and loss of light from the development in June and during the summer months. Garden was a unique selling point. Due to this, proposal should be refused, or should be deferred for further consideration of this and amended to provide more light to the garden to comply with requirements.
- The speakers also requested a £300k s106 contribution to improve the setting of space outside the public house to compensate for the above.
- Consented scheme had lapsed, and was only allowed on appeal due to the public benefits. This scheme did not have as many public benefits, there was no affordable housing.
- Late notification of the proposal. The public house only received notification of the proposal in February. It was closed in February due to the Covid restrictions.
- Concern was also expressed about the late notice of the new information regarding overshadowing.

The applicant's representatives, John Stacey, Oliver Sheppard and Jerome Webb spoke about the merits of the application highlighting the following:

- The site location in a complex setting and the site constraints. The scheme had been carefully designed to be in keeping with the area.
- The developers had work closely with officers and had carried out a widespread consultation with the community. Changes had been made to the scheme in relation to the height and massing, to mitigate the impact on Redchurch Street.
- The scheme would optimise use of the site and would provide a range of benefits (as detailed in the officer's presentation).
- Historic England has not raised any objections and the proposal would enhance the setting of heritage assets.
- Highlighted the detailed analysis of the sunlight and daylight impacts. This had been independently reviewed. The experts were in agreement that it would not cause any unacceptable harm.
- The developers noted the concerns about the impact on the beer garden. They were happy to look at the suggestion by the objectors regarding the S106 funding for improvements.
- Land use accorded with policy.

In response to the presentation and the representations, the Committee asked a number of questions around the following issues:

- The plans to retain the façade of 30-32 RedChurch street, rather than the whole building as this building was in the Conservation Area. How did this differ from the consented scheme?
- Whilst some heritage harm had been identified, this was considered to be less than substantial. Officers had reached an on balance decision taking into account the public benefits. It should also be noted that the application proposed to retain more of the buildings in the Conservation Area than the consented scheme, which involved the demolition of 28, and 30-32 Redchurch street. Importantly, by retaining the front façade, the plans will retain its appearance in relation to the street scene, preserving its special and historic features.
- The public benefits of the application compared to the consented scheme given that the previous scheme included affordable housing. It was noted that the affordable housing proposed for that development was off site. In addition, due to the height of that development, it would have been required to provide more public benefits to offset the harm. This permission had now lapsed.
- The scheme would provide a number of employment opportunities for local residents, during the construction process.
- The applicant added that the proposed workspace, including flexible work space, would attract a range of SMEs and businesses that would present employment opportunities. The space proposed should lend itself to the creation of creative workspace and marker space.
- The affordability of the workspace. The applicant reported that the scheme had been designed in such a way as to provide the most affordable rent levels. The offer went above and beyond the policy requirements.

- The Committee requested that the applicant look at whether the offer could be improved in terms of improving the affordability of the workspace.
- The consultation process particularly with the Boundary Estate.
- Officers confirmed that the scope of the Council's consultation complied with requirements. It was noted that the nearby Bishopsgate Goodsyrd site was currently unoccupied which may have impacted on the number of responses. Responses had been received from the Boundary Estate.
- The applicant also comments that whilst they had carried out extensive consultation, only a small number of objections had been received and this was fewer than the previous scheme.
- The objectors request for a s106 contribution for public realm improvements to mitigate the harm to the public house.
- The Committee may request that Officers explore this further, however it was advised that the application should be deferred to allow for further consideration of this request and for the affordable rent levels to be reviewed. The Committee also heard about other activities to improve the public realm.
- It was noted that the London Borough of Hackney had raised concerns about the scheme, focusing on the conservation and design issues. However, alongside these issues, the Council had balanced these impacts against the wider public benefits to the Borough.
- Sunlight and daylight issues and overshadowing of the public house's 'beer garden'. The Committee were further reminded of the findings of the assessment as (shown on the presentation slides) in relation to March, December and the additional overshadowing in June.
- In discussing this issue, the Committee sought clarity on impact of the clarifications set out in the update report regarding the sunlight and daylight impacts, in terms of whether this has affected the overall assessment?
- It was reported that since the agenda publication, Officers had reviewed the data. The update report corrected factual errors, taking fully into account the retained levels of sunlight and daylight rather than just loss of light. Overall, the results complied with policy. It was stressed that this update did not materially change the overall findings or materially affect the recommendation.
- The Council had appointed consultants and they were satisfied with the methodology.
- The assessment showed that the garden as existing does not achieve the 2 hours sun on the ground tests as set out in the BRE guidance.
- It was confirmed that further information had recently been provided regarding the consented scheme and overshadowing. This has yet to be verified.
- The applicant added that any development of site would cast a shadow on the public house garden. Additional shade in the summer months may be of benefit.

Councillor Kevin Brady **moved** and Councillor Abdul Mukit MBE **seconded** a proposal that the consideration of the planning application at Land bounded

by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street, be **DEFERRED** to allow for further negotiations as it was considered that insufficient public benefits had been demonstrated to outweigh the less than substantial heritage harm. They therefore requested that Officers should seek to negotiate the following additional contributions:

- Improvements to the public realm of Redchurch Street.
- Improved terms for the affordable workspace.

On a vote of 7 in favour and 0 against, the Committee agreed to defer the application for this information. The application would be brought back to a future Committee meeting in accordance with the Development Committee procedure rules.

5.2 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 (PA/20/01065)

Update report published.

Paul Buckenham introduced the report for the demolition of the existing buildings and structures and construction of a mixed use development comprising residential dwellings and non residential uses with associated works.

Aleksandra Milentijevic presented the report, explaining the site location – and existing site layout and the character of the area. Public consultation had been carried out. No responses have been received from the community. A letter of support was received from the Bellamy Close and Byng Street Residents' Steering Group. The Isle of Dogs Neighbouring Plan Forum had raised concerns about the weight given to this Isle of Dogs Neighbourhood Plan and this had been addressed in the update report. The applicant had carried out consultation as set out in the statement of community engagement.

Members noted the following:

- The key features of the application. This included details of the proposed height and design. The benefits of the scheme included a communal area on the roof which would be assessable to all residents of Block C and a new pedestrian link. Door stop play space for children 0-5 would also be provided on site within the enclosed courtyard.
- Given the lack of space for play space for over 5's on site, a contribution would be secured for the provision of enhancements and upgrades to the nearby play area.
- It would deliver good quality affordable housing. In total, the proposed development provides for 61% affordable housing by habitable room, inclusive of the re-provided social rented homes.

- Without the re-provision, the proposal provides for 51% affordable housing. All would meet the minimum standards and would be provided over an increased floor space. There would be 14 wheelchair accessible dwellings. Details of the housing and tenure mix were noted
- All of the existing occupants would have the right to accommodation in the development that meets the needs of their households.
- The proposals had been subject to a successful resident ballot and the vast majority of the existing tenants voted in favour of the proposals.
- The proposal also included the delivery of affordable workspace.
- In land use terms, the proposals therefore met policy requirements and estate regeneration principles.
- The applicant had submitted a viability assessment. This showed that the scheme delivered the maximum level of affordable housing that could viability be delivered taking into account the application for grant funding.
- Regarding neighbouring amenity, it was noted that a number of properties would experience sunlight and day light impacts. Details of the assessment were noted. Given the site's location in an urban area, and the benefits of the application. Officers considered this on balance to be acceptable.
- The application would deliver environmental benefits.
- It would be liable for CIL contributions as set out in the report.
- On this basis, the grant of planning permission is recommended.

The Chair invited Councillor Andrew Wood, the Ward Councillor to speak in support of the application. He advised that he was the Secretary of the Isle of Dogs Planning Forum. He welcomed the scheme on the basis that:

- It was much shorter than other developments in area
- Residents supported this.
- It would provide new housing.
- That the update report acknowledged the status of the Isle of Dogs Neighbourhood Plan, which when fully adopted would carry great weight.
- Noted the merits of the use of 3D models for assessing planning applications.

In response to the presentation and the representations, the Committee asked a number of questions around the following issues:

- It was clarified that the accommodation would be provided at London Affordable Rent. The difference between these rents and Tower Hamlets Living Rent was that they excluded service charges. Both worked out in rents terms as quite similar.
- It was noted that the proposal to provide the accommodation at London Affordable Rent did not meet the policy requirement (of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent)

However, given the application for grant funding, the proposal was considered to provide on acceptable balance.

- The development would be tenure blind in terms of the external doors and play spaces in line with requirements.
- The occupants from all tenures would have access to the play space in the courtyard and the play space in the public path.

On a vote of 7 in favour and 0 against the Committee **RESOLVED:**

1. That, subject to any direction by the Mayor of London planning permission is **GRANTED** at 15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14 for the following development.
 - Demolition of the existing buildings and structures and construction of a mixed use development comprising residential dwellings (Use Class C3) and non residential uses (Sui Generis), a basement, public realm works, landscaping, access, servicing, parking and associated works. (PA/20/01065)
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

The meeting ended at 8.45 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 meetings.

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.



STRATEGIC DEVELOPMENT COMMITTEE

18/05/2021

Report of the Corporate Director of Place

Classification: Unrestricted

Deferred Reports

1. INTRODUCTION

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

2. DEFERRED ITEMS

2.1 The following item is in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
20/04/21	(PA/20/00557)	Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street.	Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14,393 sqm of B1(a)) floorspace, up to 1,444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1,181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.	Officers to negotiate the following additional contributions: <ul style="list-style-type: none"> • Improvements to the public realm of Redchurch Street. • Improved terms for the affordable workspace.

**LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6**

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

3. CONSIDERATION OF DEFERRED ITEMS

3.1 The original reports along with any update reports are attached.

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



Application for Planning Permission

[click here for case file](#)

Reference	PA/20/00557
Site	Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street
Ward	Weavers
Proposal	<p>Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14,393 sqm of B1(a)) floorspace, up to 1,444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1,181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant planning permission subject to conditions and a legal agreement
Applicant	UKI (Shoreditch) Limited
Architect/agent	DP9 Limited
Case Officer	Tanveer Rahman
Key dates	Application validated 29/05/2020 Public consultation finished on 10/04/2021

1. BACKGROUND

- 1.1 This application was considered by the Strategic Development Planning Committee on 20 April 2021. A copy of the original report is appended.
- 1.2 As set out in the draft minutes of the meeting, the Committee expressed concern that the public benefits of the scheme did not outweigh the less than substantial harm identified to heritage assets, as required by paragraph 196 of the NPPF (2019). Members deferred the application for further consideration of the affordable workspace arrangements and potential for public realm improvements to Redchurch Street.
- 1.3 The application was therefore deferred by Members to allow Officers and the applicant to negotiate on these two requirements.

2. CONSIDERATION OF THE COMMITTEE'S REASONS FOR DEFERRAL

Affordable Workspace

- 2.1 The Council's Local Plan policy requires a minimum of 10% of the employment floorspace to be provided at 10% below market rates for at least 10 years. The London Plan requires affordable workspace to be provided for 15 years.

Establishing an annual market rental rate

- 2.2 Market rates in the locality vary based on a range of factors including the type and quality of space and proximity to transport nodes. For example, office space at the neighbouring Tea Building is currently being marketed at £65/sqft. This office space contains large areas with ceiling heights of up to 6.4m. In comparison, the affordable workspace in the proposed building would have ceiling heights of predominantly 3.1m at basement level and 3.7m at ground floor level, with a relatively small 95sqm area of floorspace at lower ground level having a ceiling height of 7.2m.
- 2.3 Market rate office space at 13 Boundary Street which is approximately 70m north west of the site is currently being marketed at £55/sqft. In comparison, the affordable workspace in the proposed building would be larger in area and slightly closer to Shoreditch High Street Station and Liverpool Street Station, therefore potentially giving it a slightly higher rate.
- 2.4 Based on this information and advice from the Director for Growth and Economic Development, Officers are of the view that a realistic market rate for the floorspace that is proposed to be affordable would be £55 - 60/sqft annually.

Proposed affordable workspace rental rates

- 2.5 Based on the estimated £55 - 60/sqft range Officers have negotiated the following:
- A capped rent of £35/sqft (together with the appropriate indexation) on the lower ground floor Affordable Workspace for 15 years (representing an estimated 36 - 42% discount). The space would then revert to a 10% discount for the remaining life of the development
 - A capped rent of £45/sqft (together with the appropriate indexation) on the ground floor Affordable Workspace for 15 years (representing an estimated 19-25% discount). The space would then revert to a 10% discount for the remaining life of the development

Proposed affordable workspace delivery strategy

- 2.6 A delivery strategy has been negotiated which will ensure the proposed affordable workspace would be attractive to a workspace provider and that costs associated with fit out are absorbed and not passed on to future occupiers. The strategy would comprise the following:
- Fit out the lower ground floor to serve as 'maker space', as opposed to solely shell and core space. Details would be submitted in an Affordable Maker Space Strategy prepared in partnership with an appropriate Affordable Workspace Operator. For example, this could include a set of resources that support maker space enterprises (such as provision for a shared 3D printer facility, provision of acoustic insulated room/studio space etc.).
 - Requirement for the Affordable Workspace Operator to engage with New City College and other local Further Education colleges to allow students to rent space or at a minimum to give them opportunity to see first-hand the activities that take place in the Affordable Workspace and establish an internship and apprenticeship programme for the students with microbusinesses operating from the space.
 - A review on the £35/sqft rental rate of the lower ground floor Affordable Workspace if the space remains unoccupied after 6 months of the finished workspace being marketed.
 - Ground floor to be fitted to a 'Category A' specification (shell and core).
 - Marketing strategy with first refusal for microenterprises operated by existing Tower Hamlets Council Tax or Business Rate payees.
 - Secure all workspace for microbusinesses (under 10 staff and under £660,000 turnover).

Public realm improvements to Redchurch Street

- 2.7 Officers have had discussions with the Director of Public Realm and are of the view that contributions could be sought towards a strategy for potential upgrades to the wider public realm of Redchurch Street. The public realm improvements would contribute to enhancement of the Redchurch Street Conservation Area and the setting of the grade II listed public house. The improvements would assist in mitigating some of the impacts on the beer garden by providing a more attractive area for potential for outdoor refreshment subject to appropriate licensing. The proposed contributions would be structured as follows:
- £50,000 to be paid to the Council within 12 months of a consent being granted to fund a scoping report for a public realm improvements strategy for Redchurch Street which would identify which part of the Public Realm Team's strategy the £250,000 listed below could fund.
 - £250,000 to be paid to the Council within 12 months of a full decision being issued, to fund works identified in the Scoping report. These works could for example include the widening of the footway on Redchurch Street adjacent to the Owl and Pussycat Public House and include areas for seating to the front on the public house.

Compatibility with Regulations for Planning Obligations

- 2.8 Regulation 122 of The Community Infrastructure Levy Regulations 2010 applies to planning obligations secured under Section 106 of the 1990 Act. Paragraph (2) of Regulation 122 states that an obligation may only constitute a reason for granting permission if it is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 2.9 The proposed obligations for affordable workspace and public realm enhancements are deemed to meet the tests in Regulation 122, considering the site-specific circumstances and local context of the development and the material considerations identified by officers and the committee.

3. PLANNING BALANCE

- 3.1 The Committee report noted that the application proposals would result in less than substantial harm to designated heritage assets, namely the Grade II listed 34 Redchurch Street, the Redchurch Street Conservation Area and the South Shoreditch Conservation Area.
- 3.2 At paras 7.325 to 7.328, the report weighed this harm against the identified public benefits of the scheme as required by paragraph 196 of the NPPF. The report advised the committee that the harm to heritage assets would be outweighed by the public benefits of the proposed development, including planning obligations to be secured in a legal agreement.
- 3.3 The amendments to the scheme set out in section 2 above constitute additional public benefits that will be delivered by the application proposals. For completeness and to aid committee decision making a revised recommendation that consolidates all planning obligations and conditions is set out in this report.
- 3.4 The revised affordable workspace offer would go beyond the previous in terms of the discounts offered, and additionally would be beyond the minimum policy requirement set out in Policy D.EMP2 of the Local Plan in terms of both the level of market discount, the duration of the offer and the strategy for delivery of the space.
- 3.5 The public realm improvements, whilst not finalised at this stage, would not only result in an improved streetscape and environment for pedestrians and the local community but would also result in improvements to the setting of the Grade II listed 34 Redchurch Street and the Redchurch Street Conservation Area. It is noted that both the setting of the listed building and the character and

appearance of the Conservation Area were adjudged to be negatively impacted by the proposals and as such the proposed public realm improvements on Redchurch Street would go towards mitigating the identified harm.

- 3.6 Taken together with the public benefits noted in the original report - namely the increase of employment floorspace and employment jobs as well as the benefits to the local economy and residents during the construction process – its considered that these public benefits would outweigh the less than substantial harm to designated heritage assets and, therefore, the proposals would comply with the provisions of paragraph 196 of the NPPF.

4. RECOMMENDATION

- 4.1 Resolve to **GRANT planning permission** subject to the prior completion of a legal agreement to secure the following planning obligations

Financial Obligations

- a. **£68,032.00** towards construction phase employment skills training
- b. **£411,160.60** towards end-user phase employment skills training
- c. **£363,758.04** towards carbon off-setting
- d. **£50,000** towards public realm improvements scoping report
- e. **£250,000** towards public realm improvements works
- f. **£1,000** per heads of term

Non-Financial Obligations

- g. Economic incentives
 - i. Access to employment
 - ii. 20% local procurement
 - iii. 20% local labour in construction
 - iv. 10 construction phase apprenticeships, at a minimum of level 2
 - v. 4 end-user phase apprenticeships
 - vi. Capped £35/sqft annual rental on lower ground floor Affordable Workspace for 15 years then 10% discount for the life of the development.
 - vii. Capped £45/sqft annual rental on the ground floor Affordable Workspace for 15 years then 10% discount for the life of the development.
 - viii. Approval of detailed Affordable Workspace Strategy prior to the completion of the construction phase of the development).
- h. Transport matters:
 - i. Non-residential Travel Plans
 - ii. S278 Agreement (highways work to Bethnal Green Road and Ebor Street)
 - iii. Booking scheme for disabled parking bay
 - iv. TRO works to Ebor Street
- i. Compliance with Considerate Constructors Scheme

Planning Conditions

The conditions apply to each phase of the proposed development, insofar as they are relevant to that phase.

Compliance

- 1. Timeframe - 3 years deadline for commencement of development
- 2. Plans - Development in accordance with approved plans
- 3. Air Quality – Emission standards for boilers & CHP
- 4. Construction restrictions on demolition and construction activities:
 - i. All works in accordance with Tower Hamlets Code of Construction Practice;
 - ii. Standard hours of construction and demolition
 - iii. Air quality standards for construction machinery
 - iv. Ground-borne vibration limits

- v. Noise pollution limits.
- 5. Energy – Energy and efficiency standards
- 6. Land Use – All Class A1, A1/A3, B1a/B1c and B1a floorspace shall be maintained as employment floor space for the lifetime of the development
- 7. Noise standards from mechanical plant and equipment
- 8. New SUDS scheme required.
- 9. Demolition to take place outside of bird breeding season.
- 10. Installation of obscure glazing on the east elevation
- 11. Daytime limits to access to terraces

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

- 12. Archaeology - evaluation to clarify the nature and extent of surviving remains, followed by a full investigation if necessary
- 13. Façade retention survey and strategy
- 14. Biodiversity – Mitigation and Enhancement
- 15. Demolition and Construction Environmental Management Plan and Construction Logistics Plan
- 16. Energy - Zero Carbon Futureproofing Statement
- 17. Land Contamination - Ground Investigation analysis and risk assessment, remediation strategy, baseline monitoring, maintenance and mitigation plan
- 18. Approval of Circular Economy Strategy
- 19. Lifecycle

Pre-superstructure works

- 20. Air Quality - Details of flue emissions
- 21. Design - Details of external facing materials and architectural detailing.
- 22. Design - Details of landscaping
- 23. Highways – Details of cycle parking
- 24. Car parking management strategy
- 25. Delivery, Servicing and Waste Management Plan
- 26. Noise - Operational noise impact assessment and mitigation (plant and machinery etc)
- 27. Odours – Details of kitchen extracts
- 28. Air Quality - Emission Standards for Boilers & CHP
- 29. Secured by Design accreditation
- 30. Wind mitigation measures for seating on the corner balconies of the fifth, seventh or ninth floors comprising shrubs in planters (1.5m in height) or solid screens (1.5m in height)
- 31. Landscape strategy
- 32. Photovoltaic layout
- 33. Water - Details that all water network upgrades required to accommodate the additional flows to serve the development have been undertaken
- 34. Drainage – new surface water drainage scheme required
- 35. Obscure glazing – To prevent overlooking from proposed first and second floor east elevation windows towards neighbours to the east.

Prior to occupation

- 36. Energy - Post construction energy assessment including 'as built' calculations
- 37. Energy – BREEAM Certificate 'Excellent' rating
- 38. Land Contamination – Verification report
- 39. Water infrastructure - Piling

Post-occupation

- 40. 'Be seen' energy monitoring

Informatives

- 1. Permission subject to legal agreement.

2. Development is CIL liable.
3. Thames Water - proximity to assets.

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

Reference	PA/20/00557
Site	Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street,
Ward	Weavers
Proposal	<p>Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14,393 sqm of B1(a)) floorspace, up to 1,444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1,181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.</p> <p>This application is accompanied by an Environmental Statement</p>
Summary Recommendation	Grant Planning Permission subject to conditions
Applicant	UKI (Shoreditch) Limited
Architect/agent	DP9 Limited
Case Officer	Tanveer Rahman
Key dates	Application validated 29/05/2020 Public consultation finished on 10/04/2021

EXECUTIVE SUMMARY

This mixed-use but predominately office-led scheme provides an opportunity to redevelop an underutilised and to a degree somewhat visually unsightly site through a development that offers the prospect of delivering 1,143 FTE jobs (estimates are that as existing 164 FTE jobs can be provided on site), plus a proportion of flexible use retail space at the ground floor, as well as provision of affordable workspace. The scheme would activate, animate and enhance the street scenes of Bethnal Green Road, Chance Street and Ebor Street that presently benefit only from architecturally undistinguished buildings marked with a series of service yards and related entries and a large length of blank wall facing Bethnal Green Road that is regularly graffitied.

The proposal would constitute a tall building and would not be within one of the Borough's designated Tall Building Zones where tall buildings are generally directed. However, it is considered that having regard to both the previous consent given for an overall taller 2 - 14-storey building on-site and with regard to the scale and height of development consented on the Bishopsgate Goodsyield site on the south side of Bethnal Green Road, Officers conclude it is not tenable to sustain an objection to the principle of a tall building of this massing and height at this site location.

The proposal takes the opportunity to optimise development on the site and employment opportunities informed by the massing of the previous scheme consented (albeit now lapsed) for the site (PA/13/01638) which was granted on Appeal. The architectural approach and massing are well-considered, bespoke to the site in terms of the approach to the handling of the facades to the different street elevations.

The architectural approach and massing are significantly more sensitive and responsive to the individual street scene contexts than the previous scheme and more sympathetic to the setting of neighbouring individual heritage assets and to surrounding Conservation Areas.

The proposed development would result in some limited harm to designated heritage assets, to which great weight is attached. This is to the Redchurch Street Conservation Area, the South Shoreditch Conservation Area and the Grade II listed public house at 34 Redchurch Street. The degree of harm to heritage assets is considered less than substantial and this harm is outweighed by the public benefits of the development.

There would be some impacts to the amenity of neighbouring occupants to the site with respect to daylight/sunlight, sense of enclosure and privacy. However, these impacts are considered acceptable in the context of this site, the site history and the range and scale of public benefits that would follow from this redevelopment and regeneration of the site.

With respect to highways and vehicular delivery arrangements the scheme raises no concerns and the cycle provision complies with London Plan standards.


The scheme is also consistent with development policies in respect of matters of energy, sustainability and biodiversity.

Overall, the development is considered to comply with relevant Development Plan policies and approval is recommended.

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 	<h2>Planning Applications Site Map PA/20/00557</h2> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale: 50m grid squares</p>	<p>Date: 12 April 2021</p>

1 SITE AND SURROUNDINGS

- 1.1 The application site consists of 2-10 Bethnal Green Road, Units 1-10 The Huntingdon Estate, 1-5 Chance Street and 28-32 Redchurch Street. For the purposes of this report it will be referred to as 'the site'.
- 1.2 The site measures 0.28 hectares in area and is in the Weavers Ward, at the western edge of the Borough. It is bounded to the west by Ebor Street which is in the London Borough of Hackney. The site can be accessed from all four streets that bound it.
- 1.3 2-10 Bethnal Green Road is two - storey industrial style building and set along the south of the site. To the north of this is the site's servicing yard. Vehicular access to the yard is from Ebor Street and egress from it is onto Chance Street. Units 1-10, 1-5 Chance Street and 28-32 Redchurch Street are all also two storeys but are set higher due to the slope of the site down from north to south.

Figure 1: Aerial view of the site (Source: Google Maps)



Figure 2: Birdseye view from the south (Source: Bing Maps)



Figure 3: Birdseye view from the north (Source: Bing Maps)



- 1.4 The site currently consists of units in cultural and commercial use and contains 2,969sqm NIA of floorspace.
- 1.5 The northern section of the site is in the Redchurch Street Conservation Area and the entire site is in the Shoreditch Tier 2 Archaeological Priority Area. None of the buildings on site are statutory or locally listed. However, The Owl & Pussycat public house (34 Redchurch Street) which is a Grade II listed building adjoins the site to the north.
- 1.6 The South Shoreditch Conservation Area is opposite the site to the west, in the London Borough of Hackney. The Boundary Estate Conservation Area lies to the north of the site and Fournier Street Conservation Area is to the south east, both are located in Tower Hamlets and these Conservation Areas are approximately 45m and 60m respectively from the site at their closest points.

- 1.7 Statutory listed buildings close to the site are the forecourt wall and gates to Old Bishopsgate Goods Station to the south east, Braithwaite Viaduct to the south, 25 Bethnal Green Road/1 Club Row to the east, 3 & 5 Club Row with 31 Whitby Street to the east, three posts on Boundary Pass to the north west, iron railings gate and piers between Laleham House and Hedsor House to the north, individual blocks with the Boundary Estate to the north and 180-182, 187 -191 and 196 Shoreditch High Street to the west. All of these buildings are Grade II listed.
- 1.8 The nearest locally listed building are 15 Bethnal Green Road to the south east and 9-13 Redchurch Street to the north west. The Tea & Biscuit Building (occupying the corner of Bethnal Green Road and Shoreditch High Street) is designated as a building of townscape merit within LB Hackney's *South Shoreditch Conservation Area Appraisal* (2009).
- 1.9 The site is in the Central Activities Zone (CAZ), the designated City Fringe Opportunity Area, a Borough Secondary Preferred Office Location (POL), London View Management Framework 8A.1, the Green Grid Buffer Zone and an identified area of sub-standard air quality.
- 1.10 The two urban blocks immediately east of the site consist of buildings ranging from one to six storeys in height, which are predominately of commercial and residential uses.
- 1.11 The urban block to the west consists of the seven to nine storey Tea & Biscuit Building which contains a mix of commercial units; as well as the four to six storey Shoreditch House Hotel.
- 1.12 The urban block to the north consists of buildings ranging from two to six storeys in height, which are mainly retail and residential uses; as well as a hotel.
- 1.13 To the south is the former Bishopsgate Goodsyards site which is currently occupied by Boxpark and Powerleague. This site recently benefited from a resolution to grant consent from the Mayor of London for a mixed use scheme involving erection of ten buildings ranging from 1 - 49 storeys and containing up to 30,940sqm of office space, up to 500 new homes and 18,390 sqm flexible use retail space amongst other uses and purposes.
- 1.14 Notable existing tall buildings in the immediate vicinity include the 25-storey Avant-Garde Apartments approximately 60m to the east of the site on the south side of Bethnal Green Road and Sclater Street and the 50-storey Principal Tower approximately 300m to the south west on Shoreditch High Street.
- 1.15 There are bus stops approximately 50m south west of site and a cycle hire dock approximately 25m south east of the site, both along Bethnal Green Road.
- 1.16 Bethnal Green Road is in the Major Roads Consultation Network and the London Cycle Network runs along Chance St to the east of the site. Shoreditch High Street Overground Station is just over 60m south of the site.

2. PROPOSAL

- 2.1 The application proposes to demolish all existing buildings on the site, except for the façade of 30 - 32 Redchurch Street, and erect a single building ranging from three to nine storeys in height, as well as two levels of basement accommodation.

Figure 4: Proposed isometric view from the north east (Source: Design & access statement)

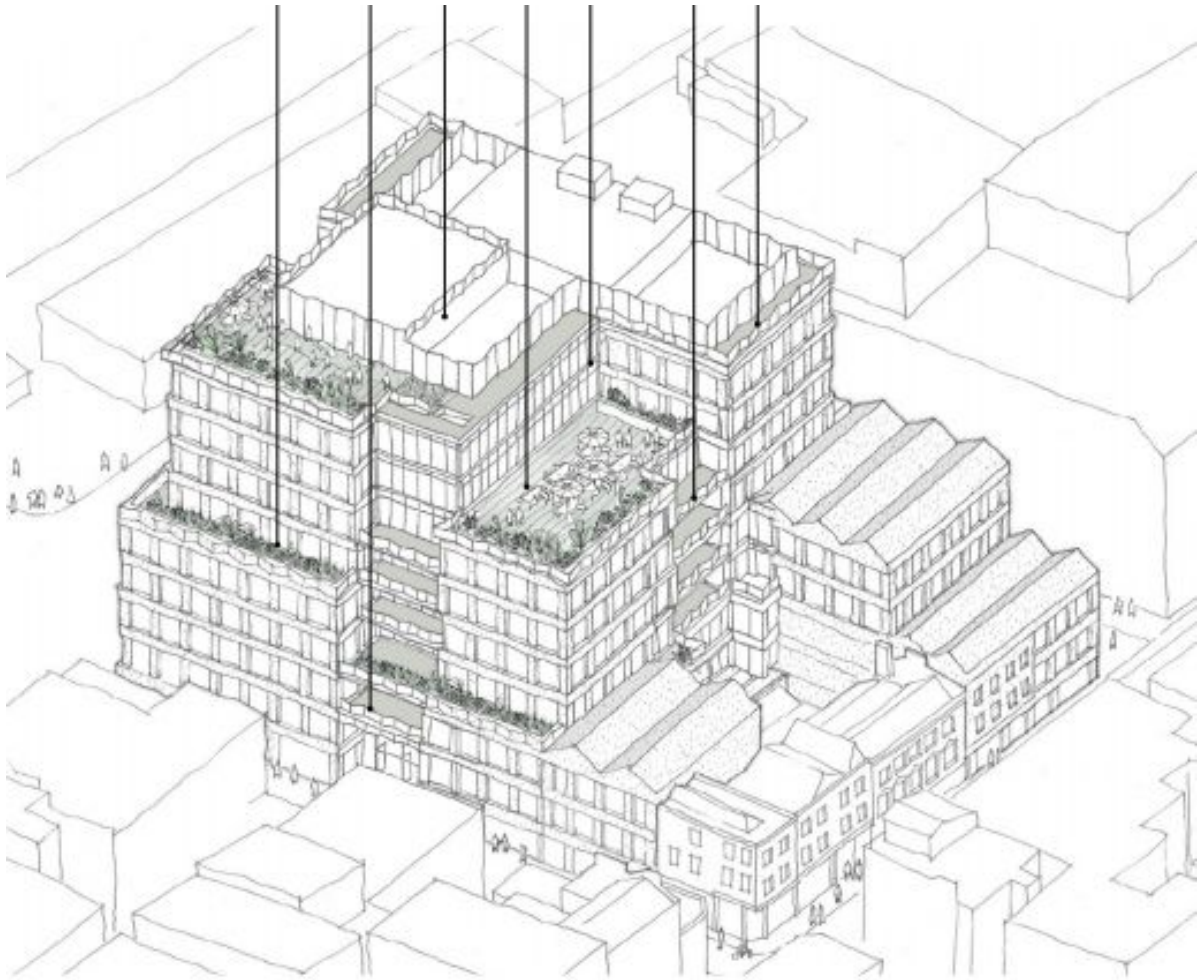


Figure 5: Verified CGI view of the proposed scheme from the south on Braithwaite Street (Source: Townscape, Heritage & Visual Impact Assessment)



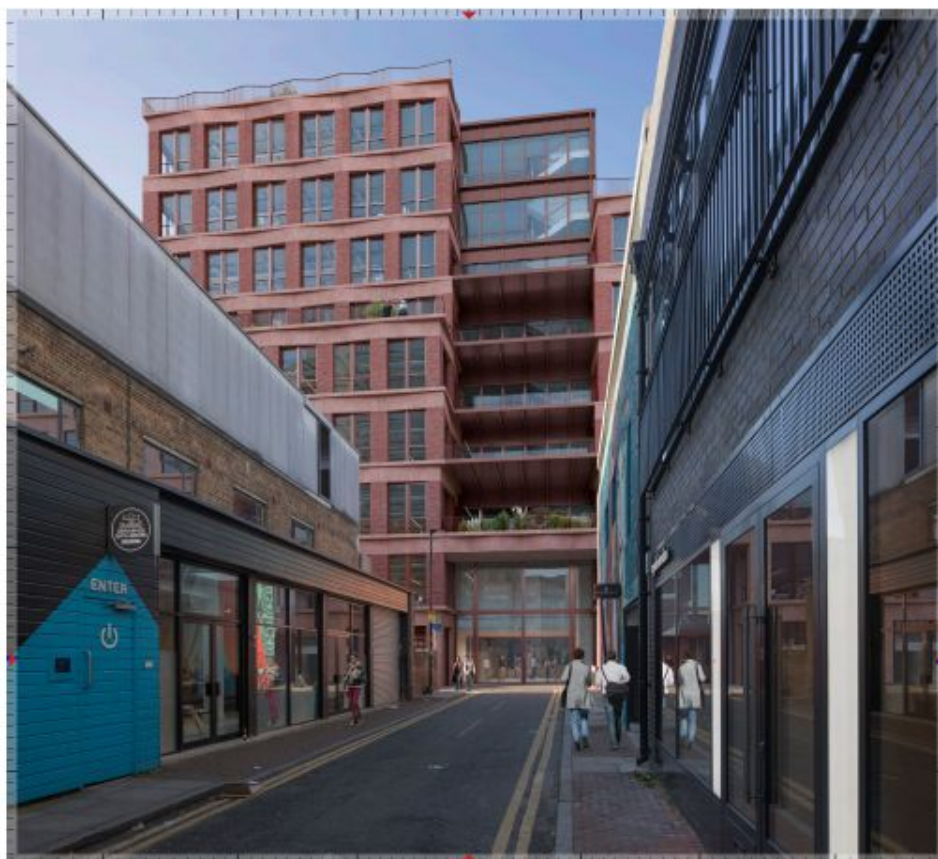
Figure 6: Verified CGI view of the proposed scheme from the south east on Bethnal Green Road (Source: Townscape, Heritage & Visual Impact Assessment)



Figure 7: Verified CGI view of the proposed scheme from the north east on Chance Street (Source: Townscape, Heritage & Visual Impact Assessment)



Figure 8: Verified CGI view of the proposed scheme from the east on Whitby Street (Source: Townscape, Heritage & Visual Impact Assessment)



- 2.2 The proposed uses are affordable B1a/B1c (offices and industrial processes) workspace, B1a (office), A1 (retail) and flexible A1/A3 (retail/café and restaurant).
- 2.3 The affordable workspace would be spread over the ground and first basement levels. There would be two flexible units on the ground floor and one retail unit spread over the ground and first basement levels. The floors above would consist of office space.
- 2.4 The second lower basement level would contain refuse stores and plant rooms. The first basement level would contain changing rooms to serve cyclists and a secure cycle storage area. The ground floor would contain the office reception area; as well as a vehicular loading bay and disabled parking bay for the development as a whole which would be accessed from Ebor Street.

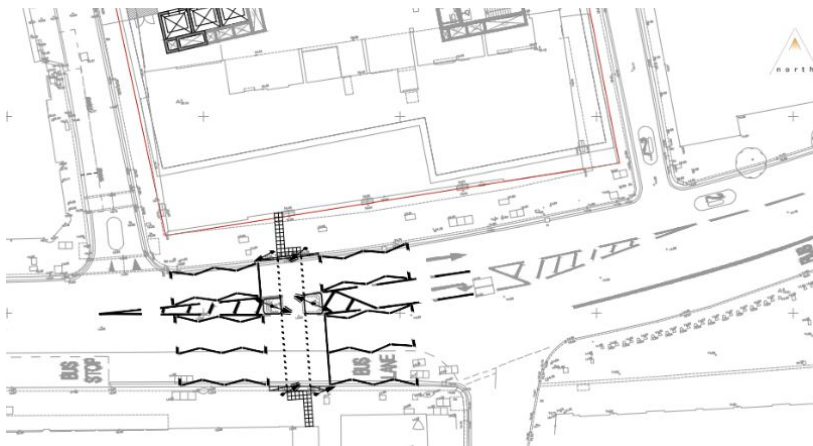
Figure 9: Proposed floorspace

Use	GIA	GEA
B1a/B1c	1,444sqm	1,576sqm
A1	567sqm	661sqm
A1/A3	614sqm	666sqm
B1a	14,393sqm	15,738 sqm
Plant	1,897sqm	2,237 sqm
Back of house	2,121sqm	2,136 sqm
Total	21,036sqm	23,014sqm

- 2.5 There would be a primary core at the western part of the building and a secondary core at the eastern part of the building.

- 2.6 The primary entrance into the building would be from Bethnal Green Road with a secondary cycle/tenant entrance from Chance Street. There would also be escape stairs leading to Redchurch Street and Chance Street.
- 2.7 There would be a direct entrance into the affordable workspace from Chance Street. There would be a direct entrance to the retail unit from Ebor Street and Chance Street. There would be a direct entrance to the flexible 'Unit 1' from Bethnal Green Road and there would be a direct entrance to the flexible 'Unit 2' from Bethnal Green Road and Chance Street
- 2.8 The office space at first to eighth floor levels would all have areas of outdoor amenity space. This would consist of loggias on all of these floors and terraces on the third, fifth and seventh and floors.
- 2.9 The ninth floor would also have a terrace; as well as plant and lift and escape stair overruns.
- 2.10 The application also proposes a controlled pedestrian crossing approximately 120m west of the site on Bethnal Green Road, close to the Shoreditch High Street junction. The aim of this is to provide a safe pedestrian walking route towards the centre of Shoreditch. All crossing points would include dropped kerbs and tactile paving.

Figure 10: Proposed pedestrian crossing (Sources: Transport Statement and Transport Assessment)



3 RELEVANT PLANNING HISTORY

Application site

- 3.1 **PA/19/00294:** Request for an Environmental Impact Assessment Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for redevelopment to provide an office-led mixed-use development comprising approximately 17,000 sqm (GEA) office floorspace (Use Class B1(a)) and 5,500 sqm (GEA) of flexible ground and lower ground floorspace (Use Class A1, A3 and B1(a)), with associated plant and cycle parking in a building ranging from 2 to 10 storeys above ground with two levels of basement. Scoping Opinion Issued 07.03.2019
- 3.2 **PA/16/01099:** Application to modify a S106 Agreement for Huntingdon Industrial Estate site, in relation to planning permission ref PA/13/01638, dated 19/03/2014. No Further action 25.08.2017
- 3.3 **PA/13/01644:** Demolition of 1-5 Chance Street and 28 and 30-32 Redchurch Street in conjunction with the comprehensive redevelopment of the Huntingdon Estate site to provide

a mixed-use development. Refused 19.03.2014 & Appeal (APP/E5900/E/14/2225594) allowed 05.08.2015

- 3.4 **PA/13/01638:** Demolition and redevelopment to provide a mixed-use development comprising two basement floors and between 2 - 14 storeys. The proposal provides 78 residential units (Use Class C3), 456 sqm Class A1, 359 sqm Class A1/B1/D2 and 1,131 sqm A1/A3/A4/D2 at basement and ground floor; parking, plant and ancillary accommodation; a central courtyard and accessible amenity roof terraces. *This application is linked to PA/13/01637 (Land at Fleet Street Hill) a concurrent planning application and an Environmental Assessment is submitted for both applications. Refused 19.03.2014 and Appeal (APP/E5900/A/14/2225592) allowed 05.08.2015
- 3.5 **PA/11/00461:** Demolition of buildings at 1-5 Chance Street & 28 Redchurch Street to enable the redevelopment of the Huntingdon Estate site by erection of a building from 1 to 25 storeys in height plus basements to provide 116 residential units with retail, restaurant/cafe, office, community and leisure floorspace (see associated planning application reference PA/11/00460). Withdrawn 21.11.2011
- 3.6 **PA/11/00460:** Demolition of existing buildings (and those at 1-5 Chance Street and 28 Redchurch Street) and redevelopment of site by the erection of a building from 1 to 25 storeys in height plus two basement levels. The proposed development comprises 116 residential units (Use Class C3), retail (Use Class A1), cafe/restaurant (Use Class A3), office (Use Class B1), community/education (Use Class D1) and assembly and leisure (Use Class D2) floor space at basement, ground and first floor levels; together with parking and plant at basement level plant; roof gardens at first floor level and associated landscaping across site. Withdrawn 21.11.2011
- 3.7 **PA/08/02409:** Request for Scoping Opinion as to the information to be contained within an Environmental Impact Assessment to be submitted in support of an application for development between four and 12 storeys to provide 150 residential and serviced apartments together with retail and commercial floorspace and car parking. Scoping Opinion Issued 16.12.2008

1 - 5 Chance Street and 28 Redchurch Street

- 3.8 **PA/12/00724:** Dual use of ground floor for either D1 (gallery, exhibition space) or B2 (general industrial) purposes. Permitted 08.06.2012
- 3.9 **PA/10/02421:** Continued temporary use of ground floor for gallery and associated uses within Use Class D1 (Non-Residential Institutions). Permitted 21.12.2010
- 3.10 **PA/09/00884:** Use of the ground floor as an art gallery and exhibition space for a further temporary period of 15 months. Permitted 31.07.2009

34 Redchurch Street (The Owl & Pussycat public house)

- 3.11 **PA/20/02716:** Conversion of existing rear window to french doors, internal alterations to listed building. Listed building consent granted 01.04.2021
- 3.12 **PA/20/02715:** Conversion of existing rear window to french doors, internal alterations to listed building. Permitted 01.04.2021
- 3.13 **PA/19/00033:** Remedial works to strengthen and repair cracking between front wall and party walls at first and second floor. Permitted 04.03.2019

- 3.14 **PA/08/00017:** General refurbishment of existing licensed premises including construction of extension to rear of premises. Permitted 23.05.2008
- 3.15 **PA/15/00782:** Internal and external refurbishment and repair works. Demolition of the internal wall to extend the men's toilets. Erection of a canopy over the rear courtyard. Permitted 29.05.2015
- 3.16 **PA/15/00781:** Internal and external refurbishment and repair works. Demolition of the internal wall to extend the men's toilets. Erection of a canopy over the rear courtyard. Permitted 29.05.2015
- 3.17 **PA/10/00231:** External repairs and redecorations including internal refurbishment and alteration works. Permitted 28.04.2010
- 3.18 **PA/08/00018:** General refurbishment of existing licensed premises including construction of extension to rear of premises. Permitted 23.05.2008

38 Redchurch Street

- 3.19 **PA/01/00106:** Part demolition of rear wall and extension of office into covered yard. Roofing of remaining yard to improve toilet facilities. Permitted 22.02.2001

Bishopsgate Goods Yard

- 3.20 **PA/14/02011:** An OUTLINE application for the comprehensive mixed use redevelopment of the site comprising (floorspace in Gross Internal Area): Residential (Class C3) comprising up to 500 residential units; Business Use (Class B1) up to 130,940 sq.m.; Hotel (Class C1) up to 11,013 sq.m.; Retail, financial & professional services, restaurants, cafes & hot food takeaways (Class A1, A2, A3, A5) up to 18,390 sq.m. of which only 3,678 sq.m. can be used as Class A5; Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) up to 6,363 sq.m.; Public conveniences (sui generis) up to 298 m²; Basement, ancillary and plant up to 21,216 sq.m. Formation of new pedestrian and vehicular access; means of access, circulation and car parking within the site and provision of new public open space and landscaping. The application proposes a total of 10 buildings that range in height, with the highest being 142.4m AOD and the lowest being 29.2m AOD. With all matters reserved save that FULL DETAILS for Plot 2 are submitted for alterations to, and the partial removal of, existing structures on site and the erection of a building for office (Class B1) and retail use (Class A1, A2, A3, A5) comprising a part 17/ part 29 storey building; and Plot 7 comprising the use of the ground level of the Braithwaite Viaduct for retail and food & drink uses (A1, A2, A3, A5) and works to and use of the Oriel and adjoining structures for retail and food & drink uses (A1, A2, A3, A5). (Amended Description). For that part of the site within the London Borough of Tower Hamlets, the proposed development comprises the following: Up to 44,067 sq.m. of residential use (Class C3); up to 21,341 sq.m. of Business Use (Class B1); up to 11,013 sq.m. of Hotel Use (Class C1); up to 13,881 sq.m. of Retail Use (Class A1, A2, A3, A5) of which only 2,776 sq.m. can be used for hot food takeaways (A5); Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) ? up to 4,109 sq.m.; up to 298 sq.m. of sui generis use; up to 8,464 sq.m. of ancillary and plant space. This application is accompanied by an Environmental Statement. Mayor of London resolved to grant subject to a S106 legal agreement 03.12.2020

4 PUBLICITY AND ENGAGEMENT

- 4.1 68 neighbour notification letters were sent to nearby properties, as per the site plan at the beginning of this report.

4.2 A press notice was published on June 11th 2020 and a site notice was displayed next to the application site on June 13th 2020. A further press notice (for an EIA Regulation 25 consultation) was published on March 11th 2021

4.3 10 letters of representations (including a letter on behalf of CAMRA) were received. All letters raised concerns, although some letters contained support for some elements of the proposal. The comments can be summarised as follows:

4.4 Land use/ principle of development

Support

- No opposition to the principle of redeveloping the industrial estate which could contribute more to the local area.

Objections

- The proposed units would be highly commercial and less independent in nature to the area. Therefore, existing businesses on Redchurch Street would find it difficult to compete with them, especially during this difficult period.
- Independent boutiques are the reason people visit this part of Shoreditch, so reducing the affordability of the area for them would be detrimental to Redchurch Street.
- The community of Arnold Circus and the Boundary Estate would be undermined by the influx of a more commercial business model to the area.
- Affordable housing rather than office space is required.

4.5 Heritage & design

Support

- The latest proposals are much better than the earlier ones, in terms of height and size.

Objections

- Despite amendments since the previous application, the height and breadth of the building is incongruous with the character of the Conservation Area and the local area.
- The proposal has a much “blockier” appearance with increased massing towards Bethnal Green Road than the scheme approved on site in 2015. The current scheme proposes only a minor setback and does not respect the height of the buildings to the west and east.
- The Tea & Biscuit Building embodies the character of the area and should be used as a benchmark for the maximum height.
- The height and massing facing Bethnal Green Road appears to be three storeys higher than surrounding buildings.
- Redchurch Street is narrow with many small independent shops. A 9-storey development would be out of keeping with the character and culture of this street.
- A more thorough evaluation of the potential impact on the look and feel of the tight-knit street pattern of low-rise buildings in the Redchurch Street Conservation Area should have been submitted.
- The proposed pink/red building with its saw-toothed roof seems to ignore all the precedents in the area which are either historic buildings or cube warehouse blocks.
- The scheme does not acknowledge the history of the area but in fact stampedes on it.
- It has attempted to acknowledge the Tea Building warehouse style by emulating it but it undermines this historic building, detracting from it and in fact blocking it from many sight lines across Shoreditch including views of The Tea & Biscuit Building.

- The Tea Building is identified as a building of townscape merit in the South Shoreditch Conservation Area Appraisal. It forms a local landmark on a prominent corner and will be adversely affected by the proposals.
- The building's detailing is out of keeping with the local area.
- The proposal would damage the heritage of the area.
- It could be designed in a more sensitive manner.
- Further long and short views of the proposal along Redchurch Street should be provided.
- The Owl & Pussycat has historically been a pub use. There has been no analysis of the threat to the viability of the business and therefore harm to the heritage asset.

4.6 Neighbouring amenity

Objections

Towards Redchurch Street

- Concerns about overlooking. Glazing is usually obscurely glazed or angled to mitigate against this.
- Light levels received by neighbours would be impacted.
- Concerns about noise from lorries and other construction works, especially as more people are now working from home.
- The planning department should consider requesting a daylight/sunlight report to assess the cumulative impact of the proposal with the consented Bishopsgate Goodsynd scheme on neighbours, as recommended by BRE guidance.

Towards Shoreditch House

- The light levels to its existing rooftop terrace and hotel rooms at would be severely impacted and is concerning.
- Paragraph 13.168 of the Environmental Statement states that none of the 12 rooms assessed will meet both VSC and NSL criteria. Paragraph 13.170 states that 15 windows will experience an alteration in VSC in excess of 40%, which is considered a major adverse effect and 5 of these windows retain VSC levels of less than 10%.
- Shoreditch House is a private members club so privacy is important. The windows and terraces in the proposed building would create overlooking issues. The proposed 7th floor terrace in particular would be in close proximity to its existing rooftop terrace. This relationship needs to be carefully considered and adequate screening proposed.
- The Environmental Statement also confirms that Shoreditch House will experience light trespass of approximately 7.5 lux, which is also concerning.
- Given the current pandemic, the al-fresco dining offering on the roof terrace is important. It is therefore vital that the noise impact on this area is considered in detail as part of any forthcoming Construction Management Plan

Towards the Owl & Pussycat public house

- Insufficient analysis of overshadowing to its outdoor space

4.7 Environmental

Objections

- The proposal could turn the streets in the Redchurch Street Conservation Area into "dark wind-tunnels".

4.8 Other

- 4 and 9 Chance Street are good examples of more appropriate low-rise redevelopment that also provides community space.
- The proposal is not helping any of Shoreditch's problems but is adding to them.
- Views of the city for residents on the south side of Redchurch Street would be blocked. (*Case Officer's note: A right to a view is not a material planning consideration.*)
- An objector was only recently made aware of the proposed development (*Case Officer's note: Consultation was carried out in line with the Council's Statement of Community Involvement.*)
- Officers and local Councillors have not engaged with a neighbouring property to the extent that they would have liked.
- The East London & City Branch of the Campaign for Real Ale (CAMRA) is very concerned about the future viability of The Owl & Pussycat.

5 **CONSULTATION RESPONSES**

Internal consultees

LBTH Planning Policy

- 5.1 Comments are incorporated within the 'Land use' section of this report.

LBTH Place Shaping

- 5.2 Comments are incorporated within the 'Design and Heritage' section of this report.

LBTH CIL

- 5.3 The proposal 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.
- 5.4 The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.
- 5.5 The site is in the borough's Zone 1 and City Fringe charging areas. It also falls within Band 2 and Central London MCIL2 charging areas.
- 5.6 Existing building floorspace can be taken into account when calculating the CIL charge. For these buildings to qualify for demolition and/or retained credit, sufficient evidence must be provided to the CIL Team to demonstrate all or any part of the building was used lawfully for six continuous months of three years previous to planning approval. Detailed floorplans must also be provided for the CIL Team to validate.

LBTH Health Impact Assessment (HIA) Officer

- 5.7 The scale of the proposal makes it referable to the GLA so a detailed HIA is required, as per policy D.SG3 of the Local Plan. This does not appear to have been submitted as a standalone document or within the original or updated Environmental Statement.
- 5.8 (*Case Officer's note: These comments will be addressed in 'Health Impact Assessment' section of this report.*)

LBTH Environmental Impact Assessment (EIA) Officer

- 5.9 The EIA has been reviewed by competent professionals and found sound subject to the mitigation measures identified within the Council's Final Review Report being secured by means of planning conditions and s106 planning obligations as part of any forthcoming consent.
- 5.10 *(Case Officer's note: These comments will be addressed in addressed further in the 'EIA' section of this report.)*

LBTH Environmental Health - Noise & Vibration

- 5.11 No objection subject to a condition to manage demolition and construction activities and a condition requiring details of mechanical plant.
- 5.12 No adverse comments on the Environmental Statement.

LBTH Environmental Health - Odours

- 5.13 Following a review of the air quality assessment of the Environmental Statement requested calcification as to: 1) Why 1 diffusion tube monitoring was used given that DEFRA technical guidance LAQM (16) recommends using a combination of continuous and diffusion tube monitoring 2) Justification as to why the air quality neutral assessment (Transport Emission) estimates 12 trips per day for retail, café and restaurant because this appears a bit low.
- 5.14 *(Case Officer's note: This was subsequently reviewed and then deemed as acceptable by the Council's external consultant.)*
- 5.15 Recommended the following conditions:

- Demolition/Construction Environmental Management & Logistics Plan.
- Any non-road mobile machinery (NRMM) used not to exceed the emission standards set out in the Mayor of London's 'Control of Dust and Emissions During Construction and Demolition' Supplementary Planning Guidance 2014 and registration under the Greater London Authority NRMM scheme.
- Details of kitchen extract units for commercial uses where necessary.

LBTH Environmental Health - Contamination

- 5.16 No objection subject to a condition requiring details identifying the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

LBTH Environmental Health - Air Quality

- 5.17 No objection subject to the following conditions:
- Construction / Demolition Site Dust Control.
 - Air Quality Standards for Boilers and CHP Units.
 - Kitchen Extract Standards for Commercial Uses. *(Case Officer's note: this was also requested by LBTH Environmental Health - Odours)*
 - Construction Plant and Machinery (NRMM) details.
 - PM 10 monitoring if an acceptable AQDRA.

LBTH Building Control

5.18 No response received.

LBTH Growth & Economic Development

Recommended planning obligations

- 5.19 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets which the Economic Development Service will support by providing suitable candidates through the Workpath Job Brokerage Service.
- 5.20 20% of goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets which the Economic Development Service will support by ensuring they work closely with the council's Enterprise team to access the approved list of local businesses.
- 5.21 A contribution of £68,032.00 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development is sought. This will be used to procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.
- 5.22 A contribution of £411,160.60 towards the training and development of unemployed residents in Tower Hamlets.
- 5.23 10 apprenticeships during the construction phase, at a minimum of Level 2.
- 5.24 An end use obligation to provide opportunities.

LBTH Biodiversity

5.25 No objection subject to a condition requiring biodiversity mitigation and enhancements.

LBTH Energy Efficiency/Sustainability

- 5.26 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions.
- 5.27 The proposals meet the Local Plan target for anticipated on-site carbon emission reductions and are proposing a 48% reduction compared to the baseline (utilising SAP10 carbon factors). In order to support the scheme the residual CO2 emissions should be offset through a carbon offsetting contribution of £363,758.04 to deliver a policy compliant net zero carbon development.
- 5.28 Also recommended the following conditions:
- Final BREEAM Certificate to demonstrate 'Excellent' rating.
 - Post construction energy assessment including 'as built' calculations to demonstrate the reduction in CO2 emissions have been delivered on-site
 - 'Be seen' energy monitoring details as set out in GLA guidance including a commitment the development will be designed to enable post construction monitoring.

LBTH Sustainable Drainage Systems

- 5.29 Comments are incorporated within the 'Flood risk and drainage' section of this report.

LBTH Waste Policy & Development (WP&D)

- 5.30 The Delivery and Servicing strategy states deliveries will be from 06.30 - 08.00. There are concerns with noise nuisance particularly within built up areas. Waste Improvement does not allow waste operational services to make any waste collections before 07.00am. There are no exceptional circumstances to show that deliveries should be made before 07.00am.
- 5.31 The proposal is showing refuse collections to be made from the kerbside. This is not acceptable for this development as sufficient space within the site should be provided for an internal management system. Waste Improvement will require the applicant to ensure that the bags / containers are brought to ground level on the day of collection. Any Containers / bags must be left at a suitable collection point away from the highway on land belonging to the development and within 10 metres of vehicle access.
- 5.32 *(Case Officer's note: Discussions on this matter are currently ongoing with the agent and the Committee will be updated with any progress made.)*

LBTH Transportation & Highways (T&H)

- 5.33 No objection subject to further details on the design of accessible cycle parking provision within the building and a Section 278 agreement to secure highway improvements.
- 5.34 Detailed comments are incorporated with the 'Transportation & Highways' section of this report.

Conservation & Design Advisory Panel (CADAP)

- 5.35 Prior to the submission of this application the applicant undertook six pre-application meetings with the LPA as well a CADAP meeting on February 11th 2019.
- 5.36 CADAP's feedback was issued on February 28th 2019 and made the following main points:
- Welcomed the research and attention to detail that informed the proposals
 - Were keen that the initial concept, the cross-axes route through the building and the expression of four distinct building elements making up the overall mass, was not lost as the proposal develops and is refined.
 - Were keen to ensure that the building mediates successfully with the lower scale of the Conservation Area in which part of it lies.
 - The open and flexible ground floor retail and café/restaurant was acceptable.
 - The scheme could better reference the combinations of materials and detailing in the surrounding context, particularly the adjacent Tea Building.

External consultees

National Grid

- 5.37 No objection but due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor is recommended to contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

National Amenities Society

5.38 No response received.

Network Rail

5.39 No response received.

Metropolitan Police Designing Out Crime Officer

5.40 Crime data within the security assessment (SA) is outdated. Disagree with SA conclusions that ASB from people entering the building will not be an issue. A Secured By Design Condition should be attached if permission is granted.

Greater London Authority

5.41 The Stage 1 report made the following comments:

Principle of development

The principle of redeveloping the site for an office led, mixed use scheme within the City Fringe Opportunity Area is strongly supported, subject to clarification on the quantum of existing industrial floorspace and the provision of replacement industrial floorspace.

Design and Heritage

The scale and massing of the development responds comfortably to the existing and emerging context. The proposal will result in less than substantial harm to heritage assets, which is outweighed by the public benefits of the scheme.

Transport

A revised trip generation assessment should be provided. A contribution is sought towards a cycle docking hire station. Cycle parking should be designed in line with the London Cycling Design Standards. Additional information should be provided on freight trips, and the Delivery and Servicing Plan revised.

Sustainable development

Further information on energy, water and urban greening is required.

5.42 No objection subject to a condition demonstrating that the proposed Photovoltaic layout has been maximised.

Historic England

5.43 No objection to the application on heritage grounds.

5.44 However, there would be some harm to the Redchurch Street Conservation Area which must be considered according to the historic environment provisions of the NPPF.

5.45 Little change would arise to the settings of other nearby heritage assets, but the cumulative harmful impacts on the significance of townscapes in conservation areas, their settings and the settings of listed buildings need to be actively managed.

Historic England Greater London Archaeological Advice Service (GLAAS)

- 5.46 The site is in an area of archaeological interest and the nationally important Neolithic finds from nearby Principal Place have raised the prehistoric potential of the site, to complement the possible Saxon and Roman remains and the evidence for the development of London's suburbs.
- 5.47 Having reviewed the proposal and at the Greater London Historic Environment Record, harm to archaeological remains could be caused. Therefore, field evaluation is needed to determine appropriate mitigation.
- 5.48 The NPPF envisages evaluation being undertaken prior to determination. However, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Thames Water (TW)

- 5.49 The proposed development is within 15m of a TW underground wastewater assets. Therefore, an informative should be added to any permission with a link to guidance on working near their assets
- 5.50 No objection to the impact on foul water and surface water infrastructure capacity.
- 5.51 Following initial investigations, TW has identified an inability of the existing water network infrastructure to accommodate the needs of the preproposal. TW have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and. Therefore, a condition is requested requiring details that all water network upgrades required to accommodate the additional flows to serve the development have been completed or a development and infrastructure phasing plan has been agreed with TW to allow development to be occupied.
- 5.52 The proposal is located within 5m of a strategic water main. TW do not permit the building over or construction within 5m of strategic water mains. Therefore, a condition is requested requiring details of how the developer intends to divert the asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, whilst allowing unrestricted access at all times for the maintenance and repair of the asset during and after the construction works.
- 5.53 The proposal is located within 15m of a strategic water main. Therefore, a condition is requested requiring a piling method statement.
- 5.54 There are water mains crossing or close to the site development. TW do not permit the building over or construction within 3m of water mains. Therefore, the developer is advised to read the TW guide to diverting their pipes.

London Borough of Hackney

- 5.55 Three responses were received. The first two responses were received on July 26th 2020 and again on March 23rd 2021. These two responses made the same comments which are as follows:

“While there is an emerging context for taller buildings in the wider area, the more immediate area is moderate in height, generally 4-6 storeys. On Ebor Street, the western site boundary,

contain non-designated heritage assets of 13 Bethnal Green Road (3-4 storey shoulder) and The Tea Building (6-storeys). We consider the proposals to be too tall on the Bethnal Green Road side, and in particular on Ebor Street, on the edge of the South Shoreditch Conservation Area.

The 4-6 storey heritage assets are currently the tallest buildings on Ebor Street, which is a narrow street of just 8-10m width. The character of Ebor Street would change considerably to its detriment with building heights on the site more than tripling to 10 storeys. This would be overbearing and have a significant overshadowing effect, both on the street and the heritage assets.

It is considered that the proposed 10-storey building would harm the South Shoreditch Conservation Area, directly adjacent on Ebor Street. This harm is less than substantial, but at the upper end of the scale, because the height is increasing beyond the height of the tallest existing buildings in this context.

The proportions of the proposed building do not look well. The large block is neither a perimeter block or podium with a horizontal emphasis nor a slender tall building. Rather, it appears as a bulky mass that is nearly as tall as it is wide, with the top part of the building appearing quite heavy and oversized.

We believe that the height of the building should be reduced by at least one storey and the top floors further setback on all sides, in addition to the existing setbacks. The shoulder on Ebor Street should be no higher than 5 storeys. In order to further minimise the visual impact of height, the railings along roof terraces should be set back so that they are less visible from street level.”

5.56 A third response was were received on March 31st 201 and made the following comments:

“Recommendation

Hackney Council objects to the application on conservation and design grounds.

Significance of Area and Buildings

The site includes the Huntingdon Industrial Estate, modern industrial buildings at 2-10 Bethnal Green Road and 1-5 Chance Street and historic buildings within the Redchurch Street Conservation Area at Numbers 30 and 32 Redchurch Street. The Huntingdon Industrial Estate is of no conservation or design interest. The buildings at 30 and 32 Redchurch Street are at least 19th century and may include fabric from the 18th century and are characteristic and typical of the Conservation Area.

The site is adjacent to the borough boundary with Hackney (to the west). The site is immediately adjacent to the Grade II listed Owl and Pussycat Public House (LEN: 1065080) listed as The Crown Public House. The site is in the setting of the South Shoreditch Conservation Area.

Analysis of the proposals

The proposed development is subject to the following conservation comments:

Demolition

- There is no objection to the demolition of 1 to 10 Bethnal Green Road (the Huntingdon Industrial Estate) or to the demolition of 3 and 5 Chance Street or 1 Chance Street/28 Redchurch Street. These are poor quality modern buildings which add little to the area.
- The substantial demolition of 30 and 32 Redchurch Street is subject to objection. These are characteristic and typical buildings in this Conservation Area and contribute positively to the character of the area and particularly to the historical coherence of the street scene in the block running from Ebor Street to Chance Street.

- Numbers 30 and 32 form bookends to the listed public house, in balance with the similar buildings to the east at Numbers 36 to 40 (even) Redchurch Street.
- It is noted that no adequate assessment is provided of the heritage significance of 30 and 32 Redchurch Street other than their facades.
- Facade retention is not an adequate conservation response to buildings in the way of development. The significance of the buildings (which is not addressed adequately) is not conserved. Facade retention and the supposed benefits associated with them often fail and the note on the submitted drawings “Further coordination required for retained facade condition” hardly inspires confidence, particularly in the absence of any relevant structural information with the submission, which does not demonstrate that the claimed retention is possible or will actually happen.

Setting

- The proposed building is monolithic in footprint and this is contrary to the fine grain of the Conservation Area in which it partially sits.
- The proposed building is of nine storeys, with an effective tenth storey for plant. This is too tall for the historic context.
- The proposed building will backdrop the listed pub at 34 Redchurch Street in a dramatic and harmful way.
- The proposed building will backdrop the unlisted buildings in the Redchurch Street Conservation Area at 30, 32, 36, 38 and 40 Redchurch Street in a dramatic and harmful way.
- The proposed building impacts the setting of the South Shoreditch Conservation Area (in Hackney). It is four storeys taller than the key Tea Building to the immediate west and this is harmful to the setting of this important building and therefore of the setting of the Conservation Area.

Conclusion

The London Borough of Tower Hamlets should determine the application in the light of the need to pay special regard to the setting of listed buildings (Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) and with regard to NPPF and London Plan policies in relation to impacts on designated heritage assets and their settings. Hackney Council objects to the scheme on these grounds.”

- 5.57 (LBTH Case Officer’s note: LB Hackney’s original two responses stated that the proposed building would be up to 10 storeys. However, their third response clarifies that it would be 9 storeys with the plant appearing an ‘effective tenth storey’.)

Transport for London Land Use Planning (TFL)

- 5.58 Comments are contained in the ‘Transportation & Highways’ section of this report.

London Underground Infrastructure Protection

- 5.59 No objection.

Spitalfields Neighbourhood Planning Forum

- 5.60 No response received.

Spitalfields Society

- 5.61 No response received.

Environment Agency

5.62 No objection.

London Fire & Emergency Planning Authority

5.63 No response received.

Crossrail

5.64 Did not wish to comment.

Natural England

5.65 No objection.

6 RELEVANT PLANNING POLICIES AND DOCUMENTS

Adopted policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 The *National Planning Policy Framework* (2019), which the Development Plan needs to be in accordance with, sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally prepared plans for housing and other development can be produced.

6.3 The purpose of the planning system is to contribute to the achievement of sustainable development which has the following three overarching objectives: economic, social and environmental.

6.4 The adopted Development Plan's key planning policies relevant to this application are:

	<i>The Tower Hamlets Local Plan 2031 (2020)</i>	<i>London Plan (2021)</i>
Land use	S.SG1, S.SG2, D.SG3, S.EMP1, D.EMP2, D.EMP3, D.EMP4, D.TC3, D.TC5	GG1, GG2, GG3, GG5, GG6, SD4, SD5, D2, E1, E2, E3, E4, E7, E9, HC4
Design	S.DH1, D.DH2, D.DH6, D.DH9, D.DH10	D3, D4, D5, D8, D9, D11, D12
Heritage	S.DH3, D.DH4	HC1
Neighbouring amenity	D.SG4, D.DH8, D.ES9	D14
Transport	S.TR1, D.TR2, D.TR3, D.TR4	T1, T2, T3, T4, T5, T6, T6.2, T6.3, T6.5, T7, T9
Waste	D.MW3	SI 7
Sustainability	S.ES1, D.ES2, D.ES5, D.ES6, D.ES7, D.ES8, D.ES10	D11, SI 1, SI 2, SI 4, SI 5, SI 13, SI 16
Biodiversity	D.ES3	G1, G5, G6
Contributions	D.SG5	D2, E11

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

- National Planning Practice Guidance (last updated 2019)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- GLA City Fringe Opportunity Area Planning Framework (2015)
- Historic England Heritage Supplementary Guidance (Various)
- GLA London View Management Framework supplementary planning guidance (2012)
- LBTH Draft Planning Obligations SPD
- Redchurch Street Conservation Area Character Appraisal and Management Guidelines (2009)
- Fournier Street Conservation Area Character Appraisal and Management Guidelines (2009)
- Boundary Estate Conservation Area Character Appraisal and Management Guidelines (2009)
- South Shoreditch Conservation Area Appraisal (2009) - LB Hackney

7 PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

1. Land use
2. Design
3. Heritage
4. Neighbouring amenity
5. Transport and servicing
6. Waste and recycling
7. Energy & sustainability
8. Biodiversity
9. Flood risk and drainage
10. Pollution
11. Environmental Impact Assessment
12. Planning balance
13. Planning contributions and CIL
14. Local Finance contributions
15. Human Rights and Equalities

Land use

7.2 The existing uses on the site are office (B1a), industrial (B1c), retail (A1) and leisure (D1).

7.3 The Local Plan policies on land use relevant to this application are:

- S.EMP1 - creating investment and jobs
- D.EMP2 - new employment space
- D.EMP4 - redevelopment within designated employment locations
- D.TC2 - protecting retail in our town centres
- D.CF2 - Existing community facilities

S.EMP1 - creating investment and jobs

7.4 Part 1 of the policy stipulates that development which supports and maximises the provision of employment floorspace will be supported and that development in the CAZ (tertiary area)

should provide office and mixed use schemes as part of an employment-led or mixed-use scheme.

- 7.5 Through the development of 14,393 sqm of office floorspace, 1,444 sqm of affordable workspace and 1,171 sqm of flexible retail, the requirements of Policy S.EMP1 part 1 have been met.
- 7.6 Part 3 of the policy sets out that proposals that deliver jobs and ensure a range of job opportunities will be supported.
- 7.7 The proposed development fully complies with the policy and as such is supported by Officers mindful that a) the development is liable to provide a wider range of jobs, than a purely office space scheme b) it proposes a very marked increase in the potential number of employees to circa 1,143 in the new development when fully occupied.

D.EMP2 - new employment space

- 7.8 As the proposal constitutes a 'major development' providing 15,837sqm of new office floor space Part 4 of Policy D.EMP2 applies and the scheme will provide as the policy requires 10% of the B1 floor space as affordable at 10% below the market rate. The policy requires as a minimum that affordable workspace is provided at this discount for 10 years. The scheme goes beyond this requirement and will provide it as affordable workspace, managed by an affordable workspace provider for the life of the development, an approach that is consistent with policy E3 of the London Plan.

D.EMP4 - redevelopment within designated employment locations

- 7.9 This policy states that redevelopment within the CAZ (tertiary area) should be employment-led or mixed-use to include office or other non-residential floorspace that supports the strategic function of the CAZ. This criterion has already been met – see Policy S.EMP1 part 1 above.
- 7.10 Whilst this redevelopment will result in a reduction in industrial floorspace, the site is neither a Local Industrial Location (LIL) nor a Strategic Industrial location (SIL). This means that the site's industrial designation does not need to be protected to support the long-term needs of the borough and policy D. EMP4 part 5 is not relevant here.
- 7.11 Policy D.EMP4 part 6 sets out that development which is likely to adversely impact or displace an existing business must find a suitable replacement accommodation within the borough unless it can be shown that the needs of the business are better met elsewhere.
- 7.12 The application sets out that the developer has discussed with the two existing tenants' a relocation strategy and both have sought alternative arrangements independent of the Applicant. This suggests that the developer made attempts to find a suitable replacement accommodation and hence this policy requirement is met.

D.TC2 - protecting retail in our town centres

- 7.13 Part 5 of the policy states that within Neighbourhood Centres the proportion of A1 use should not fall below 40% of all units within the designated centre. However, Columbia Street and Redhurch Street are exempt from this requirement. In regard to these two centres Part 7b of the policy states that any loss of floorspace must be of a scale that will not materially alter the nature of the unit, its future viability and the function of the host shopping Area and any loss of floorspace is of a scale that will not materially alter the nature of the unit.

- 7.14 28-32 Redchurch Street are within the Redchurch Street Neighbourhood Centre and therefore part 7b is applicable
- 7.15 The existing site is recorded as having 140sqm of retail floorspace. The proposed development, at ground floor level proposes a flexible permission of 1,171sqm commercial space (which includes A1 uses).
- 7.16 In this respect, there is no specific percentage of retail (A1) that needs to be retained. Notwithstanding this, policy objectives of the City Fringe Sub Area, and the Central Activities Zone, are for uses that serve a supporting role for office accommodation. The proposed flexible uses (including A1 and A3 uses) can reasonably be considered to meet the requirement of part 7b.

D.CF2 - Existing community facilities

- 7.17 Part 1 of policy resists the loss of community facilities unless it can be demonstrated that a) there is no longer a need for the facility or an alternative community use within the local community, or b) a replacement facility of similar nature that would better meet the needs of existing users is provided.
- 7.18 The site has in recent years contained D1/D2 (non-residential institution/assembly and leisure) use within the existing 1-5 Chance Street and 28 Redchurch Street building.
- 7.19 Information demonstrating there is no longer need for this use has not been provided and these uses would not be re-provided within the proposal. Officers recognise this policy conflict. However, given the scale of this loss and the benefits that arise from the quantum of other uses proposed, this non-compliance with policy is not considered sufficient to warrant refusal of the application.

Other

- 7.20 During pre-application discussions the GLA raised concerns about the loss of industrial 'maker space'. Officers are of the view that the proposed development addresses these concerns by way of the basement level of the B1a/B1c affordable workspace lending itself to 'maker space' occupations.

Summary

- 7.21 As detailed above the scheme raises no land use issues in relation to being in general accordance with relevant policies in the London Plan and the Local Plan.

Design

Policy

- 7.22 Policy D3 of the London Plan requires development to make the best use of land by following a design-led approach. This requires design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. The policy goes on to set out clear requirements that development must achieve in terms of 'Form and layout', 'Experience' and 'Quality and character'.
- 7.23 Policy S.DH1 in the Local Plan requires development to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm. To achieve this, the development should be of appropriate scale, height, mass, bulk and form in its site context, represent good urban design and ensure the architectural language employed complements and enhances its

immediate and wider surroundings. It also seeks to ensure that high quality design, materials and finishes are used to ensure the building is robust, efficient and fit for the life of the development.

- 7.24 Policy D9 of the London Plan requires that long-range, mid-range and immediate views are given careful consideration in the design of tall buildings.
- 7.25 The Local Plan defines tall buildings as those which are more than 30m tall or twice the height of prevailing surrounding buildings and identifies that tall buildings will be directed towards the borough's five designated Tall Building Zones.
- 7.26 Part 3 of policy D.DH6 of the Local Plan states that tall buildings outside of these zones will only be supported providing they meet the following criteria:
- a. located in areas with high levels of public transport accessibility within town centres and/or opportunity areas
 - b. address deficiencies in the provision of strategic infrastructure
 - c. significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
 - d. do not undermine the prominence and/or integrity of existing landmark buildings and tall building zones
- 7.27 Policy D.DH2 of the Local Plan requires development to positively contribute to the public realm by:
- Optimising active frontages towards public streets and spaces.
 - Providing clear definitions and enclosure through building frontage and massing, and connection and continuity of pedestrian desire lines and street activities, at a human scale
 - Providing a range of public spaces that can function as places for social gatherings and other recreational uses

Urban grain/ mass/bulk and form

- 7.28 The proposed building would have an overall 47.5m width, 67.0m depth and height ranging from 11.3m - 40.5m (including rooftop plant) measured from ground level.
- 7.29 This would result in the majority of the site being covered by the proposed building and represents a relatively large uplift in the existing built footprint.
- 7.30 The overall height would be taller than the Tea & Biscuit Building to the west, the properties on Redchurch Street to the north and the properties on Chance Street, Whitby Street, Bethnal Green Road and Club Row to the east.
- 7.31 The proposed building would have a cruciform layout in plan finished primarily with flat roofs. Although there would be a three to five-storey pitched roof element fronting onto Ebor Street and a three-storey pitched roof element fronting onto Chance Street
- 7.32 The two main terraces in terms of size would be to the front on the roof and to the rear on the seventh floor. There would also be smaller terraces on the fifth floor to the east/north and west and the third floor to the east and south.

- 7.33 The loggias would be to the front from the second to the eighth floor, to the rear from the third to the sixth floor and to the east on the second floor.
- 7.34 Officers recognise that the proposed building would be taller and bulkier than the surrounding properties along the northern side of Bethnal Green Road. However, the massing is broken up and benefits from a series of roof heights and also the inclusion of upper storey setbacks from the frontages on surrounding streets.

Figure 11: Verified CGI view of the proposed scheme from the east on Club Row with the previously approved scheme in pink outline and a previous proposal in purple outline (Source: Townscape, Heritage & Visual Impact Assessment)



- 7.35 The above CGI, looking west along Whitby Street from Club Row, illustrates how the design has sought to break down the massing into different forms through various set back elements.
- 7.36 Material to consideration of this planning application is the lapsed consent PA/13/01638) for a building which had a similar plot coverage but was significantly taller than what is currently proposed, ranging in height from one to fourteen storeys. In figure 11 above, the pink wire line in the image illustrates the outline of the previously consented scheme. Whilst this scheme was consented under the previous Local Plan and has now lapsed, Officers conclude it remains a material planning consideration in respect of appropriate urban grain, mass, bulk and form for the site as well as regard for optimising the site.
- 7.37 Officers conclude that the proposed building would provide an acceptable urban grain, mass, bulk and form in its site context and arrive at this conclusion with regard to amongst others policy D3 (*Optimising site capacity through the design-led approach*) of the new London Plan.

Fenestration and materiality

- 7.38 The building is intended to be constructed using a modular construction method; consisting of three façade strategies which are the 'Primary mass', 'Central bays' and 'Low rise blocks'.
- 7.39 The Primary Mass would consist of two panel types with different iterations and variations for the corners, resulting in a total of thirteen modules. The Central Bays would consist of three panel types. The Low Rise Blocks would consist of three panel types.
- 7.40 The building would consist predominantly of ground floor glazed shop frontages, with the exception of some non-glazed frontage facing Ebor Street. At upper floor levels it would consist predominantly of window modules and curtain-wall glazing, with the exception of a strip of corrugated aluminium panels facing Ebor Street.
- 7.41 The external materials palette would consist predominately of reddish pink brickwork, cream reconstituted stone, metal balustrades and metal panels.
- 7.42 Some parts of the elevations would have a crinkled form while other parts would not.
- 7.43 Since submission of the application, Officers have worked with the architects of the scheme and have received a high level of detail in respect to the finish design and detailing of the facades. This included provision of 1:25 study drawings that provide a good level of confidence surrounding how the design of the scheme will be delivered and are fully consistent with the images provided.
- 7.44 Officers are satisfied with the palette of proposed external materials and the exact details surrounding materials, alongside façade joints and detailing of window openings would be provided and secured by condition.
- 7.45 In regards to the Ebor Street elevation, Officers did raise concerns with the amount of non-glazed frontage at ground floor level creating an inactive element and the amount of metal cladding on the upper floors.
- 7.46 However, it is considered that the proportion of these elements on the west elevation when assessed and viewed as part of the building as a whole, would not give rise to an unacceptable appearance overall.
- 7.47 With respect to the proposed shopfronts; signage, security, lighting and ventilation full details have not been forthcoming to date. However, Officers are satisfied these can be secured to an adequate design quality by way of condition.
- 7.48 Officers are satisfied the proposed building would successfully relate to its context and neighbouring warehouse-style buildings in this part of Shoreditch.
- 7.49 The front facade of 30-32 Redchurch Street is proposed to be retained, repaired and incorporated into the proposed building.
- 7.50 During the application process Officers requested further information on these works.
- 7.51 In response the agent submitted 'Design and Access Statement Addendum - Revision A' (D&A A) This document sets out that the proposal will seek to retain the brick façade at nos. 30-32 and demolish its ground floor and the whole of 28 Redchurch Street. The ground floor is then proposed to rebuilt like-for-like using its current language. A new roof would then span nos. 30-32 as well as the new building at no.28.

- 7.52 D&A A states that a preliminary facade condition survey has been undertaken by structural engineers to assess the current state of the facade at nos. 30-32 to establish the basis for the facade retention strategy in the next stages.
- 7.53 It goes on to state that further investigations will be carried out to determine the appropriate intervention to preserve, restore or repair each of the facade components; which they anticipate could be addressed via condition.
- 7.54 Weighing these factors together it is considered that on balance the proposed building would successfully tie in with the warehouse style buildings in this part of Shoreditch and would have acceptable fenestrations and materiality, subject to conditions requiring approval of materials, joints and a restoration strategy for the façade of 30-32 Redchurch Street

Tall buildings policy

- 7.55 The proposal is for a tall building outside of a designated Tall Buildings Zone and it is recognised that the proposed building does not comply with the requirements of parts 3b and 3c of policy D.DH6 of the Local Plan.
- 7.56 However, officers consider that the fourteen-storey development approved as part of PA/13/01638 carries weight in the assessment of the current proposal, as does the assessment and conclusions made on height by the Planning Inspector in granting that consent.
- 7.57 Given this previous approval, it is considered that the site is an appropriate location for a tall building and that the lack of compliance with 3b (address deficiencies in the provision of strategic infrastructure) and 3c (significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area) would not on balance constitute grounds for refusal in its own right.
- 7.58 Part 3a (high levels of public transport accessibility within town centres and/or opportunity areas) and 3d (do not undermine the prominence and/or integrity of existing landmark buildings and tall building zones) are considered to be met.

Design conclusion

- 7.59 To conclude, the scale, height, and massing of the proposed development would respond appropriately to the site's role within the borough. The building would have an acceptable relationship with neighbouring properties and the emerging context of tall buildings in the area, such as the Bishopsgate Goodsyrd scheme (which has been resolved to grant), the implemented Avant-Garde Place and nearby consented/under construction schemes in Hackney, and would safeguard future development on neighbouring sites. The distribution of the height across the site with the maximum bulk and height set towards the south and Bethnal Green Road limits the degree of imposition the height of the scheme has on surrounding Conservation areas and street scene views from the north.
- 7.60 The architecture is considered to respond acceptably to the historic fabric of greatest importance. The materials and appearance of the building would be acceptable and the design would appear as a vibrant addition to Shoreditch overall.
- 7.61 In apportioning weight to these benefits, it is considered the scheme's architecture carries some weight in favour of the proposal.

Heritage

Policy

- 7.62 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
- 7.63 Section 72(1) of the same Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.64 Paragraph 193 of the NPPF states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 7.65 Paragraph 194 adds that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.66 Paragraph 196 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 7.67 Paragraph 197 states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- 7.68 Policies S.DH3 and D.DH4 of the Local Plan and policy HC1 of the London Plan require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Townscape Visual Impact Assessment (TVIA)

- 7.69 A TVIA was submitted during the application process following a request by the LPA. This has been used as part of the assessment on the impacts on nearby designated and non-designated heritage assets.
- 7.70 The TVIA noted significant adverse effects during demolition and construction, and significant beneficial effects reported during operation for some assets/views.

Statutory listed buildings

Owl & Pussycat public house

- 7.71 This Grade II listed building is considered to be the most likely to be affected by the proposed development.
- 7.72 Its Historic England listing describes its historic and architectural significance as *“Early C19 facade to probably C18 building. Stucco facade with quoins. Heavy dentil eaves cornice with frieze and blocking course above. Roof not visible. 3 storeys, 5 windows, all sashes with glazing bars. Those of 2nd floor in architrave surrounds, with moulded sills on brackets. 1st*

floor with architrave surrounds, pilasters and alternate triangular and semi-circular pediments on carved brackets. Ground floor below dentil cornice, pilasters between windows covered with glazed tiles”.

- 7.73 The main views of these features are from the north, north west and north east along Redchurch Street.
- 7.74 Given the setback of the main part of the proposed building it would not be readily visible in views directly in front of the pub. The view in Figure 13 shows a thin sliver of the proposal would be visible above the parapet line of the Grade II listed building from the opposite side of Redchurch Street. This compares favourably with the previously consented scheme which is shown by the pink wireline.

Figure 12: Existing view of the front elevation of The Owl & Pussycat (Source: Townscape, Heritage & Visual Impact Assessment)



Figure 13: Verified CGI view of the proposed scheme behind The Owl & Pussycat with the previously approved scheme in pink outline (Source: Townscape, Heritage & Visual Impact Assessment)



7.75 In contrast Figure 14 below looking east along Redchurch Street highlights that the proposals would be experienced in the setting of the of the listed building, albeit somewhat set back and away from the heritage asset.

Figure 14: Verified CGI view of the proposed scheme from the north east looking at the corner of Redchurch Street and Ebor Street with the application site in foreground and The Owl & Pussy Cat in view further to the east (Source: Townscape, Heritage & Visual Impact Assessment)



7.76 However, given that the listed building's special and architectural interest comes predominantly from its front façade, it is considered that the development would preserve these features.

7.77 Furthermore, given the proposed building's form which steps up away from the public house, it is considered that any harm to the setting of the listed building would be minimal.

Old Bishopsgate Goods Station, Braithwaite Viaduct, 25 Bethnal Green Road/1 Club Row, 3 & 5 Club Row with 31 Whitby Street to the east, iron railings gate and piers between Laleham House and Hedsor House, individual blocks with the Boundary Estate

7.78 The proposed building would be visible in townscape views of these nearby Grade II listed heritage assets.

7.79 However, given the building's massing and form and its separation distance from them and the cumulative impact of the Bishopsgate Goodsyards scheme it is considered that it would preserve their settings.

Locally listed buildings

7.80 Officers consider that the proposed development would not cause any harm or loss and the significance of the nearby locally listed buildings at 15 Bethnal Green Road and 9 - 13 Redchurch Street/2-4 Boundary Street, given the separation distances from them.

Conservation Areas

Redchurch Street Conservation Area

- 7.81 The proposed building would be partially within this Conservation Area (CA) and is therefore considered to be affected by it.
- 7.82 The Conservation Area is small-scale, tight-grain, mixed-commercial of a Victorian East End townscape character within an older street plan.

Figure 15: Application site in relation to Redchurch Street Conservation Area



- 7.83 The proposal would have a much larger footprint, massing and height than other properties within this CA.
- 7.84 It would also result in the loss of the application site's service yard which is an historic feature, having previously been connected to Whitby Street.
- 7.85 The proposed building would be visible within the CA, in particularly along Redchurch Street and Whitby Street and whilst these changes would be less significant than those arising from the previously consented scheme, it is still considered that the changes proposed to these views would not preserve the character of the CA and would therefore cause harm to it significance, this finding is also noted by Historic England in their consultation response as set out in Section 5 of this Committee Report.
- 7.86 This harm is considered to be 'less than substantial'. Therefore, as required by paragraph 196 of the NPPF this harm will be weighed against the proposal's public benefits in the Conclusion section of this report.

South Shoreditch Conservation Area

- 7.87 The South Shoreditch Conservation Area is located entirely within the neighbouring London Borough of Hackney. In 2009, the Conservation Area was extended eastwards thereby including the TEA Building and the western end of Redchurch Street.

7.88 As set out in Section 5 above, the London Borough of Hackney have provided two separate consultation responses with respect to the proposals. Notwithstanding comments about the overall design approach, they have outlined in these responses what they consider to be harm to the setting of the Tea Building and therefore the setting of the South Shoreditch Conservation Area.

Figure 16: Verified CGI view of the proposed scheme from the south west on Shoreditch High Street, with the Tea & Biscuit Building in the foreground (Source: Townscape, Heritage & Visual Impact Assessment)



7.89 The above image from the applicant's TVIA shows Tea & Biscuit Building in the foreground and is taken from underneath the rail bridge on Shoreditch High Street looking east along Bethnal Green Road. This is considered to be one of the key views in which the proposal and the Tea & Biscuit Building would be seen together.

7.90 In this view, the seven-storey shoulder of proposed building can be just behind to the right of the traffic lights with the taller nine-storey element unfortunately obscured by the traffic light itself. Whilst the proposal would represent an increase in the prevailing townscape character from the existing, which currently steps down from the nine storeys of the Tea & Biscuit Building to 5/7 storeys immediately to the west of the Site on Ebor Street, the townscape character in this view is already significantly impacted by the Avant-Garde Tower at the junction of Bethnal Green Road and Sclater Street which rises to 25 storeys in height.

7.91 Whilst clearly further away from the Tea & Biscuit Building than the site, the Avant Garde Tower can also be seen as part of the setting of the South Shoreditch Conservation Area, and set within this view, any change to the setting of the Conservation Area resulting from the application proposals is not considered dramatic.

7.92 Notwithstanding the above, the site buildings on the western side of the Ebor Street, and opposite the site, also fall within the South Shoreditch Conservation Area. As noted above these buildings vary in height, with heights of five storeys and set back elements up to seven storeys.

7.93 The below existing and proposed images from the TVIA illustrate the changing relationship to the South Shoreditch Conservation Area from the proposals.

Figure 17: Existing view from the north west looking southwards down Ebor Street (Source: Townscape, Heritage & Visual Impact Assessment)



Figure 18: Verified CGI view from of the proposed scheme looking southwards down Ebor Street with the pink outline showing the previously consented scheme and the purple outline showing a previous scheme (Source: Townscape, Heritage & Visual Impact Assessment)



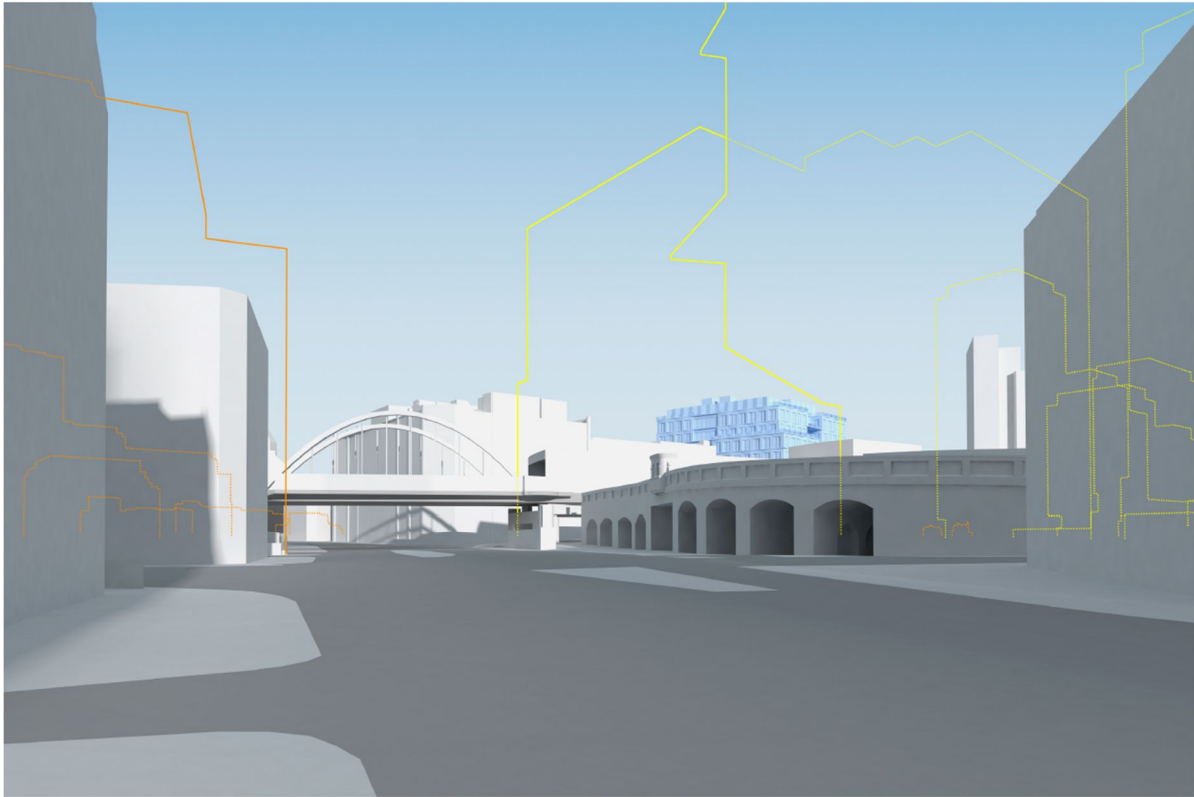
- 7.94 These views clearly demonstrate the increase in built form resulting from the proposals and their adjacency to the Conservation Area, to the right of the above views. Nevertheless, they also show the comparative reduction in built form from the previously consented scheme, again shown by the pink wireline.
- 7.95 With regard to the above relationship it is of note that Historic England concluded that, aside from harm to the Redchurch Street, there would be little change to the setting of other heritage assets in the locality.
- 7.96 Wider massing views of this relationship have also been provided within the TVIA as below.

Figure 19: Proposed CGI view of the proposed scheme from south west on Shoreditch High Street with the pink outline showing the previously consented scheme and the purple outline showing a previous scheme (Source: Townscape, Heritage & Visual Impact Assessment)



- 7.97 The above massing model shows an indicative view looking north along Shoreditch High Street. The proposal is shown in blue, above the listed Goodsyard arches and to the right of the Tea & Biscuit Building and the South Shoreditch Conservation Area. The pink wireline shows the previously consented scheme with the purple line showing a previous iteration of the current scheme.

Figure 20: Proposed CGI view of the proposed scheme from south west on Shoreditch High Street with the pink outline showing the previously consented scheme, the purple outline showing a previous scheme, the yellow outline to the right showing the resolved to grant Bishopsgate Goodway scheme and the orange outline to the left showing a consented scheme in Hackney (Source: Townscape, Heritage & Visual Impact Assessment)



- 7.98 The above image shows the same massing view but this time accounting for the consented Bishopsgate Goodyard scheme (shown in yellow) and a consented scheme in Hackney (shown in orange).
- 7.99 In light of the above, it is considered that whilst the proposals would impact on the setting of the South Shoreditch Conservation Area, any harm arising would be considered to be at the lower end of the 'less than substantial' harm category as per the provisions of the NPPF.

Boundary Estate Conservation Area and Fournier Street Conservation Area

Figure 21: Existing view southwards from Arnold circus mound, Boundary Estate (Source: Townscape, Heritage & Visual Impact Assessment)



Figure 22: Verified CGI of the proposed scheme - view southwards from Arnold circus mound, Boundary Estate (Source: Townscape, Heritage & Visual Impact Assessment)



7.100 The proposed building would be visible in townscape views of these nearby CAs.

7.101 However, given the building's massing and form and its separation distance from them, it is considered that it would preserve their character and appearance.

7.102 Furthermore, if implemented, the Bishopsgate Goodsyrd scheme would be more visible in these views than the proposed development.

Neighbouring amenity

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

Daylight and sunlight policy and guidance

7.104 Policy D.DH8 of the Local Plan requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook ‘Site Layout Planning for Daylight and Sunlight’ (2011).

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

7.106 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. For full compliance with the BRE guidance the VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows.

7.107 The NSL calculation takes into account the distribution of daylight within the room, and again, figures for full compliance with the BRE guidance should not exhibit a reduction beyond 20% of the former value.

7.108 In regards to sunlight, a window is considered to be adversely affected if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH), including at least 5% of the Winter Probable Sunlight Hours (WPSH) (September 21st - March 21st) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90° of due south.

7.109 Figure 23 below contains LBTH numerical classifications that are applied to aid categorising impacts:

Figure 23: Classifications for daylight and sunlight loss

Reduction to daylight (VSC & NSL) and sunlight (APSH & WPSH)	Effect classification
0 - 19.9%	Negligible
20% - 29.9%	Minor adverse
30% - 39.9%	Moderate adverse
40% +	Major adverse

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

7.111 BRE guidance also sets out that transient overdrawing diagrams can be used where a large building is proposed which may affect a number of gardens or open spaces. These diagrams plot a shadow plan showing the location of shadows at different times of day and year.

Daylight and sunlight report

7.112 A report assessing impacts on neighbouring properties was contained within the submitted ES. The report also assessed overshadowing, solar glare and light pollution (these will be addressed later in this Committee Report).

Figure 24: Daylight/sunlight model plan view (Source: Environmental Statement)



7.113 The properties that were assessed are as follows:

- 2 - 4 Chance Street
- 17 - 23 Whitby Street
- 3 Club Row
- 5 Club Row
- 7 - 9 Club Row
- 15 - 17 Redchurch Street
- 19 - 29 Redchurch Street

- 31 - 39 Redchurch Street
- 36 Redchurch Street
- 41 - 43 Redchurch Street
- 42 Redchurch Street
- 44 Redchurch Street
- 45 Redchurch Street
- 47 - 49 Redchurch Street
- 48 - 50 Redchurch Street
- 51 Redchurch Street
- 2 - 4 Boundary Street (Hotel)
- 13 Bethnal Green Road (Soho House hotel)
- 15 Bethnal Green Road

7.114 The Council appointed an independent daylight/sunlight consult to review the applicant's submitted report and independent consultant made the following comments:

- The scope of the assessment is appropriate.
- Cumulative impacts with consented Bishopsgate Goods Yard have not been assessed and that given its substantial height, bulk and massing it would have a cumulative effect on the sensitive receptors assessed.
- Not clear which properties have been assessed using room layouts and which are based on plans obtained through research. It would therefore be useful if the applicant could confirm which have been modelled using plan as opposed to estimates.
- Correct BRE methodology has been used to assess VSC, NSL and APSH.
- BRE's two-hour sun-on-ground assessment has not been undertaken. However, it is agreed that the transient foreshadowing study comprising of hourly snap shots on March 21st (Spring equinox), June 21st (Summer solstice) and December 21st (Winter solstice) is acceptable.

7.115 Officers agreed with this conclusion. Officers subsequently sought further clarification on the impact on some properties from the agent. This information was provided by the agent by the submission of two addendums to the report. The results of the original report and the two addendums are assessed below. Going forward the report and the two addendums will be treated as one assessment and referred to as the 'SDO'

7.116 *(Case Officer's note: Officers note that there is planning history indicating there may be flats on the upper floors of 46 Redchurch Street. This property has not been assessed in the DSO. However, Officers are of the view that the daylight/sunlight and overshadowing assessments to neighbouring properties are sufficient to assess that there would not be unacceptable impacts towards it.)*

Daylight results

7.117 The report identified the following properties as having windows and/or habitable room that would not meet the BRE guideline targets as a result of the proposed development:

- 17 - 23 Whitby Street
- 3 Club Row
- 5 Club Row
- 7 - 9 Club Row
- 36 Redchurch Street
- 41 - 43 Redchurch Street
- 44 Redchurch Street
- 45 Redchurch Street

- 47 - 49 Redchurch Street
- 48 - 50 Redchurch Street
- 51 Redchurch Street
- 2 - 4 Boundary Street (Hotel)

7.118 However, Officers note that daylight impacts, both by the VSC and NSL measures would be negligible or moderate and as such of not undue concern given the particular site context.

7.119 The following properties have a greater impact in terms of VSC and NSL and these are discussed in greater depth:

42 Redchurch Street

7.120 This property is identified as having a first floor studio apartment with six windows potentially impacted by the proposed development.

7.121 One of these windows would experience a moderate VSC loss of 34.8%. However, two of its windows would experience no loss and the other three would experience negligible to minor losses. Furthermore, the NSL loss to the apartment as whole would be negligible at just 8.5%.

7.122 Officers considers that these impacts are not of undue concern in the site context and are acceptable

2 - 4 Chance Street

7.123 Planning and Council Tax records indicate there are two residential units at this property at first and second floors.

7.124 This property is directly to the east of the site and the DSO identifies six windows and three habitable rooms potentially impacted by the proposed development.

7.125 The DSO suggests there would be a major VSC loss of 42.6% and 97.7% to two windows serving a second floor living/dining room. However, it indicates that this room is also served by two other windows that would have a negligible and minor VSC loss of and 3.5% - 27.3%. Furthermore, the room would only have a minor NSL loss of 25.7%. Officers consider the perception of light obstruction to a person in the inner part of the room will not be materially different and on balance considered acceptable.

7.126 The DSO indicates that all other habitable rooms within the property would experience negligible VSC and NSL losses.

7.127 Taken overall the impacts to this property are considered acceptable.

15 - 17 Redchurch Street

7.128 There are seven flats at this property which are at first to fifth floor levels and served by north and south facing windows.

7.129 This property is directly to the north of the site and the DSO identifies twenty windows and ten habitable rooms that would be impacted by the proposed development.

7.130 It suggests there would be a major adverse NSL loss of 40.7% to a second floor living/dining room. However, the report indicates that this room is served by two windows which would have negligible VSC losses of 9.5% and 13.9%. Officers consider the perception of light

obstruction to a person in the inner part of the room will not be materially different and on balance considered acceptable.

7.131 The report indicates that all other windows within the property would experience negligible VSC and negligible to minor and NSL losses to habitable rooms.

7.132 For these reasons Officers consider that the daylight impacts on all flats within this building would be acceptable.

19 - 29 Redchurch Street

7.133 There are five flats at this property which are at third and to fourth floor levels and windows are contained in all elevations.

7.134 This property is directly to the north of the site.

7.135 The DSO suggests there would be major NSL losses of 54.1% to a second floor bedroom, a 53.0% to a third floor bedroom and 52.0% to a third floor living/dining room. However, it indicates that the bedrooms are each served by a window that would experience minor VSC losses of 25.9% and 24.4% respectively. Furthermore, it indicates the living/dining room is served by two windows which would experience moderate VSC losses of 31.8% and 34.8% respectively. Officers consider that results indicate that the perception of light obstruction to a person in the inner part of the rooms will not be materially different and are on balance considered acceptable.

7.136 The report indicates that all surveyed windows would experience a moderate or less VSC loss and all other habitable rooms (apart from three mentioned above) will experience minor or less NSL losses.

7.137 For these reasons and given the context of the site Offices consider that on the daylight impacts on all flats within this building would be acceptable.

31 - 39 Redchurch Street

7.138 There are nine flats at this property which are at first to third floor levels and windows are in north and south elevations.

7.139 This property is directly to the north of the site and the DSO suggests there would be a major NSL loss of 46.8% to a first floor bedroom. However, the report indicates that its window would experience a moderate VSC loss of 23.3%. Officers consider that because of these results the perception of light obstruction to a person in the inner part of the rooms will not be materially different and on balance considered acceptable.

7.140 The report indicates that all surveyed windows would experience a minor or less VSC loss and all other habitable rooms (apart from the one mentioned above) will experience minor or less NSL losses.

7.141 Taken overall Officers conclude the daylight impacts on all flats are considered acceptable.

13 Bethnal Green Road, Soho House Hotel

7.142 This hotel has rooms at first to fifth floor levels.

7.143 The property is to the west of the site and the DSO identifies twenty-three windows and twelve habitable rooms that would be impacted by the proposed development.

- 7.144 Some of the hotel's bedroom windows facing Ebor Street will experience major VSC losses and five of the twelve surveyed rooms would experience major NSL losses. Two first floor bedrooms and two second floor bedrooms would experience major VSC losses to their windows and to their NSL levels.
- 7.145 When looking at the layout of the hotel it is noted that its corner bedrooms are dual aspect and are likely to maintain a view over Bethnal Green Road and rooms at fourth and fifth floor level are set back, some are dual aspect and contain private balconies which should ensure the impact is less severe.
- 7.146 On balance, Officers consider that given the hotel use which has a transient population that is most likely to use the hotel in the evening, the loss of VSC and NSL is considered acceptable given the site context, the material weight given to the previously consented scheme on site and when weighed against the regenerative benefits of the scheme.

15 Bethnal Green Road

- 7.147 Records indicates this property contains a live/work unit which is mainly at second floor level but with some space in the floors below.
- 7.148 The report identifies twenty windows and ten habitable rooms that would be impacted by the proposed development.
- 7.149 The property is directly to the east of the site and the DSO suggests there would be a major VSC loss of 73.3% and 81.6% to two windows serving a first floor room with an unknown use. However, the report indicates that this room is also served by another window that would have a negligible VSC loss of 19.8%. Furthermore, the room would only have a minor NSL loss of 23.1%. Officers consider that because of these results the perception of light obstruction to a person in the inner part of the room will not be materially different and on balance considered acceptable.
- 7.150 The report indicates that all other windows within the property would receive negligible to moderate VSC losses and negligible to minor and NSL losses to habitable rooms
- 7.151 Taken overall Officers conclude the daylight impacts on this property are considered acceptable.

Sunlight results

- 7.152 No effect was reported at nine properties, and negligible at one. All other properties surveyed would experience minor adverse or greater sunlight impacts which are set out in greater detail below.

17 - 23 Whitby Street

- 7.153 There are six flats at this property which are at second and third floor levels.
- 7.154 The property is to the east of the site and the DSO identifies fourteen windows that would potentially be impacted by the proposed development.
- 7.155 The report suggests there would be a minor adverse APSH loss to a second floor bedroom window but a 100% major adverse WPSH loss. However, given the existing winter sunlight hours is low at just 1%, any loss as a percentage appears logically greater. Officers consider this winter loss is not therefore unacceptable.

- 7.156 The report suggests there would be a minor adverse APSH loss to a third floor bedroom but a 50% major WPSH loss. Given the minor APSH loss and the specific site context Officers consider that the winter loss is not unacceptable.
- 7.157 All other windows surveyed would experience negligible to minor APSH and WPSH losses which are considered acceptable.
- 7.158 One window would not have the proposed development within 90° of due south.
- 7.159 Officers consider that sunlight impacts will be barely perceptible notwithstanding in absolute numerical terms the loss is high because the existing winter sunlight hours received is so small.

3 Club Row

- 7.160 Four windows at second and third floor level. were identified as being impacted by the proposed development.
- 7.161 This property is some distance east of the site and the DSO suggests APSH losses to habitable room windows would be negligible while WPSH losses be negligible to minor.
- 7.162 These impacts are considered to be small and therefore acceptable.

5 Club Row

- 7.163 Two windows at first and second floor level were identified as being impact by the proposed development.
- 7.164 This property is some distance east of the site and the DSO suggests APSH and WPSH losses to habitable room windows would be negligible.
- 7.165 These impacts are considered to be small and therefore acceptable.

7 - 9 Club Row

- 7.166 Nine windows at first, second and third floor levels were identified as being potentially impact by the proposed development.
- 7.167 This property is some distance east of the site and the DSO suggests APSH and WPSH losses to these habitable room windows would be negligible or zero
- 7.168 These impacts are considered to be small and therefore acceptable.

2 - 4 Chance Street

- 7.169 This property is to the east of the site and the DSO suggests there would be a major APSH losses to three windows serving the second floor living/dining room, and a major WPSH loss to two of the windows, with the third window not receiving any winter sunlight. However, the report indicates this living/dining room would have a fourth window which would experience moderate APSH and WPSH losses. Therefore, officers consider sunlight impact to this room would be acceptable
- 7.170 The other windows would not have the proposed development within 90° of due south and therefore APSH and WPSH impact are not relevant.

15 - 17 Redchurch Street

- 7.171 This property is to the north west of the site and the DSO suggests a first floor living/kitchen/dining room, a first floor bedroom a second floor living kitchen/dining room would all experience negligible APSH losses but 100% major adverse WPSH losses. Two third floor bedrooms would also have windows that would experience negligible APSH losses but major 50 - 75% WPSH losses. Officers consider these are not unacceptable because although there are major WPSH losses this is due to low existing WPSH levels of just 1-4% and would therefore not be readily perceptible.
- 7.172 All other affected windows would experience negligible annual to minor WPSH losses.
- 7.173 Officers therefore consider that given the site context these impacts on sunlight levels would be acceptable.

19 - 29 Redchurch Street

- 7.174 This property is to the north of the site and the DSO suggests a second floor living/kitchen/dining room and five bedrooms would all experience negligible APSH losses but major WPSH losses. On balance, Officers do not consider this unacceptable given the site context and low APSH losses.
- 7.175 The report suggests a second floor living/dining room would experience a negligible APSH loss but a major adverse WPSH loss. However, this room also appears to be served by another window in its north elevation. Its proposed sunlight levels are therefore considered acceptable by Officers.
- 7.176 The reports suggests four bedrooms and a living/dining room at third floor level would all experience negligible APSH losses but major WPSH losses. A further third floor bedroom would experience a negligible APSH loss and a moderate WPSH loss. On balance, Officers do not consider this unacceptable given the site context and low APSH losses.
- 7.177 A fourth floor living/kitchen/dining room would have one window that a negligible APSH loss and a major WPSH loss. However, it is also served by three other windows which would experience negligible APSH and WPSH losses. Its proposed sunlight levels are therefore considered acceptable by Officers.

31 - 39 Redchurch Street

- 7.178 The report suggests all affected windows serving habitable rooms across the first, second and third floors would experience negligible APSH losses but major WPS losses.
- 7.179 On balance, Officers do not consider this unacceptable given the site context and low APSH losses.

36 Redchurch Street

- 7.180 This property contains a first floor flat and a second flat.
- 7.181 The property is adjacent to the site to the north and the DSO suggests a first floor bedroom and a second bedroom would experience major APSH losses of 71% and 58.2% respectively and would both experience major 100% WPSH losses.
- 7.182 Officers acknowledge these impacts and consider that they would be noticeable to occupiers of the bedrooms. However, given the site context, the material wight given to the previously

consented scheme on site and when weighed against the regenerative benefits of the scheme, the impacts are not considered unacceptable on balance.

41 - 43 Redchurch Street

- 7.183 This property contains three flats at first to third floor level.
- 7.184 The property is to the north and the DSO identifies eleven windows as being potentially impacted by the proposed development.
- 7.185 APSH losses to all windows would all be minor.
- 7.186 Two first floor living/kitchen dining rooms would experience major WPSH impacts of 41.7% and 45.5% respectively. On balance, Officers do not consider this unacceptable given the site context and low APSH losses.

42 Redchurch Street

- 7.187 The DSO suggests four of the first floor studio apartment's six windows would be impacted by the proposed development.
- 7.188 It identifies there would be a major APSH loss to two windows and a moderate APSH loss to the other two windows which serve the first floor studio flat. It also suggests that all four windows would experience a major adverse WPSH loss.
- 7.189 Officers note the major a WPSH losses to all four windows and major APSH losses to two of them. However, two windows would only experience a moderate APSH loss. On balance, Officers do not consider this unacceptable given the site context and the moderate APSH losses to two of the windows.

44 Redchurch Street

- 7.190 Council Tax records indicate there is a first floor flat and a second/third floor flat at this property
- 7.191 The property is to the east of the site and the DSO suggests five windows would be impacted by the proposed development.
- 7.192 It suggests a first floor window currently receives zero sunlight and that the other four windows above would all experience negligible APSH losses. It suggests two of the windows would experience major WPSH losses while the other two would experience moderate losses.
- 7.193 Although the uses of these rooms are stated as 'unknown' in the DSO, Officers consider that were they to be habitable, given the negligible APSH losses to all windows, and the major WPSH losses to only two windows and given the particular context of the site the impacts are not unacceptable.

45 Redchurch Street

- 7.194 The DSO identifies habitable rooms at first and second floor level of this property and identifies that six windows could be impacted by the proposed development.
- 7.195 The DSO suggests there would be negligible to minor e APSH losses to three windows serving a first floor unknown room of unknown use and to three windows serving a second

floor unknown room of unknown use. Two of these windows would experience moderate WPSH losses while the other four would experience major losses.

- 7.196 Although the uses of these room are stated as 'unknown' in the DSO, Officers consider that were they all to be habitable, the negligible APSH losses to all windows and the particular site context would outweigh the major WPSH losses to four of the six windows and. Therefore, on balance the impacts are not unacceptable.

47 - 49 Redchurch Street

- 7.197 Planning history indicates that this three-storey building (including basement) contains flats on all floors.
- 7.198 This property is to the north east of the site and the DSO identifies that twelve windows could be impacted by the proposed development.
- 7.199 The DSO suggests there would be negligible APSH losses to all these windows. Eight of these windows would experience major WPSH losses, with the other four experiencing minor to moderate impacts.
- 7.200 Although the uses of these rooms are stated as 'unknown' in the DOO, Officers consider that were they all to be habitable, given the negligible APSHI losses to all windows, and the major WPSH to eight windows and given the particular context of the site the impacts are acceptable.

48 - 50 Redchurch Street

- 7.201 Planning history indicates this building that contains flats on its first to fifth floors.
- 7.202 This property is to the east of the site and the DSO identifies that ten windows could be impacted by the proposed development.
- 7.203 The DSO suggests there would be negligible APSH losses to all these windows. Four of these windows would experience major WPSH losses, with the other experiencing minor to moderate impacts.
- 7.204 Two of the major WPSH losses would be at first floor bedrooms, another would be at a third floor bedrooms and the other would be at a fourth floor kitchen which is also served by other windows.
- 7.205 Officers note the major WPSH losses. However, the bedrooms would all have negligible APSH losses and the kitchen is served but other windows. For these reasons and given the site context Officers do not consider these impacts to be unacceptable.

51 Redchurch Street

- 7.206 Council tax records indicate a first floor flat and a second floor flat at this property.
- 7.207 The report identifies habitable rooms at first and second floor level of this property and identifies that four windows could be impacted by the proposed development.
- 7.208 This property is to the north east of the site and the DSO suggests there would be negligible APSH losses to all these windows. It suggests that the two first floor windows would experience major WPSH losses of 40% and 50% respectively while the two second floor windows would experience minor WPSH losses.

7.209 Officers note the major WPSH losses which would be to windows serving the same living/kitchen dining room. However, given that the APSH losses are negligible and given the site context. Officers consider these impacts to be acceptable.

7.210 The other windows would experience negligible APSH and minor WPSH losses which Officers consider is small and acceptable.

2 - 4 Boundary Street/ 9-13 Redchurch Street (Hotel)

7.211 This property is to the north east of the site.

7.212 The DSO suggests one of the ground floor windows would experience a negligible APSH loss but a 100% major WPSH loss. However, the report suggests this window serves a reception which also has two other windows which would not experience any APSH or WPSH losses. Officers consider these impacts to be acceptable.

7.213 The report suggests that one of the other windows surveyed within 90° of due south of the proposed development would experience zero sunlight loss.

13 Bethnal Green Road, Soho House Hotel

7.214 The report identifies seven windows that could be impacted by the proposed development.

7.215 The windows would experience zero to negligible APSH losses and zero WPSH losses.

7.216 Officers consider these losses to be small and therefore acceptable.

15 Bethnal Green Road

7.217 The report suggests there would be a major APSH loss to two windows serving the first floor residential room of 'unknown' use. One of these windows would experience a major WPSH loss while the other would experience a minor loss. However, the report indicates that the room is served by a third window which would experience a minor APSH loss and a negligible WPSH loss.

7.218 The report suggests there would be a major APSH loss to two windows serving a second floor living/kitchen/dining room. One of these windows would experience a major WPSH loss, while the other does not receive winter sunlight currently. However, the report indicates that the room is served by a third window which would experience minor APSH and WPSH losses.

7.219 The report suggests that two of the three second floor greenhouse windows would experience minor APSH and negligible WPSH losses, while the third greenhouse window would experience no APSH or WPSH losses.

7.220 Officers acknowledge the major WPSH losses to the first floor room of unknown use and a second floor living/kitchen/dining room. However, given that these rooms are also served by other windows and given the site context the impacts are considered acceptable to Officers.

7.221 The other windows would not have the proposed development within 90° of due south.

Overshadowing

7.222 The SDO assessed transient overshadowing to nearby outdoor amenity areas, in line with BRE guidelines. Figure 25 summarises these below:

Figure 25: Overshadowing results

Area	March 21st	June 21st	December 21st
The Owl and Pussycat Courtyard - Existing	In shadow all day	In shadow 6.00 - 10.00 & 16.00 - 20.00	In shadow all day
The Owl and Pussycat Courtyard - Proposed	In shadow all day (specifically 10.00 -17.00)	In shadow all day (9.00 - 16.00 shadow caused from proposed development and the remainder of the day would be from other buildings).	In shadow all day (10.00 - 13.00 shadow caused from proposed development and the remainder of the day would be from other buildings).
Shoreditch House pool and amenity area - Existing	In shadow from 8.00 - 11.00 and gradually again from 14.00 - 17.00	In shadow from 6.00 - 11.00 and gradually again from 16.00 - 20.00	In shadow from 9.00 - 11.00 and gradually again from 14.00 - 15.00
Shoreditch House pool and amenity area - Proposed	No change	No change	No change
17 - 23 Whitby Street rear terrace - Existing	In shadow all day	In shadow from 6.00 - 12.00 and gradually again from 16.00 - 20.00	In shadow all day
17 - 23 Whitby Street rear terrace - Proposed	No change	No change	No change
44 - 46 Redchurch Street - Existing	In shadow all day	In shadow from 6.00 - 12.00 and gradually again from 16.00 - 20.00	In shadow all day
44 - 46 Redchurch Street - Proposed	Brief overshadowing at 16.00	Brief overshadowing at 16.00	No change

7.223 The results suggest the only outdoor amenity area that would experience a noticeable uplift in the amount of overshadowing would be The Owl & Pussycat's rear terrace on June 21st by virtue of additional overshadowing from 9.00 - 16.00, although this area is already in shadow from 9.00 -10.00.

7.224 The DSO also assessed the 2 hours 'sun on ground' test as set out by BRE guidelines to this terrace and reported that it does not currently achieve this as existing.

7.225 For these reasons Officers consider that the level of overshadowing given the specific site context is not unacceptable towards the Owl & Pussycat's rear terrace.

7.226 The additional overshadowing towards the other terraces are small and Officers consider this to be acceptable too.

Solar glare and light pollution

- 7.227 The DSO also assessed the impact of solar glare and light pollution on nearby sensitive receptors.
- 7.228 A minor adverse effect on light pollution was reported at Shoreditch House Hotel, and regarding solar glare minor adverse impacts were recorded at five viewpoints and a moderate adverse impact at one viewpoint.
- 7.229 LBTH's appointed consultant has reviewed the report and deemed the assessment method as acceptable. Officers agree with this and consider the solar glare and light pollution impacts are acceptable on balance.

Overlooking

- 7.230 The Local Plan does not contain specific separation distances between proposed office space and residential properties to prevent overlooking. However, the 'Explanation' section of policy D.DH8 of the Local Plan does state that a distance of approximately 18m between habitable rooms reduces inter-visibility to a degree acceptable to most people.

Neighbours to the west

- 7.231 West elevation windows at first floor level and above and the seventh floor terrace of the proposed building would be opposite Shoreditch House/Soho House Hotel to the west and be set back approximately 9m from this neighbouring property. On balance, and given that windows are serving office accommodation, it is considered that this relationship would not create unacceptable overlooking issues towards the east-facing hotel rooms, their private outdoor terraces and its communal rooftop terrace which is set further to the west over 20m away.
- 7.232 West elevation windows at first floor level above, the fifth floor terrace and the seventh floor terrace of the proposed building facing the Tea/Biscuit Building would be approximately 8-9m from this neighbouring property. Given this distance and commercial nature of this neighbouring property it is considered that there would not be unacceptable overlooking issues.
- 7.233 Officers acknowledge the importance of Shoreditch House, located adjacent to the Tea & Biscuit Building as a local enterprise which has a positive impact on the surrounding area. The vibrant nature of the uses at the premises, the private members club and the hotel all partially face the application site. Due to the existing buildings being of two storeys, Shoreditch House has enjoyed wide views over the eastern part of Tower Hamlets.
- 7.234 The proposed development will significantly obscure these views. Loss of views is not normally a material planning consideration. However, given the views experienced by the private members club are a unique benefit of this facility they have been considered in this instance and discounted as not being of sufficient material weight to restrict a development of the scale proposed and the associated benefits including job creation which have been discussed elsewhere in this report.

Neighbours to the north

- 7.235 Proposed north elevation windows at first floor level and above would be approximately 10m - 45m from a opposite Nos. 19 - 29, 31 - 39 and 41 - 43 Redchurch Street. The proposed third, fourth, fifth and sixth floor loggias would be approximately 30 - 33m opposite 31 - 39 Redchurch Street. The proposed seventh floor terrace would be approximately 32 - 36m opposite 31 - 39 and 41 - 43 Redchurch Street.

7.236 On balance, it is considered that these relationships would not create unacceptable overlooking issues towards windows and terraces of these neighbouring residential properties.

Neighbours to the east

7.237 The loggias at second and fourth floor levels would be approximately 10m opposite 2 - 4 Chance Street and 15 Bethnal Green Road. The third, fifth and seventh floor terraces would be approximately 7m from these neighbours.

7.238 It is noted that these separation distances fall below the recommended 18m in the Local Plan. However, Officers note that similar separation distances already exist between properties on Redchurch Street and Whitby Street. For example, an even closer relationship already exists between the rear windows and terraces of 48 - 50 Redchurch Street and 17 – 23 Whitby Street and similar separation distances existing between east elevation windows of 41-43 Redchurch Street and the west elevation windows of 45 Redchurch Street

7.239 On balance, given the specific existing context (which already consists of close relationships) it is considered that the proposed development would not create unacceptable overlooking issues towards windows and terraces of these neighbouring residential properties to the east.

Neighbours to the south

7.240 The nearest existing residential properties to the south are over 150m away on Quaker Street which are considered to be too far to be overlooked.

7.241 The south elevation windows in the proposed building would be over 20m away from nearest residential properties within the resolved to grant Bishopsgate Goodsyrd scheme. This therefore exceeds the 18m guideline in policy D.DH8 of the Local Plan and is considered acceptable.

7.242 Given these distances it is considered that there would not be unacceptable overlooking issues towards neighbouring residential properties to the south.

Overbearing

7.243 Assessing whether a development provides an acceptable or unacceptable sense of enclosure or is unduly overbearing cannot be readily measured in terms of a percentage or a measurable loss of outlook. Rather it is about how an individual feels about a space and consequently it is a subjective assessment, albeit based on principles of good urban design and relevant characteristics of the site and surroundings.

Neighbours to the west

7.244 The part of the proposed building facing Soho House Hotel would consist of its seven -storey element which would be set away by approximately 10m at its closest point and its nine-storey element which would be set a further 3m eastwards.

7.245 On balance, it is considered that this relationship would not appear unacceptably overbearing towards the east-facing hotel rooms, their private outdoor terraces and the hotel's communal rooftop terrace.

7.246 The part of the proposed building facing the Tea & Biscuit Building would consist of its two-storey element up to its seven-storey element.

7.247 On balance, it is considered that this relationship, together with the commercial nature of this neighbouring building would mean that the proposed development would not appear unacceptably overbearing towards the Tea & Biscuit Building.

Neighbours to the north

7.248 The proposed building would be opposite part of the south elevation 19 - 29 Redchurch Street. The closest part of the proposed building would be two storeys in height and set approximately 10m away. This is a similar relationship to the existing 28 Redchurch Street building (which would be demolished). Set back approximately 19m would be the proposed five-storey element and then set back approximately 34m would be the proposed nine-storey element. Given the set backs of these taller elements, Officers consider that the proposed development would not appear unacceptably overbearing towards 19 - 29 Redchurch Street.

7.249 The proposed building would be opposite the south elevation 31 - 39 Redchurch Street. The closest part of the proposed building would be three storeys in height and set approximately 30m away. A proposed seven-storey element would be approximately 32.5m away and a nine-storey element would be approximately 47m away. Officers consider that the combination of these proposed heights, massing and separation distances would not make the built form appear unacceptably overbearing towards 31 - 39 Redchurch Street.

7.250 The proposed building would be in line with the south elevation 41 - 43 Redchurch Street. The closest part of the proposed building would be three storeys in height and set approximately 20m away. A proposed seven-storey element would be approximately 30m away and a nine-storey element would be approximately 42m away. Officers consider that these proposed heights, massings and separation distances would not make the built form appear unacceptably overbearing towards 41 - 43 Redchurch Street either.

Neighbours to the east

7.251 The proposed building would be opposite part of the west elevation of 15 Bethnal Green Road. The closest part of the proposed building would be five storeys in height and set approximately 6.5m away and a proposed nine-storey element would be approximately 9.5m away. Officers recognise that the proposed building would be comparatively close and high in relation to this neighbouring property. However, on balance, taking into account the site context and giving due consideration to the relationship with the previously consented scheme, Officers consider this relationship to be acceptable.

7.252 The proposed building would be opposite part of the west elevation of 2- 4 Chance Street. The closest part of the proposed building would be three storeys in height and set approximately 6.5m away and a proposed seven-storey element would be approximately 9.5m away. Officers consider that these proposed heights, massings and separation distances would not make the built form appear unacceptably overbearing towards this neighbour.

7.253 The west elevation windows of 42 Redchurch Street would not directly face the proposed building. Therefore, Officers consider that the proposed development would not appear unacceptably overbearing towards this property either.

Conclusion on neighbouring impacts

7.254 For the reasons stated above including (a) the adverse impacts being limited to a relatively small number of residential properties, (b) tight built relationships often replicating existing distances set between properties and facing windows across the streets in question and (c) giving material weight to the amenity impacts that would have resulted from the previously consented, albeit now lapsed, scheme officers consider the impacts on balance acceptable and broadly compliant with policy D.DH8 of the Local Plan

Transport & servicing

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

7.256 The application site is located opposite the Shoreditch High Street Station which is served the London Overground line. Opposite the site lie two bus routes (8, 388 and N8) and the site is within walking distance of the A10 which is a major bus corridor, as such the site has an 'excellent' PTAL rating of between 6a and 6b, which are the highest possible levels.

7.257 The nearest cycle hire docking station is on the opposite side of Bethnal Green Road, with 38 docking points.

7.258 Officers consider there would be benefits to pedestrian journeys from the new pedestrian crossing on Bethnal Green Road and the new access through the building from Bethnal Green Road to Chance Street. There would also be some benefits to pedestrians on Chance Street as there would no longer be vehicles existing onto it.

Healthy Streets and public realm

7.259 The Transport Assessment (TA) contains an Active Travel Zone (ATZ) assessment.

7.260 TFL raise concerns that streets surrounding the proposed development may not be able to accommodate the increased footfall. They requested that the applicant assess pedestrian comfort levels on surrounding the streets, capturing cumulative development including Bishopsgate Goods Yard and agreed with TFL.

7.261 TFL also commented that pre-application advice in 2019 was based on an internal route through the site being provided and that the status of this route and site permeability is unclear. TFL requested that the applicant clarify this, including wayfinding and whether any routes through the site are intended to be made publicly available in perpetuity.

7.262 TFL also commented that the public realm should be expanded on Ebor Street and Chance Street to provide footways of 2m on either side, in support of the Healthy Streets Approach and the Streetspace for London plan.

7.263 *(Case Officer's note:*

Pedestrian comfort levels contained within the Environmental Statement were considered to be acceptable.

There is public access from Chance Street and Bethnal Green Roads shown on the proposed ground floor plan. Although, there is no mechanism for maintaining this route in perpetuity Officers do not consider this to be unacceptable given that there is no public access through the site currently.

Officers note the comments on expanded footways but are of the view that this would not constitute grounds for refusal given that existing buildings on site do not have these setbacks.)

Cycle parking

7.264 Policy T5 of the London Plan set out the following cycle parking standards for areas with higher minimum cycle parking standards:

Figure 26: London Plan cycle parking standards

Use Class	Long-stay for employees	Short-stay for visitors/ customers
A1 food retail above 100sqm	1 space/175sqm GEA	1 space/20sqm GEA for the first 750sqm 1 space/150qm thereafter
A1 non-food retail above 100sqm	1 space/150sqm GEA for the first 1,000sqm 1 space/100sqm GEA thereafter	1 space/60sqm GEA for the first 1,000sqm 1 space/500sqm GEA thereafter
A3	1 space/175sqm GEA	1 space/20sqm GEA
B1a office	1 space/75sqm GEA	1 space/500sqm GEA for the first 5,000sqm 1 space/5,000qm thereafter
B1c industrial	1 space/500sqm GEA	1 space/1,000sqm GEA

7.265 Based on these minimum requirements the proposed development would need to provide the following:

Figure 27: Cycle parking minimum requirements

Use Class	GEA	Long-stay spaces for employees	Short-stay for visitors/ customers
A1/A3 unit (based on non-food A1)	666qm	5	34
A1 units (based on non-food A1)	661sqm	5	34
B1a/B1c affordable workspace	1,444sqm	20	3
B1c industrial	15,738sqm	32	16
Total	18,267sqm	62	87

7.266 The proposed development would have 364 cycle spaces which would all be contained within a single store at the first basement level.

- 7.267 LBTH T&H comment that the number of cycle spaces is adequate. However, a minimum of 5% of these need to be for large/adapted cycles. They comment that the applicant should refer to the LCDS and highlight where the requirements have been met.
- 7.268 They also concur with TFL's response which references the need for the cycle facilities (including washing and changing facilities) to meet the requirements of the London Cycle Design Guide (LCDS).
- 7.269 The LCDS sets out that there should be a minimum aisle width of 2500mm beyond the lowered frame of two-tier parking, and 3500mm between racks on opposite sides of the aisle. TFL comments that the layout in the submitted plans shows that the space between tiered racks is not in line with LCDS.
- 7.270 TFL also comments that short-stay cycle parking should be provided in the public realm and should include cargo cycle parking to encourage and enable active freight.

7.271 *(Case Officer's note:*

Discussions between Officers and the agent on large/adapted cycles storage layouts are ongoing. The Committee will be updated with any progress made on this matter. However, in any case, Officers are of the view that there is sufficient space in the first basement level to provide confidence that these details could be secure via condition if required.

Officers are of the view that it would not be reasonable given the specific site context to request public realm cycle parking.)

Car parking

- 7.272 Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport. Policies T6.2 and T6.3 add that office and retail development in the CAZ should be car-free with the exception disabled persons parking. Policy T6.5 adds that non-residential element should have access to at least one on or off-street disabled persons parking bay.
- 7.273 The proposed development would be car-free with the exception of an on-site disabled persons parking bay next to the ground floor loading bay on the western side of the proposed building.
- 7.274 LBTH T&H welcome the general lack of car parking.
- 7.275 LBTH T&H also note that one accessible bay is proposed on site and whilst there are a number of uses planned at the development they consider this acceptable subject to a management plan outlining how this bay will be made available to book.
- 7.276 TFL raises no objection and adds that future occupants should be restricted from applying for a parking permit.

Deliveries & Servicing

- 7.277 A Transport Statement (TS) and a Delivery, Servicing and Management Plan (DSP) was submitted with the application.
- 7.278 It highlighted that delivery vehicles are proposed to access the proposed off-street ground floor loading bay via Ebor Street which is a one-way street.

- 7.279 LBTH T&H objected to these initial on-street servicing proposals due to pedestrian safety concerns.
- 7.280 Following discussions with Officers the agent team submitted a Transport Addendum (TA) which proposed that all vehicles used the off-street loading bay and that the applicant would fund the costs of advertising and implementing a traffic regulation order (TRO) for Ebor Street to have no-loading restrictions imposed on it. The TA showed an amended swept path analysis with a proposed extended vehicle crossover.
- 7.281 LBTH T&H were supportive of the off-street servicing. Concerns were raised that the proposed crossover was unnecessarily wide which would be detrimental to pedestrians. However, LBTH T&H are of the view that these details can be addressed through a Section 278 agreement. They therefore raised no objection subject to the Section 278 agreement.

Cycling

- 7.282 TFL comment that cycle mode share for trips in this part of London are some of the highest in the city, with Bethnal Green Road ranking in the top 5% of streets in London for current cycling demand.
- 7.283 TFL state that the ATZ should be amended to show the closest part of the Strategic Cycle Network (SCN) which is CS1 (700m west of the site) and the proposed Q13 (which will be 250m to the north on Virginia Road).
- 7.284 TFL adds that given existing and planned cycle infrastructure enhancement, future improvements including the Streetspace for London plan, the wider trend towards greater levels of cycling, and the existing demand for cycling in the area, the cycle mode share should be higher than that presented in the trip generation assessment. The TA should be amended to reflect this and to applied to the design of the development accordingly.
- 7.285 TFL comments that the cycle hire docking station opposite the site on Bethnal Green Road has 38 docking points and is among the top 15 busiest docking stations in London out of over 800 sites and is the busiest in east London. This docking station already operates over capacity and TFL expects the development to increase use of cycle hire.
- 7.286 Therefore, TFL expects the applicant to expand cycle hire at or near the site to mitigate the impact on the cycle hire network via a £220,000 contribution of towards expanding the cycle hire system. This would include and cover the cost of the assets, construction, surveys, planning, design and maintenance for one station with 40 docking points.

Waste & recycling

- 7.287 Local Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.288 Policy D.MW3 of the Local Plan requires new major residential development to incorporate high quality on-site waste collection systems that do not include traditional methods of storage and collection and are compatible with the Council's waste collection methods. In instances where this is not practicable, supporting evidence must be submitted with the application to demonstrate this.
- 7.289 The submitted Planning Statement (PS) states that the proposed development is estimated to generate 99,220L of waste per week and 559 tonnes per year from all commercial land uses. This is based on the following:

- Weekly waste generation of 72,220L from B1a use, 18,420L from A1/A3 use and 6,600L from B1a/B1c use.
- Approximate densities of 84 kg/m³ for mixed dry recyclables (MDR), 667 kg/m³ for food waste (FW) and 81 kg/m³ for residual waste (RW).

- 7.290 The proposal includes a dedicated refuse storage area in the north west corner of the first basement level. It is proposed to have capacity for 24 x 1,110L bins, 18 x 360L bins and 2 x in-bin lever-arm compaction units.
- 7.291 The PS states that the compaction units would compact the MDR and RW to ratios 2:1 and 3:1 respectively with FW remaining uncompacted.
- 7.292 Based on this the PS estimates that the waste quantity required to be managed and stored would be approximately 44,252 L per week from all commercial land uses.
- 7.293 The waste storage requirements for all the proposed uses has been calculated based on a twice-weekly collection frequency. The waste generated from the A1 and A1/A3 space are based on a seven-day working week, whereas waste generated from the B1a and B1a/B1c space are based on a five-day working week.
- 7.294 The PS states that on a daily basis (or as agreed), an internal management team will transfer waste from the all commercial spaces (A1, A3, B1a and B1c) to the basement waste store where it will be compacted as described above, by trained members of staff only
- 7.295 LBTH WP&D raises concerns over the submitted Delivery and Servicing strategy. The proposed deliveries will be from 06.30 - 08.00 which are concerns with noise nuisance particularly within built up areas. Waste Improvement does not allow waste operational services to make any waste collections before 07.00am. There are no exceptional circumstances to show that deliveries should be made before 07.00am.
- 7.296 The proposal is showing refuse collections to be made from the kerbside. This is not acceptable for this development as sufficient space within the site should be provided for an internal management system. Waste Improvement will require the applicant to ensure that the bags / containers are brought to ground level on the day of collection. Any Containers / bags must be left at a suitable collection point away from the highway on land belonging to the development and within 10m of vehicle access.
- 7.297 *(Case Officer's note: Discussions in regards to waste collection arrangements are currently ongoing with the agent and the Committee will be updated with any progress made.)*

Energy & sustainability

- 7.298 At a national level, the NPPF sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 7.299 Part 1 of policy D.ES7 of the Local Plan requires development to be Zero carbon (to be achieved through a minimum 45% reduction in regulated CO₂ emissions and the remaining regulated CO₂ emission to 100% - to be off-set through a cash in lieu contribution).
- 7.300 Part 2 of the policy adds that new non-residential development over 500sqm is expected to meet or exceed a BREEAM 'excellent' rating.

7.301 Part 3 adds that major non-residential development will be required to submit an energy assessment, with part 4 stating that this assessment should demonstrate how the development has been designed in accordance with the energy hierarchy ('be lean, be clean, be green') and will:

- Maximise energy efficiency as per the requirements set out in Part 2.
- Outline the feasibility of low N02 decentralised energy.
- Seek to provide up to 20% reduction of C02 emissions through on-site renewable energy generation.

7.302 The Environmental Statement reports that the proposed development would have significant effects on Greenhouse Gas emissions. However, the LBTH Energy Efficiency/Sustainability Officer considers that the proposed energy efficiency measures and on-site carbon emission reductions are acceptable, subject to the recommended financial contribution to carbon offsetting and the recommended conditions.

Biodiversity

7.303 Policy D.ES3 of the Local Plan requires development to protect and enhance biodiversity.

7.304 Policy G6 of the London Plan requires proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.

7.305 A Preliminary Ecological Appraisal (PEA) was included within the ES.

7.306 LBTH's Biodiversity Officer raises no objection to its finding and has deemed the proposed development acceptable on biodiversity grounds subject to a condition requiring details of biodiversity mitigation and enhancements to be secured through a condition.

Flood risk & drainage

7.307 Policy D.ES5 of the Local Plan requires development to reduce the risk of surface water flooding, through demonstrating how it reduces the amount of water run-off and discharge from the site through the use of appropriate water reuse and sustainable drainage systems techniques.

7.308 A Drainage Strategy DS has been submitted with the application.

7.309 The LBTH SUDS Officer reviewed the DS and made the following comments:

- The proposed 3.2L/s discharge rate is too high and the site should go further to reduce the peak discharge rate to 2.0L/s in a 1 in 100 year storm + 40% climate change storm event. This would bring the peak discharge rate closer to the defined greenfield rate for the site.
- The drainage proposal primarily makes use of below ground storage attenuate tanks and has incorporated very few SUDS techniques.
- The DS states that incorporating green roofs into the drainage strategy will be subject to architect and MEP design input. This need to be committed to.

7.310 The LBTH SUDS Officer is of the view that these details can be secured via condition requiring a detailed surface water drainage scheme.

Pollution

7.311 Policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral standard, to submit an air quality assessment for major development and provide mitigation where an assessment indicates that a development will cause harm to air quality or where end users could be exposed to poor air quality.

7.312 LBTH Environmental Health (Air Quality) Officer has raised no object to the air quality assessment with the submitted Environmental Statement subject to conditions.

Health Impact Assessment (HIA)

7.313 Policy D.SG3 of the Local Plan requires proposed development that is of a scale referable to the GLA to submit a detailed HIA with a planning application.

7.314 The 'Explanation' section of this paragraph adds that a detailed HIA can also be submitted as part of an integrated impact assessment.

7.315 It is noted the Council's HIA Officer sought a detailed HIA.

7.316 However, Development Management Officers consider that given the nature of the proposed uses, the quantum of development and the site location, the absence of a submitted HIA does not pose any undue substantive concerns in respect of health outcomes in relation to Policy D.SG3.

Environmental Impact Assessment (EIA)

7.317 It is considered that the proposed development is likely to create significant effects so it would constitute EIA development. The application was submitted in March 2020 and was accompanied by an Environmental Statement (ES) produced by Waterman on behalf of UKI (Shoreditch) Limited, and provided assessment of the following topics:

- Socio-Economics
- Transport
- Air Quality
- Noise & Vibration
- Ground Conditions
- Wind Conditions
- Daylight, Sunlight, Overshadowing, Light Pollution & Solar Glare
- Greenhouse Gases Chapter
- Townscape and Visual; and
- Heritage.

7.318 The ES noted a significant adverse effect from demolition and construction works.

7.319 However, it also noted significant socio-economic benefits during construction and operation and significant beneficial effects for wind.

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

7.321 The application has been supported by an ES and Non-Technical Summary (NTS) (March 2020), an ES Interim Review Report Response (November 2020), and an ES Addendum including a revised NTS and revised Townscape, Heritage and Visual Impact Assessment (February 2021). The ES Addendum was considered to be 'further information' under Regulation 25 and were processed as required under the EIA Regulations.

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

Planning balance

- 7.325 In line with Paragraph 196 of the NPPF (2019) the less than substantial harm to the Redchurch Street CA, the setting of the South Shoreditch CA and the setting of the Grade II listed 34 Redchurch Street resulting from the development needs to be weighed against public benefits.
- 7.326 Each of these elements in isolation is considered to result is considered in harm at the lower end of the less than substantial harm category. Taken together they would still result in less than substantial harm towards the lower end of the scale.
- 7.327 The main public benefits resulting from the proposals are considered to be substantial and of compelling weight including the increase of employment floorspace and employment jobs that will flow from that including the provision of affordable workspace. There would also be benefits to local residents and the local economy during the construction process.
- 7.328 It is considered that on balance these public benefits outweigh the identified heritage harm and as such the proposals would accord with the provisions of the NPPF as they relate to harm to designated heritage assets.

INFRASTRUCTURE IMPACT

- 7.329 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of **approximately £1,840,663.20** (based on the 2021 indexation and the assumption of all the commercial space being used as retail) and Mayor of London CIL of **approximately £3,422,653.58** (based on the 2021 indexation and the assumption of all the commercial space being used as retail). These figures are indicative only and have been estimated using the most up to date available information on floorspace and would be subject to indexation any relevant relief.
- 7.330 The CIL Regulations 2010 (as amended) allow the Council to accept full or part payment of CIL liability by way of transfer of land to the Council. The Council may also enter into agreements in writing (subject to the criteria in Regulation 73A) to receive infrastructure payments, before the chargeable development is commenced. The infrastructure to be provided must be related to the provision of the types of projects listed in the Council's Regulation 123 list.
- 7.331 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development.
- 7.332 The applicant is required to meet a financial contributions that are sought by the Council's Planning Obligations SPD which are as follows:

- £68,032.00 towards construction phase employment skills training
- £411,160.60 towards end-user phase employment skills training
- £363,758.04 towards carbon off-setting

HUMAN RIGHTS & EQUALITIES

- 7.333 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.
- 7.334 The proposed development does however provide a series of benefits through the provision of affordable workspace and the creation of jobs.
- 7.335 Officers are satisfied that the proposed development would not result in adverse impacts upon equality or social cohesion.

CONCLUSION

- 7.336 Officers assessed the proposed development against the relevant Development Plan Policies, having regard to the consultation responses received and other material considerations. In drawing conclusions, officers have given full consideration to the Environmental Statement and are satisfied that the significant effects that would have been considered likely to occur during both construction and operations would be adequately mitigated by the proposed measures. On this basis, Officers are further satisfied that the proposed development would not give rise to an unacceptable environmental impact.
- 7.337 Taking all into account, the proposed development is considered to be acceptable and it is recommended that planning permission is granted, subject to the planning conditions and obligations set out in this report.

8 RECOMMENDATION

- 8.1 Resolve to **GRANT** subject to the prior completion of a legal agreement to secure the following planning obligations

Financial Obligations

- £68,032.00** towards construction phase employment skills training
- £411,160.60** towards end-user phase employment skills training
- £363,758.04** towards carbon off-setting
- £220,000** contribution of towards expanding the cycle hire system
- £500** per heads of term

Non-Financial Obligations

- Economic incentives
 - Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 10 construction phase apprenticeships, at a minimum of level 2
 - 4 end-user phase apprenticeships
 - Provision of 10% affordable rented (90% of market rent) workspace for the lifetime of the development (including provision of Affordable Workspace Strategy prior to the completion of the construction phase of the development).

- b. Implementation of mitigation measures as per the ES documents
- c. Transport matters:
 - i. Permit free development
 - ii. Non-residential Travel Plans
 - iii. S278 Agreement (highways works to Bethnal Green Road and Ebor Street)
 - iv. Booking scheme for disabled parking bay
 - v. TRO works to Ebor Street
- d. Compliance with Considerate Constructors Scheme
- e. Energy efficiency measures

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

Planning Conditions

8.3 The conditions apply to each phase of the proposed development, insofar as they are relevant to that phase.

8.4 Compliance

1. Timeframe - 3 years deadline for commencement of development
2. Plans - Development in accordance with approved plans
3. Air Quality – Emission standards for boilers & CHP
4. Construction – Restrictions on demolition and construction activities:
5. Construction – All works in accordance with Tower Hamlets Code of Construction Practice;
6. Construction – Standard hours of construction and demolition
7. Construction – Air quality standards for construction machinery
8. Construction – Ground-borne vibration limits
9. Construction – Noise pollution limits.
10. Energy – Energy and efficiency standards
11. Car-free development
12. Land Contamination – Contamination not previously identified triggers a further Remediation Strategy
13. Land Contamination – No surface water infiltration into ground
14. Land Contamination – Piling
15. Land Use – All A1, A1/A3, B1a/B1c and B1a floorspace shall be maintained as employment floor space for the lifetime of the development
16. Noise – Noise standards from mechanical plant and equipment
17. New SUDS scheme required.

Post- clearance of the site

18. Biodiversity - Measures to ensure no nesting birds harmed

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

19. Archaeology - evaluation to clarify the nature and extent of surviving remains, followed by a full investigation if necessary
20. Façade retention survey and strategy
21. Biodiversity – Mitigation and Enhancement

22. Construction – Code of Construction Practice
23. Construction – Construction Waste Management Plan
24. Construction – Construction and Demolition Plan
25. Construction – Construction Environmental Management Plan and Construction Logistics Plan
26. Construction – Construction Management Plan
27. Construction - Dust and Emissions
28. Construction - PM 10 monitoring
29. Energy - Zero Carbon Futureproofing Statement
30. Land Contamination - Ground Investigation analysis and risk assessment
31. Land Contamination - Remediation Strategy
32. Land Contamination – Baseline Monitoring
33. Land Contamination - Monitoring Maintenance and Mitigation Plan
34. Land Contamination - Boreholes
35. Circular economy
36. Lifecycle

Pre-superstructure works

37. Air Quality - Details of flue emissions
38. Design - Details of external facing materials and architectural detailing.
39. Design - Details of landscaping
40. Design - Wayfinding and signage strategy
41. Highways – Details of cycle parking
42. Highways - Car parking (details of provision and Management Strategy relating to allocation of parking bay)
43. Highways - Delivery, Servicing and Waste Management Plan
44. Noise - Operational noise impact assessment and mitigation (plant and machinery etc)
45. Odours – Details of kitchen extracts
46. Air Quality - Emission Standards for Boilers & CHP
47. Secured by Design - details
48. Wind mitigation measures for seating on the corner balconies of the fifth, seventh or ninth floors comprising shrubs in planters (1.5m in height) or solid screens (1.5m in height)
49. Landscape strategy
50. Photovoltaic layout
51. Water - Details that all water network upgrades required to accommodate the additional flows to serve the development have been undertaken
52. Drainage – new surface water drainage scheme required

Prior to occupation

53. Energy - Post construction energy assessment including ‘as built’ calculations
54. Energy – BREEAM Certificate ‘Excellent’ rating
55. Land Contamination – Verification report
56. Water - No construction shall take place within 5m of a water main without info. being submitted on diversion/alignment
57. Water infrastructure - Piling

Post-occupation

58. ‘Be seen’ energy monitoring

Informatives

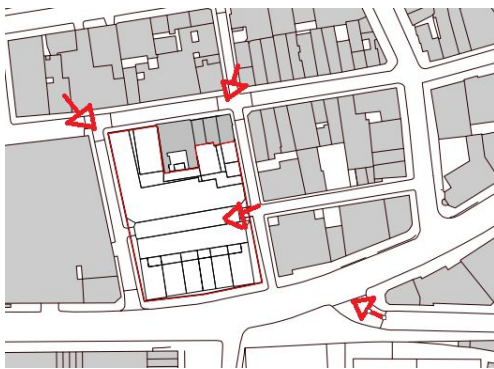
1. Permission subject to legal agreement.

2. Development is CIL liable.
3. Thames Water - proximity to assets.
4. EA informative - contamination
5. EA informative - definition of waste
6. EA informative - contaminated soil
7. In regards to condition 10 the applicant is remind that the Greenhouse Gas emissions mitigation relied on in the submitted ES are:

- Procurement of sustainable materials
- Reuse / recycle of waste materials
- Use of recycled hoarding and fencing
- Efficient construction transport routes
- Air source heat pump
- Travel plan

In addition, the mitigation measures recommended by the Council are:

- A strategy for better identifying, optimising and minimising GHG emissions, other than CO2 across the full life cycle of the Proposed Development.
- Produce a climate change adaptation plan – how will the proposed development be impacted by an RCP 8.5 (new IEMA Guidance), in terms of flooding, intense weather patterns, increasing temperatures over its lifetime. Consider if any new significant in-combination effects will arise as the climate changes and how to plan for this.
- Carry out a pre-demolition audit tied up with the Applicant's BREEAM Assessment.
- To mitigate overheating, the proposed development should include comfort cooling, using the proposed ASHPs.



APPENDIX A: SITE PHOTOGRAPHS

Key



Existing view from the south east on Bethnal Green Road looking towards 2 -10 Bethnal Green Road



Existing view from the north west looking down Ebor Street and part of Redchurch Street

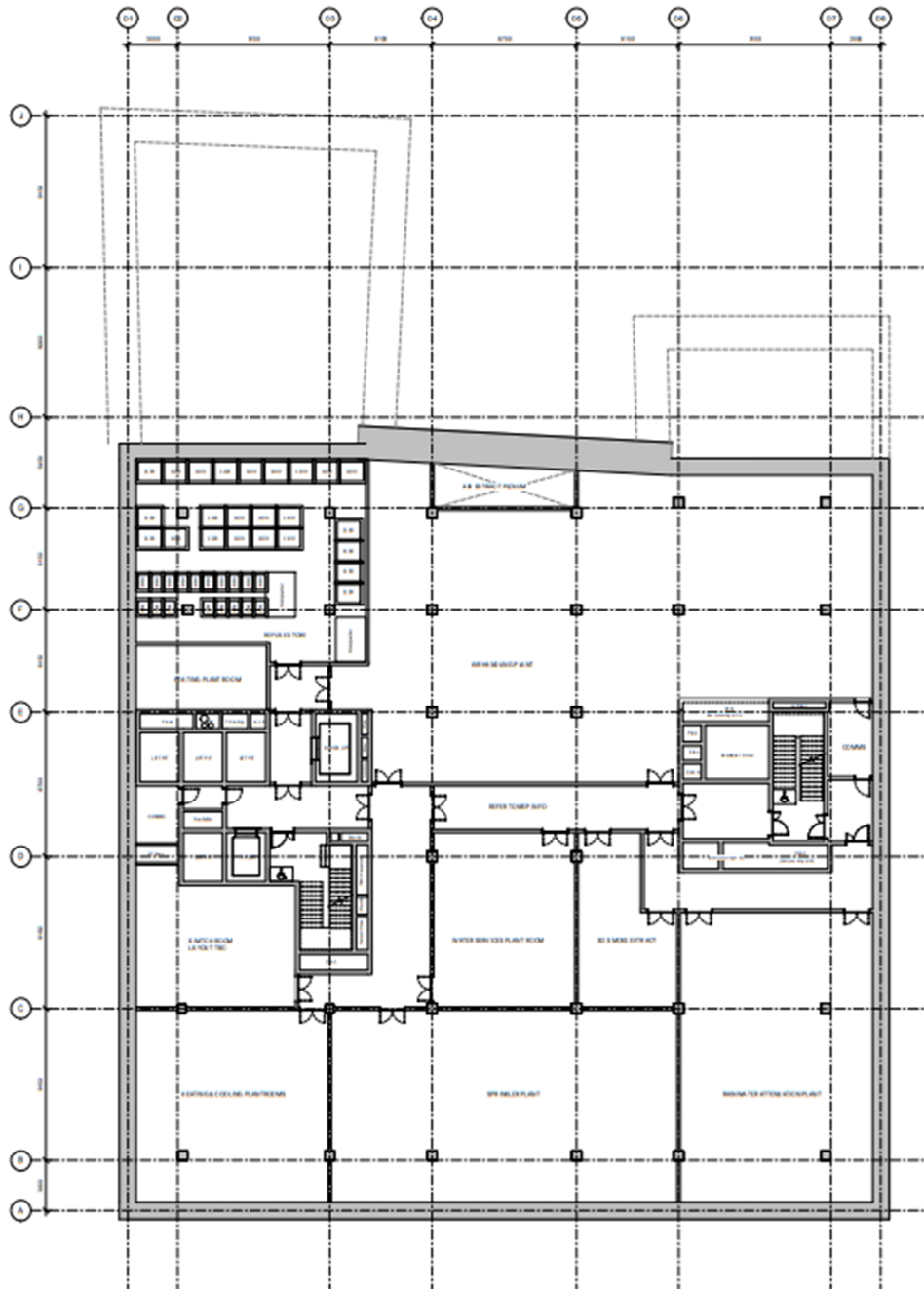


Existing view of Huntingdon Industrial Estate service yard looking west towards Shoreditch House and the Tea & Biscuit Building

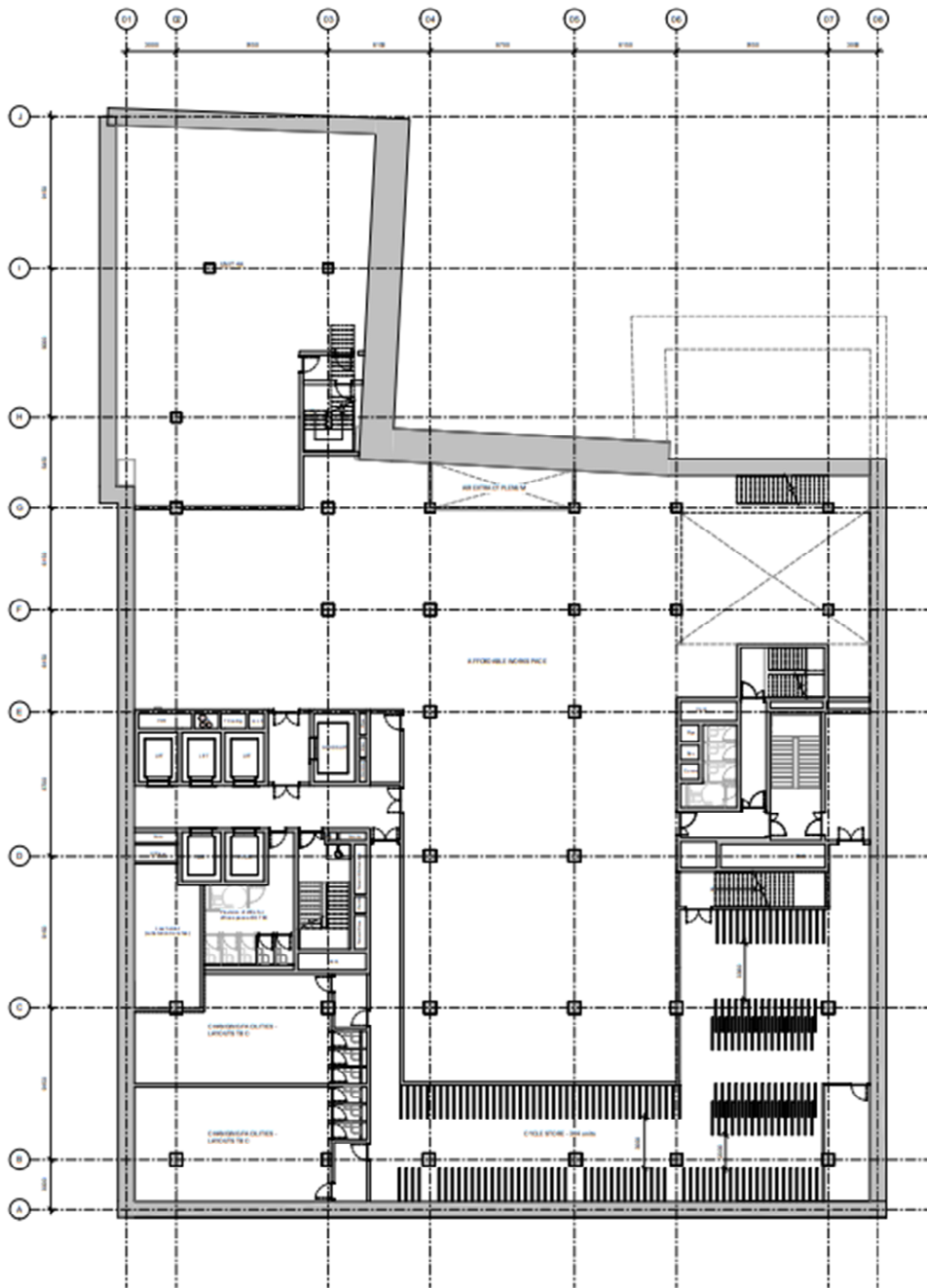


Existing view from the north east looking down Chance Street and part of Redchurch Street

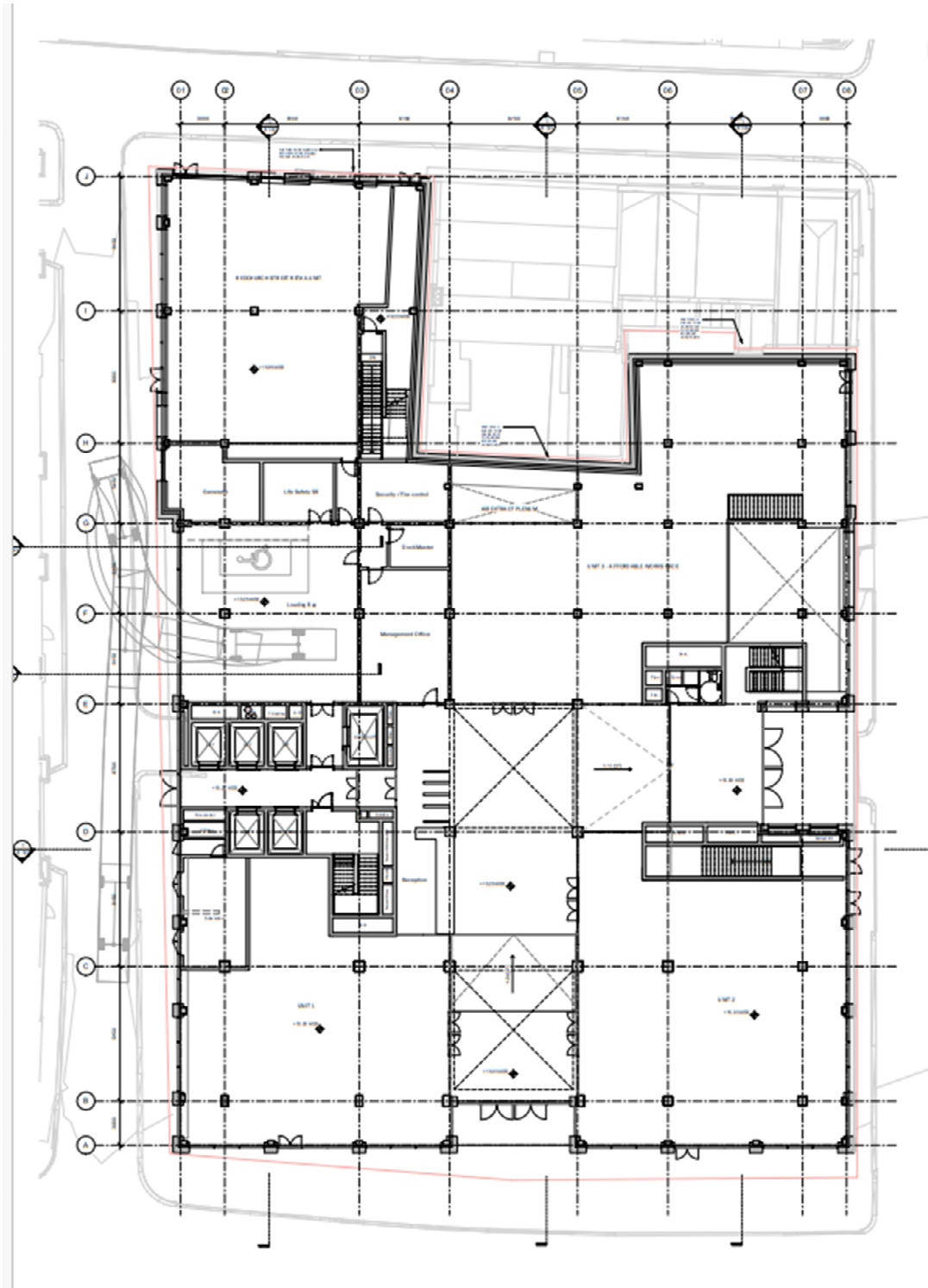
APPENDIX B: SELECTED DRAWINGS



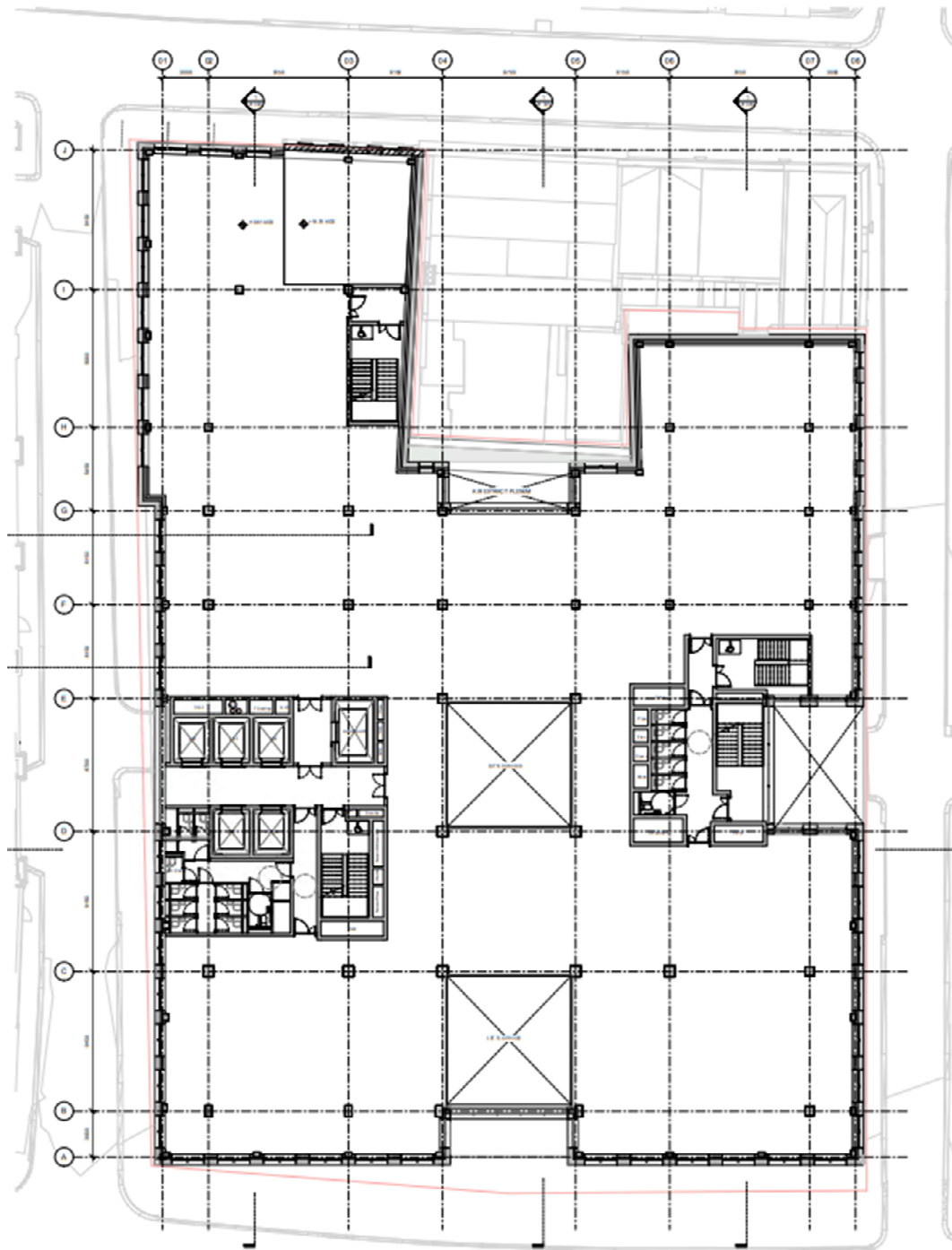
Proposed second basement plan



Proposed first basement plan



Proposed ground floor plan



Proposed first floor plan



Proposed front (south) elevation



Proposed rear (north) elevation

Proposed side (east) elevation



Proposed side (west) elevation



Proposed section

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UPDATE REPORT, STRATEGIC DEVELOPMENT COMMITTEE, 20th April 2021

Agenda item no	Reference no	Location	Proposal / Title
5.1	PA/20/00557	Land bounded by 2-10 Bethnal Green Road, 1-5 Chance Street (Huntingdon Industrial Estate) and 30-32 Redchurch Street	Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14393 sqm of B1(a)) floorspace, up to 1444 sq.m flexible commercial floorspace (B1(a)/B1(c)), and up to 1181 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.

Additional Representations

- 1.1 Two further letters of objection and letter of support have been received.
- 1.2 One of these is a further letter on behalf of the Owl & Pussycat public house.
- 1.3 The letter raises many of the same points raised previously. However, it adds that they have been given insufficient time to review further overshadowing information and references an appeal decision.
- 1.4 Officers have also had sight of comments from patrons and proposed works to the public realm of Redchurch Street that were sent to Committee members on April 19th 2021 on behalf of the Owl & Pussycat.

Clarifications and Corrections

- 1.5 The Council's Planning Obligation SPD was adopted on March 24th 2021 and is not therefore a draft version.
- 1.6 Since publication of the agenda, comments have been received by LBTH Infrastructure stating that the £220,000 financial contribution recommended by TFL for improvements to cycle hire infrastructure is not required as this would be covered by CIL contributions.
- 1.7 Officers are now recommending a clause within the S106 for public access through the ground floor entrances on Bethnal Green Road and Chance Street
- 1.8 Officers are now recommending additional conditions for the 1st and 2nd floor windows in the east elevation to be obscurely glazed and the 1st and 2nd floor loggias in the east elevation to have their hours of use restricted. This is to prevent unacceptable overlooking issues towards neighbouring residential properties to the east.
- 1.9 Owing to errors in reporting daylight and sunlight, paragraphs 7.112 – 7.221 of the Committee report are to be amended as follows:

“Daylight and sunlight report

- 7.112 *A report assessing impacts on neighbouring properties was contained within the submitted ES. The report also assessed overshadowing, solar glare and light pollution (these will be addressed later in this Committee Report).*
- 7.113 *The properties that were assessed are as follows:*
- *2 - 4 Chance Street*
 - *17 - 23 Whitby Street*
 - *3 Club Row*
 - *5 Club Row*
 - *7 - 9 Club Row*
 - *15 - 17 Redchurch Street*
 - *19 - 29 Redchurch Street*
 - *31 - 39 Redchurch Street*
 - *36 Redchurch Street*
 - *41 - 43 Redchurch Street*
 - *42 Redchurch Street*
 - *44 Redchurch Street*
 - *45 Redchurch Street*
 - *47 - 49 Redchurch Street*
 - *48 - 50 Redchurch Street*
 - *51 Redchurch Street*
 - *2 - 4 Boundary Street (Hotel)*
 - *13 Bethnal Green Road (Soho House hotel)*
 - *15 Bethnal Green Road*
- 7.114 *The Council appointed an independent daylight/sunlight consult to review the applicant’s submitted report and independent consultant made the following comments:*
- *The scope of the assessment is appropriate.*
 - *Cumulative impacts with consented Bishopsgate Goods Yard have not been assessed and that given its substantial height, bulk and massing it would have a cumulative effect on the sensitive receptors assessed.*
 - *Not clear which properties have been assessed using room layouts and which are based on plans obtained through research. It would therefore be useful if the applicant could confirm which have been modelled using plan as opposed to estimates.*
 - *Correct BRE methodology has been used to assess VSC, NSL and APSH.*
 - *BRE’s two-hour sun-on-ground assessment has not been undertaken. However, it is agreed that the transient foreshadowing study comprising of hourly snap shots on March 21st (Spring equinox), June 21st (Summer solstice) and December 21st (Winter solstice) is acceptable.*
- 7.115 *Officers agreed with this conclusion. Officers subsequently sought further clarification on the impact on some properties from the agent. This information was provided by the agent by the submission of two addendums to the report. The results of the original report and the two addendums are assessed below. Going forward the report and the two addendums will be treated as one assessment and referred to as the ‘DSO.’*
- 7.116 *(Case Officer’s note: Officers note that there is planning history indicating there may be flats on the upper floors of 46 Redchurch Street. This property has not been assessed in the DSO. However, Officers are of the view that the daylight/sunlight and overshadowing assessments to neighbouring properties are sufficient to assess that there would not be unacceptable impacts towards it.)*

Daylight results

7.117 The DSO identified the following properties as BRE compliant for daylight:

- 7 - 9 Club Row
- 5 Club Row
- 2 - 4 Boundary Street (Hotel)
- 41 - 43 Redchurch Street
- 45 Redchurch Street
- 47 - 49 Redchurch Street
- 51 Redchurch Street

7.118 The DSO identifies the following properties as experiencing reductions in daylight beyond BRE guidance for either/both VSC and NSL as a result of the proposed development:

- 2-4 Chance Street
- 15 Bethnal Green Road
- 42 Redchurch Street
- 17-23 Whitby Street
- 15-17 Redchurch Street
- 19-29 Redchurch Street
- 31-39 Redchurch Street
- 36 Redchurch Street
- Shoreditch House Hotel

7.119 These properties are discussed in greater detail below.

2 - 4 Chance Street

7.120 Planning and Council Tax records indicate there are two residential units at this property at first and second floors.

7.121 This property is directly to the east of the site and the DSO identifies six windows and three habitable rooms potentially impacted by the proposed development.

7.122 The DSO suggests there would be a major VSC loss of 42.6% and 97.7% to two windows serving a second floor living/dining room. However, it indicates that this room is also served by two other windows that would have a negligible and minor VSC loss of and 3.5% - 27.3%. Furthermore, the room would only have a minor NSL loss of 25.7%. Officers consider the perception of light obstruction to a person in the inner part of the room will not be materially different and on balance considered acceptable.

7.123 The DSO indicates that all other habitable rooms within the property would experience negligible VSC and NSL losses.

7.124 Taken overall the impacts to this property are considered acceptable.

15 Bethnal Green Road

7.125 Records indicates this property contains a live/work unit which is mainly at second floor level but with some space in the floors below.

7.126 The report identifies twenty windows and ten habitable rooms that would be impacted by the proposed development.

- 7.127 *The property is directly to the east of the site and the DSO suggests there would be a major VSC loss of 73.3% and 81.6% to two windows serving a first floor room with an unknown use. However, the report indicates that this room is also served by another window that would have a negligible VSC loss of 19.8%. Furthermore, the room would only have a minor NSL loss of 23.1%. Officers consider that because of these results the perception of light obstruction to a person in the inner part of the room will not be materially different and on balance considered acceptable.*
- 7.128 *The report indicates that all other windows within the property would receive negligible to moderate VSC losses and negligible to minor and NSL losses to habitable rooms*
- 7.129 *Taken overall Officers conclude the daylight impacts on this property are considered acceptable.*

42 Redchurch Street

- 7.130 *This property is identified as having a first floor studio apartment with six windows potentially impacted by the proposed development.*
- 7.131 *One of these windows would experience a moderate VSC loss of 34.8% and one window would experience a minor VSC loss of 25.5%. The remaining four windows will meet BRE criteria for VSC. The NSL loss to the apartment as a whole would be negligible at just 8.5%*
- 7.132 *Officers considers that these impacts are not of undue concern in the site context and are acceptable*

17-23 Whitby Street

- 7.133 *This property is understood to have residential accommodation on the second and third floors.*
- 7.134 *All 14 windows assessed meet the BRE criteria for VSC. When assessing the 14 rooms for NSL, two would experience losses beyond BRE guidance. These losses are 26% and 24.5%, against the 20% recommendation, which are therefore considered minor.*
- 7.135 *Officers consider that these impacts are acceptable*

15 - 17 Redchurch Street

- 7.136 *There are seven flats at this property which are at first to fifth floor levels and served by north and south facing windows.*
- 7.137 *This property is directly to the north of the site and the DSO identifies twenty windows and ten habitable rooms that would be impacted by the proposed development.*
- 7.138 *It notes that there would be a major adverse NSL loss of 59.5% to a first floor living/kitchen/dining room and 40.7% NSL reduction to a second floor living/kitchen/dining room. However, the report indicates*

each room is served by windows which would have negligible VSC losses of between 4.2% and 13.9%. Officers consider the perception of light obstruction to a person in the inner part of these rooms will not be materially different and on balance considered acceptable.

7.139 The report indicates that all windows within the property would meet BRE guidance for VSC, and that all other NSL losses are minor or negligible to habitable rooms.

7.140 For these reasons Officers consider that the daylight impacts on all flats within this building would be acceptable.

19 - 29 Redchurch Street

7.141 There are five flats at this property which are situated on the second, third and fourth floor levels.

7.142 This property is directly to the north of the site.

7.143 The DSO suggests there would be major NSL losses of 54.1% to a second floor bedroom, a 53.0% to a third floor bedroom and 52.0% to a third floor living/dining room. However, it indicates that the bedrooms are each served by a window that would experience minor VSC losses of 25.9% and 24.4% respectively. Furthermore, it indicates the living/dining room is served by two windows which would experience moderate VSC losses of 31.8% and 34.8% respectively. Officers consider that results indicate that the perception of light obstruction to a person in the inner part of the rooms will not be materially different and are on balance considered acceptable.

7.144 The report indicates that all surveyed windows would experience a moderate or less VSC loss and all other habitable rooms (apart from three mentioned above) will experience minor or less NSL losses.

7.145 For these reasons and given the context of the site Offices consider that on the daylight impacts on all flats within this building would be acceptable.

31 - 39 Redchurch Street

7.146 There are nine flats at this property which are at first to third floor levels and windows are in north and south elevations.

7.147 This property is directly to the north of the site and the DSO suggests there would be a major NSL loss of 46.8% to a first floor bedroom. However, the report indicates that its window would experience a minor VSC loss of 20.3%. Officers consider that because of these results the perception of light obstruction to a person in the inner part of the rooms will not be materially different and on balance considered acceptable.

7.148 The report indicates that all surveyed windows would experience a minor or less VSC loss and all other habitable rooms (apart from the one mentioned above) will experience minor or less NSL losses.

7.149 Taken overall Officers conclude the daylight impacts on all flats are

considered acceptable.

36 Redchurch Street

- 7.150 *This property is understood to have two bedrooms, on the ground and first floor, serving residential accommodation which face the development.*
- 7.151 *Both windows will experience major VSC (in excess of 60%) and NSL (in excess of 40%) losses.*
- 7.152 *Whilst these constitute major adverse failures to these windows/rooms, given that they are bedrooms and not typically main living areas, and the overall site context and wider impacts of the proposal, they are not unacceptable in this instance.*

13 Bethnal Green Road, Soho House Hotel

- 7.153 *This hotel has rooms at first to fifth floor levels.*
- 7.154 *The property is to the west of the site and the DSO identifies twenty-three windows and twelve habitable rooms that would be impacted by the proposed development.*
- 7.155 *Some of the hotel's bedroom windows facing Ebor Street will experience major VSC losses and five of the twelve surveyed rooms would experience major NSL losses. Two first floor bedrooms, two second floor bedrooms and one third floor bedroom would experience major VSC losses to their windows and to their NSL levels.*
- 7.156 *When looking at the layout of the hotel it is noted that its corner bedrooms are dual aspect and are likely to maintain a view over Bethnal Green Road and rooms at fourth and fifth floor level are set back, some are dual aspect and contain private balconies which should ensure the impact is less severe.*
- 7.157 *Officers consider that given the hotel use has a transient population, the loss of VSC and NSL is considered acceptable in the site context.*

Sunlight results

- 7.158 *The sunlight targets are outlined in the summary box at paragraph 3.2.11 of 'Site Layout Planning for Daylight and Sunlight' (2011). This text is directly quoted below: "If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case 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 and*
 - *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.*

7.159 No effect was reported at nine properties, and negligible at one. All other properties surveyed would experience minor adverse or greater sunlight impacts which are set out in greater detail below.

17 - 23 Whitby Street

7.160 There are six flats at this property which are at second and third floor levels.

7.161 The property is to the east of the site and the DSO identifies fourteen windows that would potentially be impacted by the proposed development.

7.162 The report suggests there would be a minor adverse APSH loss to a second floor bedroom window but a 100% major adverse WPSH loss. However, given the existing winter sunlight hours is low at just 1%, any loss as a percentage appears logically greater. Officers consider this winter loss is not therefore unacceptable.

7.163 The report suggests there would be a negligible APSH loss to a third floor bedroom but a 50% major WPSH loss. Given the minor APSH loss and the specific site context Officers consider that the winter loss is not unacceptable.

7.164 All other windows surveyed would experience negligible APSH and WPSH losses which are considered acceptable.

7.165 One window would not have the proposed development within 90° of due south.

7.166 Officers consider that sunlight impacts will be barely perceptible notwithstanding in absolute numerical terms the loss is high because the existing winter sunlight hours received is so small.

2 - 4 Chance Street

7.167 This property is to the east of the site and the DSO suggests of the three windows assessed for sunlight, which all serve one living/dining room, one would meet BRE criteria. The remaining two windows will experience major APSH and WPSH losses. As the existing sunlight levels are already lower than BRE Guidance in the existing scenario and living/dining room in question is served by a further third unaffected window, officers consider sunlight impact to this room would be acceptable.

7.168 The other windows would not have the proposed development within 90° of due south and therefore APSH and WPSH impact are not relevant.

15 - 17 Redchurch Street

7.169 This property is to the north west of the site and the DSO notes that 17 of the 18 windows meet BRE criteria for APSH. The window that falls below criteria is understood to serve a living/kitchen/diner and experience a negligible APSH loss of 9.8% and a 100% loss WPSH.

7.170 While the WPSH loss is major, the level of APSH retained at 46% is above the 25%.

7.171 All other windows would experience negligible APSH and WPSH losses.

7.172 Officers therefore consider that given the site context these impacts on sunlight levels would be acceptable.

19 - 29 Redchurch Street

7.173 This property is to the north of the site and the DSO notes that of the 17 windows assessed, 16 would meet APSH criteria. The windows that does not meet the APSH criteria is understood to serve an LKD and experience a negligible APSH loss but a major WPSH loss of 71.4%. The retained APSH level to this window will be 57%, well in excess of the BRE recommended 25%.

7.174 On balance, Officers do not consider this unacceptable given the site context and low APSH losses.

31 - 39 Redchurch Street

7.175 The report suggests of the 14 windows assessed for sunlight, 12 will meet BRE guidance. The two windows that fall below guidance serve two separate bedrooms on the first floor and will experience negligible APSH losses and major WPSH losses.

7.176 On balance, Officers do not consider this unacceptable given the site context and low APSH losses.

36 Redchurch Street

7.177 This property contains a ground and first floor flat.

7.178 The property is adjacent to the site to the north and the DSO suggests a ground floor bedroom and a first bedroom would experience major APSH losses of 71% and 58.2% respectively and would both experience major 100% WPSH losses.

7.179 Officers acknowledge these impacts and consider that they would be noticeable to occupiers of the bedrooms. However, given the site context and the wider impacts of the proposal, the impacts are not considered unacceptable on balance.

42 Redchurch Street

7.180 The DSO suggests four of the first floor studio apartment's six windows would be impacted by the proposed development.

7.181 It identifies there would be a major APSH loss to two windows and a moderate APSH loss to the other two windows which serve the first floor studio flat. It also suggests that all four windows would experience a major adverse WPSH loss.

7.182 Officers note the major a WPSH losses to all four windows and major APSH losses to two of them. However, two windows would only experience a moderate APSH loss. On balance, Officers do not consider this unacceptable given the site context and the moderate APSH losses to two of the windows.

45 Redchurch Street

7.183 The DSO identifies habitable rooms at first and second floor level of this property and identifies that six windows could be impacted by the proposed development.

7.184 The DSO suggests of the six windows within this property, four will meet BRE criteria for sunlight. The remaining two windows will experience minor

losses for APSH and major losses for WPSH.

7.185 Although the uses of these room are stated as 'unknown' in the DSO, Officers consider that were they all to be habitable, the negligible APSH losses to all windows and the particular site context would outweigh the major WPSH losses to two of the six windows and therefore, on balance the impacts are not unacceptable.

15 Bethnal Green Road

7.186 As noted above, this is a live work unit with the majority of residential accommodation understood to be on the second floor. With respect to this property, the DSO notes that six of the the ten windows assessed, six would meet BRE criteria for sunlight.

7.187 Of the remaining four windows, two would serve a room of unknown use on the first floor and experience major APSH losses, one would experience major WPSH losses and the other would experience minor WPSH losses. The two other windows are situated on the second floor and serve a living/kitchen/diner and what is understood to be a greenhouse. The living/kitchen/diner window will experience major APSH and WPSH losses and the greenhouse window will experience minor APSH losses and no WPSH losses. The retained APSH levels to all four windows are between 18%-24% which is slightly below the BRE guidance of 25%.

7.188 Officers acknowledge that major APSH and WPSH occur to a number of windows within this property. However, given that these rooms are also served by other windows and given the site context the impacts are considered acceptable to Officers."

1.10 Drawings and documents not originally appended to report are set out below:

Drawings and documents recommended for approval

Schedule of drawings

Proposed

Basement 01 - 01 101
Basement 01 - 01 102
Ground Floor Plan - 01 - 01 103
First Floor Plan - 01 104
Second Floor Plan - 01 105
Third Floor Plan - 01 106
Fourth Floor Plan - 01 107
Fifth Floor Plan - 01 108
Sixth Floor Plan - 01 109
Seventh Floor Plan - 01 110
Eighth Floor Plan - 01 111
Ninth Floor Plan - 01 112
Roof Plan - 01 113
North Elevation - 01 201
South Elevation - 01 202
East elevation - 01 203
West elevation - 01 204
Street elevation - north and west - 01 205
Street elevation - south and east - 01 206
Bay study - 01 401
Bay study - 01 402
Bay study - 01 403
Bay study - 01 404
Bay study - 01 405
Bay study - 01 406
Bay study - 01 407
Bay study - 01 408
Illustrative CGI of basement affordable workspace
Illustrative CGI of affordable workspace from ground floor level

Existing

Location Plan - 01 001
Existing Site Plan - 01 000
Ground Floor Plan 01 - 01 153
First Floor Plan - 01 154
Second Floor Plan - 01 155
Third Floor Plan - 01 156

Schedule of documents

Cover letter Ref: OS/KFW/DP4998 Dated 23/02/2021
Design and Access Statement Dated February 2020
Design and Access Statement Addendum - Revision A Dated April 2021
Townscape, Heritage & Visual Impact Assessment Dated February 2021

FACADE MATERIAL SAMPLES Dated April 2021
 Planning RFIs response Dated 01/04/2021
 Heritage Assessment Dated March 2020
 Appendix 13.1 Drawings
 Appendix 13.2 Daylight and Sunlight Results
 Appendix 13.3 Overshadowing Results
 Appendix 13.4 Light Pollution Results
 Appendix 13.5 Solar Glare Results
 Appendix 13.6 Relevant Planning Policy
 DAYLIGHT/SUNLIGHT ADDENDUM Ref: 3652 dated 22/01/2021
 DAYLIGHT/SUNLIGHT/OVERSHADOWING ADDENDUM Ref: 3652 Dated 07/04/2021
 SECURITY OF SITE AND BUILDING REPORT
 Preliminary Ecological Appraisal Dated January 2019
 Bat Survey Report Dated May 2019
 Environmental Impact Assessment Scoping Report Dated January 2019
 ES Addendum and Response to Final Review Report Dated February 2021
 ES Addendum and Response to Final Review Report Dated February 2021
 Non-Technical Summary Dated February 2021
 Transport Statement Dated 27/02/2020
 Transport Assessment Dated 27/02/2020
 Travel Plan Dated 05/02/2020
 Technical Note 04a: Transport Addendum Dated 05/02/2021
 Appendix 9.1: Air Quality Assessment Detailed Methodology
 Appendix 9.2: Air Quality Neutral Assessment
 Appendix 10.1 Planning Policy and Guidance
 Appendix 10.2 LBTH Consultation Correspondence
 Appendix 10.3 Baseline Noise Survey Details
 Appendix 10.4 Site Demolition and Construction Noise Assessment
 Appendix 10.5 Glossary of Acoustic Terms
 Preliminary Environmental Risk Assessment Dated November 2019
 11. Soil, Ground Contamination and Water Resources
 13. Ground Conditions and Contamination
 Site Investigation Factual and Interpretative Report Dated November 2007
 Draft phase 1 environmental assessment Dated May 2007
 Wind Conditions – Policy Context
 Greenhouse Gas Appendices Dated 03/02/2020
 17.2 Extract from London Atmospheric Emissions Inventory
 Appendix A: Cumulative Schemes Ref: WIE14833-101 – Huntingdon Industrial Estate
 Statement of Community Involvement by Kanda
 Outline Fire Strategy Dated 28/02/2020
 Archaeological Desk-Based Assessment Dated May 2019

2.0 Recommendation

Officers recommendation remains that planning permission should be GRANTED with conditions and planning obligations.

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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/20/01696
Site	Site at Stroudley Walk, London, E3 3EW.
Ward	Bromley North
Proposal	Demolition of existing buildings and structures and redevelopment to provide four buildings, including a tall building of up to 25 storeys, comprising residential units and flexible commercial space (A1/A2/A3/B1) at ground floor level and alterations to façade of retained building, together with associated ancillary floorspace, cycle and car parking, landscaping and highway works.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Muse Developments Limited and Poplar HARCA
Architect/agent	DP9 (agent)
Case Officer	Kevin Crilly
Key dates	<ul style="list-style-type: none">- Application registered as valid on 10/08/2020- Significant amendments received on 29/03/2021- Public consultation finished on 29/04/2021

EXECUTIVE SUMMARY

The application proposes the demolition of the Warren House building, the two Stroudley Walk buildings and other structures on the site, and the construction of 4 buildings between 5 and 25- storeys, comprising flexible commercial space (on the ground floor of two of the buildings and 274 new homes, together with extensive landscaping and shared outdoor amenity space.

The development would re-provide the existing 50 affordable rented properties on site and deliver 50% affordable housing overall. The proposed unit sizes meet the London Plan's minimum space standards. All units would have private amenity space provision that meets minimum standards, and the proposed duplex homes would benefit from defensible space to the front and rear.

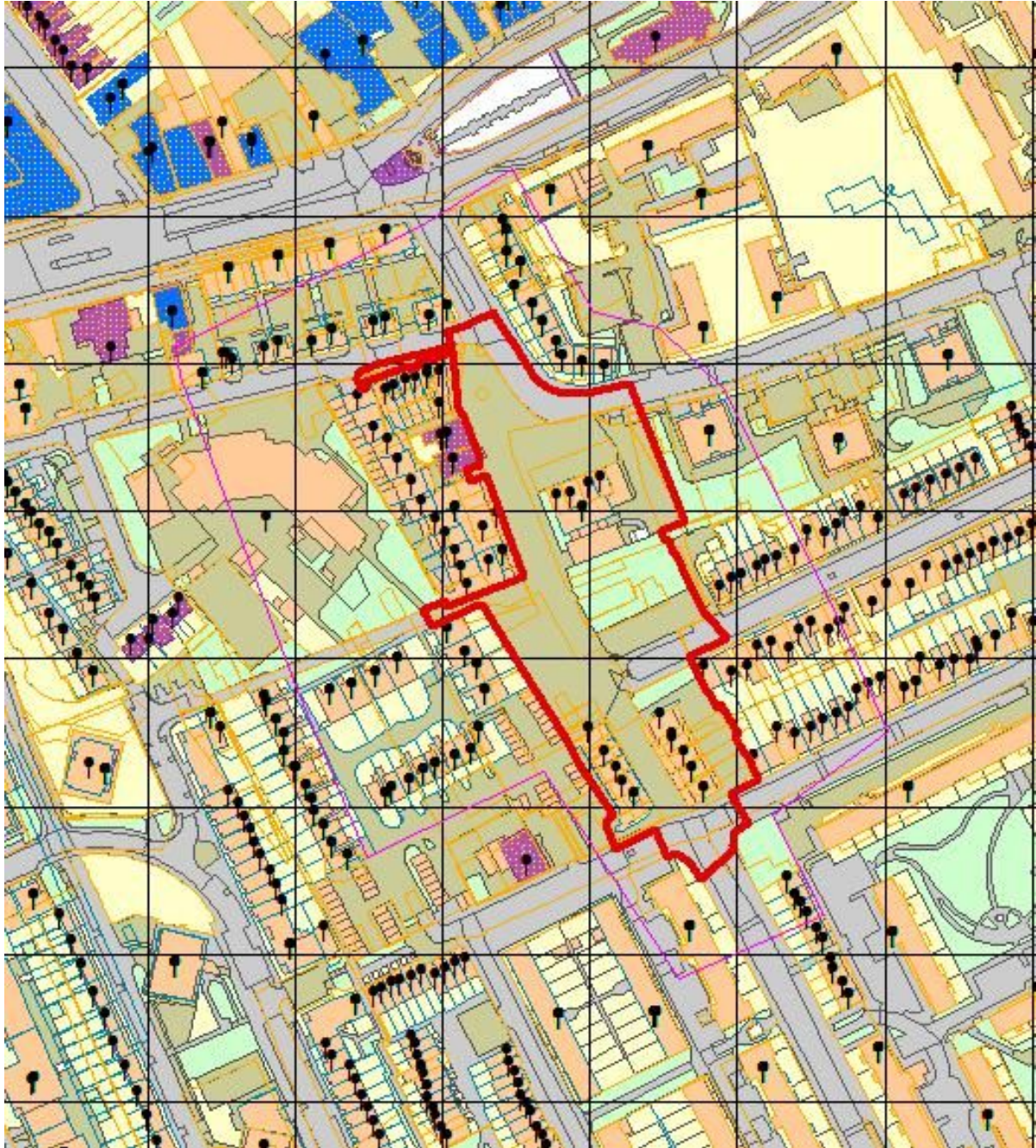
The character and appearance of the proposed development would vary slightly across the site responding to location, use, the character of the proposed new street and proposed public realm. The proposed architectural quality and materiality of the scheme is acceptable to officers.

Whilst it would be located outside of Tall Building Zone, the proposed tall building would meet three out of four 'exception' criteria set out in Part 3 of Tower Hamlets Local Plan Policy D.DH6.

Although it would be significantly taller than the 15-storeys referred to in the Bromley-by-Bow Masterplan SPD, officers consider that the proposed building would contribute positively to an existing diverse townscape, comprise high-quality architecture, relate well to its surroundings and help deliver improvements to the public realm. Given this and the proposed regenerative benefits of the proposed scheme on balance, officers consider that the principle of a tall building in this location is acceptable and that the proposed building forms and heights would deliver a suitably high-quality scheme.

The development would deliver additional benefits including contributions improvement to cycle infrastructure through improved routes and an additional cycle hire docking location and financial contributions towards employment and carbon offsetting.

The proposal would result in a development which delivers significant improvements on the existing public realm and would deliver a policy compliant level of affordable housing. On balance the scale of development is considered appropriate in this instance given the significant need for investment in the area the requirement to deliver 50% affordable housing and the requirement to deliver a suitably high-quality scheme.



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

Planning Applications Site Map PA/20/01696

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 Ter Hamlets**

Scale: 50m grid squares

Date: 10 May 2021OW

1. SITE AND SURROUNDINGS

- 1.1 The application Site is approx. 0.87 hectares. It is bounded by Bromley High Street to the north, Bruce Road to the south, and Stroudley Walk runs directly through the middle. It is currently occupied by three buildings, a car park and a large area of hardscaping. At the southern end of the site are two 2-storey buildings, which date from the 1980s with colonnaded commercial units and a vacant GP surgery/community centre fronting onto Stroudley Walk and single storey of residential accommodation above. At the north is Warren House an 11-storey residential tower which was built in around 1963 and which includes a plinth of five vacant commercial units which look north onto Bromley High Street.
- 1.2 Following an earlier planning permission (see Relevant Planning History below), the site has been the subject of Compulsory Purchase Orders and all homes and commercial units are currently vacant. Some of the businesses relocated to Fairlie Court (thus staying in the Neighbourhood Centre), the last residential tenant was re-housed in March 2018 and the GP surgery relocated to Wellington Way in January 2020. See summary in Table 1.

Table 1: Summary of existing land uses

Building	Former Use (currently vacant)	GIA Sqm	No. homes
Warren House	5 x commercial units (shops	238	
	Residential (C3)	3,300	42
	Ancillary	139	
Stroudley Walk buildings	5 x units (5 shops)	137	
	2 x units (hot food take-away	89	
	2 x units (GP surgery & community centre)	248	
	Residential (C3)	532	10
	Ancillary	58	
Total floorspace		4,741	52

- 1.3 The existing 52 vacant homes on site comprise the following:

Table 2: Existing homes on site

	Social Rent		Market	
	Units	Hab. rooms	Units	Hab. rooms
1-bed	21	42	1	2
2-bed	29	87	1	3
Total	50	129	2	5

- 1.4 Alongside the buildings are areas of open space and poor-quality public realm. There are 44 trees on the site at present, a number of these are mature and have a positive impact on the street environment. However, the site currently has poor surveillance and suffers from anti-social behaviour and criminal activity.
- 1.5 Stroudley Walk provides an important north-south route through the neighbourhood, connecting Bow Road and Bromley by Bow in an area which otherwise lacks permeability. The site has a Public Transport Accessibility Level (PTAL) rating of '6a' on a scale of 0-6b where 6b represents the highest level of connectivity. The site includes 30 surface level car parking spaces (a ratio of approx. 60% residential parking).
- 1.6 Adjacent to the west is Fairlie Court which is of a similar design to the buildings to the south of Stroudley Walk and built at the same time, with colonnaded commercial units on the ground floor and residential stepping up to three storeys above. This building wraps around two statutory Listed Buildings (Grade II) - the former Rose and Crown pub and Nos. 10 & 12 Stroudley Walk. The site boundary includes part of the existing colonnade of Fairlie Court at ground floor level.
- 1.7 Bow Church DLR station is approx. 250m to the west, and Bromley-by-Bow Underground Station is approx. 500m to the southeast, served by the District and the Hammersmith & City

lines. The A11 Bow Road is approx. 60m to the north. This is a high-frequency bus corridor and forms part of the Cycle Superhighway 2 and part of London's Strategic Cycle Network. Three cycle hire docking stations are within 300 metres of the site.

- 1.8 To the north east of the site are a series of 11-storey residential towers (Dorrington, Hernshall and Ballinger Points), which continue the pattern of taller 1960s development along the road from Warren House. Further to the north east is the Bow Bridge Estate which is characterised by 5 storey blocks of flats generally orientated away from the street into internal courtyards and play spaces.
- 1.9 To the east of the site Arrow Road and Bruce Road maintain the historic pattern of terraced housing in the area which dates to the 19th century. Properties at the boundary with the site have gable walls on the boundary and secondary windows which overlook the site.
- 1.10 To the south west is Regents Square, a private gated residential development built in the 1960- 70s. Most of these properties are orientated away from Stroudley Walk with a range of garages up against the boundary, but there is a short terrace of properties whose gardens back onto the central part of the site.
- 1.11 Between this terrace and Fairlie Court a narrow alleyway that links between Stroudley Walk and Rainhill Way and provides direct access to the St Agnes Catholic Primary School which sits behind Fairlie Court.
- 1.12 Along Bruce Road to the west is Children's House, a purpose-built nursery school in a Listed Building (Grade II) dating from the 1920s. This has recently been extended by way of a single storey temporary classroom building, which abuts and turns its back to the site.
- 1.13 Beyond to the west is Rainhill Way and the Bow Cross Estate, another 1960s development of three 25-storey towers on former railway land which have been recently been re-clad and the estate regenerated with infill development along Rainhill Way.
- 1.14 To the south of the site is the Devon's Estate which is characterised by post war residential blocks with courtyard car parking and amenity space away from the street. Beyond to the east is Bromley Recreation Ground (home to the Bromley by Bow Centre which provides community facilities and a health centre). Kingsley Hall a community hall is also located here adjacent to the park.
- 1.15 The scale of existing buildings surrounding the site is varied, from 2-storey town houses along Arrow Road and Bruce Road to the 11-storey blocks (Dorrington Point, Hernshall Point and Ballinger Point) on Bromley High Street and the 25 storey towers nearby on Rainhill Way. The general prevailing height of the broader estates is 5-6 storeys typified by the post war brick-built blocks of flats. The development on the former St Andrews Hospital site establishes a pattern of higher density development with a background height of 7-storeys with taller buildings marking Bromley-by-Bow underground station (28 storeys) and the junction of Devon's Road (18 storeys).
- 1.16 The key relevant designations for the site are as follows:
 - Lower Lea Valley Opportunity Area (SD1)
 - Strategic Area for Regeneration (SD10)
 - Tower Hamlets Lower Lea Valley Sub-area (S.SG1)
 - Borough-wide Air Quality Management Area (AQMA) (NO2 objective and 24-hour mean PM10 objective)
 - Bromley by Bow character place
 - Neighbourhood Centre (D.TC2)
 - Bow Tier 2 Archaeological Priority Area (S.DH3)
 - Green Grid Buffer Zone (DOWS3)
 - Partly within area of sub-standard air quality (D.ES2)
 - Flood Zone 1 (D.ES4)

- 1.17 The key relevant designations for the surrounding area are as follows:
- Bow Road is part of a Cycle Super Highway & London Cycle Network (S.TR1)
 - Cycle Hire Docking Station on Bromley High Street (S.TR1)
 - The former Rose and Crown Pub (Grade II) and Nos. 10 & 12 Stroudley Walk (Grade II) immediately adjoining the site is a Grade II Listed Building and there are other statutory Listed and Locally Listed buildings nearby) (S.DH3)
 - Fairfield Conservation Area is within approx. 60m to the north and Tomlins Grove Conservation Area is approx. 220m to the west (S.DH3)

2. PROPOSAL

- 2.1 The application proposes the demolition of the Warren House building, the two Stroudley Walk buildings and other structures on the site, and the construction of four buildings between 5 and 25- storeys, comprising flexible commercial space (Use Class E) on the ground floor of two of the buildings and 274 new homes, together with extensive landscaping and shared outdoor amenity space. The application also proposes alterations to Fairlie Court.



Buildings

- 2.2 Block A on the south-west part of the site would be between 6 and 7-storeys (33.48m AOD) and would provide 44 homes (all London Affordable Rent). The building would include duplex family homes at street level and a range of apartment sizes above, together with a shared outdoor terrace and a shared cycle store at ground floor level.
- 2.3 Block C on the south-east part of the site would be between 4 and 5-storeys (27.48m AOD) and would provide 15 homes (all London Affordable Rent). As with Block B, the building would include duplex family homes at street level and a range of apartment sizes above, together with a shared outdoor terrace and a shared cycle store at ground floor level.
- 2.4 Block D would be on the eastern side of the site in the centre and be between 4 and 6-storeys (32.86m AOD) and would provide 23 London Affordable Rent). It would include

flexible commercial units, a shared outdoor terrace and a shared cycle store at ground floor level. The application was revised in March 2021 to include a community kitchen and cafe in the proposed Community Space (115sqm) (next to the proposed courtyard play space).

- 2.5 Block E at the north of the site would be a single tower of 25-storeys (93.5m AOD) and would provide 192 homes, 159 Market and 33 Intermediate shared ownership flats. It would include flexible commercial units and shared cycle store at ground level and a shared outdoor terrace and a rooftop terrace.
- 2.6 No basement levels are proposed, although proposed lifts would require a small amount of basement excavation to accommodate necessary plant and machinery.

Land uses

- 2.7 Changes to the Use Classes Order 1987 came in to force on 1 September 2020. The Regulations that introduced the changes require Local Planning Authorities to determine applications that were submitted prior to this date in accordance with the previous use class. This report therefore refers to the previous use classes throughout.

Table 3: Proposed uses

Use	Use Class	GIA Sqm
Residential*	C3	22,896
Flexible commercial units	A1/A2/A3/B1	603
Plant (including substations)	N/A	557
Total floorspace		24,054

* Excluding deck & roof access areas

Car parking

- 2.8 The scheme would be car free with the exception of parking for disabled people. Initially nine Blue Badge spaces (3% residential parking) would be integrated with the proposed Stroudley Walk (4) and Arrow Road (5) public realm.

Public Realm

- 2.9 The proposals include the following distinct areas of public realm, with further public realm and amenity space are located within and around each of the proposed blocks.:
- North Bromley High Street 'Knuckle';
 - Pocket Park (approx. 500sqm); and
 - Courtyard between Blocks D and E (approx. 300sqm).



- 2.10 The southern portion of the site would include a new internal street, between Blocks A and C. This would provide some access into the site; however, movement would be restricted for most vehicles by the presence of bollards to the north towards the pedestrianised part of Stroudley Walk, and to the east towards Arrow Road.

Alleyway between Stroudley Walk and Rainhill Way

- 2.11 The proposals include improvements to this important route which provides direct access to the proposed new neighbourhood centre for residents from Rainhill Way via Regent Square, a shortcut to Bow Church DLR Station and access to St Agnes Catholic Primary School. These would include a new resin gravel surface, new planters to remove dead corners and hiding places, and enhanced lighting proposals which would stretch along the whole length of the alleyway. The alleyway is in Tower Hamlets ownership and it is recommended that the proposed improvements are secured by s106 planning obligations.

Fairlie Court works

- 2.12 As outlined under Relevant Planning History below, there is a concurrent planning application (PA/20/01933/NC) for works to improve security including changes to two residential entrances, introduction of gates to secure alleyways, and changes to the entrance to undercroft including new gates and a brick pier for existing flue.
- 2.13 The existing Stroudley Walk pedestrian walkway that sits under the Fairlie Court colonnades is proposed to be upgraded as part of the wider landscaping and streetscape strategy. The proposed works include:
- New brick framing and shop signage, with the proposed signage to be consistent with the proposed for the proposed commercial units in Blocks D and E to help integrate existing and proposed; and
 - Feature lighting to the ceiling of the colonnades.

- 2.14 The application was revised in March 2021 as follows: (i) minor reduction of red line site boundary by Regent Square (approx. 10sqm); (ii) revised lighting strategy; (iii) introduction of a Community Café at the ground floor of Block D; (iv) revisions to the proposed Courtyard landscaping and layout of the play areas; (v) improved connection between the street and the Courtyard through changes to the design of the proposed screen/gate to increase permeability; (vi) minor layout changes to the upper floors of Block D to allow for a larger area for the ventilation from the community café; and (vii) updated signage strategy, including for Fairlie Court frontage. At the same time, further environmental information was submitted in the form of an Environmental Statement Addendum, together with an updated and a Non-Technical Statement. In addition, several revised and new supporting documents (including Design and Access, Planning and Transport Addendums, an Outline Fire Strategy & Statement and a Whole Life Carbon Assessment report).

3. RELEVANT PLANNING HISTORY

- 3.1 PA/19/01921/NC. Request for an Environmental Impact Assessment Scoping Opinion for proposed development that is substantially the same as the application scheme (Scoping Opinion issued 21/10/2019).
- 3.2 PA/10/00374/P1. Full Planning Application to erection of a part 3, part 5 storey building to accommodate 19 residential units comprising 10 x 1-bed, 7 x 2-bed, 1 x 3-bed and 1 x 4-bed units. (Approved 31/05/2015) (now expired).
- 3.3 PA/10/00373/A1. Outline application for demolition of existing buildings and redevelopment providing 379sq.m retail space (Use Classes A1/ A2/A3), up to 154 sqm community space (Use Class D1) and 130 new dwellings (comprising 45 x 1-bed, 44 x 2-bed, 27 x 3-bed, 10 x 4-bed and 4 x 5-bed), plus opening up of Stroudley Walk one way to vehicles, associated landscaping and car parking. (Approved 31/05/2015) (now expired).
- 3.4 Since the 2015 planning permissions, the existing commercial units on the site have been the subject of Compulsory Purchase Orders and have now all been vacated and relocated where possible to alternative space within Fairlie Court and thus remaining with the Neighbourhood Centre. The Health Centre has recently relocated to Wellington Way as part of wider NHS strategy. All the existing homes have been vacated in preparation for implementing the previous permission. As a result. all three buildings are vacant.
- 3.5 PA/20/01933/NC. This is as separate, concurrent, Full Planning Application by the applicant for external works to Fairlie Court (14 Stroudley Walk) to improve security including changes to two residential entrances, introduction of gates to secure alleyways, and changes to entrance to under croft including new gates and a brick pier for existing flue.

4. PUBLICITY AND ENGAGEMENT

Pre-application

- 4.1 The submitted Statement of Community Consultation and Design and Access Statement Addendum sets out the non-statutory consultation undertaken by the applicant and how this influenced the application and revisions to it. This included public exhibition, pop-up stalls at Stroudley Walk and Old Palace Primary School and door-to-door canvassing of local estates and meeting Local Estate Boards.
- 4.2 The applicant has submitted a range of responses to their consultation exercises which includes both electronic and paper submissions. The number of comments received by the applicant are summarised below.

- Total number of forms received: 275
- Total number of supporters: 258

- Total number of objectors: 17

Statutory application consultation

- 4.3 There have been two rounds of statutory consultation on the application, once in August 2020 following submission and once at the end of March 2021 following the submission of revisions and further environmental information (in relation to the EIA process). In both cases, 320 neighbour letters were sent to nearby properties, a site notice was displayed on the site and a statutory press notice was placed in the local newspaper.
- 4.4 Representations were received from the local community as a result of the Council's consultation process during the course of the application and are summarised below.
- 4.5 **12** Individual objection letters, a petition in objection with **180 signatories** and **4** letters in support.
- 4.6 The objections raised are summarised below
- Concerns regarding the impact of the development on the daylight, sunlight received by properties within Regent Square
 - Concerns regarding the impact of overlooking on the neighbouring privacy within Regent Square
 - Impact of construction traffic on pedestrian and highway safety
 - Increase demand for on street parking
 - Concerns regarding anti-social behaviour particularly around the proposed pocket park location
 - Concerns regarding proposed landscaping works on land owned by neighbouring residents at Regent Square
 - Scale of the tall building is inappropriate in this location
 - The design is poor quality and raises concerns regarding the quality of accommodation.
 - Concerns regarding residential layout quality
- 4.7 The letters in support are summarised below
- Acute need for housing necessitates an increase in density which is supported
 - Development needed to meet the Councils housing delivery obligations
 - The development of the site will improve the current anti-social behaviour issues and improve amenity of the area
 - The design of the tall building is high quality and would be a welcome addition.

5. CONSULTATION RESPONSES

- 5.1 Below is a summary of the consultation responses received from both external and internal consultees.

External responses

Cadent/National Grid

- 5.2 (i) Low or Medium pressure (below 2 bar) gas pipes and associated equipment are in the vicinity (ii) work needs to be accrued out in accordance with published guidance.

Crossrail Safeguarding

5.3 No comment.

Environment Agency

5.4 No comment.

Historic England

5.5 No objections raised

London Fire Brigade

5.6 No objections subject to further consultation during detailed design phase

Mayor of London (Stage 1 Report)

5.7 In summary:

- *Principle of development:* The principle of estate regeneration is supported. The significant uplift in affordable housing could be supported, subject to demonstrating that this represents the maximum reasonable amount.
- *Housing:* 40% affordable housing by habitable room is proposed. The applicant should confirm the proposed tenure split. This is a 23% increase above like-for-like re-provision. Further viability discussions are required to determine whether genuinely affordable housing is maximised. Review mechanisms and the affordability of the units must be secured.
- *Urban design and heritage:* The layout, height and massing of the scheme is supported. Key design details should be secured. A management plan and a revised fire strategy should be submitted. Less than substantial harm would be caused to the setting of the identified heritage assets, which would be outweighed by the public benefits including provision of affordable housing and public realm improvements.
- *Transport:* Strategic transport aspects could comply with relevant policies, subject to further information on trip generation methodology and enhancements to cycle parking. A Delivery and Servicing Plan and Construction Logistics Plan along with other obligations should be secured.
- *Sustainable development:* Further information on energy and urban greening is required.

Metropolitan Police (Designing Out Crime Officer)

5.8 No objection to the use, placing, spacing, sizing and orientation of proposed residential blocks which would offer an even spread of resident windows and balconies that promote a sense of natural and active surveillance over the public realm. Proposed shared communal space between Block D and E could generate anti-social behaviour and needs to be carefully designed and managed (including avoiding climbing opportunities to balconies/windows). The detailed design of the proposed pocket park, benches and edges should discourage use by rough sleepers, skate-borders, moped users etc. Concern about the large amount of proposed seating that could offer a space for gangs and criminals to legitimately remain and observe the area including the alley that leads to Bow Church DLR. Litter bins should be anti-arson type and not located next to equipment or buildings. Any permission should be subject to approval of security measures and confirmation from the DOCO that these are appropriate.

Natural England

5.9 No comment.

Thames Water

5.10 (i) Any permission should be subject to approval of a piling method statement to safeguard nearby sewers; (ii) no objection to surface water drainage providing that the developer follows the sequential approach to disposal of surface water; (iii) developer needs to demonstrate what measures would be undertaken to minimise groundwater discharge into public sewers (e.g. from dewatering, deep excavations); (iv) No objection with regard to the waste water network and sewage treatment works infrastructure capacity; (v) any permission should be

subject to approval of any necessary water network upgrades have been undertaken; (vi) there must be no development over or within 3m of nearby water mains; (vii) any decision notice granting approval should include informatives in relation to proximity to water assets and water pressure; (viii) recommends petrol/oil interceptors are fitted to all car parking/washing/repair areas.

Transport for London – Land Use Planning

- 5.11 Detailed comments in addition to the Mayor's Stage 1 Report: (i) a revised trip generation assessment should be provided and agreed with TfL. Trip generation analysis should assume a baseline of zero; (ii) Additional cycling spaces should be provided to meet the minimum standards set out in the Intend to Publish London Plan; (iii) a full Delivery and Servicing Plan (DSP) should be secured through a condition (iv) a full Construction Logistics Plan should be secured by condition.

Internal responses

LBTH Biodiversity

- 5.12 Ecology correctly scoped out of EIA. Proposed landscaping. The Preliminary Ecological Appraisal assessed all existing buildings as being of negligible potential for bat roosts. The existing trees and shrubs could support nesting birds. Proposed landscaping and biodiverse roofs generally supported, although increasing number of native species would help biodiversity. No objections subject to following conditions (i) timing of vegetation clearance outside of bird breeding season (i.e. between September & February inclusive); and (ii) Approval of biodiversity enhancement measures prior to commencement of above ground works (to include at least 800sqm biodiverse roofs, mixed native hedgerows, at least five types of native tree species, inclusion of nectar-rich plants, inclusion of climbing plants bird and bat boxes).

LBTH Energy Efficiency/Sustainability

- 5.13 No objection

LBTH Environmental Health (Contamination)

- 5.14 No objection subject to standard conditions.

LBTH Environmental Health (Pollution Team)

- 5.15 No objections subject to conditions securing (i) approval of a Demolition/Construction Environmental Management & Logistics Plan; (ii) air quality monitoring during demolition and construction; (iii) Non-Road Mobile Machinery; (iv) approval of air extraction and filtration systems for commercial kitchens; (v) any gas boilers to meet NOx standard and flue height informative

LBTH Health Impact Assessment Officer

- 5.16 The submitted Health Impact Assessment represents a thorough examination of potential health and well-being issues using HUDU's rapid HIA tool. Consultation has taken place and concerns over potential lack of community cohesion have been addressed through several design features, in collaboration with expert stakeholders (e.g. the police) or/and using existing standards of good practice. The scheme has got the potential to deliver healthy outcomes for the community. The COVID-19 pandemic has demonstrated the importance of internal space standards and a place to work from home.

LBTH Housing

- 5.17 Comments are incorporated within the 'Housing' section of this report.

LBTH Transportation & Highways

- 5.18 Comments are incorporated within the **Page 136** 'Highways' section of this report.

5.19 No response.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

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

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

Growth (spatial strategy, healthy development)

- London Plan policies: SD1, SD10
- Local Plan policies: S.SG1, S.H1, D.SG3

Land Use (town centre, social infrastructure, residential, employment)

- London Plan policies: SD6, SD7, SD8, SD9, S1, S2, S4, H1, E11
- Local Plan policies: S.TC1, D.TC2, S.CF1, D.CF2, D.CF3, DS.H1, S. EMP1, D. EMP2

Housing (housing supply, affordable housing, housing mix, housing quality, fire safety, amenity)

- London Plan policies: GG2, H1, H4, H5, H6, H8, H10, S4
- Local Plan policies: S.H1, D.H2, D.H3,

Design and Heritage (layout, townscape, massing, height, appearance, materials, heritage)

- London Plan policies: D1, D2, D3, D4, D5, D8, D9, HC1, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7

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

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

Transport (sustainable transport, highway safety, 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, biodiversity, contaminated land, flooding and drainage, energy efficiency, noise, waste)

- London Plan policies: G1, G4, G5, G6, SI1, SI2, S13, S14, 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. OWS3, D.MW3

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (as updated)
- 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)
- LBTH Character Appraisal and Management Guidelines for Fairfield, Tomlins Grove, Tredegar Square and Tower Hamlets Cemetery Conservation Areas.
- The Mayor's Good Practice Guide to Estate Regeneration (2018)
- LP Affordable Housing and Viability SPG (2017)
- LP Housing SPG (updated 2017)
- LP Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)

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

- LBTH Draft Central Area – Good Growth SPD (Consultation draft January 2021)
- LBTH Draft Reuse, Recycling & Waste (Consultation draft January 2021)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

Residential use

7.2 Increasing housing supply is a fundamental policy objective at national, regional and local levels. The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings.

7.3 The predominant existing use of the site is residential and, as such the principle of the residential use has been established. London Plan and Local Plan policies resist the loss of existing housing unless there is no net loss. The delivery of housing, and particularly affordable housing, is a priority in the borough. The re-provision of the existing social rented homes and intensification of the residential use with the provision of additional units is supported.

Loss of existing social infrastructure

7.4 London Plan Policy S1 protects social infrastructure unless there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community; or the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services. It also stipulates that redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative uses are proposed unless this loss is part of a wider public service transformation plan.

- 7.5 London Plan Policy S2 also requires boroughs to identify and address local health and social care needs within their Development Plans in consultation with Clinical Commissioning Groups and other NHS and community organisations, through regular assessment.
- 7.6 Local Plan Policy S.CF1 supports proposals which seeks to protect, maintain and enhance existing community facilities and makes clear there is a presumption against the loss of community facilities to ensure that there is sufficient provision to meet local needs.
- 7.7 The proposal would result in the loss of two units that were previously used as a health centre and a community centre (248sqm in total). The former health centre was relocated to Wellington Way Health Centre in January 2020 as part of a longstanding NHS strategy. As such, the proposed loss of this floorspace complies with London Plan Policies S1 and S2 and Local Plan Policy S.CF1.
- 7.8 The former community centre is also now vacant. The applicant has identified the following community centres in the local area and makes the case that these provide sufficient capacity to meet local needs:
- Kinsley Hall Community Centre – approx. 180 metres;
 - Bow Cross Community Hub – approx. 200 metres;
 - Bromley by Bow Centre – approx. 300 metres;
 - Caxton Hall Community Centre – approx. 480 metres;
 - Bromley by Bow Community Organisation – approx. 500 metres;
 - Bernie Cameron Community Centre – approx. 630 metres; and
 - Tredegar Community Centre – approx. 630 metres.
- 7.9 Officers agree that the area is relatively well served by alternative community centres and that this, together with the proposed *community kitchen and café on the site (115sqm)* (see below), means that the proposals comply with London Plan Policies S1 and Local Plan Policy S.CF1.

Proposed flexible retail and commercial uses

- 7.10 Local Plan Policy D.TC2 includes the following relevant policy objectives:
- 5. Within Neighbourhood Centres, the proportion of units within A1 retail use should not fall below 40% of all units within the designated centre. New development should also be appropriate to the nature and scale of the individual Neighbourhood Centre/Parade.
 - 6. Where the loss of A1 retail units is proposed that results in the overall level of A1 units falling below 40%, it must be demonstrated that the shop has been vacant for a period of more than 12 months and robust evidence of efforts made to market the shop over that period at an appropriate rent (providing three comparable shop unit rents within the town centre) is provided.
 - 7. Where a reduction of A1 retail floorspace is proposed within Neighbourhood Centres, development must demonstrate that: a. where there is sub-division of a large unit, the new units are of a size and scale conducive to supporting the role and function of their surroundings.
- 7.11 With respect to Neighbourhood Centres, the Local Plan policies seek to provide a range of shops and services to meet the needs of their local catchments.
- 7.12 The existing 14 vacant ground floor commercial units (5 at Warren House and 9 in the Stroudley Walk buildings) amount to approx. 712sqm. The former and assumed lawful uses of these vacant units comprise approx. 375sqm shops (Use Class A1), 89sqm hot food take away (sui generis) and 248sqm GP surgery/community centre (Use Class D1). The proposals include the provision of four flexible commercial units (Use Class A1/A2/A3/B1) as follows:
- Block D – Community Space (approx. 115sqm) and Commercial Unit 3 (approx. 63sqm);
 - Block E – Commercial Unit 1 (approx. 187sqm) and Commercial Unit 2 (approx. 109sqm).

- 7.13 The application was revised in March 2021 to use the proposed Community Space in Block D (facing on to the proposed courtyard) as a community kitchen and cafe. Drawing on the experience of the applicant's Community Development and Wellbeing team and the success of similar community cafes in regeneration projects elsewhere, it is proposed that this unit would be restricted for use by a not-for-profit organisation, community benefit society or social enterprise for a 10-year period.
- 7.14 Local Plan Policy D.TC2 focuses on managing the day-to-day changes of use of existing commercial floorspace in Neighbourhood Centres. However, it is also relevant for proposed changes of use by way of redevelopment, as proposed here. The section below addresses the various strands of this policy with reference to Table 4 below.
- 7.15 The commercial component of the Neighbourhood Centre would be reduced from 24 to 15 units (a 37.5% reduction) and from approx. 1,704sq to 1,466sqm (a 14% reduction). In terms of retail A1 use, 71% of the existing 24 units are or were last in A1 use (this is approx. 70% based on floorspace). The flexible nature of the proposed units means that they could be used for either A1, A2, A3 or B1. This means that between 9 and 13 units in the proposed smaller commercial centre could be in A1 use (60% to 86%), with this increasing to between 67% and 95% when measured by floorspace. This would meet the minimum 40% A1 unit objective of Policy D.TC2. It should also be noted that the permitted flexible use of the proposed units would not allow for hot food take-aways (Use Class A5) and, based on the previous use of the existing vacant units, the proposal would see a reduction in the number of hot food take-aways in the Neighbourhood Centre.
- 7.16 The proposed new units would be located opposite and close to the units on the ground floor of Blocks D and E and no replacement units would be provided in Block A or C. Officers consider that this, together with a proposed common shopfront/signage strategy for the existing and proposed new units would effectively consolidate the Centre, making it more compact and integrated. This is welcome in principle and officers consider that the proposed nature and scale of the proposed development is appropriate.
- 7.17 Considering the proposed flexible town centre uses of the new ground floor units, the proposal could result in the loss of retail A1 floorspace in the Neighbourhood Centre of up to 206sqm. However, the existing ten units (465sqm) that would be demolished were vacated in early 2018 in preparation for implementing the previous planning permission for the site and the longstanding aim for regeneration. Whilst no evidence has been presented to support the proposed loss of floorspace, officers consider that the proposed consolidation and reduction in size of the Neighbourhood Centre is acceptable given the overall benefits of the scheme. However, it is recommended that planning conditions remove existing and future permitted development rights to change the use of the proposed commercial units to housing and ensure that details of ventilation are approved before any A3 use starts. It is also recommended that the intended use of the proposed Community Space in Block D by a not-for-profit organisation, community benefit society or social enterprise organisation for a 10-year period from when the unit is first occupied is secured by s106 planning obligations.

Table 4: Existing and proposed uses in the Neighbourhood Centre

	Existing			Proposed		
	No.	Use	Size	Block	Use	Size
Bromley High Street/ Warren House	22	Vacant A1	48	Replace with units in D & E	A1/A2/A3/B1	187
	24	Vacant A1	47		A1/A2/A3/B1	109
	26	Vacant A1	99		A1/A2/A3/B1	115
	28	Vacant A1			A1/A2/A3/B1	63
	28a	Vacant A1	45			
Stroudley Walk North/Fairlie Court	Existing uses continue					
	2-4	2 x A1 Grocers	238	2-4	2 x A1 Grocers	238

To be retained	6	A1 Grocers	75	6	A1 Grocers	75
	8 (PH)	A3 Pizza	100	8 (PH)	A3 Pizza	100
	10-12	A1 Grocers	63	10-12	A1 Grocers	63
	16	Sui generis Bookmakers	79	16	Sui generis Bookmakers	79
	18	A1 Pharmacy	81	18	A1 Pharmacy	81
	20	A1 Newsagent	73	20	A1 Newsagent	73
	22	A1 Dry Cleaners	68	22	A1 Dry Cleaners	68
	24	A1 Carpets	104	24	A1 Carpets	104
	26	A1 Bakers	111	26	A1 Bakers	111
Stroudley Walk South To be demolished	32-38	Vacant D1	202			
	30	Vacant A5	47			
	31	Vacant D1	45			
	33	Vacant A5	42			
	35	Vacant A1	45			
	37	Vacant A1	46			
	39	Vacant A1	46			
Total town centre units	24 units		1,704 total		15 units	1,466 total
Total class A1 (retail) units	17 units A1 (71%) 1,189sqm A1(70%)		Between 9 and 13 units A1 (60% to 86%) Between 983sqm and 1,393sqm A1 (67% to 95%)			

Source: Retail Statement in support of lapsed planning permission (PA/10/00373) & Survey 10/04/21

Housing

Housing supply

- 7.18 London Plan Policy H1 sets Tower Hamlets a housing completion target of 34,730 units between 2019/20 and 2028/29. The proposed development would result in a net increase of 222 new homes, which would make an important contribution towards meeting the above target and is strongly supported.
- 7.19 The 2020 Housing Delivery Test (HDT) results were published on 19 January 2021 and as a result Tower Hamlets Local Planning Authority is now a “presumption authority” and paragraph 11d of the NPPF is relevant. The Council’s delivery of housing over the last three years is substantially below its housing target and so paragraph 11d of the NPPF is engaged by virtue of footnote 7 of the NPPF. Nevertheless, the proposed development has been found to be in accordance with development plan policies and, therefore, consideration of para. 11(d) is not required where the recommendation is to grant planning permission (but would be if the application were to be refused).

Estate Regeneration

- 7.20 London Plan policy H8 requires that loss of existing housing be replaced at existing or higher densities with at least the equivalent level of overall floorspace. This policy also seeks a consideration of alternative options before the demolition and replacement of affordable homes. In addition, the policy requires the replacements social rent units to be provided as social rent where facilitating a right of return for existing tenants.
- 7.21 Part 5 Tower Hamlets Local Plan Policy D.H2 provides a set of criteria which estate regeneration schemes are required to follow. These include the following:
a. protect and enhance existing open space and community facilities

- b. protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels
- c. provide an uplift in the number of affordable homes, and
- d. include plans for refurbishment of any existing homes to the latest decent homes standard.

7.22 The Mayor of London’s Good Practice Guide to Estate Regeneration (GPGER) provides detailed guidance for assessing approaches to estate regeneration.

7.23 **Like for like replacement and right to return.** London Plan Policy H8 confirms that replacement affordable housing must be provided at social rent levels, where it is being provided to facilitate a right of return for existing social rent tenants. Where there is no right to return, the replacement floorspace can be either social rent or London Affordable Rent (LAR) tenure. The proposed development would result in a net increase in terms of residential floorspace, units and habitable rooms, as set out below. The last tenant was rehoused in March 2018 and the applicant has confirmed that no resident had expressed the right to return.

Table 5: Like for like replacement Social Rent homes

	Existing (Social Rent)	Proposed (London Affordable Rent)	Variance
Floorspace Sqm NIA)	2,742	7,833	+5,091
Habitable Rooms	129	297	+168
Units	50	82	+32

7.24 The development would re-provide the existing units and habitable rooms; however, these would be provided as London Affordable Rent units. The Mayor’s Stage 1 Report confirms that, given that the existing housing is vacant, and the former tenants have been satisfactorily rehoused, it is acceptable to provide the existing Social Rent units at London Affordable Rent.

7.25 **Alternatives to demolition.** London Policy H8 states that before considering demolition of existing estates, alternative options should first be considered and the potential benefits associated with the option to demolish and rebuild an estate set against the wider social and environmental impacts.

7.26 All three existing buildings are currently vacant and homes are in poor condition. The site also lacks high-quality open spaces and suffers from anti-social and criminal activities. The proposed regeneration programme seeks to re-provide homes to modern standards by delivering high-quality residential development, increase housing choice, increase affordable housing provision and contribute towards the regeneration of Stroudley Walk, including the local Neighbourhood Centre. Given this, officers support the proposed demolition.

7.27 **Maximising additional genuinely affordable housing.** As set out in the Mayor of London’s GPGER, in addition to ensuring no net loss of affordable homes, estate regeneration schemes must provide as much additional affordable housing as possible. This is discussed under the Affordable Housing heading below. In summary, officers consider that the proposed development would provide the maximum reasonable amount of affordable housing.

7.28 **Full right of return or remain for social tenants.** London Plan Policy H8 is clear that existing affordable housing floorspace should be replaced on an identical basis where a tenant has the right to return. In this case former social rent tenants have already been rehoused elsewhere in the Borough, meaning that former tenants do not have to include a right to return.

7.29 **A fair deal for leaseholders and freeholders.** The applicant has confirmed that former leaseholders received fair compensation in line with statutory requirements.

7.30 **Full and transparent consultation.** The Mayor of London’s GPGER requires any landlord seeking GLA funding for estate regeneration projects which involve the demolition of existing affordable or leasehold homes to demonstrate that they have secured resident support for their proposals through a ballot, subject to certain specified exemptions and transitional

arrangements. Given that the buildings have been vacant since March 2018 and following a request from the applicant, in July 2019 the Mayor of London provided a formal exemption from the requirement to undertake a ballot under Exemption 5 of the GLA's Affordable Housing Capital Funding Guide. Notwithstanding this, the applicant's Statement of Community Involvement sets out details of the public consultation and engagement undertaken with the wider residents of the estate. Officers consider that this approach generally accords with the key principles set out in the Mayor of London's GPGER.

- 7.31 **Conclusion.** Overall, the proposed development would result in a net increase in existing affordable housing floorspace in Social Rent tenure and accords with the requirements and key principles for estate regeneration as set out in London Plan Policy H8 and the associated guidance in the Mayor of London's Affordable Housing and Viability SPG and the Mayor of London's GPGER.

Housing mix and Tenure

- 7.32 The existing 52 vacant homes on site comprise the following:

Table 6 – Existing housing

	Social Rent		Market	
	Units	Hab. rooms	Units	Hab. rooms
1-bed	21	42	1	2
2-bed	29	87	1	3
Total	50	129	2	5

- 7.33 London Plan Policy H10 requires developments to consist of a range of unit sizes. Tower Hamlets Local Plan Policy D.DH2 also seeks to secure a mixture of small and large housing that meet identified needs which are set out in the Council's most up-to-date Strategic Housing Market Assessment (2017). This preferred housing unit mix is set out in the 'Policy Target %' in Table 7 below.

Table 7- Proposed dwelling and tenure mix (with grant funding)

	Total Units	Affordable Housing						Market Housing		
		Social Rent			Intermediate			Units	As a %	Policy Target %
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	24	-	-	-	-	-	-	24	52%	
1 Bed	122	26	32%	25%	13	39%	15%	59		30%
2 Bed	119	23	28%	30%	20	61%	40%	76	48%	50%
3 Bed	23	23	28%	30%	-	-	45	-	-	20
4 Bed	10	10	12%	15%	-	-		-	-	
Total units	274	82			33			159		
Total HR		297			86			370		
		115 units (383 HR)						159 units (370 HR)		

- 7.1 It should be noted that the proposed mix does provide 6 fewer 2-bed London Affordable Rent homes that exist currently (23 as opposed to 29). However, the proposed 23 x 3-bed and 10 x 4-bed would adequately compensate for this and are welcome.

- 7.2 Overall, the development would deliver 12% of family sized homes. However, within the affordable rent tenure, there would be a significant provision of family-sized homes, although this would be 40% rather than the target 45%, and an over provision of 1-bed homes. Within the Market and Intermediate tenures, there would be an overprovision of 1-bed and 2-bed homes and no family-sized homes. On balance, considering the overall provision of almost

51% affordable housing in total, the proposed housing mix and tenure are considered acceptable.

Affordable Housing

- 7.3 London Plan policy H8 states that all proposals demolishing and replacing affordable housing would be subject to a viability tested route and seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.
- 7.4 Tower Hamlets Local Plan Policy S.H1 sets an overall strategic target of 50% of affordable housing, with a minimum of 35% provision sought, subject to viability
- 7.5 Tower Hamlets Local Plan Policy D.H2 sets the requirements of affordable housing provision within development in the borough, in terms of quantum, standard and provision. Development is required to maximise the provision of affordable housing with a 70% affordable rented and 30% intermediate tenure split (Para. 9.30 making clear that rented housing is expected to be 50% London Affordable Rent and 50% Tower Hamlets Living Rent).
- 7.6 Tower Hamlets Local Plan Policy D.H3 requires development to provide affordable housing which is not externally distinguishable in quality from private housing.

Amount and tenure

- 7.7 Of the total proposed 274 units, subject to securing grant funding, the scheme would provide 115 affordable homes, amounting to 50.9% by habitable room. The proposed tenure split is 82 Affordable Rent homes and 33 Intermediate homes, which equates to 78:22 Social Rent: Intermediate by habitable room. This exceeds the Council's policy requirement of 70:30 and is welcome.
- 7.8 The proposal includes the re-provision of 50 Social Rent homes and additional provision of 32 Social Rent homes (168 habitable rooms) and 33 Intermediate units (86 habitable rooms). All the Social Rent units would be provided as London Affordable Rent (LAR). This would not meet the Local Plan requirement of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent (THLR). However, given that the applicant is seeking grant funding to partially fund the scheme, this is considered acceptable.
- 7.9 All the proposed 33 Intermediate homes would be provided as Shared Ownership (SO).
- 7.10 With grant funding in place, the proposed uplift of affordable housing, over and above the re-provision of the existing floorspace, amounts to **40.7%** by habitable rooms (which exceeds the relevant London Plan 35% threshold approach target).
- 7.11 The proposed scheme has been viability tested in accordance with London Plan and Tower Hamlets policy and guidance. The application is supported by a Financial Viability Assessment (FVA) prepared by DS2, which has been reviewed and scrutinised by the Council's viability officers and GLA officers. Following a robust review of the submitted viability evidence, the Council's viability team has concluded that there would be a financial deficit against the scheme and consequently it would not be possible to secure any further affordable housing
- 7.12 Without grant, the Council's viability team has agreed that the maximum reasonable amount of affordable housing that could be provided in addition to the re-provision of the existing affordable floorspace would equate to 40.9% by habitable room (split 66:34 London Affordable Rent: Shared Ownership) – 307 habitable rooms, 202 LAR and 105 SO. Grant funding would enable 23 additional affordable homes.

Viability review

- 7.13 In line with relevant policy and guidance, to ensure that the maximum reasonable amount of affordable housing is delivered, it is recommended that s106 planning obligations secure an Early Stage Review. This would re-consider viability in the event that any planning permission is not implemented within two years from the date it is granted. A Late Stage Review is also required.

Affordability

- 7.14 The proposed LAR homes would be let at rents that are capped at benchmark levels published annually by the GLA. The LAR rents for 2021/22 (exclusive of service charges) are 1-bed - £161.71, 2-bed - £171.20, 3-bed - £180.72 and 4-bed - £190.23. The Council would have first nomination rights to these homes.
- 7.15 The proposed SO homes would be with a minimum of 25% share on equity and a rental on unsold equity of between 0.5 and 2.75% and available to households with a maximum annual income of £90,000. In accordance with Mayoral and Council guidance, housing costs (a combination of mortgage, rent and service charge) must not exceed 40% of net household income.

Integration of different tenure types

- 7.16 The proposed LAR homes would be located with the proposed lower blocks A, C and D. The proposed SO homes would be located, along with the Market homes, in the proposed taller Block E. Residents living in the proposed SO and Market homes in Block E would have access to the same communal roof terraces. All residents would have access to the proposed pocket park and courtyard. There would be no discernible difference in the quality of the external appearance of the homes in different tenure (other than in the scale of buildings). Officers consider these arrangements to be acceptable.

Wheelchair Accessible Housing

- 7.17 London Plan Policy D3 seeks to ensure that proposals achieve the highest standards of accessible and inclusive design (not just the minimum). Any application should ensure that the development can be entered and used safely, easily and with dignity by all; is convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; is designed to incorporate safe and dignified emergency evacuation for all building users; and as a minimum at least one lift per core should be a fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 7.18 London Plan Policy D5 requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (Regulation M4(3) (a) designed to be 'wheelchair accessible or easily adaptable for residents who are wheelchair users'); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.19 The proposal would feature wide and clearly legible areas of public realm, which would be accessible by disabled people. The proposal would provide 10% of homes as wheelchair accessible, which is supported. The Council should secure M4(2) and M4(3) requirements by condition or obligation. As noted above, the applicant should provide fire evacuation lifts as required by Policy D5.
- 7.20 All homes have been designed to comply with the Building Regulations Part M4(2) ('accessible and adaptable) and 27 (10%) would comply with Building Regulations Part M4(3)(a) and (b) (easily adaptable or fitted out). These homes would comprise the following:
- Market - 15 x 2-bed/3p (9.4%)
 - London Affordable Rent 7 x 2-bed/3p and 1 x 2-bed/4p (10%); and
 - Shared Ownership - 4 x 2-bed/3p (12%).
- 7.21 All of the proposed 'wheelchair user dwellings' would be in Blocks A and E that would have 2 and 3 lifts respectively, and none would be in Blocks C and D that would only have 1 lift. This in line with good practice. Officers recommend that the delivery of wheelchair accessible homes is secured by condition and that this reserves details of proposed 8 x Social Rent wheelchair accessible homes (which are to be 'fitted out' and comply with Building Regulation M4 (3)(2)(b) standard).

Quality of Residential Accommodation

- 7.22 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings.
- 7.23 Tower Hamlets Local Plan Policy D.H3 requires developments to meet the most up-to-date London Plan space standards and provide a minimum of 2.5m floor-to-ceiling heights.
- 7.24 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor

Housing Standards and Guidance

- 7.25 The proposed unit sizes meet the London Plan's minimum space standards. All units would have private amenity space provision that meets minimum standards, and the proposed duplex homes would benefit from defensible space to the front and rear.
- 7.26 In total, 77% of the units would be dual aspect, with all duplex homes and corner flats benefiting from at least two aspects. The proposal does not include any north facing single aspect units. All units would have a floor-to-ceiling height of 2.5m and there would be no more than 8 homes per floor in any of the proposed cores. Overall, the proposed residential quality is high and in line with London Plan Policy D6.

Noise & Vibration

- 7.27 The application is supported by a Residential Planning Noise Report. This concludes that the proposed development would not have an unacceptable impact on nearby homes and that the proposed housing would have an acceptable noise environment, subject to the incorporation of the following noise mitigation measures:
- A condition to control noise from mechanical plant such that noise limits at the worst affected existing noise sensitive facades is LAeq 37 dB during the day, and LAeq 30 dB during the night;
 - The incorporation of acoustic double glazing to varying sound insulation performance for south facades of proposed Blocks A and C, the east facades of blocks D and E, and the north and west facades of block E so that homes in these Blocks achieve the relevant internal noise limits; and
 - The incorporation of 1.5m high continuous screens around all designated amenity/play spaces to ensure that these spaces achieve appropriate ambient noise levels.
- 7.28 Subject to securing the above mitigation by way of planning conditions, officers agree that the proposed new homes would have an acceptable noise environment and that the proposed development does not cause unacceptable noise impacts on existing surrounding homes.

Air Quality

- 7.29 Tower Hamlets Local Plan Policy D.ES2 requires development to be at least 'Air Quality Neutral' and calls on air quality impacts to identify any necessary mitigation for developments that would cause harm to air quality.
- 7.30 Air Quality was scoped out for EIA purposes. However, the application is supported by an Air Quality Assessment report. The site is within the borough-wide Air Quality Management Area (AQMA) (NO₂ objective and 24-hour mean PM₁₀ objective). The northern part of the site is also partly within 'area of sub-standard air quality' as identified on the Proposals Map.
- 7.31 The busy Bow Road (A11) is approx. 100m to the north, with the less busy Bromley High Street about 40m away. The proposed development would see a reduction in on-site car parking (from 30 to between 9 and 27) and no significant change to traffic flows. It is proposed to ensure that the car parking spaces that are provided are served by Electric Vehicle Charging Points (EVCP) at the outset or have the potential to be served by them in the future. The

proposed energy strategy includes the use of air source heat pumps (ASHPs), although there would be 2 x standby diesel generators included within Block A and Block E. Emissions from these generators could have a negative impact upon air quality at existing and future residents.

- 7.32 The Assessment concludes that air quality conditions would be better with the development and that future residents would experience acceptable air quality. Furthermore, in line with Local Plan Policy D.ES2, the proposed development locates the proposed open spaces towards the centre of the site, outside of the identified 'area of sub-standard air quality.' The Assessment concludes that, subject to identified mitigation, the likely air quality effects would be 'not significant' and that the proposed development would meet London Plan and Local Plan policies to be at least 'air quality neutral.' It is recommended that planning conditions secure the mitigation that is identified in the Air Quality Assessment and in ES Chapter 12.

Privacy & Outlook

- 7.33 The proposed buildings are located and the proposed flats have been designed such that all proposed homes would have a good outlook, whilst safeguarding the privacy of people living in other proposed blocks and existing homes. Acoustic privacy should be ensured by compliance with the Building Regulations.

Daylight, Sunlight & Overshadowing

- 7.34 The submitted Internal Daylight and Sunlight report assesses the internal daylight provision for the proposed homes (up to Level 20 in Block E) in terms Vertical Sky Component (VSC), Average Daylight Factor (ADF) and No Skyline methodologies. It also assesses internal sunlight by way of the Annual Probable Sunlight Hours (APSH), and a Sun Hours on Ground (SHoG) assessment was undertaken to consider potential overshadowing of internal amenity spaces.
- 7.35 In summary, the results of the ADF assessment show that 95% of the rooms assessed would be fully compliant with the BRE Guidelines. The results of the NSL assessment show that 94% of the rooms assessed would be fully compliant with the BRE Guidelines. The results of the APSH assessment show that 87% of the main living spaces assessed would be fully compliant with the BRE Guidelines. In terms of SHoG, 87% for the proposed pocket park and 54% of the proposed courtyard space would receive 2 hours of sun on 31 March (complying with the BRE guidelines that call for at least 50%).

Wind/Microclimate

- 7.36 Chapter 8 of the ES reports on the findings of a wind microclimate assessment, based on wind tunnel testing of 216 receptor locations within the site and surrounding area. This was an iterative process, with the initial assessment being re-run with the incorporation of identified additional mitigation measures. With the implementation of these measures, the assessment finds that wind conditions around the site would range from suitable for sitting to strolling use during both the windiest and the summer season and that the likely significant effects would be as follows:

- Thoroughfares - All on-site thoroughfares would have wind conditions ranging from suitable for sitting to strolling use during the windiest season, acceptable conditions for their intended use, which would represent moderate beneficial to negligible effects (not significant). Off-site thoroughfare locations would have wind conditions ranging from suitable for strolling use or calmer during the windiest season, which would represent negligible effects (not significant).
- Entrances -All on-site entrance locations would have wind conditions suitable for sitting and standing use during the windiest season, acceptable conditions for the intended use, representing minor beneficial to negligible effects (not significant). All off-site entrances would have wind conditions suitable for sitting and standing use during the windiest season, acceptable conditions for their use, representing negligible effects (not significant).
- Roads - All on-site road locations would have sitting to strolling use wind conditions during the windiest season, representing major beneficial to minor beneficial effects (not

significant). Off-site road locations would have sitting and standing use wind conditions during the windiest season, representing negligible effects (not significant).

- Ground Level Amenity – Mixed Use. On-site mixed-use ground level amenity locations would have wind conditions suitable for standing use during the summer season, acceptable conditions for the intended use, representing negligible effects (not significant). Off-site amenity locations would have wind conditions suitable for sitting and standing use during the summer season, acceptable conditions for mixed-use amenity locations, representing negligible effects (not significant).
- Ground Level Amenity – Seating - All designated seating provisions around the site would have wind conditions suitable sitting use during the summer season, representing negligible effects (not significant).
- Balconies - All balcony locations would have sitting and standing use wind conditions during the summer season, acceptable conditions for private amenity spaces, representing negligible effects (not significant).
- Roof Terraces - All roof terrace locations around the Proposed Development would have wind conditions suitable for sitting use during the summer season, acceptable conditions for mixed-use amenity locations, representing negligible effects (not significant).
- Strong Winds - There would no instances of strong winds exceeding 15m/s for more than the 0.025% of the time (approximately two hours per year) safety threshold, either on-site or off-site.

- 7.37 Subject to a planning condition securing the identified additional mitigation measures (that were assumed to be in place for the above assessment, officers consider that the proposed development would not have a significant adverse effect on the wind microclimate of the site (and future residential amenity) and the surrounding area (and existing residential amenity).

Fire Safety

- 7.38 London Plan Policy D12 makes clear that all development proposals must achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. London Plan Policy D5 (B5) 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).
- 7.39 The Mayor's Stage 1 Report asks that an updated Fire Statement be submitted as the originally Statement was produced to inform the early design of the scheme and did not properly address the requirements of Policy D12. In response, the applicant submitted and Outline Fire Strategy & Statement (dated 18/11/2020) as part of the March 2021 revisions.
- 7.40 The Statement consists of a high-level review of fire safety requirements for the proposed development based on relevant British Standards and addresses means of escape, fire safety systems, internal fire spread, external fire spread and access and facilities for the fire service. However, it does not address all the requirements of London Plan Policy D12 and does not comply with the Mayor of London's draft Fire safety London Plan policies D5(B5) and D12(B) pre-consultation draft (July 2020). It is recommended that a planning condition secures the submission and approval of a detailed statement before the commencement of development. The use of pre-commencement conditions has been agreed by the applicant.
- 7.41 The development would be required to meet the Building Regulations in force at the time of its construction – by way of approval from a relevant Building Control Body. As part of the plan checking process a consultation with the London Fire Brigade would be carried out. On completion of work, the relevant Building Control Body would issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.

Communal Amenity Space & Play Space

- 7.42 London Plan Policy S4 seeks to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10sqm per child.
- 7.43 Local Plan Policy D.H3 requires a minimum of 50 sqm of communal amenity space for the first 10 units and a further 1sqm for every additional unit thereafter, as well as the provision of appropriate child play space as determined by the child yield calculator.
- 7.44 The proposed development would provide the following play space, communal amenity space and publicly accessible open space.

Table 8: Proposed play/communal amenity/publicly accessible open spaces

Location	Play space (sqm)	Residential community Space (Sqm)	Publicly accessible space Sqm)
Block A Terrace	50	83	
Block B Terrace	33	83	
Block D Terrace	20	107	
Block E Terrace	155	346	
Pocket Park	521		521
Courtyard	392		392
Stroudley Walk & play street			
Other amenity space	-	-	575
Total	1,286	619	1,028
Policy requirements (Policy D.H3)	1,286	314	-

- 7.45 The amount of proposed communal amenity space significantly exceeds the policy requirements. The GLA Population Calculator estimates that a total of 129 children would live in the proposed development. The table below demonstrates that the proposed level of provision of on-site play space is sufficient.

Table 9: Child yield & play space

Age Group	Child yield	Minimum requirement (sqm)	Proposed Play Space (sqm)
0-3	42	420	420
4-10	45.3	453	453
11-15	29	290	290
16-17	12.3	123	123
Total	128.6		1,286

Density

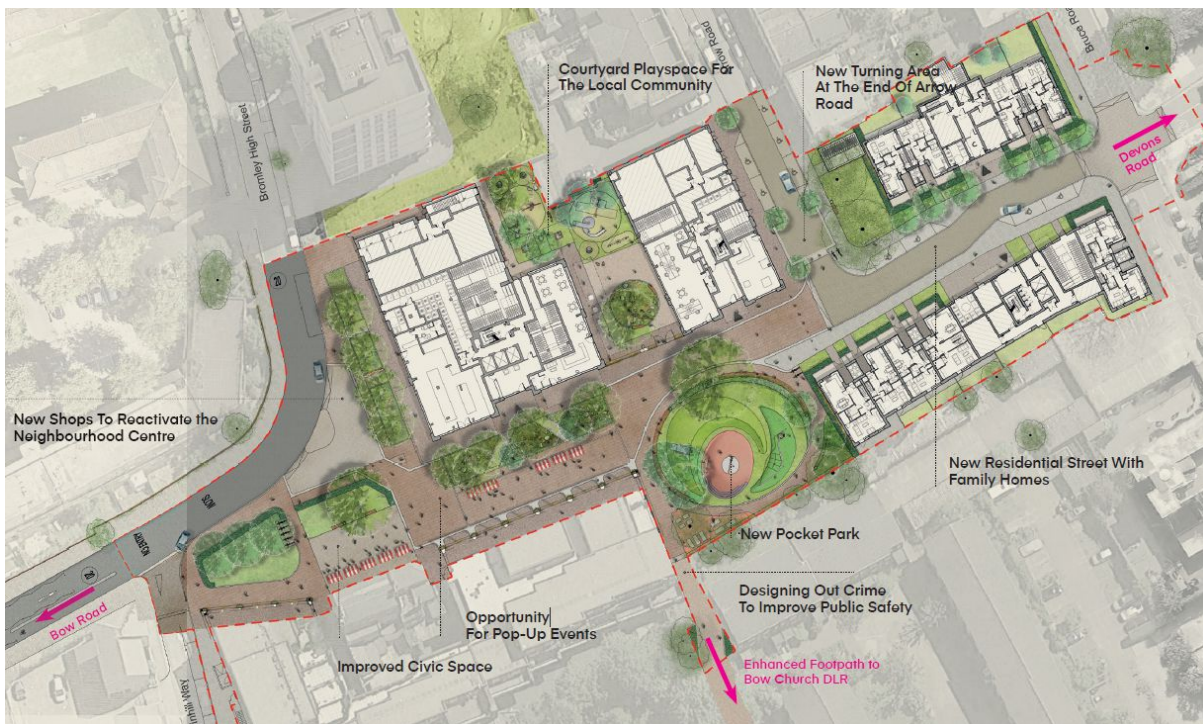
- 7.46 London Plan Policies D2 and D3 require optimising site capacity through a design-led approach, whilst taking account of existing and proposed infrastructure. Explanatory text to Tower Hamlets Local Plan Policy D.DH7 makes clear that proposed tall and dense developments are required to consider the criteria set out in Policy D.DH6. The Council's High-Density Living SPD (December 2020) provides guidance on designing for high density.
- 7.47 Taking account of the proposed non-residential uses, the proposed development would have a density of 325u/ha (896hr/ha). London Policy D4 requires that all proposals exceeding 30m high and 350 units per hectare must have undergone a local borough process of design scrutiny. The applicant has engaged extensively with officers and an emerging scheme for the site was considered by the Conservation and Design Advisory Panel (CADAP), which has informed the current scheme and design layout. The application scheme generally reflects guidance in the *High-Density Living SPD*, which was in draft at the time that the application was submitted. The London Plan (para. 9.4.9) requires applications for higher density developments (over 350u/ha) to provide details of day-to-day servicing and deliveries, longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers).

- 7.48 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.49 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be in locations well connected to jobs, services, infrastructures and amenities, in accordance with London Plan (2021) D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.
- 7.50 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high-quality design so that the proposed development is sustainable, accessible, attractive, durable and well-integrated into their surroundings. Complementary to this strategic policy, Local Plan policy D.DH2 seeks to deliver an attractive, accessible and well-designed network of streets and spaces across the borough.

Site Layout

Overall layout

- 7.51 The proposed development comprises a tall building to the north of the site (Block E), centred around a pedestrianised Stroudley Walk and three lower buildings to the east and south of the site (Blocks A, C, D). The proposed lower buildings would effectively mend a broken street pattern, by locating appropriately sized buildings at the head of Bruce Grove and Arrow Road (building on an existing surface car park) and connect these roads through the creation of a new street. Vehicle connection to Arrow Road or the pedestrianised component of Stroudley Walk is provided only for emergency, and delivery and servicing vehicles. These vehicles would be able to access the site at allocated times, with retractable bollards managing access. This shared surface street should ensure pedestrian and cyclist safety.



- 7.52 Blocks A and C would contain duplex units accessed directly from the street, with these homes facilitating activity and providing passive surveillance, which is strongly supported. Blocks D and E would contain four commercial units fronting Stroudley Walk to the west, Bromley High Street to the north, and the proposed new public courtyard with residential uses above.

Pocket park and courtyard

- 7.53 A pocket park is proposed on the west of the site, which would create a large area of publicly open space in the centre of the site. **Page 150** On the east of the site, would

be a courtyard area, at the base of Blocks D and E. The proposed courtyard space is designed primarily to provide a manageable play space for residents, providing a day-time link between the amenity space to the south of Dorrington Point and Stroudley Walk (with a fence and gate so that it can be closed at night). The space would provide play for younger children and enable parents and carers to sit in the community café while they supervise children in a safe enclosed setting. It would include a pergola shelter, natural play with boulders and soft landscape, basket swings, see-saws, trampolines and slides and a climbing wall.

- 7.54 Following comments by officers, the Metropolitan Police DOCO and the Mayor of London (GLA Stage 1 Report), the application was revised in March 2021 to allow for a fully retractable screen on the southern half of Stroudley Walk frontage and an opening gate within a fixed screen on the northern part of the frontage to provide improved flexibility of use of the proposed space. A public realm management plan would be secured by condition.



Integration of Fairlie Court

- 7.55 There are several lengthy leases within Fairlie Court that are not under the applicant's control and it is not practical to redevelop the building at present. However, officers consider that the location of the proposed commercial units opposite the existing units and proposed facade and signage improvements to the parade (that would match proposed signage for the new units), together with the separately proposed security measures would satisfactorily integrate this building with the proposed development. A condition is recommended to secure the implementation of the proposed retail frontage improvements.



Townscape, Massing and Heights

- 7.56 London Plan Policy D9 provides a strategic guidance for tall buildings in the London area. The policy also sets out criteria which against which development proposals should be assessed and these include visual, functional and environmental impacts.
- 7.57 Tower Hamlets Local Plan policy D.DH6 seeks to guide and manage the location, scale and development of tall buildings in the borough. The policy identifies five tall buildings clusters in the borough and sets out principles of each of them.

Overall

- 7.58 The proposed lower buildings located at the southern and central part of the site would be between 4 and 7-storeys as follows: Block A (6 to 7-storeys), Block C (4 to 5-storeys) and Block D (4-5-storeys). These would have an acceptable relationship with the existing 2-storey houses in Bruce Grove and Arrow Road and the existing 3-storey flats in Regents Square.

Tall building policy

- 7.59 London Plan Policy D9 states that boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. It also requires proposals for tall buildings to address their visual, functional, environmental and cumulative impacts.
- 7.60 Tower Hamlets Local Plan Policy D.DH6 directs tall buildings to designated Tall Building Zones (Aldgate, Canary Wharf, Millwall Inner Dock, Blackwall and Leamouth). Outside of these zones, Part 3 of the policy makes clear that tall building proposals will only be supported provided they meet the general criteria set out in Part 1 of the policy and can demonstrate how they will:
- a. be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas;
 - b. address deficiencies in the provision of strategic infrastructure;
 - c. significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
 - d. not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.

7.61 Explanatory text for Policy D.DH6 makes clear that tall buildings outside of Tall Building Zones will be expected to serve as landmarks and unlock strategic infrastructure provision (specific examples include publicly accessible open space, new transport interchanges, river crossings and educational and health facilities serving more than the immediate local area) to address existing deficiencies and future needs (as identified in the Infrastructure Delivery Plan and other relevant strategies). The height of these buildings should relate to their role as a local, district or metropolitan landmark and the surrounding context height (as categorised in the Tall Buildings Study). In addition, proposals should ensure that there is adequate distance between the proposed and existing tall buildings in the area to ensure that the positive aspects of the existing local character and legibility are maintained and/ or enhanced.

7.62 The previous planning permission allowed a tall building up to 15-storeys.

The proposed tall building

7.63 The proposed 25-storey building, with its distinct bottom, middle and top elements, has been designed to provide a legible new marker for the regenerated neighbourhood centre. It would be taller than the existing post-war point Donnington, Hernshall and Bollinger Points on Bromley High Street when seen from the east, and similar in scale but distinctly different in appearance from the three post-war towers on Rainhill Way. It would be comparable in height (but not scale) to Marner Point, a 28-storey block at St Andrews, Bromley by Bow.

7.64 The tall building be located at a key entrance to the street and on an important north-south route, within a designated neighbourhood centre. It would be lower and slenderer than Marner Point at Bromley by Bow and considerably lower than tall buildings at the western end of Stratford High Street.



7.65 The proposed building is rectangular in plan which results in two broader and two more slender elevations. This deliberate design decision aligns the slender elevations with the Fairfield

Road Conservation Area and the Grade II* listed Church of St Mary on Bow Road, and the broader elevations with the existing post-war towers of Bromley High Street and Rainhill Way.

- 7.66 The design of the tall building has evolved over time and has been influenced by discussion with officers and the Conservation Advisory Design Panel (CADAP). Changes include removing a previously proposed stepped form to create a lower and simpler massing; breaking the broader east and west facing elevations with a central stack of recessed balconies to subdivide the elevations and enhance the verticality of the form; increasing the legibility of the vertical elements of the façade composition and suppressing the horizontals to enhance the sense of verticality; development of a tall open crown to soften and dematerialise the building top and integrate plant; increasing the depth of the façade to incorporate recessed balconies within the overall form to the north, south and east elevations to create a cleaner more elegant silhouette with stronger articulation of built form; development of a material palette that accentuates the articulation and modelling of the facades.

Acceptability of a tall building outside of a Tall Building Zone

- 7.67 The proposal is not located in a tall building zone. Addressing criteria in Tower Hamlets Local Plan Policy D.DH6 Part 3 (tall buildings outside of TBZ's) in turn:

- The site has 'excellent' public transport accessibility and is in a Neighbourhood Town Centre and London Plan Opportunity Area;
- The proposed tall building would not deliver additional strategic infrastructure;
- The proposed tower would strengthen the legibility of the Neighbourhood Centre by providing a significant visual marker;
The provision of a tall building at the northern part of the site has enabled a more modest approach to height and massing at the southern part of the site, which assists with minimising neighbour amenity impacts and prevents overshadowing of new open spaces.
- It would not undermine the prominence and/or integrity of existing landmark buildings and tall building zones. This surrounding area has a number of tall buildings, including the adjoining 11-storey Dorrington, Henshall and Ballinger Points, three 25-storey buildings at Rainhill Way, a 28-storey building marking the District Centre at Bromley by Bow and the 36-storey Sky View building at the gateway, to the east in Newham. The proposed tower would therefore be viewed within the context of other tall buildings.

- 7.68 Whilst the proposal would not satisfy the 'exception' criteria relating to strategic infrastructure, it would assist the overall financial viability of the proposals, which would deliver significantly enhanced publicly accessible open space, improved public realm, a consolidated neighbourhood centre, affordable housing and other public benefits;

Acceptability of the proposed tall building (general criteria)

- 7.69 The general criteria set out in Tower Hamlets Local Plan Policy D.DH6 Part 1 that all tall building proposals must meet can be summarised as follows: have a proportionate scale, be of exceptional architectural quality, enhance character of the area, provide a positive skyline, not prejudice development potential, ensure a high quality ground floor experience, demonstrate public safety requirements, present a human scale to the street, provide high quality private communal open space/play space, avoid adverse microclimate impacts, ensure no adverse impacts on biodiversity/open space, comply with civil aviation requirements and not have unacceptable impact on telecommunications.

- 7.70 The proposal would introduce a prominent visual addition to the local townscape. The Townscape Heritage Visual Impact Assessment (THVIA) that forms part of the ES is based on 15 verified views that were agreed with officers and 10 additional views (not verified) that were tested during the design development process. These demonstrate that the tall building would have a distinct base, middle and top:

- Seen from the east along Bromley High Street, the two-storey base would ground the building and activate the western end of the street. In views from the east and west the broader east and west-facing elevations would be split into two distinct halves each topped by its own crown and divided centrally by stacked recessed balconies.

- The mid-section of these façades would be sub-divided vertically with broad light-coloured brick piers to either side of the stacked balconies which would vary in width. The elevations would be more subtly subdivided horizontally on a three-storey module, with the reading of intermediate floor levels suppressed using a contrasting darker brick, to emphasise its verticality.
- The light-coloured brick piers would extend as more slender elements into the two clearly defined four storey crowns, against the background of the contrasting darker brick, and would extend above the top storey as an open frame to create a lighter more recessive termination to the tall building that would dematerialise the top against the open sky. A predominantly brick material palette would help to distinguish the proposed tall building from the existing more plainly detailed post-war towers on Rainhill Way.

7.71 Seen from Bow Road, balconies visible on the elevations would be recessed to maintain a strong silhouette. The area of glazing to bedrooms has been maximised to ensure an open and welcoming elevation, accentuated by the darker brick panels above and below within the three-storey façade module. Proposed balconies that face east and west have been expressed at both corners of the north elevation to provide more modulation at the building corners. Projecting balconies on the south elevation would subtly alter the character of the tower in response to its orientation and aspect.

7.72 Taking account of this assessment, officers consider that the proposed tower would be well proportioned and would be of appropriately high architectural quality. Officers also consider that its proposed detailing and predominantly brick finish would enhance the character of the area and present a human scale to the street. Furthermore, its proposed relationship with existing buildings would not prejudice development potential.

7.73 Potential effects on aviation were scoped out of the EIA as the proposed tall building would be significantly below the 1,000 ft (approx. 300 metre) zone threshold within which the Civil Aviation Authority would support an objection to a planning application. Likewise, potential effects of electronic interference on nearby residential properties were scoped out of the EIA given that the additional 'shadow' that would be generated by the proposed tall building would fall primarily over the same area created by recent tall buildings at Stratford, in Newham (the International Quarter, London) and significant effects are not anticipated.

7.74 Due to their alignment and distance from the site, none of the Designated Borough Views would be affected by the proposed tall building, meaning that Policy D.DH4 would be satisfied. It should also be noted that the proposed tall building would not affect any strategic views that are identified in the London Plan.

7.75 The provision of communal open space and play space, potential adverse impacts on microclimate and biodiversity and fire safety considerations are addressed elsewhere in this report. They are all considered to be acceptable.

Conclusion

7.76 Whilst it would be located outside of Tall Building Zone, the proposed tall building would meet **three out of four 'exception' criteria** set out in Part 3 of Tower Hamlets Local Plan Policy D.DH6. Although it would be significantly taller than the 15-storey building previously permitted, officers consider that the proposed building would contribute to an existing diverse townscape, comprise high-quality architecture, relate well to its surroundings and help deliver improvements to the public realm. Officers recommend that significant weight should be given to the regenerative benefits of the proposals and the role of the tall building in supporting the viability of the scheme. Officers consider that the principle of a tall building in this location is acceptable and that the proposed building form and heights would deliver a suitably high-quality scheme.

Appearance & Materials

7.77 The applicant proposes brick cladding and linear window features which surround either protruding or recessed balconies depending on the aspect of each block. The character and appearance of the proposed development would vary slightly across the site responding to location, use, the character of the proposed street and proposed public realm. The

proposed architectural quality and materiality of the scheme is broadly supported. It is recommended that details of external materials are secured by planning condition

Landscaping & Public Realm

- 7.78 London Plan Policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.
- 7.79 Tower Hamlets Local Plan policy D.DH2 requires developments to positively contribute to the public realm through the provision of active frontages and multi-usable spaces that can cater for social gathering and recreational uses.

Overall

- 7.80 The proposed layout defines three new spaces, with different characters:
- The 'knuckle' on Bromley High Street – a hard civic space to provide an enhanced setting for the listed former pub and provide opportunities for pop-up market stalls etc.;
 - A green pocket park on the western central part of the site, retaining existing trees where possible, and a courtyard on the eastern part of the site, providing play opportunities for younger children; and
 - A residential street to the southern end, with good natural surveillance from proposed homes
- 7.81 The submitted Landscape strategy document sets out a considered approach to landscaping and imaginative play opportunities would be integrated into all the proposed spaces. The proposed streets would be paved using a standard highway paving palette to tone in with the wider streetscape and 60mm high kerbs are proposed throughout. A raised table is proposed on the junction of Stroudley Walk and Bruce Road to calm vehicle flow and provide level access for pedestrians. Proposed planting would, amongst other things, use a diverse range of species to create plant communities that adopt 'low-input, high-impact' principles to maximise sustainability, seasonal interest and ecology and take account of the need for climate resilience.

Lighting

- 7.82 The application was revised in March 2021 to include enhanced lighting proposals for the proposed public realm, to include:
- Street lighting in-line with local authority standards, achieved by a mix of 5-8m high lighting columns to provide ambient light levels for a safe and secure environment to main pathways (with provision for additional temporary/event lighting);
 - Selected trees would be illuminated by buried uplighters to provide an inviting ambiance and night-time;
 - Low level furniture such as benches and planter edges would include integrated lighting to provide accent light washes to help encourage people to dwell as well as contributing to the ambient lighting levels; and
 - Residential pathways would have low level lighting such as under bench and bollard lighting to provide a visual hierarchy and signifying these areas are for residents only.

Trees

- 7.83 The submitted tree report identifies several trees that are unhealthy/have a limited life and that should be removed (without development). The proposed development necessitates the loss of some other trees and the sum effect is that 18 trees are identified for removal and 26 are identified for retention. To mitigate this loss, the scheme would provide 40 new trees in the proposed public areas (not including private or communal gardens/roof terraces), a net gain of 22. It is also recommended that tree protection measures for the trees to be retained are secured by planning condition. It is also recommended that a condition reserves the detailed specification of the proposed new trees and requires that any that die within five years of planting are re-provided.

Summary

- 7.84 Officers support the proposed landscaping and enhancement of natural features and lighting. It is recommended that details of the landscaping management are secured by planning condition to ensure a high quality of landscape design and maintenance.

Safety & Security

- 7.85 As set out under Site and Surroundings, the current vacant buildings mean that the site has poor surveillance and suffers from anti-social behaviour and criminal activity. Creating a safe and secure environment is a key objective of the applicant and is supported by the Metropolitan Police Designing Out Crime Officer (DOCO), who was consulted during the design stage. Design features incorporated into the design include:

- The proposed layout is visually open and would be well used, bringing activity to the Neighbourhood Centre. Gates to the courtyard play space would allow this area to be controlled at night if necessary;
- Defensible space is designed for ground floor homes with gates, railings and hedges to enable residents to control the space directly in front of their homes;
- Passive surveillance from the proposed commercial units and residential balconies and windows should deter antisocial behaviour which currently goes unchecked – with the proposed layout and orientation of windows and balconies ensuring that all parts of the public realm would be well surveyed and there are no ‘dead spots’;
- Landscaping has been designed to ensure that sightlines throughout the site are maintained with low shrubs, high tree canopies and slender tree trunks;
- Revised lighting proposals would ensure that the public realm is well lit and secure through the evening and night-time as well as during the day;
- Play spaces are designed to ensure that they also benefit from natural surveillance from nearby commercial units, homes and routes through the site;
- Individual entrances to proposed homes and commercial units would be designed to meet Secured by Design specifications;
- Communal entrances are designed with air-lock entrance lobbies and video entry again to Secured by Design standards, with post boxes within the airlock and include CCTV camera coverage;
- Access control to lifts and stair cores would ensure that access is only granted to the resident’s specific floor level and communal areas (with vandal resistant emergency door releases will be specified to avoid abuse);
- Bicycle and bin stores would be designed to ensure security from the inside and outside and service areas and plant space would be strictly limited to authorised persons only;
- Accessible windows from ground floor and terraces would meet Secured by Design specifications; and
- Additional CCTV will be provided across the site as necessary through further consultation with the Metropolitan Police DOCO.

- 7.86 The Metropolitan DOCO supports the proposed overall layout and has made specific comments on the need for detailed design of the proposed communal open spaces and street furniture are carefully designed to design out anti-social behaviour and rough sleeping. It is recommended that planning conditions reserve landscaping details to allow for further consultation on detailed design and specification and require Secure by Design accreditation.

Heritage

- 7.87 Statutory tests for the assessment of planning applications affecting listed buildings and conservation areas are found in Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Section 66(1) relates to applications that affect a listed building or its setting. It requires the decision maker 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 possesses”. Section 72(1) relates to applications affecting a conservation area. It states that “special attention shall be paid to the desirability of preserving or enhancing the

character or appearance of that area". There is a presumption that development should preserve or enhance the character or appearance of conservation areas.

- 7.88 London Plan Policy HC1 and Tower Hamlets Local Plan Policy S.DH3 require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.
- 7.89 London Plan policy HC4 seeks to protect strategic views identified in the London View Management Framework. Tower Hamlets Local Plan D.DH4 reiterates this requirement and requires developments to preserve and positively contribute to the skyline of strategic importance.
- 7.90 The Townscape Heritage Visual Impact Assessment (THVIA) that forms part of the ES considers and assesses the likely significant effects on above ground heritage assets within a 250m radius of the site in relation to Listed Buildings and 500m of the site in relation to conservation areas. The THVIA also considers and assesses the likely significant effects on townscape within 250mm of the site, identifying the following three Townscape Character Areas (TCAs): TCA1 – Post-War Bromley-by-Bow to the south, TCA2 – Historic Bromley-by-Bow to the north and TCA3 – Industrial Bromley-by-Bow to the east.
- 7.91 The identified designated heritage assets within these areas are the Fairfield, Tomlins Grove, Tredegar Square and Tower Hamlets Cemetery Conservation Areas and the following 14 statutory listed buildings:
- Church of St Mary Stratford Bow (Grade II*);
 - Iron railings, gates and gate piers (Grade II);
 - Statue of W.E. Gladstone (Grade II);
 - Gentleman's Public Convenience (Grade II);
 - Two bollards (Grade II);
 - Former Rose and Crown Public House, 8 Stroudley Walk (Grade II);
 - Nos.10 and 12, Stroudley Walk (Grade II);
 - The Children's House (Nursery School) (Grade II);
 - Kingsley Hall (Grade II);
 - HOW Memorial Gateway (Grade II);
 - No.223 Bow Road (Grade II);
 - No.199 Bow Road (Grade II);
 - Roman Catholic Church of Our Lady and St Catherine of Siena (Grade II);
 - No.163 Bow Road E3 (Grade II);
 - Former Poplar Town Hall (Bow House) (Grade II);
 - Bryant and May War Memorial (Grade II);
 - Nos.2-22, Fairfield Road E3 (Grade II); and
 - Bromley Public Hall (Grade II).
- 7.92 As discussed under Design above, none of the Designated Borough Views or strategic views identified in the London Plan would be affected by the proposed tall building.
- 7.93 In terms of heritage assets, the tallest building would be visible in the setting of a number identified heritage assets. In terms of the setting of the neighbouring conservation areas Fairfield, Tomlins Grove, Tredegar Square and Tower Hamlets Cemetery the proposed development would not change the varied taller modern character of those settings and would not therefore harm the ability to appreciate the heritage significance of the conservation areas, which is the NPPF policy test.
- 7.94 With regards to other neighbouring heritage assets officers conclude that the proposed tall building would cause some harm to the setting of nearby heritage assets, namely the Church of St Mary. Whilst the tallest building proposed would be visible above the church when viewed from the north side it would not be visible in the most prominent or important views of the Church. From the front the Church building can still be appreciated without the new development being visible. The setting of the church is mainly informed by the surrounding church yard and cluster of older retail and commercial buildings on the northern side of Bow Road. The harm to the setting is therefore considered to be less than substantial.

- 7.95 Whilst the tallest building would also be visible in the setting of other listed buildings including most prominently, the Former Rose and Crown Public House, the Children's House Nursery and the Drapers Alms-house it is officers view that the setting of these heritage assets already consist of a varied and modern built form which includes tall buildings similar in scale to the proposed in the application. The proposed development would result in a change to the setting of these buildings in certain views and would cause some limited, less than substantial harm to their significance as heritage assets.
- 7.96 Where a decision maker considers there is harm, the NPPF requires decision makers to distinguish between 'Substantial' or 'Less than substantial' harm. If a proposal would lead to substantial harm to or total loss of significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm (paragraph 195). Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196).
- 7.97 The likely overall public benefits of the proposed development can be summarised as follows:
- New flexible commercial units to bring the Neighbourhood Centre back to life;
 - New community café, helping to activate play space and provide local job opportunities;
 - 274 new high-quality homes net gain of 222), helping to meet housing target, with a mix of unit sizes and tenures to accommodate the local needs (including 40% of the affordable offering being family sized homes);
 - New affordable housing, with grant in place amounting to 50.9% by hab room, a tenure split of 78:22 Social Rent: Intermediate and an uplift above re-provision of 40.7%;
 - All homes built to be accessible and adaptable and 10% to be wheelchair accessible;
 - A new pocket park for the residents and the wider public;
 - Wider improvements to the public realm and connections with surrounding area;
 - Biodiversity and ecologic benefits;
 - Improvements to Fairlie Court and integration into scheme;
 - A 'car-free' development, providing for 459 new cycle parking spaces;
 - New sustainable drainage measures, including green roofs on all buildings;
 - Non-residential space to meet BREEAM 'Excellent' rating;
 - 74% reduction in total onsite carbon, significantly above London Plan requirement;
 - 600 new residents (approx. £6.5m per annum additional household spend in the local economy supporting around 70 additional jobs and approx. £440,000 additional council tax revenue.
- 7.98 Officers consider that, on balance, the likely overall planning benefits of the proposed development would outweigh the 'less than substantial harm' to the heritage assets identified above.

Archaeology

Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. The site lies within an Archaeological Priority Area and has been referred to the Greater London Archaeological Advisory Service (GLAAS) – although no response has been received.

- 7.99 The ES (Chapter 9) identifies a likely 'minor' adverse effect and identifies archaeological undertaken in accordance with a Written Scheme of Investigation and it is recommended that this is secured by condition.

Neighbour Amenity

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

Privacy & Outlook

7.101 The proposed buildings are located and the proposed flats have been designed such that the privacy and outlook of people living in existing homes would be safeguarded. Particular adjacencies of note are as follows:

- Block C and No. 80C Bruce Road – approx. 6.6m on to flank wall (location of proposed bathrooms in Block C manage relationship with existing window);
- Block D and No. 7 Arrow Road – approx. 5.2m on to flank wall, but this has no windows;
- Block E and Dorrington House – approx. 25m;
- Block E and Nos.9-11 and 20-22 Bromley High Street – approx. 28m;
- Block E and Fairlie Court – approx. 20m;
- Block A and Regents Square -approx. 27m; and
- Block A and the Children House – careful layout of Block prevents overlooking of school car park (currently occupied by a temporary classroom).

Daylight, Sunlight & Overshadowing

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

7.103 To calculate daylight to neighbouring properties, the BRE guidelines, referenced in the Council's Local Plan policies, emphasise that vertical sky component (VSC) is the primary assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. For sunlight, applicants should calculate the annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and are likely to have their sunlight reduced by the development massing. For Sun Hours on Ground (SHoG) assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21st March.

7.104 The ES assesses the likely significant impact of the proposal on the daylight and sunlight on surrounding residential properties (sensitive receptors) identified in Figure 1 below.



Figure 1: Daylight, sunlight and overshadowing sensitive receptors

7.105 There is no industry-standard categorisation for impacts that exceed BRE guidelines. However, for VSC, NSL and ASPH, the Council consistently uses the following categories:

- Reduction less than 20% - Negligible
- Reduction of 20% - 29.9% - Minor adverse
- Reduction of 30% - 39.9% - Moderate adverse
- Reduction greater than 40% - Major adverse

7.106 The ES adopts the above significance criteria for VSC, NSL and ASPH assessment and also adopts them for its SHoG assessment. However, where defining a ‘minor adverse’ effect for daylight only, the following criteria has been used:

- Despite small VSC alterations to the windows serving the room, the NSL alteration to the room is fully BRE compliant; or
- Despite small absolute VSC alterations to the windows serving the room, the NSL alteration to the room is fully BRE compliant; or
- Despite NSL alterations to the room, the VSC alteration to all windows serving the room is fully BRE compliant or at least 20% VSC is retained by the main window/s.

7.107 Daylight effects considered to be ‘moderate’ or ‘major’ in scale are determined using professional judgement. The ES assumes that a significant effect is either ‘moderate adverse’ or ‘major adverse’ in scale (i.e. ‘negligible’ or ‘minor adverse’ effects are considered not to significant in EIA terms). In addition, the ES identifies a reasonable alternative target VSC value of “the mid-teens.”

Daylight and sunlight summary

7.108 A summary of the results is set out below.

Table 10: Daylight and sunlight summary

	VSC	NSL	APSH	
	No. of windows tested		No. of rooms tested	
	461	401	Other	Winter
			238	238
Negligible	218	329	229	223
Minor adverse	71	22	0	0
Moderate adverse	76	29	2	0
Major adverse	95	21	7	15

Daylight – likely significant effects

Hardwicke House - ‘minor’ to ‘moderate adverse’.

7.109 The VSC assessment show that 4 of the 28 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 24 windows, 18 are located under a recessed balcony which restricts sky visibility. Of the remaining 6 windows (W3, W7 and W14 located on the ground floor and first floor), all would demonstrate alterations of between 29% and 38% from the existing condition. However, all windows would retain a VSC value of between 17.18% and 22.97%. This would therefore meet the alternative target criteria. The NSL assessment shows that 10 of the 14 rooms assessed would be fully compliant with the BRE Guidelines. The remaining 4 rooms (R5, R6 and R7 located on the ground floor and R7 located on the first floor) would only demonstrate small alterations of between 21% and 25% from the existing condition.

Baker House - ‘minor adverse’.

7.110 The VSC assessment show that 8 of the 20 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 12 windows, 11 would only demonstrate small alterations of between 22% and 29% from the existing condition. The remaining window (W1 located on the third floor) would demonstrate a medium alteration of 32%. However, 10 of the 12 windows would retain a VSC value of between 13.24% and 16.19%. This would therefore meet the alternative target criteria. The NSL assessment, all rooms assessed would be fully compliant with the BRE Guidelines.

Fairlie Court - ‘moderate adverse.’

7.111 The VSC assessment show that 12 of the 50 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 38 windows, 21 windows would demonstrate alterations of up to and over 40% but would retain VSC values of between 13.53% and 25.27%. This would therefore meet the alternative target criteria. In relation to the 17 remaining windows, 6 windows are likely to serve an entrance hall and therefore would not normally be considered relevant for a daylight assessment, and 6 windows are located under a recessed or overhung balcony that restrict sky visibility. The remaining 3 windows (W22, W23 and W24 located on the first floor) demonstrate alterations of over 40% and serve 2 rooms with a direct view over the Proposed Development. However, the rooms served by these windows would either be fully compliant with the NSL criteria or the alternative criteria and would remain over 50% well-lit.

7.112 The NSL assessment, 30 of the 46 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 16 rooms, 3 rooms serve an entrance and 3 rooms are located under a recessed or overhung balcony that restricts sky visibility. In relation to the 10 remaining rooms, 8 rooms (R5, R6, R7, R8, R9, R10, R12 and R14 located on the second floor) would demonstrate alterations of up to 40% from the existing condition. However, these rooms are located within flats that are dual aspect, with the main living spaces facing away from the Proposed Development. Furthermore, these rooms are likely to be bedrooms or bathrooms (i.e. less important or non-habitable). The remaining 2 rooms (R1 and R22 located on the first floor) would only demonstrate minor alterations of up to 26% and would remain over 58% well-lit, which is considered acceptable.

49 to 60 Regent Square - 'minor' to 'moderate adverse.'

7.113 The VSC assessment show that 5 of the 30 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 25 windows, all would demonstrate alterations up to and over 40% from the existing condition. However, 17 windows would demonstrate a retained VSC value of between 14.02% and 20.32%. This would therefore meet the alternative target criteria. In relation to the 8 remaining windows (W1 to W8 located on the second floor), these impacts are partly due to the existing projecting eaves. The NSL assessment shows 20 of the 24 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 4 rooms, 3 rooms (R2, R5 and R7 located on the ground floor) would experience small alterations of between 27% and 28% from the existing condition. The remaining room (R3 located on the ground floor) would experience a medium alteration of 30% from the existing condition. However, this room would remain over 55% well-lit, which is commensurate with an inner-London location.

80a to 80c Bruce Road - 'minor' to 'moderate adverse.'

7.114 The VSC assessment show that 3 of the 19 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 16 windows, 12 windows (W4 to W9 located on the ground floor and W2 to W7 located on the first floor), would demonstrate alterations of between 25% and 42% from the existing condition but would retain VSC values of between 15.43% and 23.30%. This would therefore meet the alternative target criteria. In relation to W3 (located on the ground floor), this window serves a WC which would not normally be considered relevant for a daylight assessment. Regarding windows W12 and W13 (located on the ground floor), both serve a room with multiple windows which is fully compliant with the NSL criteria. The single remaining window (W8 located on the first floor) is located on the boundary of the Proposed Development and takes its fair share of light. Furthermore, this window serves a bedroom with a dual aspect window that has a VSC of 20.24%. The NSL assessment shows that all rooms assessed would be fully compliant with the BRE Guidelines.

2a and 2b Arrow Road - 'moderate adverse'.

7.115 The VSC assessment show that 4 of the 26 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 22 windows, 21 windows would demonstrate alterations of between 23% and 47% from the existing condition but would retain VSC values of between 16.12% and 25.75%. This would therefore meet the alternative target criteria. The single remaining window (W4 located on the first floor within 2a Arrow Road) is located on the side elevation boundary and takes its fair share of light. Furthermore, this window serves a bedroom with a dual aspect window and is fully compliant with the NSL criteria. The NSL assessment shows 11 of the 14 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 3 rooms (R1 and R2 located on the ground floor within 2a Arrow Road and R1 located on the ground floor within 2b Arrow Road) all would experience alterations of between 26% and 38% from the existing condition. However, these rooms would remain between 61% and 71% well-lit, which is considered acceptable.

4 Arrow Road - 'minor' adverse.

7.116 The VSC assessment show that all 5 windows assessed would fall short of the BRE Guidelines with alterations up to and over 40% from the existing condition. However, 2 windows (W1 and W2 located on the first floor) would demonstrate retained VSC values of 14.39% and 14.81% respectively. This would therefore meet the alternative target criteria. The 3 remaining windows (W1, W2 and W3 located on the ground floor) serve 2 rooms and would either meet the BRE Guidelines NSL criteria or remain over 60% well-lit. The NSL assessment shows, 2 of the 4 rooms assessed would be fully compliant with the BRE Guidelines. The 2 remaining rooms, (R1 located on the ground and first floor) would experience small alterations of 26% and 29% respectively. However, these rooms would remain over 60% well-lit.

Dorrington Point - 'moderate adverse.'

7.117 The VSC assessment show that 9 of the 53 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 44 windows, 14 windows are located under a recessed balcony which restricts sky visibility. Of the remaining 30 windows, all would demonstrate alterations up to and over 40% from the existing condition. However, all windows would demonstrate retained VSC values of between 15.92% and 21.31% and would therefore meet the alternative target criteria. The NSL assessment shows 21 of the 53 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 32 rooms, all demonstrate alterations up to and over 40% from the existing condition. However, except for 1 room (R1 located on the ground floor), all rooms would remain over 50% well-lit, which is considered acceptable.

Sunlight – likely significant effects

Baker House – ‘minor adverse.’

7.118 The APSH assessment show that 20 of the 25 rooms assessed would be fully compliant with the BRE Guidelines. The remaining 5 rooms (R2 and R3 located on the ground floor, R3 located on the first floor and R3 and R5 located on the third floor) would only demonstrate alterations of over 40% in the winter sunlight and would retain an APSH of between 3% and 4%, which is considered acceptable.

Fairlie Court – ‘minor adverse.’

7.119 The APSH assessment show that 10 of the 12 rooms assessed would be fully compliant with the BRE Guidelines. The remaining 2 rooms (R30 and R32 located on the first floor), fall short because of the existing recessed balconies, but would retain an APSH of 11% and 7% respectively, which is considered acceptable.

80a-80c Bruce Road – ‘minor adverse’

7.120 The APSH assessment show that 1 of the 3 rooms assessed would be fully compliant with the BRE Guidelines. The remaining 2 rooms (R1 located on the ground and first floor) would demonstrate alterations of over 40% in both the annual and winter sunlight. These windows are however facing 245° and the existing building itself blocks access to south facing sunlight. Furthermore, both windows would retain an annual APSH of 14% and 19% which is considered acceptable.

7 Arrow Road – ‘moderate adverse’

7.121 The only window relevant for assessment (W2 located on the ground floor) would demonstrate an alteration of over 40% from the existing condition. However, this window is located within a door facing due west, with limited access to sunlight. It is therefore questionable as to whether sunlight amenity is fully enjoyed within this space.

Dorrington Point – ‘moderate adverse’

7.122 The APSH assessment show that 47 of the 53 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 6 rooms (R2 and R3 located on the ground floor and R1 located on the 7th to the 10th floor) all would demonstrate alterations of over 40% from the existing condition. However, this is partly due to the existing large recessed balconies and is considered acceptable.

Daylight and sunlight conclusion

7.123 A number of homes that are predicted to suffer ‘minor’ or ‘moderate adverse effects would do so partly because of existing self-shading balconies, which restrict sky visibility. Therefore, existing balconies, in theory, hinder development potential, as any reasonable proposed massing on the site has the potential to cause disproportionate percentage alterations.

7.124 The BRE Guide recommends that a room with 27% VSC will usually be adequately lit without any special measures, based on a low-density suburban model. This may not be appropriate for higher density, urban London locations. The 2019 PF 2019 advises that substantial weight

should be given to the use of 'suitable brownfield land within settlements for homes...' and that LPAs should take 'a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site'. Paragraph 2.3.47 of the Mayor of London's Housing SPG supports this view as it acknowledges that natural light can be restricted in densely developed parts of the city. Officers consider that retained VSC values in the mid-teens (that the applicant puts forward as a reasonable alternative target) are deemed acceptable.

- 7.125 Overall, officers consider the likely significant effects of the proposed scheme on nearby homes and amenity spaces would be acceptable. It should also be noted that, in all cases, the ES finds that the overall likely daylight and sunlight effects of the proposed development would not be substantially different to those that were assessed in relation to the scheme that was granted planning permission in 2015, and which has now lapsed.

Overshadowing

- 7.126 The assessment considers the likely effects on the Dorrington and Henshall Point child play area and the rear gardens of 15 nearby homes. In total, 10 of these spaces would meet the BRE guidelines of 2 hours sun on at least 50% of the area on 21st March, or see a reduction of 20% or less.

Gardens at No.7 Arrow Road and Nos. 80a to 80c Bruce Road - 'moderate' to 'major adverse.'

- 7.127 These would see a loss of 40% or more and the resultant gardens that would receive 2 hours sun would be less than 50% (0% in the case of No. 7 Arrow Road and between 7 and 32% for Bruce Road). However, these garden areas face north west and as such have limited access to direct sunlight at present. This orientation hampers the potential for any reasonable massing on the site and the alterations are partly due to the existing layout of the amenity area and not the proposed development itself.

Hardwick House (Rear Garden) - 'moderate' to 'major adverse.'

- 7.128 The assessment demonstrates that there would be a 40%+ loss from the existing condition. This is due to the location (directly north of the proposed development) and limited size of the existing amenity space.

9 Arrow Road (Rear Garden) – 'minor' adverse

- 7.129 The assessment demonstrates that there would be a 24% loss from the existing, leaving 25% of the garden area to receive 2 hours sunlight.

Noise, air quality and wind/microclimate

- 7.130 These topics are discussed in detail under Housing above. In summary, subject to the recommended conditions, no adverse long-term noise, air quality or wind/microclimate effects for existing neighbouring residents or businesses are identified.

Construction Impacts

- 7.131 The Council's Code of Construction Practice Guidance requires major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how environmental, traffic and amenity impacts attributed to construction traffic will be minimised.

- 7.132 The application is supported by a Framework Construction Environmental Management Plan. This estimates a demolition period of 6 months and a construction period of 24 months and sets out potential security and storage, traffic routing, loading/unloading areas, delivery times, construction vehicle restrictions, working times, noise/dust/air pollution control measures and management, monitoring and review arrangements etc.

- 7.133 The ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction (including a CEMP). It is therefore recommended that planning conditions secure the implementation of an approved detailed

CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.

Transport

- 7.134 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.135 As described under Site and Surroundings, the site has a PTAL rating of 6s ('excellent') and is well connected with surrounding services. The closest existing car club parking spaces are on Fairfield Road (approx. 300m to the north) and Reeves Road (approx. 450m to the south).

Vehicular, pedestrian and cycle access

- 7.136 To encourage walking and cycling and allow play, Stroudley Walk between Arrow Road and Bromley High Street would become a shared street, with vehicular access limited to emergency vehicles, occasional deliveries and refuse collections. Use of the street would be managed by raising bollards at the Stroudley Walk/Arrow Road junction (controlled by a concierge in Block E) and no vehicular access would be allowed between 8am and 5pm.
- 7.137 Stroudley Walk would be one way northbound between Arrow Road and Bromley High Street. It would be shared with no kerb upstands but would have different colour materials to differentiate the area where vehicles can pass through. A raised table would be constructed at the junction of Devon's Road, Bruce Road and Stroudley Walk to enhance the junction and to act as an entrance point to the development. A turning area would be provided at Arrow Road to enable cars and delivery vehicles to turn around.
- 7.138 The applicant has investigated potential highway improvements to Bow Road to facilitate safer and more convenient turnings for cyclists at the junction with Bromley High Street, TfL have not been able to agree a suitable scheme due to the complex constraints affecting this junction. However, TfL have confirmed their commitment to review the cycle super-highway infrastructure in this location, subject to a suitable contribution to be secured by planning obligation.
- 7.139 The details of the public highway works would be agreed by condition and implemented through a Section 278 agreement with the Council and TfL as the local highway authorities. To help improve safety and accessibility and encourage walking, it is recommended that planning obligations secure financial contributions towards improvements to the alleyway between Stroudley Walk and Rainhill Way.

Car Parking

- 7.140 London Plan Policy T6.1 requires residential developments with PTAL 6 to be car-free. The policy requires the provision of disabled persons parking for new residential developments ensuring 3% provision from the outset with additional 7% to be provided upon request. The policy also states that new residential car parking spaces should provide at 20% of active charging facilities with passive provision for all remaining spaces.
- 7.141 Tower Hamlets Local Plan policy D.TR3 requires all residential developments to be permit free and that all parking associated with the development should be provided off-street.
- 7.142 The neighbouring streets are within a Controlled Parking Zone (CPZ) where parking is restricted to permit holders only between 08.30 and 17.30 Monday to Friday. The proposed scheme incorporates 9 'blue badge' car parking spaces (just over 3%), on Stroudley Walk and the western end of Bromley High Street. The Transport Assessment reports on a survey that finds capacity for a further 19 uncontrolled spaces (7%) on surrounding roads. Passive provision for the 7% disabled spaces is identified in surrounding roads. Normally this would be expected on site. However, provision would be at the expense of open space, play space or public realm. The identified spaces are in close proximity to the

proposed wheelchair accessible homes and in this instance are considered to be acceptable.

7.143 In accordance with London Plan policy, 2 of the proposed spaces would have Electric Vehicle Charging Points (EVCPs) and 2 would have passive provision for EVCPs.

7.144 The proposed car parking arrangements are acceptable subject to the recommended conditions and s106 planning obligations. Given the car-free nature of the proposed scheme, it is recommended that planning obligations remove the right of future residents to obtain a permit to park in the CPZ ('Blue Badge' holders excluded) and secure free membership for first households for a 3-year period and free membership for first commercial tenants for 1-year, plus £30 Driving Credit per membership

Cycle Parking and Facilities

7.145 London Plan Policy T5 would require 476 long-term cycle parking spaces. However, the proposed scheme would provide a total of 459, based on a ratio of 1.7 spaces per dwelling. 24 of these spaces (5%) would be for large bikes, in accordance with TfL's London Cycle Design Standards. The proposed commercial units would be provided with 18 short-term Sheffield stands in the public realm at the end of Arrow Road and Bromley High Street.

7.146 To mitigate likely impacts and help encourage cycling, it is recommended that planning obligations secure financial contributions towards improvements to the nearby cycle superhighway on Bow Road and a financial contribution toward a new onsite cycle hire docking station. A location for the docking station has been identified adjacent to the application site on land controlled by the applicant. A Grampian style condition is recommended to ensure timely provision.

Deliveries & Servicing

7.147 The submitted Framework Delivery and Servicing Plan proposes 2 service bays along Stroudley Walk, a servicing area off Bromley High Street and a loading bay on Bromley High Street itself. These would accommodate 10m long vehicles, sufficient for a refuse lorry, and be located to ensure maximum carry distances are met. A concierge in Block E would take-in parcels for residents to help prevent multiple trips. Suitable targets would be set and monitored to limit trips and encourage sustainable deliveries. It is recommended that a detailed Delivery and Service Plan is secured by condition.

Trip generation

7.148 The submitted Transport Assessment estimates that the proposed development would be likely to generate a net additional 189 and 123 two-way person trips in the AM and PM peaks, and 1,337 across a typical day. Allocating these trips across various modes of travel, the proposed 'car free' development is expected to see a reduction in vehicle traffic, with 37 fewer movements over the course of the day. In contrast, there is expected to be an increase in cycle movements and lesser increases in bus, tube and DLR trips. None of these are expected to have a material impact on public transport capacity.

Travel Planning

7.149 The submitted Framework Travel Plan identifies measures to encourage sustainable travel and it is recommended that the approval and implementation of detailed Travel Plans is secured by planning obligation.

Highway works

7.150 Works are proposed to Bromley High Street, Arrow Road, Devon's Road, Bruce Road and Stroudley Walk highways and it is recommended that these are managed by Highway Agreements (s278 and s38).

Environment, health and sustainability

Environmental Impact Assessment

- 7.151 The planning application represents Environmental Impact Assessment (EIA) EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) coordinated by Trium.
- 7.152 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.
- 7.153 The Council issued an EIA Scoping Opinion on 21/10/2019. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:
- Demolition and Construction
 - Greenhouse Gas Emissions
 - Daylight, Sunlight and Overshadowing
 - Wind Microclimate
 - Archaeology
 - Effect interactions
 - Likely Significant Effects
 - Mitigation and Monitoring
- 7.154 The Council 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 17 September 2020 identified clarifications and potential '*further information*' required under Regulation 25.
- 7.155 In response to the IRR, the applicant submitted an Interim Review Response document dated 4 December 2020. On 15 December 2020, Temple issued a Final Review Report (FRR) that took account of the applicant's document identified clarifications and '*further information*' required under Regulation 25 in relation to Built Heritage and the submitted Heritage, Visual Impact Assessment.
- 7.156 On 29 March 2021, the applicant submitted an ES Addendum and updated Non-Technical Summary (NTS) of the ES. The Addendum assesses minor design amendments to the scheme that formed part of revisions submitted at the same time. The Addendum and updated NTS provides further information on cumulative effects, significant demolition and construction effects and the effect on the locally listed church at 1 Bruce Road.
- 7.157 The ES has informed the planning assessment and relevant issues are discussed in the body of this report and adverse environmental effects have been identified. If planning permission was to be granted mitigation measures could be secured by planning conditions and/or planning obligations as appropriate except where considered unsurmountable.

Health Impact Assessment

- 7.158 Local Plan Policy D.SG3 states that developments that are referable to the Mayor require to be supported by a Health Impact Assessments (HIA). Whilst Policy D.SG3 normally requires the submission of a detailed HIA, given the scale and nature of the proposed development, officers agreed that a rapid HIA was appropriate in this case. The submitted HIA concludes that the proposed scheme would have the following positive health impacts:
- Housing Quality and Design: 274 high quality new homes of varying size and tenure contributing to annual housing targets as well as helping to meet local demand for family housing and affordable housing, encouraging a vibrant resident community. Residents

would benefit from functional, comfortable and energy efficient living including accessible units for mobility impaired and older users;

- Access to Open Space and Nature: communal outdoor amenity and play space including children's play space across a range of settings and for different age groups, thereby encouraging physical activity and helping to maintain or improve mental well-being;
- Crime Reduction and Community Safety: multi-use of public spaces and natural surveillance that would help to reducing fear of crime. The proposals have been developed in consultation with a Designing Out Crime officer and community engagement has taken place which help foster a sense of ownership and empowerment;
- Access to Work and Training: flexible retail and commercial space generating up to 30 FTE jobs providing opportunities for employment, including for residents. In addition, during the demolition and construction phase, temporary employment opportunities would be generated;
- Social Cohesion: connects well to the wider area and would provide multi-use communal space in which the local community can interact;
- Pedestrian and Cycling Activity: strong public transport links and prioritises pedestrian and cycling modes of travel, both in terms of accessing the site and within the site itself thereby encouraging and promoting active travel and exercise;
- Minimising the use of natural resources: The site meets the principle of paragraph 11 of the NPPF by reusing land that has previously been developed for a mix of uses and would enhance the amenity value of the site for occupiers and the local community. It incorporates sustainable design and construction techniques and will be highly energy efficient; and
- Incorporation of Renewable Energy: inclusion of Air Source Heat Pumps and Photo Voltaics helping to mitigate against climate change impacts and reduce potential for fuel poverty.

7.159 Officers agree that the proposed development would result in the above positive health comes, which would be secured by several the proposed planning conditions and planning obligations.

Energy & Environmental Sustainability

7.160 Local Plan Policy D.ES7 requires developments (2019-2031) to achieve the following improvements on the 2013 Building Regulations for both residential and non-residential uses: Zero carbon (to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% - to be off-set through a cash in lieu contribution).

7.161 Local Plan Policy D.ES10 requires new development to ensure that buildings (both internally and externally) and the spaces around them are designed to avoid overheating and excessive heat generation, while minimising the need for internal air conditioning systems.

7.162 London Plan Policy SI 2 also calls for major development to be zero-carbon by reducing greenhouse gas emissions by improvements on the 2013 Building Regulations, but by 35% (with at least 10% for residential and 15% for non-residential coming from energy efficiency measures), in accordance with the Mayor of London's energy hierarchy. This policy also calls for developments referable to the Mayor to include a Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

7.163 London Plan Policy SI 3 requires development within Heat Network Priority Areas to have communal-low temperature heating system, with heat source being selected in accordance with a hierarchy (connect to heat networks, use zero carbon or local heat sources (in conjunction with heat pumps, if required), use low-emission CHP).

7.164 London Plan Policy SI 4 calls for development to minimise overheating in accordance with a cooling hierarchy.

7.165 The principal target is to achieve a reduction in regulated CO2 emissions in line with the LBTH Local Plan that requires all residential development to achieve the 'Zero Carbon' standard with a minimum 45% CO2 emission improvement over Part L 2013 Building Regulations. This exceeds Policy 5.2 of the London Plan that requires the 'lean', 'clean' and 'green' stages of

the Mayor of London's Energy Hierarchy to be followed to achieve a 'Zero Carbon' Standard targeting a minimum onsite reduction of 35%. All surplus regulated CO2 emissions must be offset at a rate of £95 for every ton of CO2 emitted per year over a minimum period of 30 years.

- 7.166 The application is supported by an Energy Assessment, Whole Life Carbon Assessment report and Sustainability and the ES (Chapter 6) reports on an assessment of the likely significant effects on greenhouse gas emissions.

Energy

- 7.167 The Mayor of London's Energy Hierarchy is as follows:

- be lean: use less energy and manage demand during operation;
- be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly;
- be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site; and
- be seen: monitor, verify and report on energy performance.

- 7.168 '*Be Lean.*' The Mayor's hierarchy prioritises a 'fabric first' approach, including high performance glazing, reduced air permeability and good insulating fabric, together with active and passive measures such as use of high-efficiency LED lighting, Mechanical Ventilation and Heat Recovery (MVHR) and smart meters to reduce energy demand. These proposed measures are expected to save 36.2 tonnes of carbon dioxide per year (a 14% saving above the Building Regulations 2013) (14% domestic and 12% non-domestic).

- 7.169 '*Be Clean.*' There is no viable existing or proposed District Energy Network (DEN) nearby. However, the proposed on-site communal heat network is to be designed so that it could connect to an offsite DEN. The proposed energy source is relatively warm air, by absorbing heat from the air at a low temperature into a fluid which passes through a compressor where its temperature is increased and transfers its higher temperature heat to the heating and hot water system. This uses Air Source Heat Pumps (ASHPs), which is treated as a renewable energy technology which is discussed below.

- 7.170 '*Be Green.*' The proposed ASHPs would be located externally at roof level and serve primary heat generation plant at ground level (for ease of connection to an offsite DEN if possible in the future), serving low-temperature and pressure 'energy loops' with in-apartment/house Zeroth heat pumps to efficiently provide 100% of the heating and domestic hot water to each proposed Block. In addition, Photovoltaic (PV) arrays are proposed on the roofs of proposed Blocks A, C and D (approx. 215sqm in total). On-site renewable energy technology is expected to save 155.1 tonnes of carbon dioxide per year (a 60% saving above the Building Regulations 2013).

- 7.171 '*Be Seen.*' An energy monitoring system is proposed and sub-metering/energy display devices in each home would allow residents to monitor and reduce their energy use. It is recommended that a planning obligation requires the development owner to submit monitoring results to the GLA (in accordance with the Mayor of London's draft guidance).

- 7.172 *Carbon Offsetting.* The above measures are expected to save approx. 191 tonnes of carbon dioxide per year (a 74% saving above the Building Regulations 2013). However, despite the use of the above measures, this falls short of the zero-carbon policy target for proposed domestic (65.5 tonnes per year) and non-domestic uses (3.3 tonnes per year). As a result, it is recommended that planning obligations secure the payment of a cash-in-lieu payment of £196,222 (based on £95 per tonne of carbon over a 30-year period).

- 7.173 *Overheating.* The dynamic overheating assessment that is included in the submitted Energy Assessment demonstrates that the proposed orientation and design of the proposed homes (when coupled with solar control glass with a g-value of 0.5, windows with 80% openable areas, MVHR, LED lighting, reduced heating pipework and the use of blinds) means that compliance with CIBSE TM59 overheating criteria is achieved. This meets London Plan Policy SI 4.

- 7.174 *Whole Life-cycle Emissions.* The Whole Life Carbon Assessment report summarises the results from an IMPACT equivalent tool in accordance with the draft GLA guidance. With regards to Modules A1-A5 (carbon emissions attributable to cradle to gate processes, exhaust emissions from the transport of building materials and construction processes), the estimated carbon emissions are generally within the GLA's residential benchmarks for blocks A, D, E, and slightly over for block C. The reason for the higher A1-A5 result of Block C is due to the higher volume of concrete used in the piling (substructure) per unit GIA for Block C, when compared with the other residential blocks. With regards to life cycle modules B1-B5 and C (environmental impacts from replacing buildings and the impacts of deconstruction), the long term embodied carbon figures for each of the blocks are projected to be lower than the GLA residential benchmarks, due to the long life of the proposed carbon-significant building components and the proposed grid decarbonisation.
- 7.175 *Likely significant Carbon Greenhouse Gas environmental effects.* The ES (Chapter 6) identifies a number of proposed mitigation measures for the construction phase (Construction Environmental Management Plan and Construction Logistics Plan) and operational phase (cycle parking, Electric Vehicle Charging Points, car parking restrictions, Travel Plan, Framework Delivery and Servicing Management Plan, the proposed Energy Strategy, carbon offsetting, BREEAM 'excellent' standard for proposed non-residential space). These are discussed in more detail in other sections of this report and it is recommended that they are secured by way of planning conditions and obligations.
- 7.176 Assuming that these mitigation measures are in place, the ES identifies residual Greenhouse Gas (GHG) Emissions in the opening year of 39.1 tonnes of carbon dioxide. It goes on to state that the proposed scheme would contribute a small amount of emissions and would employ commensurate mitigation measures to ensure policy compliance and minimise its contribution to climate change where possible. However, as part of the wider cumulative effects of GHG emissions from all local, regional, national and global sources, the emissions are nonetheless judged to be significant.

Environmental sustainability

- 7.177 Policy D.ES6 requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development, taking into consideration the cumulative impact of current and proposed development.
- 7.178 Local Plan Policy D.ES7 requires development to maximise energy efficiency based on the following relevant standards: BREEAM 'excellent' rating and the Home Quality Mark.
- 7.179 Movement and transport, Landscape and ecology, air quality, noise, daylight and sunlight, flood risk and drainage are addressed in detail in other sections of this report.
- 7.180 *Building Performance.* The Sustainability Statement includes a BREEAM pre-planning assessment (BREEAM New Construction 2018) which demonstrates that the proposed new commercial units could achieve an 'Excellent' rating. It is recommended that a planning condition secures this.
- 7.181 *Internal water use.* There is a mandatory requirement under Building Regulations Part G of achieving a predicted average household potable water consumption of no greater than 125 Litres per person per day and the applicant proposes to use water efficient sanitaryware and white goods specification. Local Plan Policy D.ES6 seeks to achieve a maximum water use of 105 litres per person per day and a planning condition is recommended to secure this policy objective.
- 7.182 *Construction waste.* The applicant's Sustainability Statement states that it would put in place waste management systems during the (demolition) and construction phase to minimise waste, including the sorting and recycling of waste and diverting it from landfill. The ES recommends the implementation of an approved Site Waste Management Plan and It is recommended that this is secured by planning condition.

7.183 *Considerate Constructors Scheme*. The applicant's Sustainability Statement states the site is to be registered under the Considerate Constructors Scheme prior to the commencement of the construction phase, with a set target to help achieve BREEAM 'Excellent.' It is recommended that this is secured by a s106 planning obligation.

Waste

Operational waste and recycling

7.184 All proposed homes have been designed to include separate refuse and recycling storage in kitchens, to allow residents to separate refuse and recycling at source. Residents would be responsible for taking their waste/recycling to a bin store located adjacent to each residential core, with Blocks D and E having internal access from the core. The duplex homes within blocks A and C will have their own dedicated bin stores for refuse and recycling adjacent to their front doors and serviced directly from the street. The bins would be taken from bin stores to the collection points by the proposed on-site management company. The amount of bin and storage space required has been calculated in accordance with the Council's standards.

7.185 Block A and C's waste collection would be from the proposed new street at the southern end of Stroudley Walk. Block D's waste collection would be from the bin store adjacent to Arrow road. A turning area would be provided at Arrow Road and hydraulic bollards would be placed to prevent a through route being created. Block E will be served from Bromley High Street with a loading bay provided adjacent to the bin stores for waste collection to ensure carrying distances are complied with.

7.186 Dedicated commercial refuse stores are provided for the proposed commercial units. Within Block E the store would be accessed from Bromley High Street, while the store within Block D would be accessed from Arrow Road.

Construction waste and recycling

7.187 As discussed under Environmental Sustainability above, it is recommended that a Site Waste Management Plan and It is recommended that this is secured by planning condition.

Biodiversity

7.188 London Plan Policy G6 states that 'development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain' and Tower Hamlets Local Plan Policy D.ES3 require developments to protect and enhance biodiversity. The site does not form part of any statutory or non-statutory nature conservation site and is not located within a preferred location for biodiversity under the Local Plan's Green Grid Network.

7.189 The application is supported by a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment.

7.190 The site is dominated by buildings and hard standing of negligible value in habitat and botanical terms (with the existing 40 trees providing little biodiversity value) and the Appraisal found no evidence of protected or notable species and all buildings and trees were assessed as being of negligible suitability to roosting bats. However, it is possible that small numbers of birds could utilise trees and buildings for nesting during the breeding period (March-August), and the Appraisal recommends a precautionary approach to tree removal and building demolition (to ensure compliance with UK wildlife law), the provision of integrated bat and bird bricks and boxes within the new buildings and incorporation of native and/or wildlife friendly plant species in to any soft landscaping proposals.

7.191 The proposed development includes areas of biodiverse green roof on each of the proposed Blocks, areas of species-rich amenity grassland in the proposed open spaces and rain gardens, native tree and shrub planting, climbing plants up the northern side of Block A (next to the proposed open space) and the planting species-rich hedgerows. The Assessment reports that:

- The existing site has a biodiversity value of 0.49;

- Subject to securing the proposed biodiverse planting, the proposed development would have a biodiversity value of 0.84.;
- As such, the proposed development would result in a potential biodiversity net gain of 0.35 biodiversity units and a net percentage change of 72.51%; and
- The proposed development also includes approx. 190sqm of native hedgerows, providing a net gain of 0.64 hedgerow units.

7.192 The Council's Biodiversity Officer has no objection subject to: (i) timing of vegetation clearance outside of bird breeding season (i.e. between September & February inclusive); and (ii) Approval of biodiversity enhancement measures prior to commencement of above ground works (to include at least 800sqm biodiverse roofs, mixed native hedgerows, at least five types of native tree species, inclusion of nectar-rich plants, inclusion of climbing plants bird and bat boxes). It is recommended that these, together with a Landscape Ecological Management Plan (LEMP) to cover the long-term maintenance of retained and newly created on-site habitats, are secured by condition.

Flood Risk & Drainage

7.193 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drain is protected to a very high standards by the Thames tidal flood defences up to a 1 in 1000 (0.1%) change in any given year. Policy D.ES6 requires new development to minimise the pressure on the combined sewer network.

7.194 The application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The FRA identifies the site as being in Flood Zone 1 (Low Risk of flooding from rivers) and concludes that all the proposed uses are appropriate. The site also has 'very low' to 'low' risk of any other forms of flooding. The proposed new surface water drainage (identified below) would maintain the current flood risk on-site for rivers, tidal, groundwater, surface water, overland flows, canals, reservoirs, sewers and water mains (which range from 'negligible' to 'Low'), whilst allowing for the increased rainfall potential associated with climate change. The proposed incorporation of SuDS and reduction in surface water discharge rates to the public sewers would be beneficial in contributing to a reduction of flood risk in the area. Neither the Environment Agency nor Thames Water have raised no objections to the proposals.

7.195 The existing site is covered by impermeable surface and buildings across about 88% of its area and has an existing runoff rate (excluding permeable areas) of approx. 90.2l/s. Site constraints means that it would not be possible to achieve a greenfield runoff rate and the proposed development aims to achieve a 3 x greenfield discharge rate of 31.8l/s (100-year return) (allowing for an increase in peak rainfall intensity of 40% to take account of climate change). This would be achieved by incorporating the following Sustainable Urban Drainage Systems (SuDS) measures:

- Areas of living roof on all proposed Blocks (approx. 920sqm);
- 2 x attenuation tanks under proposed open spaces (approx. 355sqm);
- Raingardens and tree planting (with sub-surface collection pipes).

7.196 The proposed scheme is designed to connect its foul water drainage network to the public combined sewer in Stroudley Walk. Whilst there would be an increase in foul sewerage entering the system (from approx. 2.4l/s to 13l/s), this would be offset by the proposed reduction in surface water runoff, meaning that combined flows would be reduced from approx. 92.7l/s to 44.8l/s). As a result, the proposed development would offer an improvement in terms of surface water management and an overall reduction in combined flows. It is recommended that planning conditions secure the details of proposed SuDS measures, together with a Drainage Management Strategy (to cover both management and maintenance of approved measures).

Land Contamination

7.197 Geo-environmental (Ground Conditions, Groundwater and Land Take and Soils) was scoped out for EIA purposes. However, the application is supported by a Phase 1 Desk Study and Preliminary Risk Assessment. Based on a conceptual site model, this sets out the characteristic ground conditions and elements of the surrounding environment and identifies

potential sources of contamination, potential receptors of the contamination and potential pathways between them. It does conclude that there are potential sources of contamination and recommends a Phase 2 ground investigation to allow an assessment of the underlying ground conditions. Given this, it is recommended that the Council's standard land contamination remediation and verification report conditions are attached to any planning permission. This would ensure that the application accords with Tower Hamlets Local Plan policy D.ES8

Noise & vibration, air quality and wind/microclimate

7.198 These topics are discussed in detail under Housing (Quality of Residential Accommodation) and Neighbour Amenity above. In summary, subject to the recommended conditions, no unacceptable adverse construction-related or long-term noise, air quality or wind/microclimate effects for future residents or existing neighbouring residents or businesses were identified.

Infrastructure Impact

7.199 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £716,565 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £811,922 (inclusive of social housing relief and exclusive of indexation). The Tower Hamlets CIL would contribute towards strategic infrastructure requirements to mitigate the impacts of development,

7.200 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.

7.201 The applicant has agreed to meet all the financial contributions that are sought by the Council's Planning Obligations SPD (2021), as follows:

- £97,560 towards construction phase employment skills training
- £14,892 towards end-user phase employment skills training
- £196,222 toward carbon emission off-setting

Local Finance Considerations

7.202 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus payment of approximately £3,811,799 per year for 2021/22 and 2022/23. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver.

Human Rights & Equalities

7.203 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.

7.204 The proposed new residential accommodation would meet inclusive design standards and 27 of the new homes would be wheelchair accessible, 8 within the affordable rented tenure and 4 within the intermediate sector (with the affordable rented homes to be built to 'fit out' standard). This would benefit future residents, including disabled people, elderly people and parents/carers with children.

7.205 The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged.

7.206 The application has undergone the appropriate level of consultation with the public and Council consultees. The applicant has also carried out an extensive engagement with the exiting residents on site.

7.207 The proposed development would not result in adverse impacts upon human rights, equality or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £97,560 towards construction phase employment skills training
- b. £14,892 towards end-user phase employment skills training
- c. **£50,000** towards improvements to the alleyway between Stroudley Walk and Rainhill Way
- d. **£50,000** towards improvements to the Super Cycle Highway on Bow Road
- e. £220,000 toward TFL Cycle Hire Docking Station
- f. £196,222 toward carbon emission off-setting
- g. **£3000** monitoring fee

Total financial contributions: **£631,674**

8.3 Non-financial obligations:

- a. Arrangements to ensure use of the Community Space in Block D by a not-for-profit organisation, community benefit or social enterprise organisation for a 10-year period from when the unit is first occupied.
- b. Affordable housing (50.9% by habitable room) (383 habitable rooms)
 - 82 units (297 habitable rooms) at London Affordable Rent
 - 33 units (86 habitable rooms) as Shared Ownership
 - Early & Late Stage Reviews
 - London Affordable Rent levels & SO Income cap
 - Council nomination rights
 - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to Building Regulations M4 (3)(2)(b) standard)
- c. Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 15 construction phase apprenticeships
 - 2 x end-user phase apprenticeships
- d. Transport matters:
 - Car Free development (residential)
 - Approval and implementation of Car Park Management Plan (spaces on Stroudley Walk)
 - Car Club (3-year free membership for first households, 1-year free membership for first commercial occupiers and £30 Driving Credit per membership).
 - Residential and Workspace Travel Plans & monitoring.
 - S278/s38 Agreement (works to Bromley High Street, and Bow Road Arrow Road, Devons Road, Bruce Road and Stroudley Walk).
- e. Public access to the proposed pocket park, courtyard, residential street and other public realm areas.
- f. Submission of energy monitoring results to GLA (in accordance with Mayor of London's draft guidance).
- g. Compliance with Considerate Constructors Scheme

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

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

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Removal of existing or future permitted development rights to change the use of the approved commercial units to housing.
4. Removal of existing or future permitted development rights for the community café to change to other uses within Class E.
5. All homes to be built to Building Regulation Part M4(2) standard ('accessible and adaptable'), with 19 homes to be built to Building Regulation Part M4(3)(a) standard ('wheelchair user dwellings' - adaptable) and 8 homes to be built to Building Regulation Part M4(3)(b) standard ('wheelchair user dwellings' – fitted out')
6. 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; and
 - e. Noise pollution limits.
7. Mechanical plant noise limits (such that 1 m from the worst affected windows of the nearby noise sensitive premises do not exceed LAeq 37 dB during the daytime and LAeq 30 dB during the night).
8. BREEAM 'Excellent' for commercial units (shell and core).
9. Fittings & fixtures and white goods in residential properties to be specified to achieve water efficiency standard in Building Regulations Part G2 (2b)
10. Tree and vegetation clearance outside of bird breeding season (i.e. between September and February)
11. Implementation of the Fairlie Court shopping frontage improvement works in full, prior to the occupation of 25% of the market tenure homes
12. Provision of the cycle hire station prior to the occupation of 25% of the market tenure homes.

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

13. Demolition and Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
 - a. Site manager's contact details and complaint procedure;
 - b. Dust Management Plan
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles;
 - f. Numbers and timings of vehicle movements and access routes;
 - g. Parking of vehicles for site operatives and visitors;
 - h. Travel Plan for construction workers;
 - i. Location and size of site offices, welfare and toilet facilities;
 - j. Erection and maintenance of security hoardings - including hoardings to mitigate wind around area to north west of Block E (at least 4m from north eastern elevation of Block E and 6m from its western elevation and extend at least 4m to the south and to the east).;
 - k. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
 - l. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.
 - m. Health and safety procedures
14. Land Contamination Remediation (subject to post completion verification).

15. Piling Risk Assessment (PRA)
16. Implementation of an approved Site Waste Management Plan (SWMP).
17. Retained tree safeguarding measures.
18. Archaeology Written Scheme of Investigation (WSI).
19. Submission of a detailed fire safety strategy

Pre-superstructure works

20. Details of external facing materials and architectural detailing.
21. Approval of landscaping details, in consultation with the Metropolitan Police DOCO, to include:
 - a. 4m deep solid central canopy along the western facade of Block E so that it would be aligned with the southern canopy.
 - b. All three proposed trees at the north western corner of Block E are to be evergreen trees.
 - c. Wind mitigation measures as identified in the ES
 - d. Street furniture.
 - e. Lighting.
 - f. Re-planting of trees and shrubs that die within 5 years of being planted.
 - g. Landscape Management and maintenance plan.
22. Detailed SuDS measures and Drainage Management Strategy (management and maintenance).
23. Details of ecological enhancement measures to include:
 - a. at least 800sqm biodiverse roofs;
 - b. mixed native hedgerows, at least five types of native tree species and inclusion of nectar-rich and climbing plants;
 - c. Provision of bird and bat boxes; and
 - d. Ecological Management Plan.
24. Details of proposed 8 x Social Rent wheelchair accessible homes which are to be built to Building Regulation Part M4(3)(b) standard ('wheelchair user dwellings' – fitted out')
25. Secure by Design accreditation.
26. Approval of Delivery and Servicing Management Plan (DSMP)
27. Approval of Operational Waste Management Plan (OWMP).
28. Approval of a public realm management plan
29. Approval of the scheme of highway improvements to be secured in a S278 / S38 agreement.

Pre-occupation works

30. Cycle parking associated with Block provided before homes to which they relate are occupied.
31. Disabled parking spaces to be provided before the homes to which they relate are occupied
32. Electric Vehicle Charging Points (EVCPs) – active EVCP's installed and made operational and passive ECVPs enabled.
33. Noise – Post completion verification report into internal noise standards for approved homes.

8.7 **Informatives**

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

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Application Drawing No.	Revised Drawing No.	Description
1799_0011	D	Existing Site Location Plan – Ground Floor
1799_0012	A	Existing Site Location Plan – First Floor
1799_1000	B	Existing Site Plan
1799_1010		Existing Block Plans, Warren House, Ground Floor
1799_1011		Existing Block Plans, Warren House, First – Ninth Floor
1799_1012		Existing Block Plans, Warren House, Tenth Floor
1799_1015		Existing Block Plans, Southern East & West Blocks, Ground Floor
1799_1016		Existing Block Plans, Southern East & West Blocks, First Floor
1799_1020		Existing Block Elevations, Warren House, West & South
1799_1021		Existing Block Elevations, Warren House, East & North
1799_1025		Existing Block Elevations Southern East & West Blocks
1799_1190		Proposed Site Location Plan
1799_1199	W	Proposed Site Plan – Ground Floor
1799_1200	M	Proposed Site Plan – Upper Ground Floor
1799_1201	P	Proposed Site Plan – First Floor
1799_1202	P	Proposed Site Plan – Second Floor
1799_1203	N	Proposed Site Plan – Third Floor
1799_1204	M	Proposed Site Plan – Fourth Floor
1799_1205	M	Proposed Site Plan – Fifth Floor
1799_1206	M	Proposed Site Plan – 6th – 20th Floor
1799_1221	F	Proposed Site Plans, Twenty-First – Twenty-Fourth Floor
1799_1225	H	Proposed Site Plans, Rooftop Amenity Terrace Level
1799_1226	J	Proposed Site Plan – Upper Roof Plan
1799_1300	F	Block Plans, Block A, Lower Ground Floor
1799_1301	H	Block Plans, Block A, Upper Ground Floor
1799_1302	H	Block Plans, Block A, First - Third Floor
1799_1304	H	Block Plans, Block A, Fourth Floor
1799_1305	H	Block Plans, Block A, Fifth Floor
1799_1306	C	Block Plans, Block A, Roof Floor
1799_1310	D	Block Plans, Block C, Lower Ground Floor
1799_1311	D	Block Plans, Block C, Upper Ground Floor
1799_1312	F	Block Plans, Block C, First Floor
1799_1313	E	Block Plans, Block C, Second Floor
1799_1314	D	Block Plans, Block C, Third Floor
1799_1315	B	Block Plans, Block C, Roof Level
1799_1320	E	Block Plans, Block D Ground Floor
1799_1321	D	Block Plans, Block D First Floor
1799_1322	E	Block Plans, Block D 2nd & 3rd Floor
1799_1324	E	Block Plans, Block D 4th Floor
1799_1325	D	Block Plans, Block D 5th Floor
1799_1326	D	Block Plans, Block D Roof Level
1799_1330	B	Block Plans, Block E, Lower Ground Floor
1799_1331	B	Block Plans, Block E, First Floor
1799_1332	F	Block Plans, Block E, Second - Fifth Floor
1799_1333	G	Block Plans, Block E, Sixth - Twentieth Floor
1799_1334	D	Block Plans, Block E, Twenty first – Twenty fourth Floor
1799_1335	C	Block Plans, Block E, Rooftop Amenity Terrace Level

Application Drawing No.	Revised Drawing No.	Description
1799_1336	C	Block Plans, Block E, Roof Level
1799_1350		Proposed Fairlie Court Plans, Façade Improvements, Ground & First Floor
1799_1500	A	Outline Fire Strategy Drawings, Ground Floor
1799_1501	A	Outline Fire Strategy Drawings, Typical Upper Floors
1799_1600		Proposed Flat Layouts, Wheelchair Adaptable 3B 4P
1799_1601		Proposed Flat Layouts, Wheelchair Adaptable 2B 3P
1799_1602		Proposed Flat Layouts, Wheelchair Adaptable 2B 3P
1799_1603		Proposed Flat Layouts, Wheelchair Adaptable 2B 3P
1799_2010	F	Proposed Street Elevations, Along Stroudley Walk
1799_2011	E	Proposed Street Elevations, Along Bromley High Street & Bruce Road
1799_2012	H	Proposed Street Elevations along Stroudley Walk
1799_2012	F	Proposed Street Elevations from Arrow Road through Pocket Park
1799_2100	D	Proposed Elevations, Block A East
1799_2101		Proposed Elevations, Block A West
1799_2102		Proposed Elevations, Block A North & South
1799_2110	D	Proposed Elevations, Block C North & West
1799_2111		Proposed Elevations, Block C South & East
1799_2120	F	Propose Elevation – Block D West
1799_2121		Propose Elevation – Block D South
1799_2122		Propose Elevation – Block D East
1799_2123	A	Propose Elevation – Block D North
1799_2130	E	Proposed Elevations, Block E North and West
1799_2131	D	Proposed Elevations, Block E South and East
1799_2150	C	Fairlie Court – Proposed Elevations
1799_2200		Proposed Sections Block A
1799_2210	A	Proposed Sections Block C
1799_2220	A	Proposed Sections Block D
1799_2230		Proposed Sections, Block E Section AA
1799_2231		Proposed Sections, Block E Section BB
1799_2250	B	Proposed Fairlie Court Sections, Existing & Proposed Section AA
1799_2251	B	Proposed Fairlie Court Sections, Existing & Proposed Section BB

Other application documents

Document	Author
Planning Statement	DP9 Limited
Addendum to the Planning Application	DP9 Limited
CIL Additional Questions Form	DP9 Limited
Design and Access Statement	RMA Architects
Addendum to the Design and Access Statement	RMA Architects
Transport Assessment	Motion
Transport Assessment Addendum	Motion;
Delivery and Servicing Plan	Motion
Framework Travel Plan	Motion
Framework Construction Environmental Management Plan including a Site Waste Management Plan	Motion
Statement of Community Involvement	Quatro
Noise Impact Assessment	Sandy Brown
Landscaping Design and Access Statement	Churchman Thornhill Finch
Addendum to the Landscape Design and Access Statement,	Churchman Thornhill Finch

Document	Author
Tree Report	B.J. Unwin Forestry Consultancy
Energy Assessment	Insignis
Sustainability Statement and Overheating Analysis	Insignis
Utilities Statement	Insignis
Lighting Assessment	Studio Fractal
Regeneration Benefits Statement	Hatch Regeneris
Rapid Health Impact Assessment	Hatch Regeneris
Affordable Housing Statement	DS2 Limited
Financial Viability Assessment	DS2 Limited
Internal Daylight & Sunlight Report	The Chancery Group
Air Quality Assessment	AQC
Biodiversity Net Gain Assessment	Ecology Consultancy
Preliminary Ecological Appraisal	Ecology Consultancy
Phase 1 Desk Study and Preliminary Risk Assessment Report (Contaminated Land Report)	TerraConsult
Flood Risk Assessment	Clarke Nicholls Marcel
Drainage Strategy (including SUDS Strategy)	Clarke Nicholls Marcel
Whole of life Carbon assessment	Faithful Gould
Fire Strategy	Frankham RMA
CAVAT Assessment	B J Unwin Forestry Consultancy

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES



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Notes:
 - Do not scale from this drawing until it is printed. Dimensions only.
 - All dimensions to be checked on site for accuracy and fit.
 - Remove any discrepancies and variations to RPA, Architect.

H&S Notes = "H&S" (Hazardous, Radiation, Biohazard, Corrosive)

- Where RPA symbols are present on the drawings for the Hazardous and Waste Storage, RPA do not warrant that the high level drawings are a complete and accurate record of what has been constructed.
 - Unless indicated otherwise by the responsible party, changes made on site to RPA Safety Information has not been incorporated in this drawing.

SCALE BAR: 1:250 (BAR, 8:200 @A3)
 0 1 5 10 15 20m

Diagram Key

W	W1.01.02	Unlocked entrance to open area	IT	APP
V	V1.01.02	Unlocked entrance to open area	IT	APP
U	U1.01.02	Unlocked entrance to open area	IT	APP
T	T1.01.02	Unlocked entrance to open area	IT	APP
S	S1.01.02	Unlocked entrance to open area	IT	APP
R	R1.01.02	Unlocked entrance to open area	IT	APP
Q	Q1.01.02	Unlocked entrance to open area	IT	APP
P	P1.01.02	Unlocked entrance to open area	IT	APP
O	O1.01.02	Unlocked entrance to open area	IT	APP
N	N1.01.02	Unlocked entrance to open area	IT	APP
M	M1.01.02	Unlocked entrance to open area	IT	APP
L	L1.01.02	Unlocked entrance to open area	IT	APP
K	K1.01.02	Unlocked entrance to open area	IT	APP
J	J1.01.02	Unlocked entrance to open area	IT	APP
I	I1.01.02	Unlocked entrance to open area	IT	APP
H	H1.01.02	Unlocked entrance to open area	IT	APP
G	G1.01.02	Unlocked entrance to open area	IT	APP
F	F1.01.02	Unlocked entrance to open area	IT	APP
E	E1.01.02	Unlocked entrance to open area	IT	APP
D	D1.01.02	Unlocked entrance to open area	IT	APP
C	C1.01.02	Unlocked entrance to open area	IT	APP
B	B1.01.02	Unlocked entrance to open area	IT	APP
A	A1.01.02	Unlocked entrance to open area	IT	APP

RM_A
 2222 Highgate Road
 53-79 Highgate Road, London, W6 5TL
 020 7284 3414, research@rma.co.uk

Key Plan

Project
 STROUDLEY WALK

Client
 MUSE DEVELOPMENTS

Scale	Date	By	Checked
1:250 @A3	07/10/18	CA	APP

Proposed
 Site Plan
 Ground Floor

Drawing Status
 PLANNING
 Drawing No: 1799_1199
 Revision: W

nt re

SITE BOUNDARY



Abbreviations	
1 Block 1 - Light Buff Brick with light buff mortar	20 Solid brick panels PFC 04L 1024
2 Block 2 - Dark Reddish Brick with light grey mortar	21 Solid PFC 04L 1024
3 Block 3 - Dark Grey Brick with dark grey mortar	22 Aluminium composite cladding surfaces PFC 04L 1000
4 Recessed horizontal brick banding detail - Block 2	23 Aluminium substructure for bar railings PFC 04L 1024
5 Recessed vertical brick end detail - Block 2	24 Aluminium substructure for bar railings PFC 04L 1024
6 Recessed brick panel - Block 2	25 3-in-1 aluminium wall cladding substructure PFC 04L 1024
7 Recessed brick panel - Block 3	26 3-in-1 aluminium wall cladding substructure PFC 04L 1024
8 Recessed brick panel - Block 3	27 3-in-1 aluminium wall cladding substructure PFC 04L 1024
9 Recessed brick panel - Block 3	28 3-in-1 aluminium wall cladding substructure PFC 04L 1024
10 Recessed brick panel - Block 3	29 3-in-1 aluminium wall cladding substructure PFC 04L 1024
11 Recessed brick panel - Block 3	30 3-in-1 aluminium wall cladding substructure PFC 04L 1024
12 Recessed brick panel - Block 3	31 3-in-1 aluminium wall cladding substructure PFC 04L 1024
13 Recessed brick panel - Block 3	32 3-in-1 aluminium wall cladding substructure PFC 04L 1024
14 Recessed brick panel - Block 3	33 3-in-1 aluminium wall cladding substructure PFC 04L 1024
15 Recessed brick panel - Block 3	34 3-in-1 aluminium wall cladding substructure PFC 04L 1024
16 Recessed brick panel - Block 3	35 3-in-1 aluminium wall cladding substructure PFC 04L 1024
17 Recessed brick panel - Block 3	36 3-in-1 aluminium wall cladding substructure PFC 04L 1024
18 Recessed brick panel - Block 3	37 3-in-1 aluminium wall cladding substructure PFC 04L 1024
19 Recessed brick panel - Block 3	38 3-in-1 aluminium wall cladding substructure PFC 04L 1024
39 Aluminium cladding PFC 04L 1024	40 Aluminium cladding PFC 04L 1024
41 Aluminium cladding PFC 04L 1024	42 Aluminium cladding PFC 04L 1024
43 Aluminium cladding PFC 04L 1024	44 Aluminium cladding PFC 04L 1024
45 Aluminium cladding PFC 04L 1024	46 Aluminium cladding PFC 04L 1024
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75 Aluminium cladding PFC 04L 1024	76 Aluminium cladding PFC 04L 1024
77 Aluminium cladding PFC 04L 1024	78 Aluminium cladding PFC 04L 1024
79 Aluminium cladding PFC 04L 1024	80 Aluminium cladding PFC 04L 1024
81 Aluminium cladding PFC 04L 1024	82 Aluminium cladding PFC 04L 1024
83 Aluminium cladding PFC 04L 1024	84 Aluminium cladding PFC 04L 1024
85 Aluminium cladding PFC 04L 1024	86 Aluminium cladding PFC 04L 1024
87 Aluminium cladding PFC 04L 1024	88 Aluminium cladding PFC 04L 1024
89 Aluminium cladding PFC 04L 1024	90 Aluminium cladding PFC 04L 1024
91 Aluminium cladding PFC 04L 1024	92 Aluminium cladding PFC 04L 1024
93 Aluminium cladding PFC 04L 1024	94 Aluminium cladding PFC 04L 1024
95 Aluminium cladding PFC 04L 1024	96 Aluminium cladding PFC 04L 1024
97 Aluminium cladding PFC 04L 1024	98 Aluminium cladding PFC 04L 1024
99 Aluminium cladding PFC 04L 1024	100 Aluminium cladding PFC 04L 1024

Scale: 1:100

North Arrow

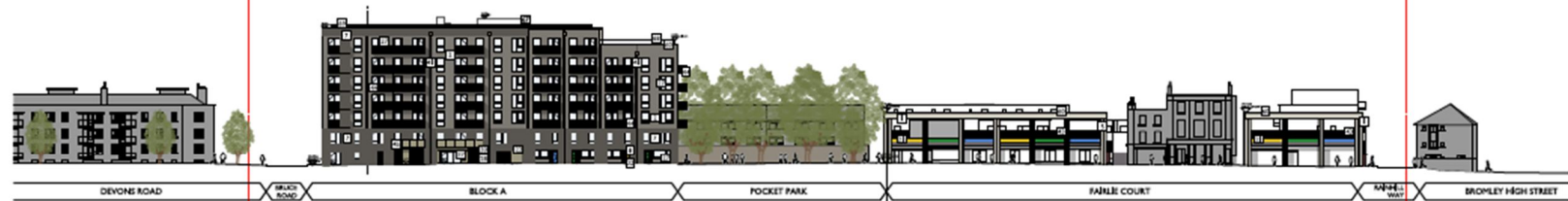
Project No: 1799_2010

BROMLEY HIGH STREET BLOCK E COURTYARD BLOCK D BRUCE ROAD BLOCK C BRUCE ROAD DEVONS ROAD

Section AA - West Elevation along Stroudley Walk

SITE BOUNDARY

SITE BOUNDARY



Code	Description	Area
1	Block 1 - Light Buff Brick with light buff mortar	27,000
2	Block 2 - Dark Reddish Brick with light grey mortar	15,000
3	Block 3 - Dark Grey Brick with dark grey mortar	15,000
4	Recessed horizontal brick banding detail - Block 2	1,000
5	Recessed vertical brick end detail - Block 2	1,000
6	Recessed brick panel - Block 2	1,000
7	Recessed brick panel - Block 3	1,000
8	Recessed brick panel - Block 3	1,000
9	Recessed brick panel - Block 3	1,000
10	Recessed brick panel - Block 3	1,000
11	Recessed brick panel - Block 3	1,000
12	Recessed brick panel - Block 3	1,000
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99	Recessed brick panel - Block 3	1,000
100	Recessed brick panel - Block 3	1,000

RM A

1000 Regency Road
 1000 Regency Road, London, SE16
 020 7368 1000, www.musedev.com

STRLOUDLEY WALK

Section BB - East Elevation along Stroudley Walk

MUSE DEVELOPMENTS

Proposed Street Elevations Along Stroudley Walk

Project No: 1799_2010

Revision: H



Section EE - North Elevation through Pocket Park

Materials	
1 Light buff brick with light buff mortar	16 Solid metal primary windows PFCAL 1309
2 Dark grey brick with light brown mortar	17 Solid metal primary windows PFCAL 1309
3 Dark grey brick with dark grey mortar	18 Aluminium composite above entrance PFCAL 1900
4 Reduced terracotta brick banding detail - Block 2	19 Solid metal primary windows PFCAL 1309
5 Reduced terracotta brick with dark grey mortar	20 Solid metal primary windows PFCAL 1309
6 Reduced terracotta brick with dark grey mortar	21 Solid metal primary windows PFCAL 1309
7 Reduced terracotta brick with dark grey mortar	22 Solid metal primary windows PFCAL 1309
8 Reduced terracotta brick with dark grey mortar	23 Solid metal primary windows PFCAL 1309
9 Reduced terracotta brick with dark grey mortar	24 Solid metal primary windows PFCAL 1309
10 Reduced terracotta brick with dark grey mortar	25 Solid metal primary windows PFCAL 1309
11 Reduced terracotta brick with dark grey mortar	26 Solid metal primary windows PFCAL 1309
12 Reduced terracotta brick with dark grey mortar	27 Solid metal primary windows PFCAL 1309
13 Reduced terracotta brick with dark grey mortar	28 Solid metal primary windows PFCAL 1309
14 Reduced terracotta brick with dark grey mortar	29 Solid metal primary windows PFCAL 1309
15 Reduced terracotta brick with dark grey mortar	30 Solid metal primary windows PFCAL 1309

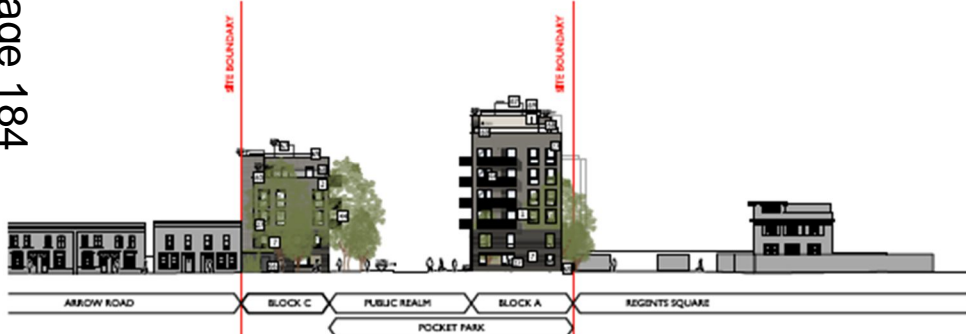
Notes:

- 1. All elevations are shown in perspective.
- 2. All elevations are shown in perspective.
- 3. All elevations are shown in perspective.

Scale: 1:100

North

Page 184



Section FF - North Elevation from Arrow Road



Section GG - South Elevation from Arrow Road

Rev	Description	Date
1	Issue for consultation	10/10/2023
2	Issue for consultation	10/10/2023
3	Issue for consultation	10/10/2023
4	Issue for consultation	10/10/2023
5	Issue for consultation	10/10/2023
6	Issue for consultation	10/10/2023
7	Issue for consultation	10/10/2023
8	Issue for consultation	10/10/2023
9	Issue for consultation	10/10/2023
10	Issue for consultation	10/10/2023

RM_A

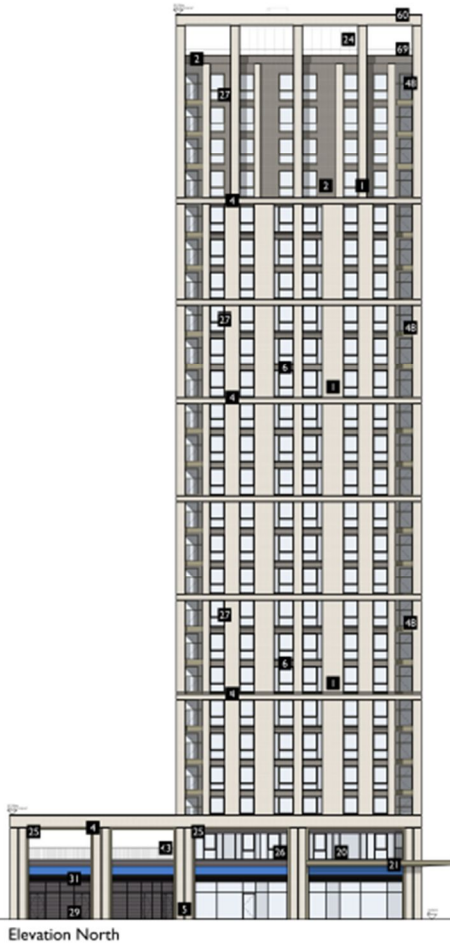
RM Architecture Ltd
 100 Regent Street, London, W1B 4ET
 020 7463 2000, www.rmarch.co.uk

STROUDLEY WALK

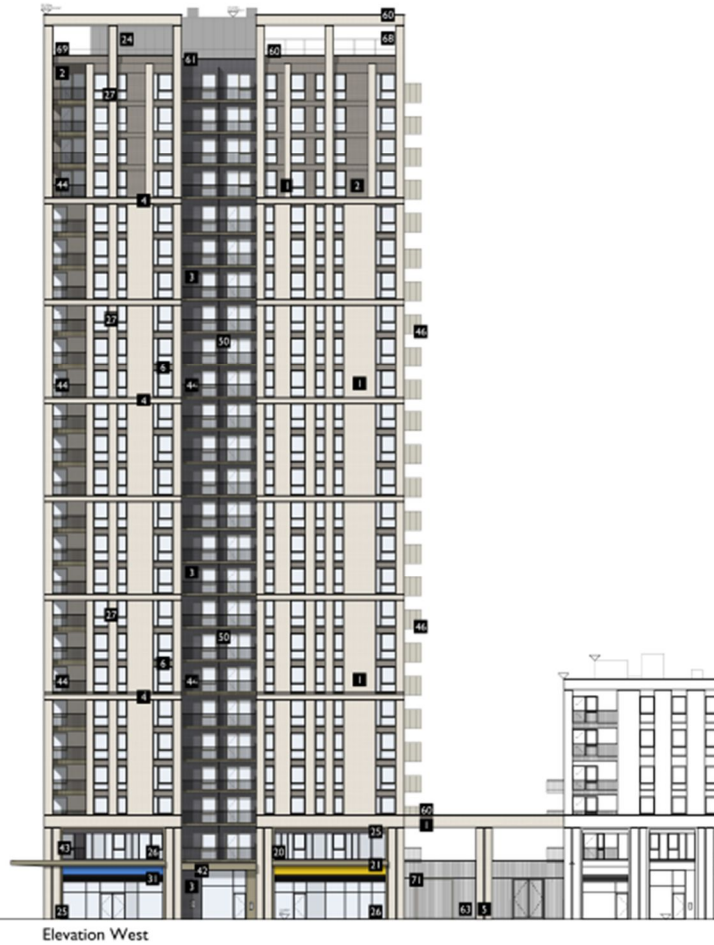
MUSE DEVELOPMENTS

Date	Drawn	By	Checked
10/10/2023	RM	RM	RM

Proposed
 Street Elevations
 From Arrow Road
 Through pocket park



Elevation North



Elevation West

Materials Key			
1 Brick 1 - Light Buff Brick with light buff mortar	21 Opaque glazed panels	41 Steel JHS posts PPC RAL 1019	61 Aluminium copings PPC RAL 1019
2 Brick 2 - Grey Brown Brick with light brown mortar	22 Commercial signage zone	42 Exposed RWP's RAL 1019	62 Aluminium copings PPC RAL 7024
3 Brick 3 - Dark Grey Brick with dark grey mortar	23 Light bronze aluminium panel PPC RAL 1019	43 Aluminium canopies above entrances PPC RAL 7006	63 1m Metal railings and gates PPC RAL 1019
4 Recessed horizontal brick banding detail - Brick 2	24 Grey aluminium panel PPC RAL 7024	44 Balcony balustrade flat bar railings PPC RAL 7024	64 Full height metal railings and gates PPC RAL 7024
5 Recessed vertical brick slot detail - Brick 2	25 Light grey cladding to lift/stair core RAL 7004	45 Balcony balustrade flat bar railings PPC RAL 1019	65 2.5m timber close boarded fence
6 Recessed brick panel - Brick 2	26 Bronze aluminium frame detail PPC RAL 7006	46 1.5m Aluminium solid balcony balustrade PPC RAL 1019	66 2m brick garden wall
7 Rosticated brick coursing detail - Brick 2	27 Aluminium windows and doors PPC RAL 7024	47 1.5m Glass balcony balustrade PPC RAL 1019	67 Steel mesh cycle store enclosure
8 Soldier course brick detail - Brick 2	28 Aluminium windows and doors PPC RAL 1019	48 1.5m Glass balcony balustrade	68 Light grey louver enclosure to Plant RM 7004
	29 Metal louvered service doors PPC RAL 1019	49 1.5m Glass balcony balustrade	69 2m Glazed screens to amenity terrace
	30 Metal louvered service doors PPC RAL 7024	50 Solid metal privacy screens PPC RAL 1019	70 Safety Railings
	31 Metal louvered panels PPC RAL 1019	51 Solid metal privacy screens PPC RAL 7024	71 Vertical timber boarding
	32 Metal louvered panels PPC RAL 7024		72 Bronze steel framed pergola PPC RAL 7006
	33 Painted Entrance Doors		

Notes

- See notes from this drawing sheet in Special Dimensions info.
- All information is to be checked on site for accuracy and fit.
- Apply any discrepancies and variations to RMA Architects.

RMA ARCHITECTS - RMA' (ARCHITECTS, ARCHITECTS, ARCHITECTS, ARCHITECTS)

Where RMA services on a project do not include for site inspections and media surveys, RMA do not warrant that the built value of design is a complete and accurate record of what has been constructed.

Unless stated specifically for the responsible party, changes made on site to RMA design information has not been incorporated in this drawing.

SCALE BAR: 1:200 @A1, 1:400 @A3

0 2 4 6 8 10 12m

Diagram Key

Rev	Date	Description	By	Cr'd
E	17.07.24	ISSUED FOR PERMITS	EW	AM
D	22.05.24	Design Freeze	DT	AM
C	16.05.24	Design Freeze - subject to RMA's confirmation	DT	AM
B	17.02.24	Windows North elevation	DT	AM
A	14.03.24	Updated balcony & brick pans	DT	AM
---	28.01.24	Design Freeze	DT	AM

RM_A

320C Highgate Studios
53-79 Highgate Road, London, NW5 1TL
020 7288 2414, rmaarchitects.co.uk

Project
STROUDLEY WALK

Client
MUSE DEVELOPMENTS

Scale	Date	By	Checked
1:200 @A1	DEC 2019	DT	AM
1:200 @A3			

Drawing Title
Proposed Elevation Block E North and West

Drawing Status
PLANNING

Drawing No: 1799_2130 **Revision:** E



Elevation West

- Notes:
- Do not scale from this drawing and do not reproduce any part of it.
 - All dimensions to be checked on site for accuracy and fit.
 - Form any discrepancies and variations to BIM, AutoCAD.

H&S Notes = "H&S" (Hazard, Risk, Action, Control)



- Where BIM is used as a project or website for the production and on-site control, BIM is not to be used for high pass changes or a complete and accurate record of what has been constructed.
- Unless another specialist is the responsible party, changes made on site to BIM shall be the responsibility of the contractor in the drawing.

SCALE BAR: 1:100 @A4, 1:200 @A3

Diagram Key

Rev	Date	Description	By	Check
1	01/11/20	Updated screen door	JT	AM
2	01/11/20	Updated screen door	JT	AM
3	01/11/20	Updated screen door	JT	AM
4	01/11/20	Updated screen door	JT	AM
5	01/11/20	Updated screen door	JT	AM
6	01/11/20	Updated screen door	JT	AM
7	01/11/20	Updated screen door	JT	AM
8	01/11/20	Updated screen door	JT	AM
9	01/11/20	Updated screen door	JT	AM
10	01/11/20	Updated screen door	JT	AM
11	01/11/20	Updated screen door	JT	AM
12	01/11/20	Updated screen door	JT	AM
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26	01/11/20	Updated screen door	JT	AM
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61	01/11/20	Updated screen door	JT	AM
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63	01/11/20	Updated screen door	JT	AM

RM_A

323C Highgate Station
 53-79 Highgate Road, London, NMS 1TL
 020 7284 3434, rman@rman.co.uk

Project: **STROUDLEY WALK**

Materials Key			
1	Brick 1 - Light buff brick with light buff mortar	11	Opaque glazed panels
2	Brick 2 - Grey Brown Brick with light brown mortar	12	Commercial signage zone
3	Brick 3 - Dark Grey brick with dark grey mortar	13	Light bronze aluminium panel PPC RAL 1019
4	Recessed horizontal brick banding detail - Brick 2	14	Grey aluminium panel PPC RAL 7024
5	Recessed vertical brick banding detail - Brick 2	15	Light grey cladding to lift/stair core RAL 7006
6	Recessed brick panel - Brick 2	16	Bronze aluminium frame detail PPC RAL 7006
7	Rusticated brick coursing detail - Brick 2	17	Aluminium windows and doors PPC RAL 7024
8	Soldier course brick detail - Brick 2	18	Aluminium windows and doors PPC RAL 1019
9		19	Metal louvered service doors PPC RAL 7024
10		20	Metal louvered panels PPC RAL 7024
		21	Metal louvered panels PPC RAL 7024
		22	Painted Entrance Doors
		23	Steel SHS posts PPC RAL 1019
		24	Exposed RWP's RAL 1019
		25	Aluminium canopies above entrances PPC RAL 7006
		26	Balcony balustrade flat bar railings PPC RAL 7024
		27	Balcony balustrade flat bar railings PPC RAL 1019
		28	1.5m Aluminium solid balcony balustrade PPC RAL 1019
		29	1.5m Glass balcony balustrade PPC RAL 1019
		30	1.5m Glass balcony balustrade
		31	1.5m metal privacy screens PPC RAL 1019
		32	Solid metal privacy screens PPC RAL 7024
		33	Aluminium coping PPC RAL 1019
		34	Aluminium coping PPC RAL 7024
		35	2m Metal railings and gates PPC RAL 1019
		36	Full height metal railings and gates PPC RAL 7024
		37	2.1m timber close boarded fence
		38	2m brick garden wall
		39	Steel mesh cycle store enclosure
		40	Light grey louvered enclosure to Plant RAL 7024
		41	2m Glass screens to amenity terraces
		42	Safety Railings
		43	Vertical timber boarding
		44	Bronze steel framed pergola PPC RAL 7006

Client: **MUSE DEVELOPMENTS**

Date	By	Check
18/11/20	AM	JT
19/11/20	AM	JT

Drawing Title: **Proposed Elevation Block D West**

Drawing Status: **PLANNING**

Drawing No: **1799_2120**

Revision: **F**