

Strategic Development Committee

Agenda

Wednesday, 5 April 2023 at 5.30 p.m.
Council Chamber - Town Hall, Whitechapel

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>

Chair:

Councillor Amin Rahman

Vice Chair:

Councillor Gulam Kibria Choudhury

Members:

Councillor Kamrul Hussain, Councillor Abdul Wahid, Councillor Kabir Hussain, Councillor Sabina Akhtar, Councillor Rachel Blake, Councillor Mufeedah Bustin and Councillor Shahaveer Shubo Hussain

Substitute Members:

Councillor James King, Councillor Amina Ali, Councillor Amy Lee, Councillor Suluk Ahmed, Councillor Harun Miah and Councillor Maium Talukdar

(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Monday, 3 April 2023**

The deadline for submitting information for the update report is Noon
Tuesday, 4 April 2023



Contact for further enquiries:

Democratic Services To view the meeting on line:<https://towerhamlets.public-i.tv/core/portal/home>,

Justina.Bridgeman@towerhamlets.gov.uk

Tel: 020 7364 4854

Town Hall, 160 Whitechapel Road, London, E1 1BJ

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



Public Information

Viewing or Participating in Committee Meetings

The meeting will be broadcast live on the Council's website. A link to the website is detailed below. 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 may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

Meeting Webcast

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

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

Electronic agendas reports and minutes.

Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

Agendas are available on the Modern.Gov, Windows, iPad and Android apps



Scan this QR code to view the electronic agenda



A Guide to Development Committee

The role of the Strategic Development Committee is to consider major planning matters, within and exceeding the remit of the Development Committee in terms of size and scale amongst other issues.

The Committee is made up of nine Members of the Council as appointed by Full Council. Political balance rules apply to the Committee.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

Objectors to planning applications and applicants may request to speak at the Strategic Development Committee. If you wish to speak on an application you must contact the Committee Officer listed on the agenda front sheet by 4pm one clear day before the meeting. More information is on the Council's website.

London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 5 April 2023

5.30 p.m.

APOLOGIES FOR ABSENCE

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

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

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

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

2. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 9 - 14)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 23 February 2023.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 15 - 18)

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

5. PLANNING APPLICATIONS FOR DECISION

- 5 .1 **PA/21/02206 Mulberry Place, Town Hall, 5 Clove Crescent, And Lighterman House, 3 Clove Crescent, London, E14 2BG (Republic Masterplan Site) (Pages 25 - 34)**
- 5 .2 **PA/22/00455 Land Under The DLR Bounded By Scouler Street And Aspen Way And Prestage Way, Aspen Way, London (Pages 35 - 90)**
- 5 .3 **PA/22/00591 56 - 58 Marsh Wall, London E14 9TP (Pages 91 - 146)**

Next Meeting of the Strategic Development Committee

Wednesday, 10 May 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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: Janet Fasan, Divisional Director Legal and Interim 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.

23/02/2023

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE
HELD AT 6.30 P.M. ON THURSDAY, 23 FEBRUARY 2023
COUNCIL CHAMBER – TOWN HALL, 160 WHITECHAPEL ROAD,
LONDON E1 1BJ

Members Present:

Councillor Amin Rahman (Chair)

Councillor Kabir Hussain

Councillor Kamrul Hussain

Councillor Gulam Kibria Choudhury

Councillor Abdul Wahid

Councillor Sabina Akhtar

Councillor Shubo Hussain

Councillor Mufeedah Bustin

Councillor Amina Ali*

Officers Present in Person

Paul Buckenham – (Head of Development Management, Planning and Building Control, Place)

Ian Austin – (Principal Planning Lawyer, Legal Services, Governance)

Nelupa Malik – (Principal Planner (East), Planning and Building Control, Place)

Jane Jin – (Team Leader (East), Planning and Building Control, Place)

Carole Martin – (Development Officer, Housing)

Justina Bridgeman – (Democratic Services Officer, Committees)

Apologies:

Councillor Rachel Blake*

23/02/2023

1 DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED that:

The minutes of the sub committee meeting held on 10 January 2022 were approved as a correct record of proceedings.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

RESOLVED that:

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

4. DEFEERED ITEMS

There were none.

5 PLANNING APPLICATIONS FOR DECISION

5.1 Aberfeldy Estate, Phase A, Land to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the south west of Abbott Road. (PA/21/02377)

Paul Buckenham introduced the hybrid planning application to demolish all existing structures and redevelop a number of buildings for mixed uses including; residential, retail, workspace, food and drink use, car and cycle parking, a new pedestrian route via repurposing Abbott Road and a revised underpass.

23/02/2023

Nelupa Malik provided a presentation to accompany the application, which highlighted the key features of the proposal's site and surroundings, the planning history, acceptability of tall buildings, the daylight and sunlight image transport impacts from network changes, heritage, consultation process and strategic infrastructure improvement plans. The Officer's recommendation was to grant planning permission subject to conditions and obligations.

Further to the presentation, the Committee asked questions to the Officers regarding the following issues:

- The closure of the underpass and proposed density of the application. Details were provided on the strategic infrastructure improvement plan to address deficiencies noted.
- Further details on crime, lighting and CCTV within the underpass.
- Clarification on proposing a tall building outside a tall building zone. Details were provided that the underpass revision adheres to the policy and is integral to the proposal.
- Further details on how the PTAL calculations were compiled. Details were provided on the TfL programme and the manual assessment.
- The viability testing of affordable and intermediate housing. Details were provided as to how the London Plan policy informs discount market rents and tenancies.
- Displacement of existing residents.
- Clarification on the open space and play space proposed.
- Details of the finances acquired for the proposal.
- Retail and affordable workspace proposed. Details were provided on the 25% discount offer by the applicant for 15 years exceeding the initial 10% discount for 10 years.
- Daylight and sunlight issues for residents. Details were provided on revisions made to the application to improve the outlook and enhance the quality of environment to the scheme.

The Chair invited Foyso Hussain, Leila Lawal, Abdrhram Hassan and Cllr Iqbal Hussain to address the meeting in objection to the application. They highlighted concerns regarding the following:

- Lack of playground space for children.
- Inadequate affordable housing provision.
- Traffic diversion and disruption.
- Failure to take into account the petition objecting to the proposal.
- The closure and repurpose of the underpass.
- Alleged pressure placed on existing residents by Poplar Harca to agree the proposal.
- The height of the proposed building, including daylight and sunlight impacts.

23/02/2023

The Chair invited Babu Bhattacharjee, Suraiya Begum and a representative of Shakira Choudhury to address the meeting in favour of the application. They highlighted the following benefits:

- Alleviate overcrowding in existing homes.
- The development of 440 new affordable homes, with 220 of those family sized.
- The provision of 51 social rented homes.
- Improved access to local amenities and health and wellbeing by the increase of green open spaces.
- The applicant had participated in community partnerships and were committed to contributing to local employment, skills and training, as part of the scheme.

Following the points raised by the Officers and registered speakers, the Committee debated the application and noted the following:

- Reservations with the Abbott Road underpass justifying a tall building outside the tall buildings zone.
- Concerns regarding inadequate affordable housing provision.
- Concerns that traffic distribution will adversely impact the area.
- Adverse daylight and sunlight impacts.
- Concerns regarding the density of the scheme in relation to the provision of open space and play space.

Paul Buckenham advised the Committee that the applicant may have grounds to appeal on some objections made, primarily traffic distribution, daylight sunlight issues and the schemes density.

The Committee **Adjourned** for a short while, then **Reconvened**.

Councillor Abdul Wahid **moved** and Councillor Shubo Hussain seconded to **REFUSE** the application. On a vote of 0 in favour, 8 against with 1 abstention, it was **RESOLVED** that the planning permission be **REFUSED** at Aberfeldy Estate, Phase A, Land to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the south west of Abbott Road for the following development:

- A hybrid planning application, part detailed for Phase A, part outline for Phase B-D. Demolition of all existing structures and redevelopment to include a number of buildings for mixed uses. This includes; Residential (Class C3), retail, workspace, food and drink uses (Class E), car and cycle parking, landscaping, including open spaces, public realm and a new means of access, associated infrastructure and highway works.

23/02/2023

The reasons for the resolution to refuse are as follows:

- The tall building
- Inadequate affordable Housing provision
- Traffic distribution impacts
- Adverse daylight and sunlight impacts
- The density of the scheme in relation to the provision of open space and play space.

The meeting ended at 9.59pm
Chair, Councillor Amin Rahman
Strategic Development Committee

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

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

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

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

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

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

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

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

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

What can be circulated?

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

How will the applications be considered?

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



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

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

How can I find out about a decision?

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

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

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

Public Information – ‘Accessing and Participating in Remote’ Meetings

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

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

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

Publication of Agenda papers and meeting start time.

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

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

How can I watch the Committee meeting?

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

How can I register to speak?

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

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

(Please note that if you participate at the meeting, you must be able to hear and be heard by the other participants attending remotely).

Where participation through video or audio tools is not possible, please contact the Democratic Services officer by the deadline to discuss the option of:

- Submitting a written statement to be read out at the meeting.

You may also wish to consider whether you could be represented by a Ward Councillor or another spokesperson.

Microsoft Teams:

This is a Microsoft Teams Event. If you are using a Laptop or PC or a mobile device, you may join via the website. Should you require assistance please contact the relevant Democratic Services Officer who will be able to assist you further.

Procedure at the Committee meeting.

Participants (contributors) in the virtual meeting are expected to log in to the meeting in advance of the start time of the meeting, as set out in the guidance that will be provided by the Democratic Services Officer, when you register to speak. This is in order to check the connection. You will be expected to confirm your identity before the meeting starts.

The Chair will formally open the meeting and will introduce themselves and every participant. The Chair will then set out the expected meeting etiquette, including the following:

- When speaking for the first time, participants should state their full name before making a comment.
- To only speak at the invitation of the Chair.
- The method for indicating how to speak.
- If referring to a specific page of the agenda pack, you should mention the page number.
- All participants microphones must be muted when not speaking.
- Where necessary, participants may switch off their cameras when not speaking to save bandwidth.
- Participants **must alert** the Chair/Democratic Services Officer if they experience technical difficulties, particularly a loss of connection, or if they need to leave the meeting, as soon as possible. Where a key participant experiences a loss of connection, the Chair may adjourn the meeting until such a time the participant can re-join the meeting. A key participant is defined as a participant whose continuing contribution to the meeting is vital to allow a decision to be made.

The Chair, following consultation with Democratic Services and the Legal Advisor, may adjourn the virtual meeting for any reason should they consider that it is not appropriate to proceed.

The format for considering each planning application shall, as far as possible, follow the usual format for Strategic and Development Committee Meetings, as detailed below.

- Officers will introduce the item with a brief description, and mention any update report that has been published.
- Officers will present the application supported by a presentation
- Any objectors that have registered to speak to address the Committee, (including Officers reading out any written statements)
- The applicant or any supporters that have registered to speak to address the Committee, (including Officers reading out of any written statements)
- Committee and Non Committee Members that have registered to speak to address the Committee.
- The Committee may ask points of clarification of each speaker.
- The Committee will consider the item (Questions and Debate)
- Voting. At the end of the item, the Chair will ask the Committee to vote on the item. The Chair will ensure that all Members are clear on the recommendations, have heard all of the presentation and submissions. The Chair will conduct a roll call vote, asking each Committee Member to indicate their vote, (for, against, or abstain)
- The Democratic Services Officer will record the votes and confirm the results to the Chair.

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



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

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

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

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

The Local Development Plan and Other Material Considerations

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

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

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

Local Finance Considerations

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

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

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

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

Listed Buildings and Conservation Areas

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

Trees and Natural Environment

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

Crime and Disorder

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

Transport Strategy

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

Equalities and Human Rights

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

Environmental Impact Assessment

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

Third Party Representations

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

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

Daylight, Sunlight and Overshadowing

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

General comments

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



Application for Planning Permission

[click here for case file](#)

Reference	PA/21/02206
Site	Mulberry Place Town Hall, 5 Clove Crescent, And Lighterman House, 3 Clove Crescent, London, E14 2BG (Republic Masterplan Site)
Ward	Poplar
Proposal	Alterations to the Grade II 'East India Dock Boundary Wall' and Grade II 'Embankment Wall, Railings And Steps' to create three new openings to assist pedestrian movement and connectivity, provision of a new accessible lift adjacent to the existing embankment steps, limited conservation led repair.

Summary Recommendation Grant listed building subject to conditions.

Applicant EID (General Partner) LLP

Architect/agent Savills

Case Officer Victoria Coelho

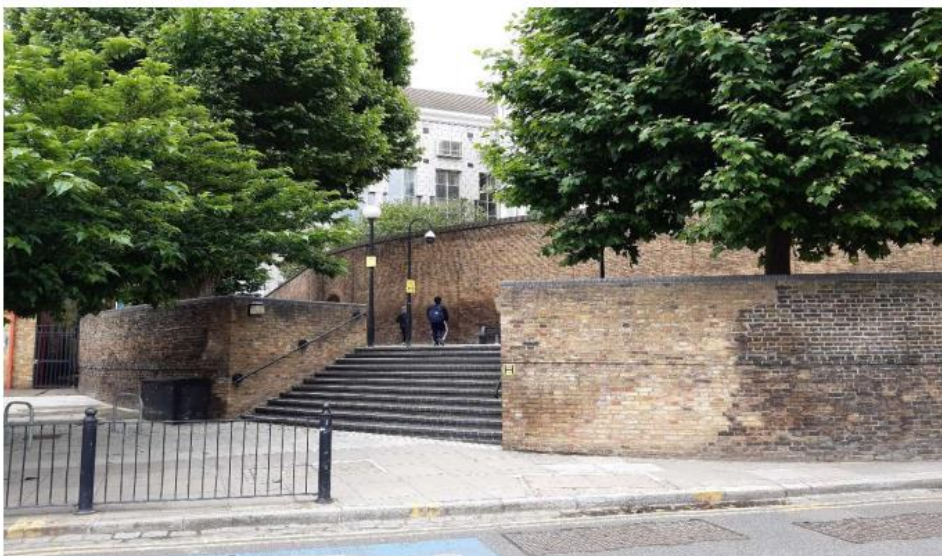
Key dates
- Application registered as valid on 30/09/2021
- Public consultation finished on 21/10/2021

1. BACKGROUND

- 1.1 The application was presented to Strategic Development Committee on 19th October 2022 alongside Planning Application with reference PA/21/02182 for the redevelopment of Mulberry Place and Lighterman House. The committee resolved to refuse the application for planning permission, however no vote was taken to decide the associated Listed Building Consent with the Officer Recommendation to grant permission..
- 1.2 Although this application was reported to the committee as a joint item with the application for planning permission, the works proposed for which Listed Building Consent is sought can be carried out independently to the redevelopment.
- 1.3 The application is being re-referred given a vote was not taken at the previous meeting. The Officer Recommendation remains that Listed Building Consent should be granted, subject to conditions.

2. PROPOSAL

- 2.1 The works comprise the following:
 - Insertion of two new wall openings at the southwest corner of the wall, and one new opening in the northern section, forming new entrances to the Site;
 - Infill of the existing opening at the southwest corner of the wall and of the existing opening at the northern end of the wall with new metal gates;
 - Insertion of a new pedestrian lift adjacent to existing steps at the south westernmost corner of the embankment;
 - Limited conservation-led repair;
- 2.2 The existing openings to the south of the Export Building will be maintained and the opening between them, which has already been infilled, will not be altered. New openings will be constructed in a sympathetic manner to reflect the history of the 200 year old wall by reusing historic bricks where possible.
- 2.3 The intent is to infill the inserted openings with new fixed gates. The contemporary pattern of the new gates is influenced by the Flemish bond pattern of the existing wall, while hinting to the timber planks of historic merchant vessels thereby evoking the maritime past of the area.



The boundary wall and embankment wall seen from the southwest

3. RELEVANT PLANNING HISTORY

3.1 PA/21/02182 – Refused

A hybrid planning application for:

Full planning application for works to include: Demolition of existing buildings and structures and the phased erection of buildings, comprising:

- Residential Build to Rent Homes (Use Class C3); Student Accommodation and ancillary facilities (Sui Generis);
- Flexible Commercial Floorspace (Use Class E); Alterations to the Listed Dock Wall and Dock Gardens to provide new pedestrian connections and improved access;

Alterations to the existing access road; Associated improvements to streets, open spaces, landscaping and public realm; and Provision of car and bicycle parking spaces and servicing spaces and other works incidental to the proposed development.

For the purposes of consultation - The Detailed Phase of the application will include buildings of 30 storeys (102.3 AOD) and 36 storeys (113.7 AOD) delivering 150 Homes and 716 Student Bedrooms.

Outline planning application (all matters reserved) for:

Demolition of existing buildings and structures; The phased erection of buildings for use as a Data Centre (Use Class B8), Flexible Creative Workspace (Use Class E(g)), Community Space (Class F2), and/or a Swimming Pool (Class F2); and associated infrastructure; streets, open spaces, landscaping and public realm; car and bicycle parking spaces and servicing spaces; Utilities including electricity substations; and other works incidental to the proposed development.

4. PUBLICITY AND ENGAGEMENT

4.1 Upon validation, the Council sent out consultation letters to 1924 nearby owners and occupiers on 12th October 2021. Four site notices were displayed near the site on 13th October 2021 and an advert was published in the press on 21st October 2021.

4.2 Representations were received in relation to the application for planning permission with reference PA/21/021862 which were summarised in the associated committee report, however no representations were received in direct relation to this application for listed building consent.

5. CONSULTATION RESPONSES

Historic England

5.1 On the basis of the information submitted, Historic England state that it is not necessary for them to be consulted.

LBTH Heritage & Conservation Officer

5.2 The proposed accessible lift is located in front of the Grade II listed wall (being provide with x3 new openings). Proposals also include raising land levels of gradient adjacent to the existing wall and infilling existing opening with new metal gate. The existing metal gates is to be removed and replaced with updated designs in keeping with the remaining development. The new gate pattern is influenced by the existing brick pattern (Flemish bond) and timber ship planking. Though subtle this can be interpreted and appreciated by users of the public realm and occupants of the development.

5.3 The drawings indicate that the x3 new openings are to be provided with shallow brick arch lintels (using salvaged bricks and colour matched mortar/bond). These are in keeping with the

historic fabric of the wall and the existing openings. It is agreed that 'given that the existing openings are later additions' the infill with new metal gates would result in neutral impact.

- 5.4 Though location of the new access lift being a short distance away from the wall, it is judged not to harm the architectural significance of the wall or steps, and perceived harm outweighed by the public benefit of providing enhanced public benefit via enhanced access to level adjacent to the wall. This would in turn benefit the Naval Row Conservation Area. It is agreed with the summary conclusions within the Heritage Statement concerning the assessment of significance of the various elements of the listed structure, including the summary of impacts being of 'highly localised and proportionally can only amount to a very low order of less than substantial harm when considering the entire asset (para 6.9).'

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:

London Plan

HC1 – Heritage conservation and growth

Local Plan

S.DH1 – Delivering high quality design

S.DH3 – Heritage and the historic environment

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2019)

7. PLANNING ASSESSMENT

- 7.1 The key issues raised by the proposed development are:

- i. Design & Heritage

Design & Heritage

- 7.2 The proposals include alterations to the Grade II listed East India Dock Boundary Wall, to improve pedestrian access and the reconfiguration of the public space along the adjoining embankment, also listed as Grade II, to introduce new landscaping. The application seeks listed building consent for these works.

7.3 The works comprise the provision of three new openings within the wall, which will match the style of the existing openings. These are located to the south to allow more direct access to and from the stairs which lead into the estate. An existing opening will be infilled with reclaimed brick and a decorative gate. A decorative gate will be installed at the existing opening.

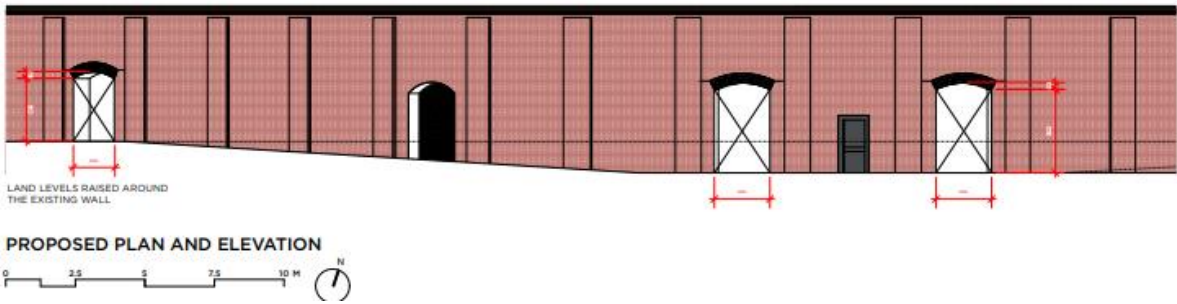


Figure 1 – Proposed Wall Openings

7.4 In addition to the works to the wall openings, an accessible lift is to be installed adjacent to the existing embankment steps, as well as general wall repairs. Repairs will be undertaken to the wall including re-pointing areas which have previously undergone repair using mis-matched cement and bond which is not reflective of the original wall. Furthermore, the 1990's gate that was previously installed will be replaced with one that is more sensitive to the historic setting of the wall.



Figure 2 – Proposed Accessible Lift

- 7.5 The main heritage consideration is whether the proposed alterations to the wall and stairs would at least preserve the significance of the listed structures and preserve or enhance the character or appearance of the Naval Row Conservation Area.
- 7.6 Paragraph 199 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, regardless of whether any potential harm amounts to substantial harm, its total loss or less than substantial harm to its significance. The proposed development would see the retention of the wall as a standalone structure, with limited removal of historic fabric proposed.
- 7.7 Overall, the heritage statement submitted with the application concludes that the proposed development amounts to less than substantial harm to the listed boundary wall and no harm to the other assets including the Conservation Area as a result of the proposals. The Council's heritage officer concurs with the assessment and level of harm attributed to the works.
- 7.7 Paragraph 202 of the NPPF requires a balance in an instance of less than substantial harm to the significance of a designated heritage asset.
- 7.8 The heritage and public benefits of the proposed works include the further appreciation of the heritage asset along with further interaction with the wall, through the proposed openings and new routes through and around the Site; increased accessibility and permeability through the introduction of an accessible lift and conservation-led repair will reverse previous harm and restore the original appearance of the wall and embankment thereby preserving the significance of the assets.
- 7.9 Given the weight that should be afforded to preserving the special interest of the listed structures, it is considered that the proposal results in less than substantial harm to a small portion of the asset would be outweighed by the heritage and public benefits.
- 7.10 Having due and proper regard to the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed works would comply with the relevant London Plan and Local Plan policies and requirements of the National Planning Policy Framework.

8. RECOMMENDATION

- 8.1 That **conditional Listed Building Consent is GRANTED.**
- 8.2 That the Corporate Director of Place is delegated the power to impose conditions to address the following matters:

8.3 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Full details and materials.
4. Sections (1:50) of pedestrian lift and decorative gate

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Drawing No.	Description
217	Existing Dock Wall Elevation 02
216	Existing and Proposed Embankment Steps
215	Proposed Dock Wall Elevation 01
218	Proposed Dock Wall Elevation 02



Application for Planning Permission

[click here for case file](#)

Reference	PA/22/00455
Site	Land Under The DLR Bounded By Scouler Street And Aspen Way And Prestage Way, Aspen Way, London
Ward	Poplar
Proposal	Erection of a part-30, part-20 and part-10 storey building to provide up to 169 residential units, eight workspace units, new bus loop/stand, new youth play area, and public realm works.

Summary Recommendation Grant conditional planning permission subject to S106 agreement.

Applicant Naval Row Freehold Limited

Architect/agent Centro Planning

Case Officer Victoria Coelho

Key dates

- Application registered as valid on 17th March 2022
- Public consultation finished on 9th May 2022
- Amendments received on 14th February 2023

EXECUTIVE SUMMARY

The application comprises the erection of a part-30, part-20, part-10 storey building to provide 169 residential units. The scheme also includes 8 office space units (use class E) beneath the DLR viaduct, landscaping, the delivery of a large multi-functional youth play space and the provision of a bus loop through the site.

The proposal would 'drop in' to the 2012 Blackwall Reach Masterplan, replacing Blocks P and Q within Phase 4, whilst seeking to integrate seamlessly with the infrastructure and road network within the existing and emerging context.

In terms of land use, the principle of residential accommodation in this location has been established via the outline application (PA/12/00001) for the Masterplan. The scheme will deliver 169 residential units comprising 69 x 1 bed flats, 72 x 2 bed flats and 28 3 x bed flats. 35.9% of the total units would be for affordable housing based on habitable rooms, providing a tenure split of 75%/25% between Affordable Rent and Intermediate. This equates to 39 Affordable Rented units and 13 Intermediate units.

The provision of a large, high quality, youth play area will contribute positively towards the renewal of the area and will integrate with the obligations of Blackwall Reach, Phase 4. Similarly, the landscaping and regeneration of the existing car-park and removal of hot food takeaway pods is a considerable public benefit and will enhance legibility, safety and urban design within the locality.

The height, massing and design are considered to respond appropriately to its context within a Tall Building Zone and the Opportunity Area, while not resulting in harmful impacts on heritage assets in the locality.

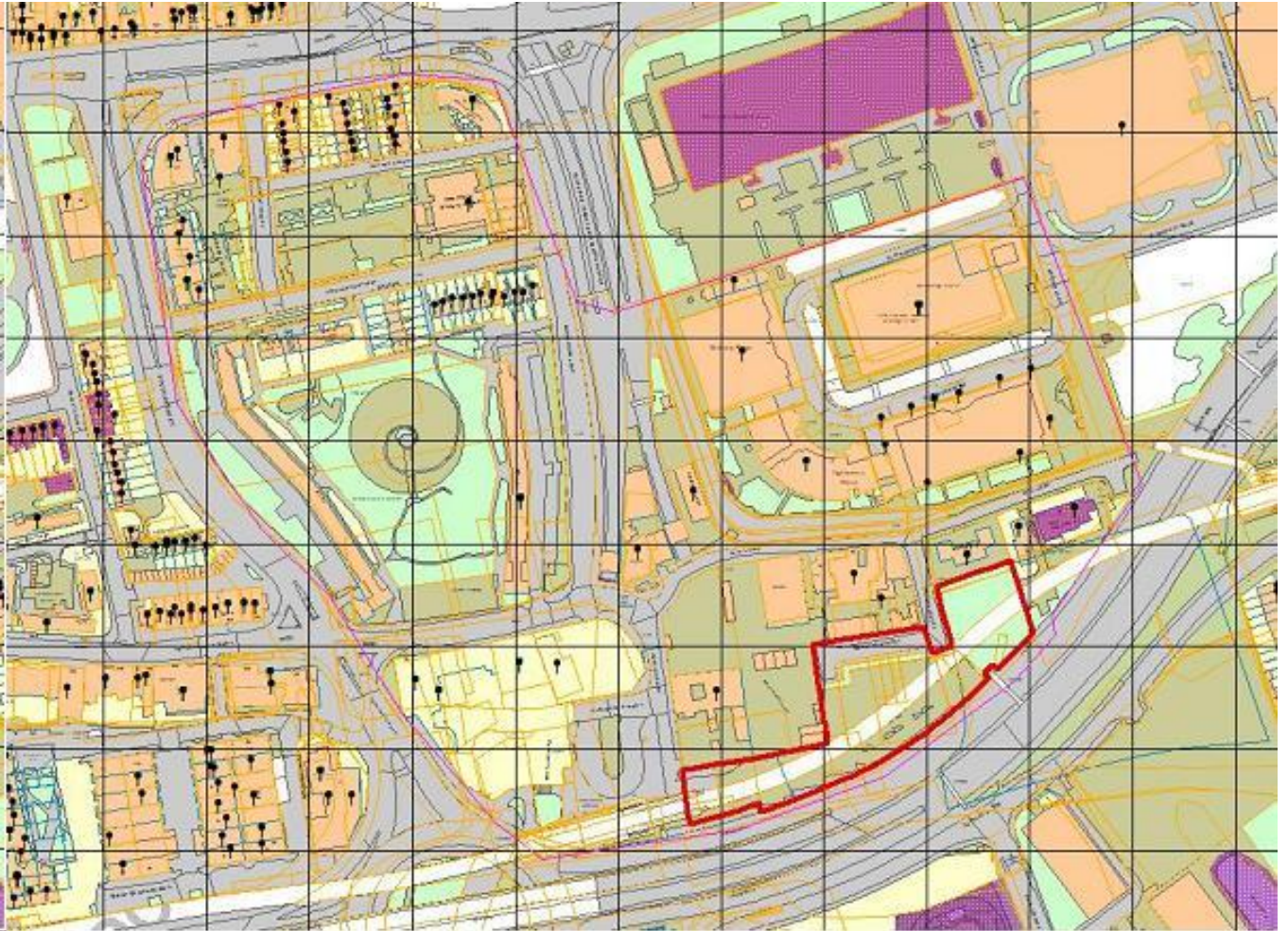
The impacts with regard to daylight and sunlight of existing residential accommodation is minor, with daylight and sunlight impacts to the envelopes of the consented parameter blocks of the Blackwall Reach Masterplan considered acceptable given the context and public benefits provided by the scheme.

Highway improvement works, and a new bus loop and associated operational infrastructure have been developed in consultation with Transport for London, the GLA and Borough Highways Officers and will be provided within the proposal and secured in perpetuity by way of S106 legal agreement.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements, with a substantive carbon offset contribution to be secured within the S106.

Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements, with the comprehensive landscaping of the site positively contributing towards ecology.

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



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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/22/00455

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



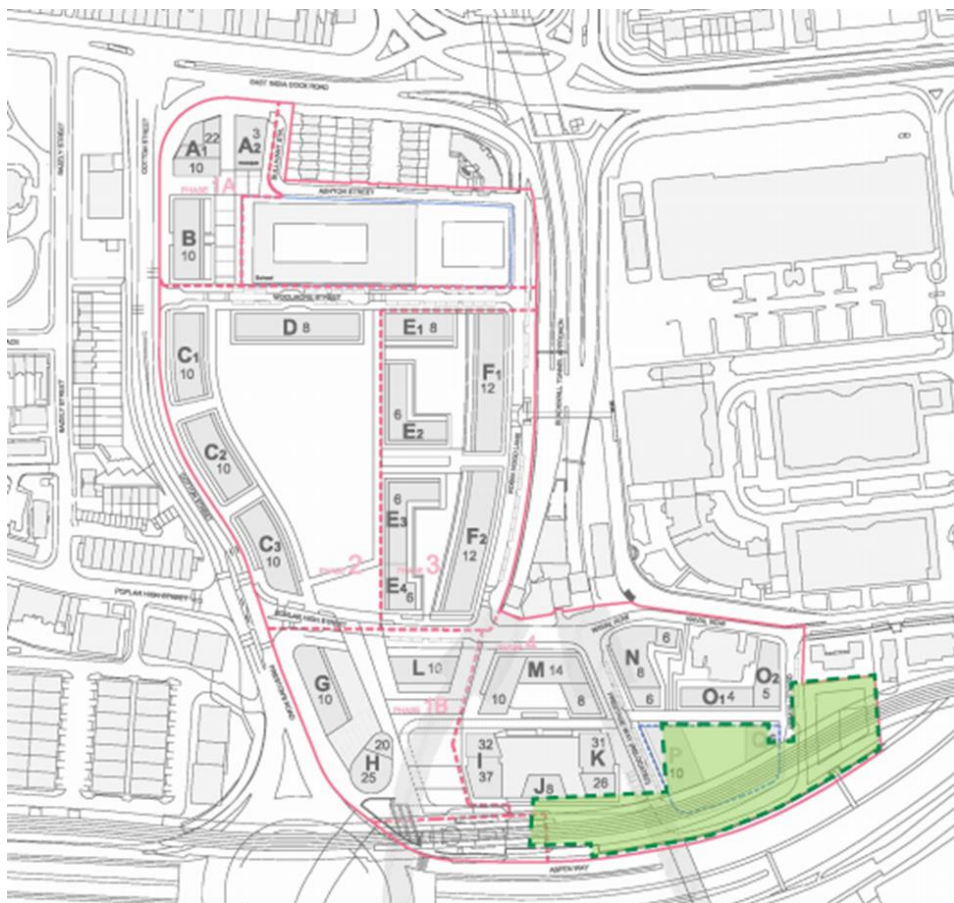
**London Borough
of Tower Hamlets**

Scale : 50m grid squares

Date: 28 March 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site relates to land under and immediately surrounding the elevated Docklands Light Railway (DLR) track. The site is approximately 0.65 hectares in size and is predominantly in use as a pay and display carpark bounded by Prestage Way, Scouler Street, Quixley Street and Aspen Way, an eight lane freeway, to the south. A part of the site also operates and accommodates modular hot food takeaway container buildings which benefit from temporary planning consent. An open section of the eastern periphery of the site comprises heavily overgrown vegetation with no public access.
- 1.3 The site is heavily constrained due to the elevated section of DLR track connecting Blackwall and East India stations, running through the site and includes a portion of heavily vegetated land to the east of the site which abuts the boundary of nos. 32 – 62 Naval Row.
- 1.4 The prevailing character of the area is a mix of low density residential to the immediate north along Aspen Way, and larger scale commercial uses, education establishments and data centre campus within the site known as the Republic Estate. To the south of Aspen Way is a cluster of tall buildings comprising of mixed use residential development at New Providence Wharf which includes Ontario Tower and Charrington Tower, as well as a large scale data centre.
- 1.5 The application site lies on the periphery of the Poplar High Street Neighbourhood Centre and the Naval Row Conservation Area in fairly close proximity to the Grade II listed East India Dock Pumping Station. Notably, it is also located centrally within the Blackwall Tall Building Cluster and a part of Phase 4 of the consented Blackwall Reach Masterplan area pursuant to planning permission with reference PA/12/00001; the details of which are examined in the below sections.



Blackwall Reach Master Plan Area (application site in Green)

- 1.6 Due to its proximity immediately adjacent to Blackwall DLR station, and in close proximity to the associated bus services, the application site has a good PTAL rating of 4 which rises to 5

at the immediate periphery of the site. The site has access to Cycle Superhighway 3 (Barking to Tower Hill) via Naval Row, and 19 hire cycles at the junction of Prestage Way and Naval Row.

1.7 The application site is located within both the Lower Lea Valley and the Isle of Dogs and South Poplar Opportunity Areas, highlighting the strategic importance as a location with the potential for delivery of new housing, jobs, and infrastructure of all types.

1.8 The site is located within an Archaeological Priority Area, and Flood Zones 2/3.



2. PROPOSAL

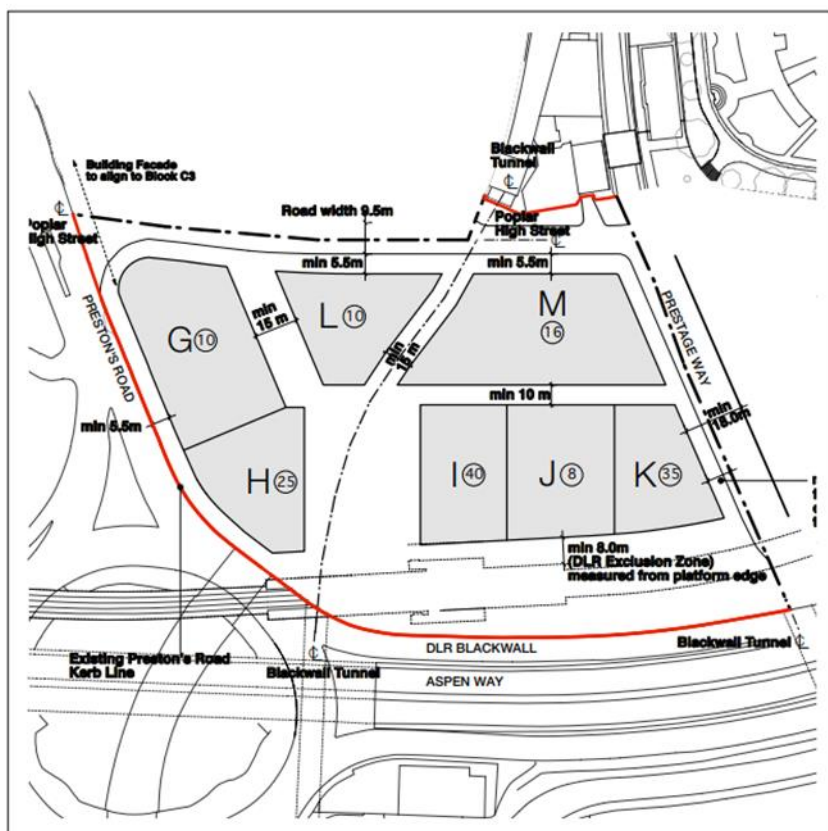
2.1 The application proposes the redevelopment of the site and the erection of a part-30, part-20 and part-10 storey building to provide 169 residential units, eight workspace units, a new bus loop/stand, a new youth play area, and public realm works. The development also includes the redevelopment of land beneath the DLR viaduct to include landscaping, public realm, youth play and the provision of a new bus loop linking into the Blackwall Reach Masterplan.

2.2 The application site overlaps part of the Blackwall Reach Masterplan area, a large scale residential led redevelopment secured by an Outline Planning Permission granted in 2012. Phases 1a, 1b, have been delivered, Phase 2 is currently being constructed and Phase 3 is to be built with the Reserve Matters application approved, however the final Phase, Phase 4 was subject to an unsuccessful Compulsory Purchase order (CPO) in 2015. As such, the proposed development would replace Blocks P and Q of this Phase with the ambition of the development to continue to bring forward the infrastructure requirements of this phase – particularly the bus loop and youth play area.

2.3 The development will slot in with the proposed arrangement of Phase 4 to the Outline consent, including the realignments of Scouler Street and Prestage Way and the redirection of the bus service along a new carriageway beneath the DLR viaduct. The proposal seeks to ensure that the remainder of Phase 4 can continue to be brought forward in absence of the application site, while ensuring the public benefits remain secured.

2.4 Due to the desire to create a development which integrates seamlessly with the Outline consent while ensuring a workable solution prior and following the build out of entire Phase 4, the proposed development will have interim and 'final' landscaping and highways arrangements. This deals with the site conditions prior to and following the realignment of Prestage Way to facilitate the new bus loop and the high density residential blocks of Phase

4 delivered at Blocks I, J and K while not prejudicing the delivery of the remaining housing blocks of the Phase.



- 2.5 The only pedestrian access at present is accessed via Prestage Way, which acts as the primary access for the private carpark and kitchen pods which occupy the bulk of the site at present. Due to the private operation of the kitchen pods and car park, the site is largely fenced in from all other frontages, despite having immediate access to Scouler and Quixley Streets to its northern boundary. As part of the proposal the site will be opened up, significantly increasing the pedestrian permeability through this area. Vehicle and pedestrian access will be managed through Scouler and Quixley Streets, as well as Prestage Way in the interim.
- 2.6 The development will be serviced from Scouler Street in both the interim and final highways arrangement, while buses will be rerouted along the proposed new carriageway beneath the viaduct in both arrangements. Bus stands will be installed within the red line boundary of the site in the interim arrangements, before being shifted onto the newly realigned Prestage Way in the final configuration.
- 2.7 In addition to the residential use provided on site, a small number of flexible and small scale commercial units will be provided at the interface to Aspen Way beneath the viaduct in order to enhance the vitality of the regenerated carpark landscaping.
- 2.8 The proposed youth play area will be linked by way of soft and hard landscaping, and delivers on the ambitions of the Outline consent which sought to incorporate active play at this location for use by future occupants. The nature of this play space is intended as an active youth space, with various sports accommodated including basketball, badminton and table tennis. In total, the development contributes the majority of the site towards landscape enhancement and play facilities.

3. RELEVANT PLANNING HISTORY

- 3.1 PA/19/02292 – Permitted 05/02/2021 Erection of 342-room, part-24 part-17 storey, apart-hotel (C1 Use Class), eight workspace units (B1 Use Class), new bus loop/stand, new youth play area, and public realm works
- 3.2 PA/17/03211 – Permitted 13/07/2018 Erection of nine Class B1c ‘commercial kitchen’ pod units, together with three ancillary pod units for storage and distribution, on a temporary basis for 3 years.
- 3.3 PA/16/03605 – Permitted 28/11/2016 Erection of seven Class B1c commercial kitchen pod units (on a temporary basis for 18 months)
- 3.4 PA/16/02913 – Permitted 05/09/2017 Submission of details pursuant to condition J1 (reprovision of multi-use games area) of planning permission PA/12/00001 dated 30/03/2012 Blackwall Reach Outline Consent
- 3.5 PA/12/00001 – Permitted 30/03/2012 Outline application for alterations to and demolition of existing buildings, site clearance and ground works and redevelopment to provide:
- Up to 1,575 residential units (up to 191,510 sq.m GEA - Use Class C3);
 - Up to 1,710 sq.m (GEA) of retail floorspace (Use Class A1-A5);
 - Up to 900 sq.m of office floorspace (Use Class B1);
 - Up to 500 sq. m community floorspace (Use Class D1);
 - Replacement school (up to 4,500 sq.m GEA - Use Class D1);
 - Replacement faith building (up to 1,200 sq.m - Use Class D1)

The application also proposes an energy centre (up to 750 sq.m GEA); associated plant and servicing; provision of open space, landscaping works and ancillary drainage; car parking (up to 340 spaces in designated surface, podium, semibasement and basement areas plus on-street); and alterations to and creation of new vehicular and pedestrian access routes. 8 All matters associated with details of appearance, landscaping, layout and scale and (save for the matters of detail submitted in respect of certain highway routes, works and/or improvements for the use by vehicles, cyclists and pedestrians as set out in the Development Specification and Details of Access Report) access are reserved for future determination and within the parameters set out in the Parameter Plans and Parameter Statements

4. PUBLICITY AND ENGAGEMENT

- 4.1 A total of 604 planning notification letters were sent to nearby properties on 26/03/2022. Site notices were displayed around the site on 13/04/2022 and a press notice was advertised on 14/04/2022. In response, no representations were received.
- 4.2 The applicant carried out pre-application consultation and engagement with the public and key stakeholders. This is detailed in full within the Statement of Community Involvement.
- 4.3 The applicants consultation included community newsletters sent to 2,026 surrounding residents and businesses, an online webinar and in-person event.

5. CONSULTATION RESPONSES

EXTERNAL

Canal and River Trust

- 5.1 No comments to make.

Crime Prevention Design Officer

5.2 No comments to date.

Crossrail Safeguarding

5.3 No comments to make.

Docklands Light Railway

5.4 No objection in principle, subject to conditions.

Environment Agency

5.5 No objection.

Greater London Authority

5.6 Land use principles: The residential-led mixed use development on this site is compliant with strategic land use principles within the Opportunity Area, and the intent of the original Blackwall Reach masterplan, and is supported.

5.7 Housing/affordable housing: The proposed affordable housing provision of 36% affordable housing by habitable room split 70% affordable rent and 30% shared ownership is eligible for the Fast-Track Route subject to confirmation and securing of affordability levels and early review mechanism.

5.8 Urban design and heritage: The tall building is proposed in a location identified as suitable, and subject to addressing the environmental impacts, the height and scale could be acceptable. No harm is considered to be caused to the setting and significance of the surrounding conservation areas and listed buildings.

5.9 Transport: On-going discussion is required between the applicant and GLA officers to secure details relating to the necessary impact assessment and protective provisions for the Blackwall Tunnel and DLR, which the site sits above and adjacent to respectively, in line with London Plan policy T3(B). Details regarding the design and operation of the bus stands and loop, alongside interface with the wider Blackwall Reach regeneration area. Conditions and obligations to ensure the timely delivery of transport infrastructure and protection of assets.

Historic England

5.10 No comments to make.

Historic England (GLAAS)

5.11 No objection subject to a two stage archaeological condition.

HSE (Planning Gateway One)

5.12 Some concern, the application relates to a development of a very tall building, with a height of 90 m. The proposed building contains a single staircase representing the escape stair as well as the firefighting stair.

Officer comment: The application has subsequently been amended to include 2 staircases.

Isle of Dogs Neighbourhood Planning Forum

5.13 No comments to date.

London City Airport

5.14 No objection subject to a condition to secure crane and scaffolding construction methodology.

National Air Traffic Services

5.15 No safeguarding objection.

Thames Water

- 5.16 No objection in relation to waste water capacity. Recommended condition ensure development doesn't outpace the delivery of essential infrastructure.

INTERNAL

Biodiversity

- 5.17 The application site contains areas of scrub and tall ruderal vegetation. While not high value habitats, these will provide habitat for common birds and invertebrates, and their loss will be a minor adverse impact on biodiversity. The scrub is likely to support nesting birds, and should be cleared outside the nesting season, or a survey for nesting birds must be conducted immediately before clearance. This should be secured by a condition.
- 5.18 The landscape proposals are clearly biodiversity-led, and include native woodland-style planting, wildflower meadows and species-rich lawns, all of which will contribute to LBAP targets. The ornamental planting includes an excellent diversity of nectar-rich perennials, climbers and shrubs. Biodiverse roofs are proposed, though it is not clear from the plans the area of biodiverse roof. Log piles, insect boxes and bird nest boxes are also proposed. Overall, these features will ensure a net gain in biodiversity, as required by D.ES3. Full details of the biodiversity enhancements should be subject to a condition.

Energy & Sustainability

- 5.19 We offset the emissions left after application of lean/clean/green measures, which in this case is 52.1 tonnes CO₂. Carbon offset contribution = 52.1(tonnes/CO₂) x 95 (£/t/CO₂) x 30(years) = £148,485

5.20 Environmental Health (Air Quality)

- 5.21 Recommended conditions relating to the follow;
- Dust Management Plan and PM10 Monitoring
 - Air Quality Neutral Assessment
 - Air Quality Standards for Boilers
 - Air Quality Mechanical Ventilation

Environmental Health (Contamination)

- 5.22 No objection, subject to conditions.

Environmental Health (Noise)

- 5.23 No objection subject to conditions relating to noise insulation verification report for new residential units and restriction of demolition and construction activities.

Surface Water Run Off

- 5.24 No comments.

Transport and Highways

- 5.25 No comments.

Waste

- 5.26 No comments.

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 2021 (LP)
- Tower Hamlets Local Plan 2031

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

London Plan

GG1 – Building strong and inclusive communities
GG2 – Making the best use of land
GG3 – Creating a healthy city
GG4 – Delivering the homes Londoners need
GG5 – Growing a good economy
GG6 – Increasing efficiency and resilience
SD1 – Opportunity areas
D1 – London’s form, character and capacity for growth
D2 – Infrastructure requirements for sustainable densities
D3 – Optimising site capacity through the design-led approach
D4 – Delivering good design
D5 – Good design
D6 – Housing quality and standards
D7 - Accessible housing
D8 – Public realm
D9 – Tall buildings
D11 – Safety, security and resilience to emergency
D12 – Fire safety
D14 – Noise
H1 – Increasing housing supply
H4 – Delivering affordable housing
H5 – Threshold approach to applications
H6 – Affordable housing tenure
H10 – Housing size mix
S1 – Developing London’s social infrastructure
S4 – Play and informal recreation
E11 – Skills and opportunities for all
HC1 – Heritage conservation and growth
HC3 – Strategic and local views
G1 – Green infrastructure
G4 – Open space
G5 – Urban greening
G6 – Biodiversity and access to nature
SI1 – Improving air quality
SI2 – Minimising greenhouse gas emissions
SI7 – Reducing waste and the circular economy
SI12 – Flood risk management
T1 – Strategic approach to transport
T2 – Healthy streets
T3 – Transport capacity, connectivity and safeguarding
T4 – Assessing and mitigating transport impacts
T5 – Cycling
T6 – Car parking
T7 – Deliveries, servicing and construction
DF1 – Delivery of the plan and planning obligations

Local Plan

S.SG1 – Areas of growth and opportunity within Tower Hamlets
 S.SG2 – Delivering sustainable growth in Tower Hamlets
 D.SG3 – Health Impact Assessments
 D.SG4 – Planning and construction of new developments
 D.SG5 – Developer contributions
 S.DH1 – Delivering high quality design
 D.DH2 – Attractive streets, spaces and public realm
 S.DH3 – Heritage and the historic environment
 D.DH4 – Shaping and managing views
 D.DH6 – Tall buildings
 D.DH8 – Amenity
 S.H1 – Meeting housing need
 D.H2 – Affordable housing and housing mix
 D.H3 – Housing standards and quality
 S.OWS1 – Creating a network of opens spaces
 D.OWS3 – Open space and the green grid network
 S.ES1 – Protecting and enhancing our environment
 D.ES2 – Air Quality
 D.ES3 – Urban greening and biodiversity
 D.ES4 – Flood risk
 D.ES5 – Sustainable drainage
 D.ES6 – Sustainable water and waste management
 D.ES7 – A zero carbon borough
 D.ES8 – Contaminated land and storage of hazardous substances
 D.ES9 – Noise and vibration
 D.ES10 – Overheating
 S.MW1 – Managing our waste
 D.MW3 – Waste collection facilities in new development
 S.TR1 – Sustainable travel
 D.TR2 – Impacts on the transport network
 D.TR3 – Parking and permit free
 D.TR4 – Sustainable servicing and delivery.

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2019)
- GLA Housing SPG (updated 2017)
- GLA Affordable Housing and Viability SPG (2017)
- GLA Play & Informal Recreation SPG (2012)
- GLA Accessible London SPG
- GLA Planning for Equality and Diversity in London SPG
- Isle of Dogs and South Poplar OAPF
- GLA London View Management framework SPG (2021)
- LBTH High Density Living SPD (2020)
- LBTH Community Infrastructure Levey (CIL) Charging Schedule (2020)
- LBTH Planning Obligations SPD (2021)
- LBTH Reuse, Recycling and Waste SPD (2021)
- Building Research Establishment (BRE) “Site layout planning for daylight and sunlight: a guide to good practice” (2011)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

7.2 The main issues to consider in terms of land use are listed below;

- The principle of development
- The acceptability of the loss of the Naval Row NCP Car Park.
- The acceptability of the proposed land uses: Residential (C3) and Commercial (B1)

Principle of Development

7.3 The National Planning Policy Framework ('NPPF') promotes a presumption in favour of sustainable development through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environmental benefits. Planning policies and decisions should promote the effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.4 Objective GG2 of the London Plan outlines that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites.

7.5 Policy SD1 of the London Plan identifies the Isle of Dogs and South Poplar as a designated Opportunity Area. The London Plan recognises Opportunity Areas as being the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. The policy expects development proposals within Opportunity Areas to amongst other things, support wider regeneration, maximise the delivery of affordable housing, support the creation of employment opportunities and the creation of mixed and inclusive communities and integrate development proposals to the surrounding areas for regeneration.

7.6 The Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) was formally adopted in September 2019. The OAPF establishes a plan for delivering housing and jobs through good growth in the OAPF area which benefits all residents and delivers improved links between existing and future communities and identifies that the Isle of Dogs Opportunity Area is capable of delivering 31,000 new homes and 110,000 new jobs up to 2041.

7.7 The Tower Hamlets Local Plan 2031 (the Local Plan) identifies that the application site lies within 'Sub-area 4: Isle of Dogs and South Poplar'. The overarching vision for this sub-area is that by 2031, the Isle of Dogs and South Poplar will have a cohesive mix of housing, employment and leisure uses within distinctive, inclusive and vibrant neighbourhoods, which have a strong sense of place.

- 7.8 It should be noted that land acquisition through Compulsory Purchase Order (CPO) in 2015 required to comprehensively deliver Phase 4 of the 2012 Blackwall Reach Outline Consent was unsuccessful, meaning that the Phase remains in fragmented land ownership. While the 2012 Masterplan is a live permission, no Reserved Matters have been submitted or approved with regard to Phase 4 in the intervening 8 years post-consent, and it is noted that due to the constraints of land ownership the applicant for the subject application cannot bring forward either of the consented Blocks P or Q in isolation.
- 7.9 The proposed residential development would align with the land use aspirations of the Opportunity Area and contribute towards the growth of the area is supported in principle subject to all other relevant material planning considerations addressed throughout. It should also be noted that the application site benefits from planning permission for a hotel use (Council's ref: PA/19/02292) and therefore, the re-introduction of residential use on this site would optimise the growth for this opportunity area.
- 7.10 Given the above, this application would serve to 'drop in' to the Blackwall Reach Outline Consent.

Loss of Car Parking

- 7.11 The loss of the NCP Car Park has been established through the previous consents on site.
- 7.12 The reduction of the quantum of car parking on site is supported and contributes towards encouraging sustainable travel. In terms of land use, the loss of parking is acceptable and consistent with policies S.TR1 of the Local Plan.



7.13 Proposed Land Uses

Residential C3 Use

- 7.14 The NPPF seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive and mixed communities. Paragraph 119 of the NPPF specifically sends a core message to ensure that previously developed land (brownfield land) is effectively reused in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Chapter 11, paragraph 120, part c) of the NPPF emphasises

that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 7.15 The London Plan emphasises that there is a pressing need for more homes in London and that providing a range of high quality, well-designed, accessible homes is important to delivering Good Growth, ensuring that London remains a mixed and inclusive place in which people have a choice about where to live. Strategic objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development, must, amongst other things, under part (c) create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.
- 7.16 Policy H1 of the London Plan sets a ten-year target for net housing completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) new homes between 2019/2020 and 2028/2029.
- 7.17 At the local level, Policy S.H1 of the Local Plan commits to securing delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.18 As the site falls within an Opportunity Area whereby growth is expected to be accelerated. The Opportunity Area Planning Framework establishes a plan for delivering housing and jobs through Good Growth in the Isle of Dogs and South Poplar which benefits all residents and delivers improved links between existing and future communities. Given the principle of residential accommodation in this location has been established through the Blackwall Reach Masterplan, the re-introduction of a residential use is deemed appropriate. The provision of 169 dwellings of which 52 would be affordable would positively contribute to the Borough's housing stock, noting that there is an acute local and national demand for housing.

Commercial 'E(g)' Use

- 7.19 The application includes the provision of eight flexible workspaces, comprising of 'container units' along the periphery of the site at its interface with Aspen Way which total 220sqm of Class E use.
- 7.20 With regard to Policy, D.EMP2 of the Tower Hamlets Local Plan encourages the development of new employment space within designated employment locations, Tower Hamlets Activity Areas and identified site allocations. Where outside these designated areas, new employment floorspace must meet a series of tests as below:
- a) it can be demonstrated that there is a reasonable prospect of occupancy
 - b) the employment use would contribute towards integrated place making
 - c) the area forms part of a cluster of similar employment uses, or
 - d) the employment space is being provided as part of a temporary use
- 7.21 It is noted that while the site was located within the Blackwall Reach Site Allocation within the now superseded Tower Hamlets Managing Development Document (2013), this Site Allocation is no longer designated within the Tower Hamlets Local Plan.
- 7.22 While the site is located at the very periphery of the Poplar High Street Neighbourhood Centre and Blackwall Local Employment Location (LEL), it is noted that the application site therefore falls outside of a designated employment centre and as such is subject to the above tests.
- 7.23 It is expected by virtue of their scale and nature that the office 'pods' would provide an opportunity for small and medium enterprise (SME) and start-up businesses which will benefit from the adjacency to short stay accommodation.
- 7.24 It is noted that the Blackwall LEL seeks to provide "smaller units suitable for small-to-medium enterprises". With regard to this, it is considered that while on the outside periphery of the LEL

it would contribute towards this location aspiration. It is expected that due to the small scale and flexible nature of the office pods that it would foster local start-ups and small businesses within the Borough.

- 7.25 With regard to place making, it is considered that further activation and footfall beneath the DLR viaduct will enhance the vibrancy of the area and contribute towards the successful regeneration of a site with considerable anti-social behaviour pressures.
- 7.26 On balance it is considered the flexible workspaces within the development will contribute towards place making within the locality, and will complement the proposed and delivered uses within the Blackwall Reach Masterplan and the Blackwall LEL in accordance with the aims of part 3 to D.EMP2.

Housing

- 7.27 Development Plan policies set minimum housing targets for Tower Hamlets and seek to ensure the amount of housing is optimised on all sites where it is appropriate.
- 7.28 The proposed development would deliver 169 residential units. As such, the proposed development would contribute to the Council's housing targets which is considered to be a benefit of the scheme.
- 7.29 Had Blocks P & Q of the Blackwall Reach Masterplan been delivered, it would have been expected to provide 74 residential units. The Outline consent sets the maximum quantum of residential floorspace that can be delivered by the Masterplan at 191,510sqm GEA or 1,575 units whichever is greater. Although this scheme would provide more residential units than originally envisaged for Blocks P & Q, there is some flexibility in the unit numbers that can be provided overall, as the ES which accompanied the outline consent equated the maximum GEA to approx. 1,700 units overall.
- 7.30 The additional units provided, would not prejudice the delivery of the remaining parts of Phase 4 of the Masterplan.
- 7.31

Dwelling Mix

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

		Market Housing			Intermediate			Affordable Rent		
Unit Size	Total Units	Units	Policy Target %	As a %	Units	Policy Target %	As a %	Units	Policy Target %	As a %
1-bed	69	64	30	54.7	2	15	15.4	3	25	7.7
2-bed	72	49	50	41.9	5	40	38.5	18	30	46.2
3-bed	28	4	20	3.4	6	45	46.1	18	30	46.2

4-bed	0	0			0			0	15	0
Total	169	117	100%	100%	13	100%	100%	39	100%	100%

- 7.35 With regards to the Market housing mix, there would be an over provision of the policy target of 30% for 1 bed units at 54.7%. There would be an under provision of 2 bed units at 45% against a policy target of 50% and an under provision of 3-bed and 4-bed units at 3.4%. The applicant has sought to justify the under provision through the over provision of family sized units within the intermediate and affordable rented tenures.
- 7.36 In the intermediate tenure, there would be a nominal overall provision of 1 bed units; 15.4% against a target of 15% (+0.4%), a marginal under provision of 2-bed units (-1.5%) provision 38.5% against a policy target of 40% and an over provision of 3-bed units (+1.1%) providing 46.1% against a policy target of 45%.
- 7.37 In the affordable rented tenure, whilst the scheme under provides in terms of 1 bed units, there will be an over-provision of both 2-bed and 3-bed units with both being provided at a quantum of 46.2% against a policy target of 30%.
- 7.38 The unit mix of the scheme is broadly in compliance with the requirements of the Local Plan. The deviations from policy in relation to the larger units in the market tenure is acknowledged, however taking into consideration the mix as a whole, for which there is an acute local need, these shortfalls are considered acceptable and the housing mix overall is supported.

Affordable Housing

- 7.39 Policy H4 of the London Plan sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. To secure greater security of affordable housing delivery, Policy H4 requires major developments which trigger affordable housing requirements to provide affordable housing through the 'threshold approach' to applications.
- 7.40 Policy H5 of the London Plan and The Mayor of London's Affordable Housing and Viability SPG (August 2017) sets out the 'threshold approach' to applications, whereby the approach to viability information depends on the level of affordable housing being provided. Applications for schemes that (a) meet or exceed 35% or 50% (on public land) affordable housing provision without public subsidy, (b) provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the relevant borough and the Mayor and (c), have sought to increase the level of affordable housing beyond 35% or 50% by accessing grant are not required to submit viability information.
- 7.41 Schemes that follow this approach are deemed to be eligible for the 'Fast Track' route and are expected to be subject to an early viability review, but this is normally only triggered if an agreed level of implementation is not made within two years of planning permission being granted.
- 7.42 Policy H6 of the London Plan under Part A establishes the split of affordable products that should be expected from proposals for residential development. It can be summarised from Part A (1-3) as a minimum of 30 per cent low-cost rented homes, a minimum of 30 per cent Intermediate products and the remaining 40 per cent to be determined by the Borough as low-cost rented homes or Intermediate product based on identified needs. The policy also reiterates that Part A must be met to qualify for the 'Fast Track' route.
- 7.43 At the local level, Policy S.H1 of the Local Plan requires developments to contribute towards the creation of mixed and balanced communities that respond to local and strategic need by amongst other things:
- Under Part 2(a), setting an overall target for 50% of all new homes to be affordable.
 - Under Part 2(a) (iii), requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more residential units (subject to viability).

- 7.44 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable rooms.
- 7.45 The scheme provides 487 habitable rooms in total (169 units) of which 175 habitable rooms (52 units) would be affordable representing 35.9% (30.7% based on units) with the remaining 312 habitable rooms being for market sale representing 64.1% and as such meets the policy requirement to provide at least 35% affordable housing provision on site.
- 7.46 The tenure split of the affordable housing would be 75%:25% in favour of Affordable Rented units (132 habitable rooms/39 units) to Intermediate (43 habitable rooms/13 units) and therefore broadly provides a policy compliant tenure split in the affordable element albeit with a +5% weighting towards affordable rent against the policy requirement of 70/30. The detailed affordable housing breakdown is set out in the table below;

	Tower Hamlets Living Rent Units	London Affordable Rent Units	Intermediate	Total
1 Bed (2hab)	0	3	2	5
2 Bed (3hab)	6	12	5	23
3 Bed (4hab)	12	6	6	24
Total Units	18	21	13	52
Total Habitable Rooms	66	66	43	175

- 7.47 In line with Policies S.H1 and D.H2 of the Local Plan, the Affordable Rented units would be split 50:50 between London Affordable Rent and Tower Hamlets Living Rent. The rent levels for the products are set out below:

<u>Number of Bed Rooms</u>	<u>London Affordable Rent (LAR)22/23 Published by the GLA £per week</u>	<u>Tower Hamlets Living Rent (THLR) 22/23 (Inclusive of service charges) £per week</u>
1 Bed	£168.34	£232.10
2Bed	£178.23	£255.31
3Bed	£188.13	£278.52
4Bed	£198.03	£301.73
5Bed	£207.92	£313.34

- 7.48 The proposal is considered to be eligible for the 'Fast Track' route and thus the submission of a Financial Viability Appraisal is not required in this instance. The S106 legal agreement will secure that an early-stage review will be triggered if an agreed level of progress on implementation is not made within 2 years of the permission being issued.
- 7.49 In conclusion, the affordable housing provision is welcomed and supported by Officers and the proposal is therefore considered to provide a policy compliant level of affordable housing contributing to the Borough's much needed affordable housing stock consistent with the requirements of Local Plan and national planning policy.

STANDARD OF ACCOMODATION

- 7.50 The Greater London Authority's (GLA) Supplementary Planning Guidance (SPG) for Housing sets a clear priority to improve the quality of housing standards. In this regard the SPG aims to ensure the delivery of new housing across all tenures is fit for purpose in the long term comfortable, safe, accessible, environmentally sustainable, and spacious enough to accommodate the changing needs of occupants throughout their lifetimes. As such the Housing SPG provides focused guidance and sets specific standards with regards to how places are shaped and designed including public, private and communal open space,

children’s play and recreation space, the design of entrances and approach to entrances, frontages to developments, accessible housing, internal and external layout, number of units per core and circulation space amongst other things.

- 7.51 London Plan Policy D6 sets the expected minimum internal space required within new dwellings, across all tenures. It sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights. The standards seeks to ensure that amongst other things new homes have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners without differentiating between tenures.
- 7.52 The above targets are reflected at the local level by Policy D.H3 of the Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan. Policy D.H3 also requires that affordable housing should not be externally distinguishable in quality from private housing.
- 7.53 The proposal provides separate entrance lobbies for different tenures as a result of the need to keep service charges for Affordable Rented units at reasonable levels. However, the proposal has been designed to ensure that the entrances to both tenures are designed appropriately with a decent sized lobby and accessed off public realm. Whilst a single and shared entrance lobby for all the residential units would be preferred, on balance the quality of the entrances are at an acceptable level and offer a sense of arrival for the residents accessing them.

Minimum Space Standards

- 7.54 Both local and regional policy, in addition to the guidance set out in the London housing SPG, sets out minimum space standards for new residential units. All residential units are required to have a minimum floor to ceiling height of 2.3m.
- 7.55 The minimum space standards (GIA) that new residential accommodation is expected to meet are set out in the table below:

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings
1b	1p	39 (37)
	2p	50
2b	3p	61
	4p	70
3b	4p	74
	5p	86
	6p	95

- 7.56 All of the proposed residential units meeting the minimum space standards.
- 7.57 Standard 29 of the London Housing SPG also seeks the minimisation of single aspect dwellings. It further states that single aspect dwellings that are north facing, or which contain three or more bedrooms, should be avoided. The scheme will provide 85% dual aspect units, with no north facing single aspect units. It is also noted that the single aspect units are limited to 1-bedroom units. The amount of dual aspect units has been maximised and as such this is considered acceptable.

- 7.58 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If it is in the form of balconies they should have a minimum width of 1500mm. All units across all tenures benefit from winter gardens, flexible sheltered balcony spaces, to provide private amenity space.
- 7.59 Standard 12 of the London Housing SPG requires new residential development to have a maximum of 8 units per core. The scheme meets the standards in this regard.

Accessible Housing

- 7.60 Policy D7 of the London Plan requires residential developments to provide at least 10% per cent of dwellings which meet M4(3) (wheelchair user dwellings) and all other dwellings (up to 90%) which meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: Access to and use of buildings.
- 7.61 Policy D.H3 of the Local Plan requires the same provision as London Plan policy however, supporting paragraph 9.44 clarifies that all 'wheelchair user dwellings' in the Affordable Rented tenure should meet M4(3)(2)(b), i.e., built to fully accessible standards and capable for immediate occupation rather than adaptable for wheelchair users.
- 7.62 All proposed homes would meet the 'accessible and adaptable dwellings' standard and 10% of homes (17 units) would meet the 'wheelchair user dwellings' standard. The scheme provides 9 x 2 bed units and 3 x 3 bed units in the affordable tenure, 2 x 2 bed and 2 x 3 bed in the intermediate tenure and 1 x 2 bed in the market tenure. The dwellings are located across levels 1 to 10 and whilst it is recognised that the Local Plan has a preference for wheelchair user dwellings to be provided below the fifth floor, it is noted that the affordable wheelchair user dwellings have been prioritised on the lower floors, the buildings provides at least 3 lifts per floor as a safeguard in the event that one lift fails to function.

Communal Amenity Space and Child Play Space

Communal Amenity Space

- 7.63 Policy D.H3 (Part C) of the Local Plan requires that for major developments (10 residential units or more) communal amenity space should be provided. The provision should be calculated based on 50sqm for the first 10 units with an additional 1sqm for every additional unit thereafter. The proposal is therefore required to provide 209sqm of communal amenity space.
- 7.64 The development proposes two communal roof terraces, and ground floor internal amenity space. The combined area of the spaces totals 512m² which is in excess of the policy target.



7.65 In addition to the amenity space within the building, residents will have access to the wider public realm and landscaping within the site, which further enhances the amenity space available for residents.

Child Play Space

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

7.67 At a local level, Policy D.H3 requires major development to provide a minimum of 10sqm of high-quality play space for each child. The child yield should be determined by the Tower Hamlets Child Yield Calculator. The Child Yield Calculator predicts that the development would yield 72 children.

7.68 The Child Yield requires the development to provide 716sqm of play space. Child play space will be provided within both of the rooftop amenity areas, as well as noting the delivery of the multifunctional play area provided on site which totals 1,789m². Whilst it is noted that the primary function of the MUGA is to ensure the delivery of the aspirations of the Blackwall Reach Masterplan, it will also provide sufficient space for all surrounding families and residents.

7.69 Overall, the child play space provision is acceptable. Full details of the rooftop play areas and MUGA will be secured via condition.



Daylight & Sunlight for Proposed Development

7.70 Policy D.DH8 of the Local Plan seeks to ensure that amongst other things, adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development are achieved. The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF) and No Sky Line (NSL).

7.71 BRE guidance specifies ADF target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. Modern developments within urban locations typically contain combined kitchen/diners or a combination of kitchen/diner/living room areas. The principle use of a room designed in such a manner is as a living room and accordingly it would be reasonable to apply a target of 1.5% to such rooms. This approach is accepted by the BRE guidelines provided that kitchens are directly linked to a well-lit space.

7.72 With regard to the assessment of sunlight, the BRE guidance states that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probable sunlight hours (APSH), including at least 5% annual probable sunlight hours in the winter months (WPSH) between 21 September and 21 March.

7.73 Where sunlight levels fall below the suggested level, a comparison with the existing condition is reviewed and if the ratio reduction is within 0.8 (equivalent to a 20% reduction) of its former value or the reduction in sunlight received over the whole year is 4% or less, then the sunlight loss will not be noticeable. It is also important to note that BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. The guidelines further state that kitchens and bedrooms are less important in the context of considering sunlight, although care should be taken not to block too much sun.

- 7.74 The Applicant has submitted an Internal Daylight and Sunlight report prepared by CPMC chartered surveyors. The assessment has been reviewed independently by Delva Patman Redler (DPR).

Assessment of Daylight/Sunlight against BRE Guidance

- 7.75 The assessment of the proposed dwellings have been assessed using ADF, NSL and RDC tests. RDC refers to the Room Depth Criterion; where it has access to daylight from windows on one wall only, the depth of a room can become a factor in determining the quantity of light within it. BRE guidance provides a simple method of examining the ratio of room depth to the window area.
- 7.76 Daylight and Sunlight to the proposed dwellings have been assessed from level 2 to 9. A total of 176 rooms have been analysed of which 64 are main living rooms and 112 are bedrooms.
- 7.77 DPR have confirmed that the approach to the assessment methodology is appropriate and commented in response to CMPC's modelling of only the lower floors of the development that the compliance level with the guidelines is quite high based solely on the effects to the lowest floors. The overall percentage of dwellings that meet the guidelines, when considered against all floors would be similar given the levels of daylight and sunlight would generally improve as you get higher in a building.
- 7.78 It is noted that the use of light finishes and the surface reflectance assumptions mean the ADF results are best-case values. If the developer delivers units with darker finishes, more of the rooms will not achieve the minimum recommended ADF levels.
- 7.79 The results of the assessment show that 122 (90%) of the 176 habitable rooms will satisfy or exceed the minimum recommended ADF targets. In terms of NSL targets 129 of 176 (95%) will meet the recommended guidance and in terms of RDC, all habitable residential rooms will meet the recommended guidance.

Assessment of Sunlight/Overshadowing to Amenity Areas

- 7.80 The assessment of sunlight and overshadowing to the amenity areas within the development has been undertaken in accordance with the BRE guideline '2 hours sun on ground' test, on 21 March (Spring Equinox). The BRE guidelines recommend that at least 50% of the amenity area should receive at least 2 hours of sunlight on 21 March.
- 7.81 The applicant has assessed the two roof terraces proposed within the scheme for sun on ground and confirms that both areas comfortably meet the two-hour sun on ground criteria.

Conclusions on Daylight/Sunlight for Proposed Development

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

DESIGN

- 7.84 Chapter 12 of the NPPF attaches great importance to achieving well-designed places. Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.85 Chapter 3 of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces. Policies D1-D9 of the London Plan collectively emphasises the expectation for high-quality design in all developments.

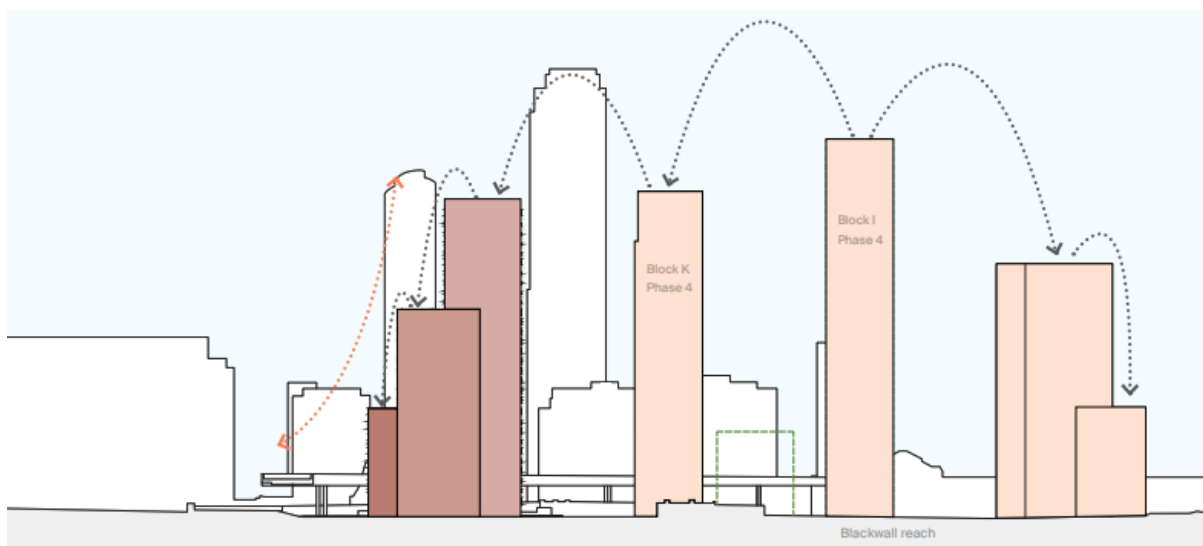
- 7.86 Specifically, Policy D1, Part B(3) of the London Plan requires Boroughs to advocate the design-led approach by establishing acceptable building heights, scale, massing, and indicative layouts for allocated sites and, where appropriate, the amount of floorspace that should be provided for different land uses. Policy D3, Part A states that the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. Part D(1) of the policy goes on to require that in relation to form and layout, development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance, and shape, having regard to existing and emerging street hierarchy, building types, forms and proportions.
- 7.87 At the local level, Policy S.DH1 of the Local Plan echoes strategic objectives and requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.88 Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability, and legibility across the Borough.
- 7.89 Policy D.DH4 of the Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.

Height, Scale and Massing

- 7.90 Policy D9 of the London Plan is specific to tall buildings and sets a number of criteria against which tall buildings should be assessed. Policy D9 directs development proposals to address visual (long, mid and immediate views, spatial hierarchy and legibility, architectural quality, protection of heritage assets, water spaces, visual glare and light pollution), functional (construction, servicing, access, transport network, economic outputs, the protection of the aviation and telecommunications industry) and environmental impacts (wind, daylight, sunlight, enjoyment of water spaces, air and noise pollution) and any cumulative impacts.
- 7.91 Policy D.DH6 of the Local Plan sets out the criteria for assessing the appropriateness of a tall building. Part 1 of the policy set out a series of stringent design and spatial criteria which tall buildings must adhere to whilst Part 2 of the policy directs tall buildings towards the designated Tall Building ones (TBZ).
- 7.92 The application site sits centrally within the Blackwall Tall Building Zone, which is described within Policy D.DH6 as requiring proposals to step down in height towards the edge of the cluster and to remain subservient to the Canary Wharf Tall Building Zone. The application proposes a part-30, part-20, part-10 storey building and measures a maximum of 98m AOD which is defined as a tall building in accordance with the Local Plan.



- 7.93 The consented and built form context in which the development sits is typified by tall buildings. Notably the recently constructed Blocks H, G and L of Blackwall Reach Phase 1b consist of a 25-storey block and two 10-storey blocks to Poplar High Street. More centrally within the cluster sit Blocks I, K, M and J of the consented Phase 4 of Blackwall Reach which represent the tallest elements of the Outline Masterplan with upper levels of 37, 31, 14 and 8 storeys allowed by the parameter plans.
- 7.94 The proposal is located to the east of the proposed buildings K and I, the proposal mirrors the stepped massing approach established along the western boundary of the masterplan and builds in scale towards the high point. This also ensures that a step down in height towards the Canary Wharf Tall Building Zone is maintained.



Appearance and Materials

Tower

- 7.95 The architecture of the building is defined by three volumes of 30, 20 and 10 storeys. The façade includes the integration of balconies and winter gardens through stacked horizontal bands. Variations in the width of banding and balcony design creates a vertical layering of different 'zones' of the building.
- 7.96 The wintergardens and balconies are integrated in the overall elevational design. These align with the brick banding, stepping in and out from the primary facade face. Wintergardens are enclosed with aluminium frame windows to create a weather-tight enclosure. Balcony balustrades are formed from coloured metal uprights and on some levels integrate a planting trough as part of the overall aspiration to improving biodiversity and wellbeing on the site.
- 7.97 The brick banding is located at every floor, varying in height across the building sections. This defines the primary building colour and material appearance which, in turn, expresses the residential use of the site.
- 7.98 Metal infill panels are set between window openings and provide a contrasting material both in lightness and reflectivity to the primary brick band. A perforation or folding pattern on the panels adds texture to these light coloured facade elements.



- 7.99 It is considered the palette and materiality will ensure the proposal reads as an identifiable and distinct contribution to the Tall Building Zone and skyline around Blackwall DLR.

- 7.100 The design of the lower levels of the proposal, at its intersection with the public realm and landscaping, are considered of critical importance in the success of the building given its site context and layout.
- 7.101 The siting of the building ensures that the development will benefit from 3 frontages, which will eventually extend to 4 once the rest of Blackwall Reach Phase 4 is built out. The primary access to the site is anticipated to be from Prestage Way and Blackwall DLR, beneath the viaduct. As such, the lower level treatment is considered particularly important given the future 360 degree frontage of the site.
- 7.102



Office Pods

- 7.103 Set to the southern boundary of the site, and providing visual screening and acoustic amelioration to Aspen Way, the office pods serve an important design role within the scheme.
- 7.104 The eight office pods are arranged in two groups of five and three, with an interlocking stacked design as highlighted below. In appearance terms, the pods will look similar to that of shipping containers and are designed internally to provide flexibility to small and medium enterprises and are described within the submitted Planning Statement as supporting local start-ups.
- 7.105 The appearance would be similar to that of other in-situ shipping container developments, with the most notably example being that of Boxpark Shoreditch and Brixton. The detailed design of these pods will be secured by condition, but it is anticipated their external finishes could provide flexibility and vibrancy within the landscape while fulfilling a practical role in visually and acoustically screening the impacts of Aspen Way which abuts the site to the south.
- 7.106 The office pods will also serve to provide much needed passive surveillance in an area which at present is subject to anti-social behaviour. The activation these pods will provide within the landscaping will be crucial, and will further increase the footfall from the Blackwall DLR, to the considerable benefit of the scheme.

7.107 Vertical elements are included within the container units, which will provide wayfinding for the site beneath the DLR viaduct. The final detailed design of these containers will be secured by condition upon consent.

Landscaping

7.108 The proposed landscaping represents a significant public benefit within the scheme, as does the associated child play space at the eastern periphery of the application site. The scheme seeks to integrate as closely as possible with the aspirations of the Blackwall Reach Outline Consent, and provides for both an interim and long term landscaping arrangement which safeguards infrastructure delivery such as the proposed bus loop through Phase 4 and the site while providing for a high quality public realm and urban design response in the intervening period.

7.109 In addition to the regeneration of an underutilised carpark space beneath the elevated DLR viaduct, the scheme accommodates critical infrastructure associated with Phase 4 of the Blackwall Reach Masterplan in order to seamlessly 'slot in' with the final development.

7.110 The provision within the landscaping schemes for the site include an immediate 'interim' layout (as below) which will be in place until such a time as the balance of Phase 4 is brought forward and the re-alignment of Prestage Way. This interim scheme will provide for a bus-loop through the site.



7.111 In supplementing this bus loop, the public realm beneath the viaduct and around the proposed development will be revitalised with hard and soft landscaping and a robust lighting strategy to create a vibrant enhancement of an underutilised and area typified by anti-social behaviour. The landscaping will comprise of a series of 'character areas' moving from the DLR connection at the west, through the central public plaza and onwards to the play area. Each area will be characterised by hard and soft landscaping defining each area.

7.112 It is noted that at this point of the DLR viaduct it benefits from an atypically high separation distance from the ground, which will allow for generous sunlighting from the south to support the soft landscaping.

- 7.113 The viaduct space will incorporate public seating, and passive amenity spaces within it, particularly notable at the western edge of the scheme at the entrance from the Blackwall DLR station. A meandering path will provide wayfinding west to east to provide an intuitive guidance towards the active youth play space at the eastern periphery of the site.
- 7.114 It is noted that within the scope of this application the proposed enhancement works to Scouler Street, which are identified within Phase 4 of the Blackwall Reach Masterplan, are to be brought forward and delivered by the applicant within this permission, to be secured by way of s.106 obligation. These enhancements include resurfacing Scouler Street and shifting the carriageway to the north, removal of the northern footway and retention of the two mature large canopy trees.
- 7.115 The 'long term' arrangement is designed to accommodate the final realignment of Prestage Way once Phase 4 has been completed. This arrangement ensures the reinstatement of landscaping and treatments to the western entrance to the site, and provides an even greater level of public enjoyment due to the partial removal of the carriageway at this location.



- 7.116 In addition to the landscaping of the carpark space, the scheme will deliver a large multifunctional youth play space at the eastern edge of the site. The play space contribution seeks to address the allocation of the space within the Outline Consent for an active play area. Notwithstanding the desire to accommodate a MUGA at this location, due to the siting of viaduct pylons it is not possible to deliver a full sized pitch.
- 7.117 As with the delivery of the bus loop the provision of a child play space at this location has no grounds in policy requirements for a hotel scheme and instead continues to ensure that the application site is able to 'slot in' to Phase 4 as successfully as possible through delivering the latent infrastructure requirements within the site.
- 7.118 The child play space will address a significant shortfall of active play in the locality, and is targeted at upper ages from 12 and above. These age grounds require more active provision within open space, and this will be accommodated through basketball, table tennis and badminton courts within the landscaped play area. The play area will be heavily landscaping,

particularly at the interface with Aspen Way, and will provide passive and active functions to a high standard.

- 7.119 It is noted that the site is constrained by a considerable slope in the land which rises from approx. 3m at the southern entrance of the development to 4.85m at the middle of the child play site. To ensure accessibility for all users the play space will be ramped from beneath the viaduct up to the child play area as well as the inclusion of stepped access from Quixley Street.
- 7.120 As noted earlier, the generous elevation of the DLR tracks above the site allows for considerable planting beneath it as highlighted in the below image of the multifunctional play area. The plantings will allow for a green screening to the adjacent neighbours at Naval Row as well as to Aspen Way providing for visual and acoustic amelioration to these interfaces.
- 7.121 The landscaping enhancements across the site contribute towards an Urban Greening Factor of 0.42, which exceeds the target score of 0.4 for residential developments within London Plan Policy G5 and serves to highlight the contribution the scheme makes towards regenerating the existing viaduct underpass.
- 7.122 The proposed landscaping within the scheme, and multifunctional play space, are considered significant public benefits and serve to directly accommodate critical infrastructure as identified within the Blackwall Reach Masterplan. The proposed bus loop will provide interim and long term arrangements for bus services, and have been designed in collaboration with TFL officers, while the youth play area will address a deficit in the locality and achieve the ambitions of the Outline Consent.

Safety and Security

- 7.123 The proposal will act to enhance safety and security in the locality which at present due to the site's recessed nature beneath the DLR viaduct, limited activation as a private car-park, and its immediate proximity to the elevated Blackwall DLR station has resulted in anti-social behaviour concerns in the locality.
- 7.124 The new landscaping and various enhancements to the car-park will dramatically increase footfall associated with both the residential and office uses on site, as will the relocation of the bus stands within the site boundary.
- 7.125 The site will remain active with passive surveillance; including the use of the multifunctional play area to the east of the site. Enhancements to lighting will be crucial in ensuring the site remains safe, and a final lighting strategy will be conditioned and consulted with Metropolitan Police, as will Secure by Design Accreditation.

Fire Safety

- 7.126 Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12(A) which supports policy D12 and sets out what information that is required to be included and submitted as part of any planning application. .
- 7.127 The application has been accompanied by a Fire Report which details how the development would achieve the highest standards of fire safety, including details of fire safety systems, means of escape, internal fire spread, external fire spread, access and facilities for firefighting and fire safety management.

- 7.128 The GLA and the Health and Safety Executive have both reviewed the proposal and the submitted Fire Report and find it to be satisfactory. A condition is recommended requiring the development to be implemented in accordance with the submitted Fire Report.

Conclusion

- 7.129 In conclusion, the scale, form, massing and height of the proposed building is acceptable. The proposed buildings in detailed form are of high-quality design, with an appropriate palette of materials, strong architectural expression and would provide a positive contribution to the skyline and townscape. The proposal would not have a detrimental impact strategic or local views the proposal therefore accords with relevant Local Plan and National policies on matters concerning design and townscape.

HERITAGE

- 7.130 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on decision-makers, when considering granting planning permission for development which would affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act places a similar duty and requires that in the exercise of planning functions, with respect to any buildings or other land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.131 The NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the NPPF emphasises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be).
- 7.132 Policy HC1 of the London Plan requires amongst other things, development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy HC2 of the London Plan requires amongst other things, that development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, and enhance their Outstanding Universal Value (OUV), including the authenticity, integrity, and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes.
- 7.133 At the local level in Policy S.DH3 of the Local Plan requires proposals to preserve or, where appropriate, enhance the Borough's designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough's 24 places. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.
- 7.134 Policy S.DH5 of the Local Plan requires developments to ensure that it safeguards and does not have a detrimental impact upon the OUV of the UNESCO world heritage sites: The Tower of London and Maritime Greenwich, including their settings and buffer zones. Proposals affecting the wider setting of the Tower of London and Maritime Greenwich or those impinging upon strategic or other significant views to or from these sites will be required to demonstrate how they will conserve and enhance the outstanding universal value of the world heritage sites.

Strategic Views

7.135 The Heritage, Townscape and Visual Impact Assessment (HTVIA) as submitted in support of the application includes 22 verified views (as below) which consider the likely significant effects of the proposed development on a number of representative townscape views.



7.136 The submitted AVRs confirm that the height of the development, particularly when considered within the cumulative scenarios, do not create an unreasonable impact on townscape views with regard to its height. As described in the earlier sections, the height is considered proportionate to its role in a Tall Building Zone, and Opportunity Area, amongst other tall buildings.

7.137 It is considered that the impact to the setting of All Saints Church is limited, with its appearance in the background to its setting not considered harmful to its significance as a listed asset. Similarly, it is considered that a tall building set within the backdrop to both the listed East India Dock Boundary Wall and Naval Row Pumping House does not detract from their setting or significance to an unreasonable degree.

Naval Row Conservation Area

7.138 The application site sits in close proximity to the Naval Row Conservation Area, and will feature prominently in the backdrop to both the Conservation Area itself and the Grade II Listed Naval Row Pumping House located at 66 Naval Row. It is noted that the built form of the tower will be set back approximately 30m from the Conservation Area itself.



- 7.139 In understanding the schemes impact on the Naval Row Conservation Area in particular, it is noted that the special quality of the Conservation Area is described within the supporting text of its Management Plan is generated by the “surviving structures associated with the historic port and shipbuilding activities of the 19th Century”. Within the appraisal it is noted that it does not consider the inclusion of contemporary buildings within the background as a risk to be considered in preserving the special character of the CA.
- 7.140 Policy S.DH3 places the onus on developers to ensure that proposals must preserve, or where possible, enhance the Borough’s designated and non-designated heritage assets in a manner appropriate to their significance. It is noted that the Naval Row Conservation Area is a particularly modest Conservation Area which preserves a collection of interesting and characterful maritime and naval heritage assets including the Dock Wall and Pumping House.
- 7.141 It is noted that tall and contemporary buildings now provide a backdrop to the Conservation Area, with the New Providence Wharf’s Charrington Tower and Blackwall Reach Phase 1b forming part of this contemporary background to the Conservation Area. These contemporary buildings do not unacceptably compromise the setting of the building, and it is considered that this proposal would preserve the special quality of the Conservation Area which is rooted in the varied collection of maritime buildings along Naval Row.

7.142 Furthermore, it is considered that when viewed in a cumulative sense that the application site does not detract any further from the setting of the Conservation Area than that of the consented blocks of I, J and K as seen in the below image.



7.143 In summary, it is considered that while the building will contribute towards a collection of buildings within the backdrop to the Naval Row Conservation, it's siting, height and massing does not detract from the significance or setting of the Conservation Area due to the defined significance of the CA being found within the collection of buildings itself.

Archaeology

7.144 Development plan policies require measures to identify, record, project, and where appropriate present the site's archaeology. The application site is located within an Archaeological Priority Area, and it is acknowledged within the submitted Archaeological Assessment that the site has a high potential for prehistoric cultural remains.

7.145 The site is located on the archaeologically-productive edge between what was once the higher, drier ground to the north and the Thames floodplain to the south. T

7.146 There is a similarity in elevation and situation to the Yabsley St neolithic burial site (the "Blackwall Lady") to this site. Yabsley St and the Waste Transfer site were likely to have been either an island south of the shoreline, where this site was in prehistory, or at the southern end of a narrow isthmus linking with the western end of Naval Row and Poplar High St to the north. That north south line was a raised isthmus in the historical period, when it was named Blackwall Causeway.

7.147 The palaeo-environmental assessment from site is pessimistic, but the results on the site's situation indicates a potential for prehistoric and later cultural remains, and so fieldwork is appropriate. Quixley St is the former northern entrance to Blackwall Yard and the site itself formed part of that historically important shipyard.

7.148 Within the immediate context of the site, a complementary heritage offer is now being planned at the Reuters site to the south which also lay within Blackwall Yard and at the Leamouth Esso petrol station site to the east as well, which will provide increased public benefit and amenity

along the Thames path and the Lea. There is scope for some beneficial connections to be made in the public realm of all three sites.

- 7.149 GLAAS advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that they consider 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.
- 7.150 NPPF paragraphs 190 and 197 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities
- 7.151 GLAAS advisors have requested two conditions be placed on consent to secure a written scheme of investigation and implementation of a scheme of public heritage for the benefit and education of site users. Both conditions are recommended to be tied to this consent.

AMENITY

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

Daylight and Sunlight

- 7.155 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.156 The application was submitted prior to the publication of the updated Building Research Establishment (BRE) daylight and sunlight guidance. The assessment has been carried out in accordance with BRE 2011 guidance, which was in place at the time of validation, as required by the Council's Local Validation Requirements and the supporting text to Local Plan policy D.DH8.
- 7.157 The applicant has submitted a Daylight and Sunlight Assessment of the scheme, undertaken by CMCP. The Assessment has been independently reviewed on behalf of the Council by Delve Patman Redler (DPR).
- 7.158 For calculating daylight to neighbouring properties affected by the proposed development, the BRE guidance contains two tests which measure diffuse daylight (light received from the sun which has been diffused through the sky). These tests measure whether buildings maintain most of the daylight they currently received. Test 1 is the vertical sky component (VSC) which

is the percentage of the sky visible from the centre of a window. Test 2 is the No Sky Line (NSL)/Daylight Distribution (DD) assessment which measures the distribution of daylight at the 'working plane' within a room where internal room layouts are known or can be reasonably assumed.

- 7.159 In respect of VSC, daylight may be adversely affected if after a development the VSC measured at the centre of an existing main window is both less than 27% and less than 0.8 times its former value. The assessment is calculated from the centre of a window on the outward face and measures the amount of light available on a vertical wall or window following the introduction of visible barriers, such as buildings.
- 7.160 In terms of the NSL calculation, daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. The 'working plane' is a horizontal plane 0.85m above the Finished Floor Level for residential properties.
- 7.161 The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south. Sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between 21 September and 21 March, receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

Blackwall Reach

Block K

- 7.162 Of the 145 test areas considered, all areas would experience VSC values within 2% of the extant consent as filed under PA/19/02292 and/or meet the BRE target value of 27%. This demonstrates that when compared to the extant consent that the current proposals result in some minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

Block M

- 7.163 Of the 72 test areas considered, all areas would experience VSC values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target value of 27%. This demonstrates that when compared to the extant consent that the current proposals result in some very minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

Block N

- 7.164 Of the 80 test areas considered, all areas would experience VSC values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target value of 27%. This demonstrates that when compared to the extant consent that the current proposals result in some very minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

Block O1

- 7.165 16 of the 28 test areas considered would experience VSC values within 2% of the extant consent as filed under PA/19/02292. The remaining 12 areas would experience VSC values which are no more than 7% from the extant consent figures. Given this block is outline at present, the additional impacts are acceptable given the unknown location of the final scheme window positions.

Block O2

- 7.166 All 10 test areas considered would experience VSC values within 5% of the extant consent as filed under PA/19/02292. Given this block is outline at present, it is considered that the

additional impacts could be acceptable given the unknown location of the final scheme window positions.

Naval House

- 7.167 All rooms and windows considered would experience VSC and NSL values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target values for VSC of 27% and 80% for NSL. This demonstrates that when compared to the extant consent that the current proposals result in some very minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

62-64 Naval Row (Romney House)

- 7.168 All rooms and windows considered would experience VSC and NSL values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target values for VSC of 27% and 80% for NSL. This demonstrates that when compared to the extant consent that the current proposals result in some very minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

The Steamship Public House

- 7.169 All six of the windows considered would experience VSC values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target values for VSC of 27%. In NSL terms, all rooms experience values within 6% of the extant consent. This demonstrates that when compared to the extant consent that the current proposals result in some minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

26 Naval Row

- 7.170 All 24 windows considered would experience VSC values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target values for VSC of 27%. In NSL terms, all rooms experience values within 12% of the extant consent. This demonstrates that when compared to the extant consent that the current proposals result in some minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

Blackwall Yard

- 7.171 All rooms and windows considered would experience VSC and NSL values within 1% of the extant consent as filed under PA/19/02292 and/or meet the BRE target values for VSC of 27% and 80% for NSL. This demonstrates that when compared to the extant consent that the current proposals result in some very minor additional impacts over and above what was consented however it is not considered that these additional effects are material in nature.

Daylight and Sunlight Conclusions

- 7.172 The impact of the scheme with regards to daylight and sunlight impacts to existing and consented residential development is complex and varied in scale. While it is considered broadly that the impacts to existing residential properties along Naval Row would be predominantly minor or negligible, the impacts to the consented parameter blocks of the Outline Consent are more severe.
- 7.173 In considering these impacts, weight has been given to the age of the 2012 consent and to the fragmented land ownership which remains unresolved since the unsuccessful CPO in 2015. Further to this, significant weight has been given to the capacity for the most significantly impacted blocks, particularly Block O1, to configure itself to mitigate or minimize these impacts during a future Reserved Matters submission. It is difficult to clearly identify the impacts in great detail lieu of any internal details or residential configuration.
- 7.174 It is also acknowledged that the arrangement of Blocks P and Q impacted some parameter blocks, notably Blocks K, O2 and the southern elevation of N, more significantly than the proposed scheme. Some weight has also been described to what have been considered as

acceptable impacts elsewhere within Blackwall Reach, such as Block G which maintains similar VSC façade tested results

Overlooking

- 7.175 Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.
- 7.176 The proposal will maintain interfaces with the residential units of Blocks K, O1 and O2 of the Blackwall Reach Masterplan once completed and integrated within the broader area. It is noted that the Development Specification for the 2012 Masterplan Consent required a minimum 10m separation distance between Blocks P and Q and the blocks to the north of Scouler Street.
- 7.177 The proposed scheme maintains between a 16.3m and 22m separation between Blocks O1 and O2 and a 31m separation between Block K and the application site. While it is acknowledged that 18m is given as guidance within the Local Plan, it is considered the previously consented setback give sufficient comfort to amenity impacts on Block O1.
- 7.178 There are no existing residential interfaces which would suffer from overlooking associated with the scheme.
- 7.179 In summary, it is considered that the proposed development has been designed having regard to neighbouring residential buildings and the amenities enjoyed by neighbouring residential occupiers. Sufficient separation distances would be maintained between the proposed development and neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

Noise & Vibration

- 7.180 The application is supported by an Environmental Noise Survey which was reviewed by the Council's Environmental Health Noise team. It is not envisaged that the completed development would significantly impact on neighbouring amenity from noise and vibration.
- 7.181 Further a condition is recommended to ensure that a Noise insulation Verification Report is submitted for the new residential units.

Construction Impacts

- 7.182 The Council's Code of Construction Practice Guidance requires major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how the Code of Construction Practice would be met and requires the CEMP to outline how environmental, traffic and amenity impacts attributed to construction traffic will be minimised. The application is supported by an Outline Construction Environmental Management Plan in the form of an Appendix to the Environmental Statement.
- 7.183 It is acknowledged that demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These will control working hours and require the approval and implementation of an updated and detailed CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.
- 7.184 In addition to the above, the Council's Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace and £100 per residential unit towards Development Co-ordination and Integration. This would assist the Council in managing construction activity both on-site and within the surrounding streets and spaces proactively

and strategically across the Borough. The Applicant has agreed to pay the required contribution, and this would be secure through the S106 legal agreement.

Transport and Servicing

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

Integration with the Blackwall Reach Masterplan

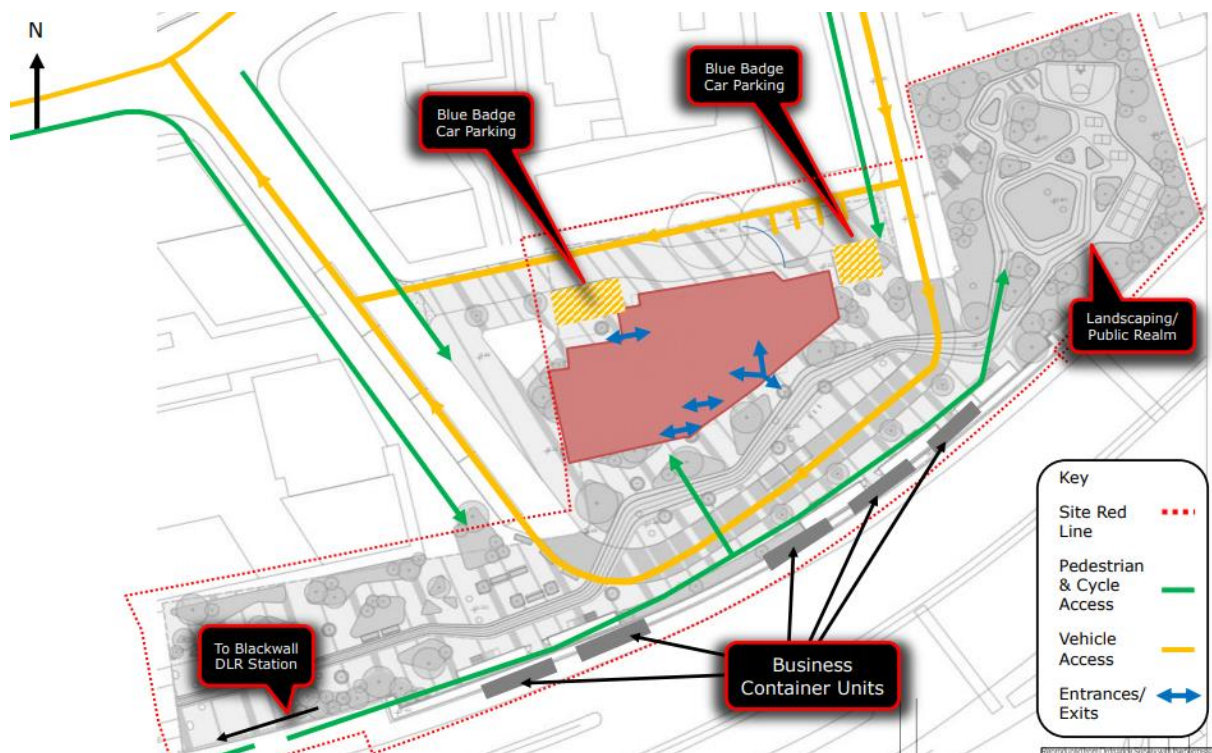
- 7.188 The application plays a significant role in delivering strategic transport ambitions within the locality and the Blackwall Reach Masterplan. As described in earlier sections, the application will seek to slot in with the remainder of Phase 4 of the Blackwall Reach Masterplan and provide for an interim and long term bus loop solution within the site in order to remove the existing bus standing from Prestage Way adjacent Blackwall DLR. The removal of the existing bus stands, and provision within the application site, will allow for the redevelopment of parts of Phase 4 to come forward independently which are under different land ownership.



7.189 The scheme has previously been developed through extensive pre-application and post-submission discussions with TFL’s strategic transport officers and bus operations officers, as well as Council Highways Officers to develop interim and long term arrangements which will be functional, safe and pedestrian friendly in line with the ambitions of Blackwall Reach and Council policy.

7.190 In the interim arrangement, the existing bus turnaround at the termination of Prestage Way will be relocated to the application site which will facilitate the delivery of the high density residential blocks of Phase 4 of the Masterplan. The bus stands will be relocated onto the new carriageway, with the transition period secured through the S106 agreement to ensure that the bus stands will be seamlessly transitioned onto site in order to avoid disruption to the network.

7.191 In the final arrangement (below) whereby Prestage Way has been realigned and Blocks I, J, K and M of Blackwall Reach have been delivered, the bus stands will be moved off the application site and on to the carriageway to the eastern side of Prestage Way. This transition will similarly be secured by way of S106 obligation.



7.192 It is noted that the GLA has raised in their Stage 1 response that the applicant should work with the adjoining land owners namely those involved in Blackwall Reach Phase 4 to ensure seamless integration and emerging proposals for Phase 4. The applicant has sought as far as practically possible to do so, however in the absence of any firm proposals for Phase 4 at the point of recommendation for a decision of this application, it is considered that the applicant’s proposal to continue with the previously agree bus loop proposals are acceptable.

7.193 In terms of mitigation, a £40,000 financial contribution was agreed as part of the consented hotel scheme to mitigate the additional mileage that would be incurred by buses as a result of the relocated bus stands. This is still considered necessary and reasonable and should be carried over in line with London Plan Policy T3.

Vehicular, pedestrian and cycle access

7.194 The site has a Public Transport Accessibility Level (PTAL) of 4 on a scale of 1-6 where 6b is considered excellent with a PTAL of 4 reflecting good. Blackwall Docklands Light Railway (DLR) Station is located 110m walking distance (within 2 minutes walking distance) and serves

Tower Gateway/Bank to Beckton/Woolwich Arsenal. All Saints Station is approximately 850m north-west of the site (within 10 minutes walking distance) and serves the Stratford to Lewisham DLR route.

- 7.195 The main pedestrian access to the site is proposed to be via Prestage Way, immediately adjacent to the Blackwall DLR station.

DLR Infrastructure

- 7.196 The application site is situated immediately beneath and adjacent to Docklands Light Railway (DLR) assets by virtue of proximity to the elevated DLR viaduct. The block itself will intrude within the DLR exclusion zone at an upper level while maintaining the setback at lower levels.
- 7.197 To further protect the DLR asset, 6 conditions have been recommended by TFL to be included and 1 informative. These conditions relate to radio impacts, construction impacts, cranes, and commencement notice. It is also noted that the applicant must enter into an Asset Protection Agreement with Docklands Light Railway prior to any commencement.
- 7.198 As noted above, the Blackwall Tunnel runs below the site. The necessary infrastructure protection conditions (in the form of build-over agreement supported by an agreed engineering Approval in Principle) in order to protect the safe and continued operation of the tunnels will need to be secured with any permission. Furthermore, a full structural impact assessment alongside a full-scale monitoring regime (before construction, during construction and after construction) will be secured via condition.

Deliveries & Servicing

- 7.199 The submitted TA includes a Delivery and Servicing Strategy which outlines the indicative strategy for servicing and delivery. Deliveries and servicing are proposed to take place from the northern side of the site, accessed through Scouler Street; with two taxi bays proposed along the southern link road. Waste collection will also take place from Scouler Street.
- 7.461 TFL broadly support the outline Delivery and Servicing Strategy. It is noted that the applicant proposed a private waste collection, which raises some concerns.
- 7.462 It is recommended that full details and implementation of the delivery and delivery and servicing and waste strategies are secured by condition.

Car Parking

- 7.200 GLA and LBTH Highways officers support the removal of the existing surface car parking and proposed development being car free, in line with London Plan Policy T6.
- 7.201 The applicant has proposed five disabled persons parking bays from the outset which would be located at the north-eastern side of the residential block with access from Scouler Street and Quixley Street. TFL noted that although the initial provision of 5 blue badge car parking spaces is London Plan T6.1 compliant, the applicant should demonstrate how an additional 7% of dwellings could be provided with blue badge parking in the future if required (London Plan Policy T6.1 G). The applicant has advised that the taxi drop off bays that have been brought over from the extant hotel consent could be converted to blue badge spaces should there be demand.
- 7.202 The design and management of the spaces will be via a Parking Design and Management Plan, secured by condition. Alongside electric vehicle charging points and a permit free obligation for future occupiers of the development.

Cycle Parking and Facilities

- 7.203 Policy T5 of the London Plan and Policy D.TR3 of the Local Plan requires adequate cycle parking provision to be provided for the development.
- 7.204 The proposals include a total of 322 long-stay cycle parking spaces and 24 short stay spaces. The long-stay cycle spaces would be located on the ground and first floor. Seven short stay

cycle parking spaces will be provided in the public realm. The number of cycle parking spaces proposed are in line with the requirements set out in London Plan Policy T5.

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

Trip generation

- 7.206 A trip generation exercise has been undertaken using data from TRICS. The approach is acceptable and predicts a lower number of peak hour and daily trips, compared with the consented apart-hotel scheme, and over 95% of trips would be undertaken by sustainable modes, meeting strategic mode share targets and London Plan policies T1 and T4.

Travel Plan

- 7.207 The applicant has provided a framework travel plan which has followed TfL guidance which is welcomed and the principle of which is considered acceptable by TfL.
- 7.208 It is recommended that the final Travel Plan is secured and monitored via S106 agreement.

Environment

Energy

- 7.209 At the national level, the NPPF sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate. In this regard, the planning system should help to amongst other things, shape places in ways that contribute to radical reductions in greenhouse gas emissions and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.
- 7.210 At the strategic level, Chapter 9 of the London Plan requires development to contribute to mitigation and adaptation to climate change. Specifically, Policy S12 requires development proposal to make the fullest contribution to minimising carbon dioxide emissions and directing that major developments should be net zero-carbon. This means reducing greenhouse gas emissions and minimising energy demand in accordance with the following hierarchy:
1. Be Lean: Use Less Energy
 2. Be Clean: Supply Energy Efficiently
 3. Be Green: Use Renewable Energy
 4. Be Seen: Monitor and Report
- 7.211 At the local level, the national and strategic messages are similarly echoed in Policies S.ES1 and D.ES7 of the Local Plan. Policy D.ES7 specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution.
- 7.212 The application has been accompanied by an Energy Strategy prepared by J.S.Lewis Ltd which demonstrates that the development is anticipated to achieve a site-wide reduction in carbon dioxide emissions of 72%.
- 7.213 The proposal has a baseline of 183.8 tonnes of regulated CO₂, with 131.7 tonnes of regulated CO₂ savings on-site with remaining 52.1 tonnes to be off-set through a carbon offsetting contribution. A carbon off-setting payment of £148,485 will be secured by S106 obligation to achieve net zero carbon for the development and deliver a policy compliant scheme.

Circular Economy

7.214 The application has been accompanied by a Circular Economy Statement that sets out key circular economy commitments for the proposed development.

7.215 The statement sets out the following;

- The scheme is highly efficient in its provision of accommodation, and the resulting materials used per dwelling;
- The use of concrete frame is highly likely due to the height of the building and the structural requirements. Maximising the sustainability of any concrete utilised should be a priority for the development as the scheme progresses;
- The floor plans achieve a high level of repetition and efficiency, maximising the utility of the site whilst again serving to minimise site waste arising.

7.216 Although the general principles of the statement are acceptable, it is recommended that a further Circular Economy Statement is secured via condition when a greater level of detail can be provided.

Summary

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

- Submission of a Zero Carbon Futureproofing Statement
- Submission of Circular Economy Statement
- Submission of post construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO2 emissions have been delivered on-site

Biodiversity

7.218 The application site contains areas of scrub and tall ruderal vegetation. While not high value habitats, these will provide habitat for common birds and invertebrates, and their loss will be a minor adverse impact on biodiversity. The scrub is likely to support nesting birds, and should be cleared outside the nesting season, or a survey for nesting birds must be conducted immediately before clearance. This should be secured by a condition (see below).

7.219 Policy D.ES3 requires development to deliver net gains in biodiversity in line with the Local Biodiversity Action Plan (LBAP). The landscape proposals are clearly biodiversity-led, and include native woodland-style planting, wildflower meadows and species-rich lawns, all of which will contribute to LBAP targets. The ornamental planting includes an excellent diversity of nectar-rich perennials, climbers and shrubs. Biodiverse roofs are proposed, though it is not clear from the plans the area of biodiverse roof. Log piles, insect boxes and bird nest boxes are also proposed. Overall, these features will ensure a net gain in biodiversity, as required by D.ES3. Full details of the biodiversity enhancements will be secured via condition.

Health Impact Assessment

7.220 Policy D.SG3 of the Local Plan requires developments that are referable to the Mayor to be supported by a Health Impact Assessment (HIA). A detailed HIA, given the scale of the application is required and has been submitted.

7.221 The submitted HIA considers the potential health impacts (during the demolition and construction phase, and occupation following completion) arising from the development. The HIA is structured around the following key themes: delivering healthy layouts, promoting neighbourhood cohesion, enabling active living and creating the healthiest of environments.

7.222 In consideration of the above themes, the HIA concludes that the proposed development is likely to have an overall positive impact on health. The identified positive health impacts under each theme include but not limited to the following (it should be noted that some of these themes are also discussed elsewhere in this report under relevant sections):

- 7.223 *Delivering Healthy Layouts:* As set out previously, all homes will be designed to part M4(2) (wheelchair adaptable) of the Building Regulations, in excess of 10% of the residential units will be designed to part M4(3) (wheelchair user dwellings). Windows to residential units have been designed to maximise daylight, views and reduce heat gains and keep heat loss to a minimum. The layout has been designed to minimise negative environmental factors.
- 7.224 *Promoting Neighbourhood Cohesion:* The proposed development is expected to create a net gain of employment opportunities on site as a result of the 8 workspace units noting that work can make it easier to pursue a healthy lifestyle, with unemployment often related to a multitude of elevated health risks. The public realm, landscaping and amenity spaces are accessible and welcoming for residents, supporting a sense of wellbeing and place. All flats, regardless of tenure, will have access to high quality communal amenity space at ground floor which will provide opportunity for all residents to interact. The landscaping and public realm improvements will be publicly accessible enabling residents from different groups to benefit from physical activity as well as supporting social cohesion.
- 7.225 *Enabling Active Living:* The scheme would provide access to child play space which would encourage physical activity among children. The scheme also delivers a youth play area which will be accessible for residents and the wider area. The development would encourage active travel through the provision of a policy compliant level of cycle parking.
- 7.226 *Creating the Healthiest Environment:* The HIA identifies that poor air quality (from factors such as dust and emissions from transport and construction processes) is associated with negative health outcomes (such as chronic lung disease, heart conditions and asthma). The demolition and construction phase of the development may result in some air quality impacts. The assessment finds that the demolition and construction phase of the development without mitigation could have a low risk to human health. However, a number of measures have been put into place to ensure that the development reduces any potential impacts and maximises air quality improvements where possible including sourcing materials locally where possible to minimise transport impacts and in turn emissions, adopting a Construction Environmental Management Plan along with other required Management Plans (Dust, Construction Logistics Plan and Site Waste Management Plan) to minimise environmental impacts of the construction works. Other measures towards creating a healthy environment identified in the HIA include biodiversity and ecological enhancements and urban greening, a sustainable energy strategy that seeks to reduce carbon dioxide emissions and the recycling of materials.

Air Quality

- 7.227 Policy S11 of the London Plan requires amongst other things that development proposals must be at least Air Quality Neutral. At the local level, Policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral' standard.
- 7.228 An Air Quality Assessment has been submitted in support of the application and has considered the potential of both the construction phase and operational phase of the development, to result in air quality impacts. The site is within the borough-wide Air Quality Management Area (AQMA) (NO₂ objective and 24-hour mean PM₁₀ objective). The assessment has been reviewed by Temple and the Council's Air Quality Officers.
- 7.229 The assessment finds that during the demolition and construction phase of the development, the effects of dust emissions would be adverse, however this would be reduced with the application of recommended dust mitigation measures. Similarly, emissions from construction traffic would be negligible. Construction Logistics Management and Construction Environmental Management Plans will manage vehicle and delivery movements to and from the site to minimise construction traffic where possible and potential air quality impacts arising from dust during construction works.
- 7.230 The ES finds that the air quality effects without mitigation once the development is completed and operational are judged to be negligible. It is noted LBTH Air Quality Officers recommend a condition to secure an updated Air Quality Neutral assessment to cover the buildings emissions and Air Quality Standards for any new boilers.

7.231 In terms of future occupiers of the site, given the location and proximity to Aspen Way/the DLR there is a requirement for mitigation measures to ensure acceptable air quality for future residents. The applicant has sought to incorporate this into the design of the proposals through the use of winter gardens at lower levels, however a condition requiring mechanical ventilation for the units is also required.

Wind/Microclimate

7.232 Policies D3, D8 and D9 of the London Plan requires developments, particularly those with tall buildings, to be considerate of microclimate impacts associated with their scale and mass. Similarly, Local Plan Policies S.DH1 and D.DH6 seeks to ensure that new developments do not adversely impact on the microclimate and amenity of the application site and the surrounding area.

7.233 A wind and micro-climate assessment has been submitted in support of the application which was reviewed by the Council's independent assessor Temple. The overall approach of the assessment is considered appropriate and broadly in line with best practice.

7.234 The assessed conditions in terms of suitability for existing and proposed activities are generally supported by the results. There is the potential for conditions to be unsuitable in terms of both safety and comfort around southeast corner of Block K of Blackwall Reach Phase 4, noting that this development is currently only in outline. It is unlikely that these exceedances are directly as a result of this scheme, but rather cumulative circumstances. Notwithstanding this, the applicant agrees to provide mitigation measures in the form of additional tree planting in order to managing this alongside wider landscaping that will come forward as part of the detailed application for Blackwall Reach Phase 4.

7.235 It is recommended that full wind mitigation measures as identified in the wind report are secured and implemented via a condition.

Flood Risk & Drainage

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

7.237 The site is located in Flood Zone 3 and is protected to a high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. A Flood Risk Assessment (FRA) prepared by MAB has been submitted to support the application.

7.238 It is recommended that the full details and implementation of sustainable drainage systems are secured via condition.

Land Contamination

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

Infrastructure Impact

7.240 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £XXXX (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £XXX (inclusive of social housing relief and exclusive of indexation).

7.241 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.

- 7.242 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £108,204 towards construction phase employment skills training
 - £148,485 toward carbon emission off-setting
 - £40,000 towards TfL Bus Mileage
 - £17,120 towards development co-ordination

Human Rights & Equalities

- 7.243 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.
- 7.244 The proposed new residential accommodation meets inclusive design standards and a minimum of 10% (16 dwellings) of the new homes will be wheelchair accessible with 12 dwellings allocated to the Affordable Rented tenure. The proposal will also provide 5 blue badge spaces which will be allocated based according to need. The development will also secure cycle parking in accordance with the London Design Cycling Standards to enable cycle parking for different user groups i.e., wider cycle parking spaces to accommodate non-standard sized cycles.
- 7.245 The application has undergone the appropriate level of consultation with the public and Council consultees. The Applicant has also carried out engagement with nearby residents and occupiers prior to the submission of the planning application.
- 7.246 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £108,204 towards construction phase employment skills training
- b. £40,000 towards TfL Bus Mileage
- c. £148,485 towards carbon emission off-setting
- d. £17,120 towards development co-ordination
- e. £11,414.27 monitoring fee

Total financial contributions: £325,223.27

8.3 Non-financial obligations:

- a. Affordable housing (35.9% by habitable room)
 - 21 units (66 habitable rooms) at London Affordable Rent
 - 18 units (66 habitable rooms) at Tower Hamlets Living Rent
 - 13 units (43 habitable rooms) as Shared Ownership
 - Early Stage Review
 - Details and implementation of 12 London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)

- a. Access to employment
 - 20% local procurement

- 20% local labour in construction
 - b. Transport matters:
 - Car Free development (residential)
 - Accessible Parking
 - S78 Highway Works
 - Bus Loop
 - TfL Bus Operations Unit
 - Construction and Occupation Travel Plan
 - c. Public Access Routes and Public Realm
 - d. Child Play Space
 - e. Code of Construction Practice Scheme
- 8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
- 8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - a. Standard hours of construction and demolition;
 - b. Air quality standards for construction machinery;
 - c. Ground-borne vibration limits; and
 - d. Noise pollution limits.
4. Piling Method Statement
5. Restriction of PD rights of Office Pods to Class E(g)

Pre-commencement

6. Code of Construction Practice
7. Construction Waste Management Plan
8. Construction Environmental Management Plan and Construction Logistics Plan
9. Cranes/scaffolding (Aviation Safeguarding)
10. Land Contamination Remediation
11. Final Fire Statement
12. Details and Plant and Machinery (Air Quality)
13. Construction Site Dust Control
14. Odour from Fixed Plant and Equipment
15. Final Energy Statement
16. DLR Commencement Notification
17. DLR Crane and Lifting Management Plan
18. DLR Scaffolding Plans
19. DLR Radio Survey

20. DLR and LCY Access Agreements
21. Archaeology (WSI)
22. Archaeology (Scheme of Public Heritage)
23. Circular Economy Statement
24. Zero Carbon Future-proofing
25. Details of wind mitigation measures.

Pre-superstructure Works

26. Details of external facing materials and architectural detailing.
27. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements.
28. Biodiversity
29. Details of cycle parking
30. Surface water - Drainage Strategy
31. Disabled Car parking
32. Electric vehicle charging points
33. Delivery, Servicing and Waste Management Plan
34. Details of Accessible Units

Pre-Occupation

35. Noise Insulation Verification
36. Car parking management plan
37. Delivering, Servicing and Waste Management Plan
38. Energy and Efficiency Verification

8.7 Informatives

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

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Existing Drawings

Application Drawing No:	Revision No:	Description
(20)_098	P01	Site Plan Existing Conditions
(20)_001	P)1	Site Location Plan
(20)_002	P01	Site Plan – Proposed (Phase 01)
(20)_003	P01	Site Plan – Proposed)Phase 02)
(20)_100	P02	GA Plan – Ground Floor Plan
(20)_101	P02	GA Plan Level 01
(20)_102	P04	GA Plan – 2 nd to 4 th Floor
(20)_105	P01	GA Plans 5 th -8 th Floor
(20)_109	P02	GA Plan – 9 th Floor Plan
(20)_110	P02	GA Plan – 10 th Floor Plan
(20)_111	P02	GA Plan – 11 th to 19 th Floor Plan
(20)_120	P02	GA Plan – 20 th Floor Plan
(20)_121	P02	GA Plan – 21 st to 27 th Floor Plan
(20)_128	P02	GA Plan – 28 th to 29 th Floor Plan
(20)_130	P02	GA Plan – Roof Plan
(20)_201	P01	Detailed Elevation A
(20)_202	P01	Detailed Elevation B
(20)_203	P01	Detailed Elevation C
(20)_204	P01	Detailed Elevation D
8376-PL-00-GA-P1-101	00	General Arrangement Landscape Masterplan – Podium Levels Phase 01
8376-PL-00-GA-P3-101	00	General Arrangement Landscape Masterplan – Podium Levels Final Scheme
8376-PL-20-GA-P1-101	01	General Arrangement Landscape Masterplan – Ground Level Phase 01
8376-PL-20-GA-P3-101	01	General Arrangement Landscape Masterplan – Ground Level Final Scheme
8376-PL-X-UGF-P3-102	00	General Arrangement Urban Greening Factor Final Scheme.

Other application documents

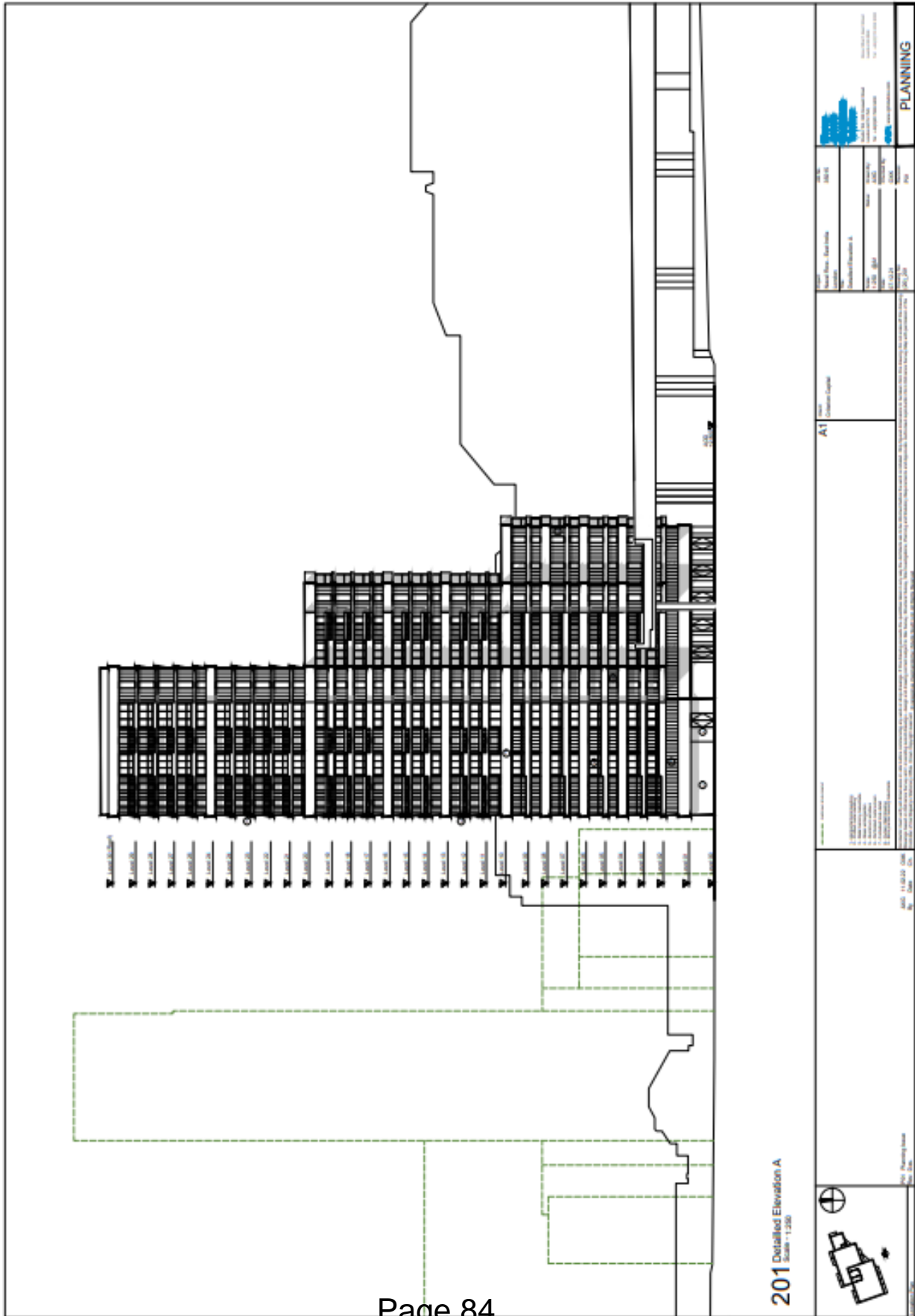
DOCUMENT TITLE	PREPARED BY
Statement of Community Involvement	GNL Strategic
Environmental Noise Assessment	Sharps Redmore
Design & Access Statement	Carey Jones Chapman Tolcher
Daylight & Sunlight Report	CPMC Chartered Surveying
Flood Risk Assessment	MAB Consultancy
Planning Statement	Centro Planning Consultancy
Air Quality Assessment	Aether
Archaeological Desk Based Assessment	PCA
Circular Economy Statement	JS Lewis Ltd
Construction Logistics Plan	Odyssey
Detailed Health Impact Assessment	Centro Planning Consultancy
Energy and Sustainability Statement	JS Lewis Ltd

Fire Strategy (and addendum)	Jensen Hughes
Framework Travel Plan	Odyssey
Preliminary Geo-Environmental Risk Assessment	Delta-Simons
Heritage, Townscape and Visual Assessment	CityDesigner
Landscape and Public Realm Strategy	SpaceHub
Lifecycle Carbon Assessment	JS Lewis Ltd
Preliminary Ecology Appraisal	Delta-Simons
Lighting Assessment	CPMC Ltd
Wind Microclimate Report	arcaero

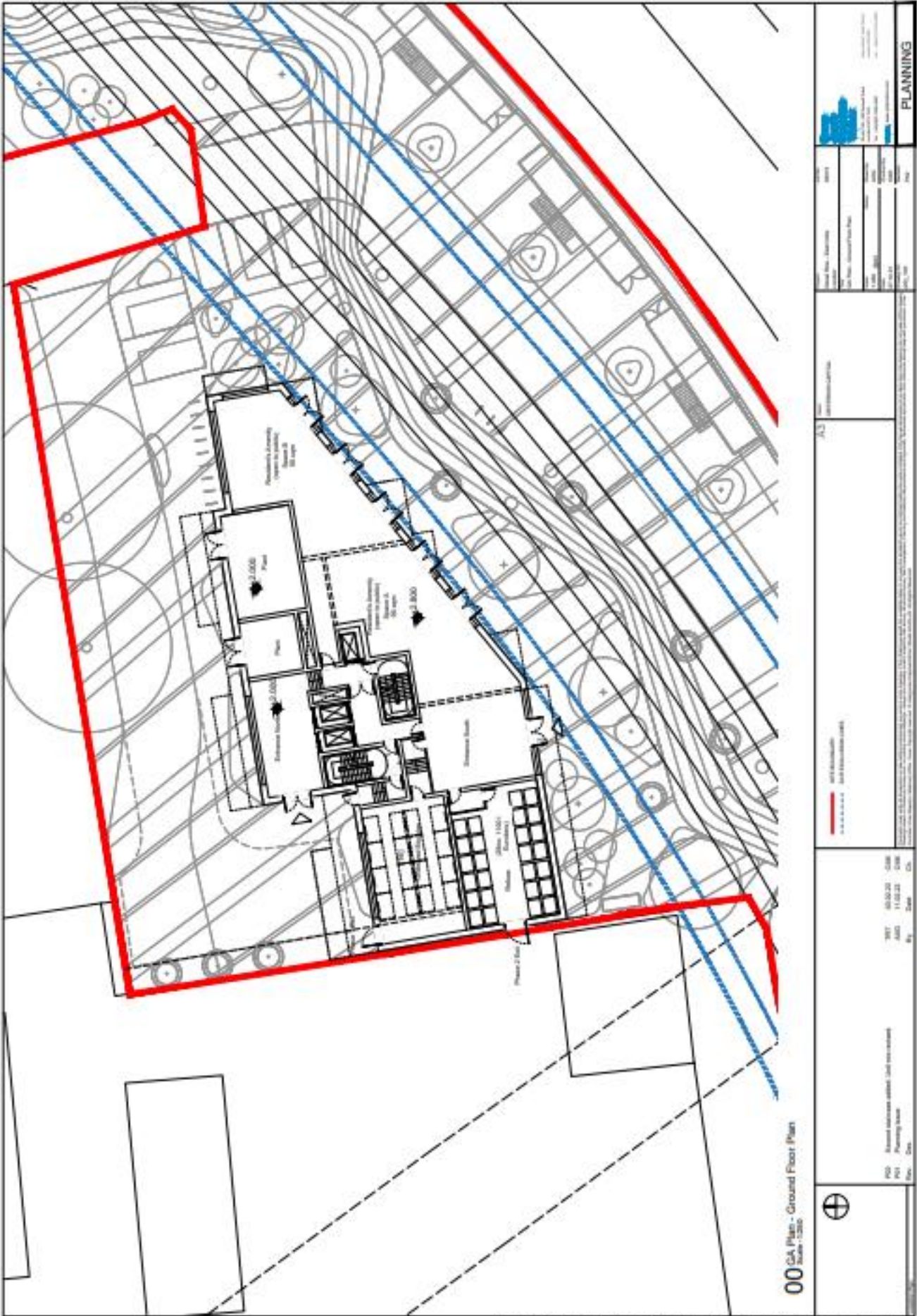
APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES

Elevation (From Aspen Way)



Ground Floor Layout









20 GA Plan - 20th Floor Plan
Scale: 1/8"=1'-0"



P12 Second Submission address (GA only required)
 P13 Planning board
 P14 Date

1007 04.02.20 GSK
 JMC 11.02.20 GSK
 By Date Ck

ALL INFORMATION
 IS UNCLASSIFIED

ALL INFORMATION IS UNCLASSIFIED

Title: 20th Floor Plan Date: 11/02/20 Author: JMC Checker: GSK Project: 1007	Date: 04/02/20 Author: GSK Project: 1007	Date: 11/02/20 Author: JMC Project: 1007	Date: 11/02/20 Author: JMC Project: 1007	Date: 11/02/20 Author: JMC Project: 1007
P12 Second Submission address (GA only required) P13 Planning board P14 Date	1007 04.02.20 GSK JMC 11.02.20 GSK By Date Ck	ALL INFORMATION IS UNCLASSIFIED	ALL INFORMATION IS UNCLASSIFIED	ALL INFORMATION IS UNCLASSIFIED

PLANNING



Application for Planning Permission

[click here for case file](#)

Reference	PA/22/00591
Site	56 - 58 Marsh Wall, London E14 9TP
Ward	Canary Wharf
Proposal	Demolition of existing buildings and construction of building up to 46 storeys (151.905 m AOD) comprising up to 795 co-living units in sui generis use together with communal facilities, non-residential floor space (class E use) and public realm improvements including landscaping, access and highways works; together with other associated works in respect of the development.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Ilona Ltd
Architect/agent	Rio Architects/DP9
Case Officer	Kevin Crilly
Key dates	<ul style="list-style-type: none">- Application registered as valid on 28/03/2022- First consultation on 26/04/2022- Amendments submitted on 30/09/2022- Second Consultation on 10/10/2023

EXECUTIVE SUMMARY

The application site is approximately 0.217 hectares in size and comprises of a three-storey office building and associated car parking. The Site is bounded by Marsh Wall to the North, Byng Street to the South and Mastmaker Road to the East.. The application site falls within the Isle of Dogs and South Poplar Opportunity Area and the Marsh Wall West Site Allocation. The site does not fall within a Conservation Area nor does it include any listed buildings and the proposal will not impact on the setting of any heritage assets likely to be affected by the proposal including the Maritime Greenwich World Heritage Site and Tower Bridge World Heritage Site. The proposal will not impact on any strategic views contained within the London View Management Framework.

This application relates to the demolition of the existing office building and the comprehensive redevelopment of the site to provide a single tall building of 46 storeys in height with an AOD height of 151.9m. delivering 795 co-living residential units alongside associated internal and

external residential amenity spaces. The arrangement of the co-living units is grouped around smaller “communities” or clusters of rooms sharing cooking and living facilities on three adjacent floors with each cluster formed of 57 units across three floors.

The proposed co-living development would deliver an alternative form of housing focused on single occupiers and provide an alternative form of communal living to existing HMO housing. Given the type of housing proposed there would be no on site affordable housing and in line with the requirement of London Plan policy a payment towards offsite affordable housing is sought. The proposals include a significant payment in lieu of £47.909m towards off site affordable housing to be reviewed in full prior to the first occupation of the development.

The height, scale, massing, form, architectural appearance and design are considered to be of a high-quality and appropriate in scale for the sites location within the tall building zone, the building would respond positively to and would not undermine in townscape terms the Canary Wharf cluster of buildings.

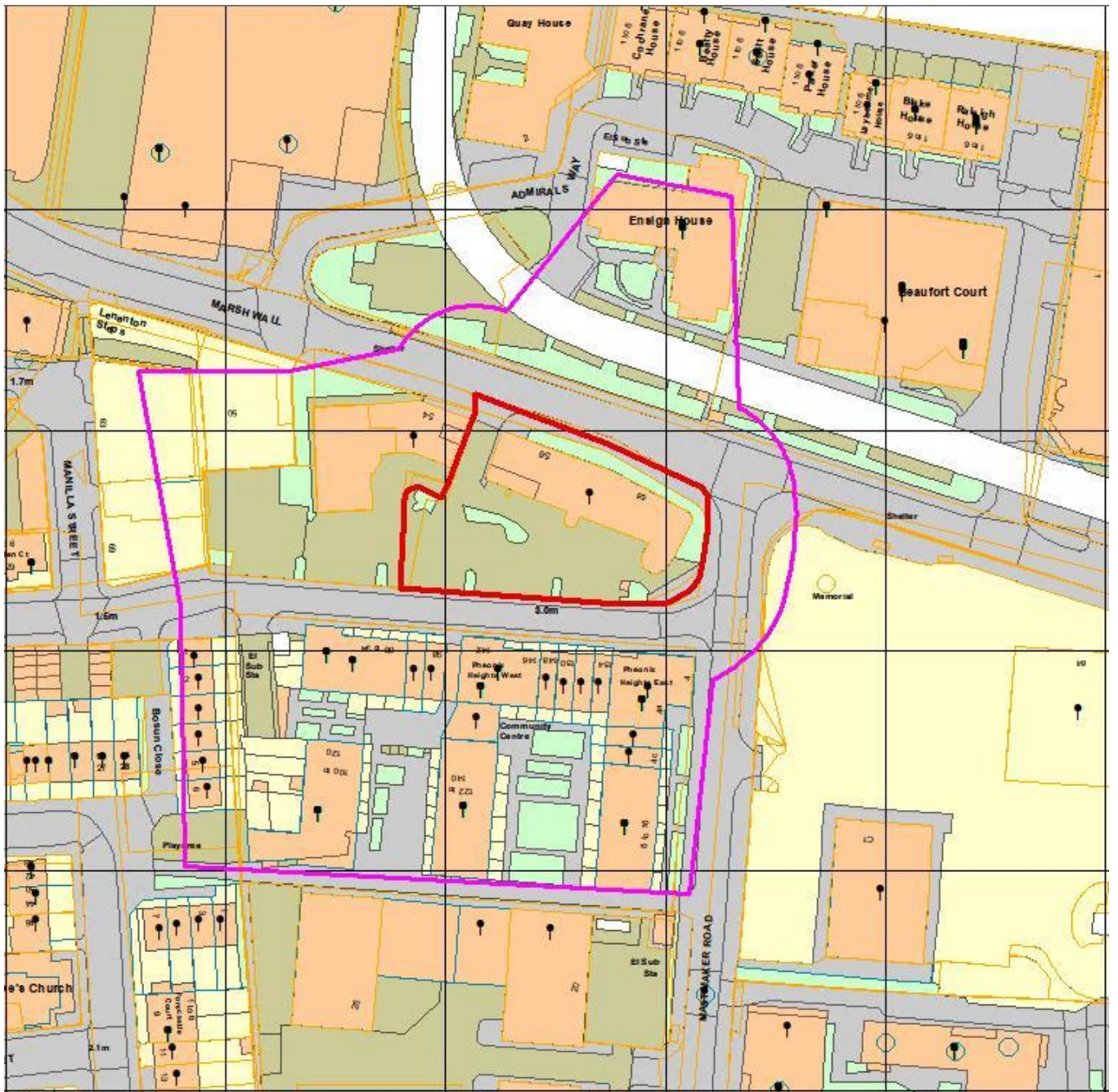
The Proposed Development would be ‘car free’ in accordance with local and strategic planning policy with no general car parking proposed for residents with one blue badge disabled parking space delivered on-site. The development would provide improved pedestrian connections across the site and deliver enhancements to the public realm. Delivery and servicing for the development will take place on site from Byng Street. Full details of this will be secured via a condition.

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

In terms of fire safety, the application includes a Fire Statement which has been amended to address the comments raised by HSE as part of the consultation process of this application and is now considered acceptable.

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

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



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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/20/02128

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



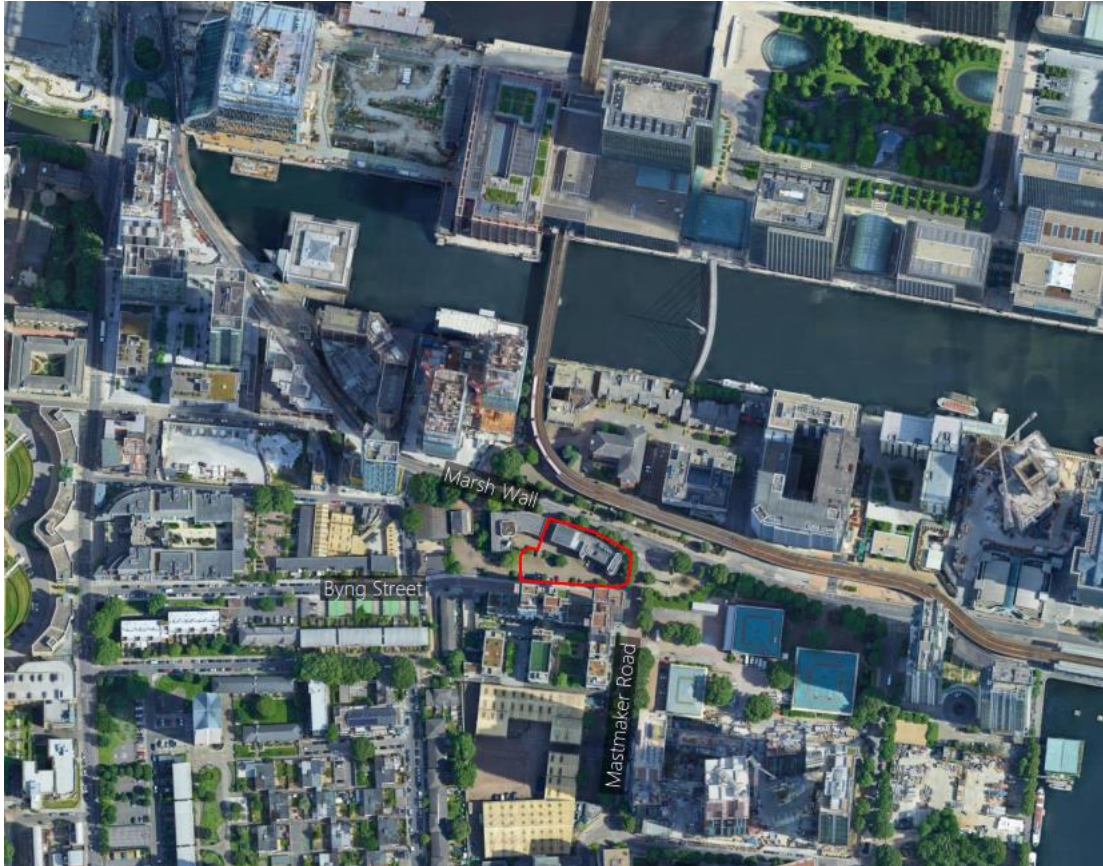
**London Borough
of Ter Hamlets**

Scale: 50m grid squares

Date: 28 March 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site is approximately 0.217 hectares in size and comprises of a three-storey office building and associated car parking. The Site is bounded by Marsh Wall to the North, Byng Street to the South and Mastmaker Road to the East. To the immediate west of the site is the development site at 54 Marsh Wall currently occupied by a three storey office building.
- 1.2 Existing car and pedestrian access to the site is from Marsh Wall in the north-west corner with further pedestrian access from Byng Street in the south-east corner.



- 1.3 The site does not lie within a Conservation Area and neither are there any listed buildings within the site boundary. The Coldharbour Conservation Area lies approximately 650 metres to the north-east, the West India Dock Conservation Area lies some 600 metres to the north-west, the Chapel House and Island Gardens Conservation Areas lie some 1200 metres and 1600 metres to the south-east respectively and the Narrow Street Conservation Area lies some 800 metres to the north-west. There are no listed buildings within the immediate vicinity of the site, however there are a number of listed buildings/structures located within the periphery of the Isle of Dogs including but not limited to; Grade II listed Cascades, Grade II listed Former St Pauls Presbyterian Church, Grade II listed The Ferry House Public House, Grade II listed Millwall Fire Station, Grade II* Christ Church and The Gun Public House and Grade II listed Dock walls.
- 1.4 The site has a PTAL (Public Transport Accessibility Level) of 3-4 which ranges between moderate and good on a scale of 0-6b where 0 is the worst. The site is situated approximately 500 metres north-west of South Quay DLR station, 350 metres south-east of Heron Quays DLR station and 500 metres south-west of Canary Wharf Underground station with both Heron Quays and Canary Wharf stations located on the northern side of South Dock.
- 1.5 The site is located within the Millwall Inner Dock Tall building Zone and in an area of high-density developments with a number of nearby buildings recently approved and under construction alongside existing buildings of varying heights. Immediately to the south of the site is the Phoenix Heights residential development which includes building heights between 3 and 23 storeys. 54 Marsh Wall, abutting the site to the west, was granted planning permission in November 2018 for 41 and 16 storey residential towers over a two storey

basement. Further to the west is the Alpha Square development which includes a residential tower of 65 storeys. To the north of the site are development sites with recent planning permission approval at Ensign House (56 storey residential development) and Quay House (35 storeys hotel and serviced apartments). To the north west is the recently completed Wardian development which includes two residential towers up to 55 storeys. To the east of the site across Mastmaker Road is the Millharbour development which includes several residential buildings up to 45 storeys in height currently at the construction phase



1.6 The site is approximately 370 m. east of the River Thames. It lies within Flood Zone 3 (High Risk) i.e. greater than 0.5% per annum (less than 1:200 probability a year) but is protected by local river wall defences and the Thames Barrier to 1 in a 1,000 year probability (Low Risk).

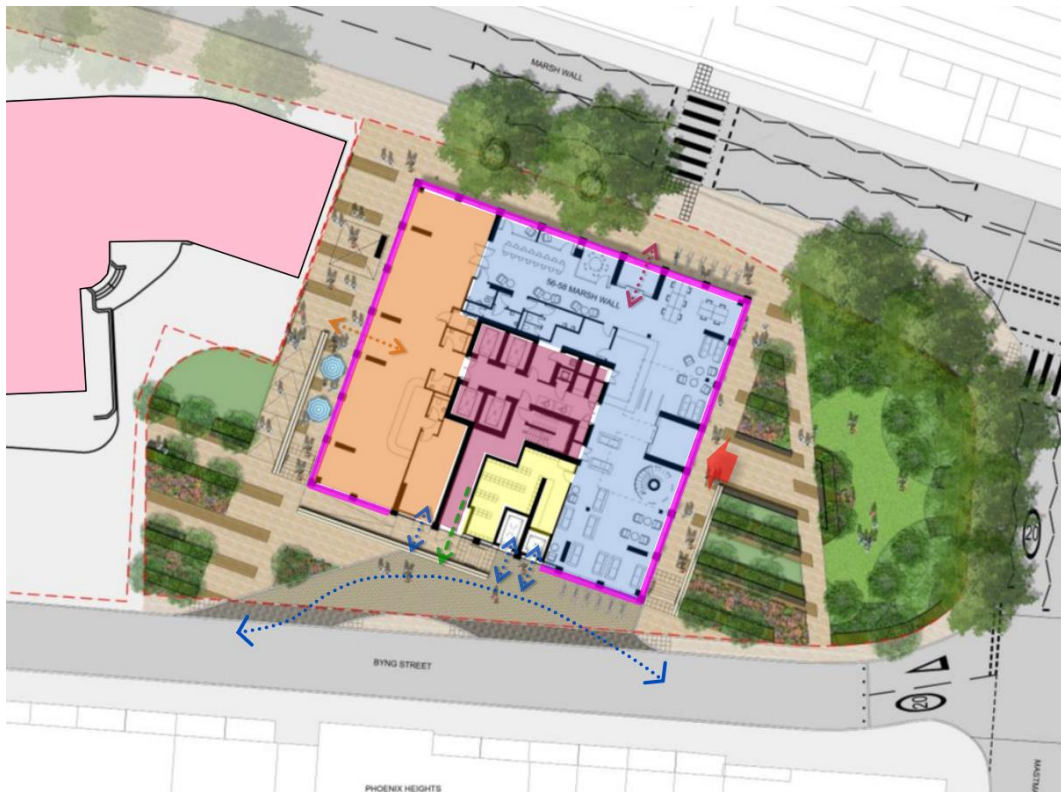
1.7 The key relevant designations for the site are as follows:

- LBTH Local Plan Site Allocation 4.6: Marsh Wall West
- Millwall Inner Dock Tall Buildings Zone (D.DH6)
- Borough-wide Air Quality Management Area (AQMA)
- Isle of Dogs and South Poplar Opportunity Area (SD10)
- Sub Area 4: Isle of Dogs and South Poplar (S.SG1)
- Neighbourhood Planning Area: Isle of Dogs (D.TC2)
- Archaeological Priority Area: Tier 3 (S.DH3)
- Flood Risk Zone 3 (D.ES4)
- Green Grid Buffer Zone (DOWS3)
- Critical Drainage Area
- Area of Deficiency of Access to Nature: Millwall

2. PROPOSAL

2.1 This application relates to the demolition of the existing office building and the comprehensive redevelopment of the site to provide a single tall building of 46 storeys in height with an AOD height of 151.9m.

- 2.2 The building will comprise of 795 co-living residential units alongside associated internal and external residential amenity spaces. The arrangement of the co-living units is grouped around smaller “communities” or clusters of rooms sharing cooking and living facilities on three adjacent floors. There would be on average 19 rooms per floor with each cluster of 3 floors consisting of 57 units sharing the communal facilities.
- 2.3 The proposed distribution of the accommodation is set out below by floor
- Basement – Servicing, plant, refuse and cycle storage.
 - Ground – Access to the co-living space on upper storeys and a café and co-working space is proposed across the ground floor. This will be available for all residents, as well as accessible to members of the public
 - First Floor – Cinema, Gym and well-being studio
 - Second to Fortieth Floor – 57 co-living studio units spread over sets of three floors (19 units per floor, across 39 floors i.e. a total of 741 co-living studio units) with three levels for kitchen, living and dining space to each respective floor.
 - Level 41 to 42 – 38 co-living studio units over two floors with two levels of kitchen, living and dining space
 - Level 43 to 44 – 16 co-living studio units over two levels with two levels of kitchen, living and dining space
 - Level 43 to 45 –communal space with lounge, dining and roof terrace at level 45
- 2.4 The proposals include seven different types of units (all of which are single occupancy), ranging in size from 21.8sqm to 32.1sqm. Of these, 82 units would be wheelchair accessible rooms, equating to more than 10% of the total co-living studio units proposed. Each room is equipped with furniture from the outset, including sofa, bed, storage, desk, table and chairs, kitchenette and en-suite shower room.
- 2.5 At the ground level, both co-working (205sqm) and retail (237sqm) spaces (Class E) are proposed. These would be accessible to members of the public as well as all residents.



- 2.6 The remainder of the site would be laid out as hard and soft landscaping with public access to both the west of the site adjacent to 54 Marsh Wall and to the east on the junction of Marsh Wall and Mastmaker Road.

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 PA/22/00089 – Temporary Creation of new crossover to south side of Byng Street in relation to relocation of access and closure of existing Marsh Wall crossover. Permitted 08/09/2022

Neighbouring sites

- 3.2 PA/20/02128 (Cuba Street) - Erection of single tower block accommodating a high density residential led development (Use Class C3) with ancillary amenity and play space, along with the provision of a flexible retail space at ground floor (Use Class E), the provision of a new publicly accessible park and alterations to the public highway. Permitted 21/12/2022
- 3.3 PA/20/02588: 30 Marsh Wall - Demolition of existing building and erection of a 47 storey building (plus basement and lift pit) to provide 1,069 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 115sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs. Permitted 28/07/2022
- 3.4 PA/20/02649 (Quay House) - Demolition of the existing building and redevelopment to provide a mixed use development comprising a hotel (Class C1) and serviced apartments (Class C1) with ancillary gym, retail, parking, landscaping and public realm works.

Minor Material Amendments to Planning permission Ref: PA/19/01462, Dated 01/06/2020:
Amendments proposed: Variation of condition 2 (Approved Plans) to allow for amendments to the design of the building including

- A reduction in the height of the building by 5 storeys
- An increase in the width of the building at levels 3 and above of approximately 1.5m
- Amendment to the design of the lower levels of the building involving omission of the 2-storey deck and lowering of the tower massing.

- A reduction in the footprint of the building at ground floor level through the inset of the elevations by 1.4m at the west and 2m at the north.
- A reduction in the size of the basement by approximately 500sqm;
- Internal reconfiguration and layout changes

Permitted 06/08/2021.

- 3.5 PA/19/01462 (Quay House) – Demolition of the existing building and redevelopment to provide a mixed use development comprising a hotel (Class C1) with ancillary gym, retail, parking, landscaping and public realm works. Permitted 01/06/2020.
- 3.6 PA/16/01637: 54 Marsh Wall - Demolition of the existing building and construction of two new linked buildings of 41 and 16 storeys (over double basement) comprising 216 residential units; two ground floor commercial units (Use Classes A1-A3, B1) totalling 174 sqm GIA fronting on to Marsh Wall; basement car parking and servicing; and landscaped open space including a new pedestrian route linking Marsh Wall and Byng Street. Permitted 15/11/2018.
- 3.7 PA/16/00139 (Arrowhead Quay/Wardian) - Application for variation of condition no. 2 (consented plans) and removal of condition 22 (cooling) of planning permission dated 19/02/2015, ref: PA/12/03315 which gave consent for the erection of two buildings of 55 and 50 storeys to provide 756 residential units (Use Class C3) and ancillary uses, plus 701sqm. ground floor retail uses (Use Classes A1 -A4), provision of ancillary amenity space, landscaping, public dockside walkway and pedestrian route, basement parking, servicing and a new vehicular access.

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

Permitted 13/01/2017.

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

4. PUBLICITY AND ENGAGEMENT

Pre-application

- 4.1 The submitted Statement of Community Involvement sets out the non-statutory consultation undertaken by the applicant. This included neighbour letters, an online web presence and virtual Q&A events.
- 4.2 Through the Q&A events a total of 17 households engaged with the process.

Statutory application consultation

- 4.3 In terms of the Council's statutory consultation process 230 neighbour letters were sent to nearby residents on 26th April 2022.
- 4.4 A second consultation process via neighbour letters was undertaken on 10th October 2022.

4.5 There were no responses received on the application.

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 No comment

Environment Agency

5.3 No objections

Greater London Archaeological Advisory Service (GLAAS)

5.4 No objection subject to conditions

Historic England

No comment

Health and Safety Executive (HSE)

5.5 Following amendments to the scheme to incorporate a second staircase, HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

Mayor of London (Stage 1 Report)

5.6 Summary of the Stage 1 report

Land Use Principles: The proposed land uses meet with those identified as being suitable within the opportunity area and raise no strategic concern.

Urban Design and Co-living: The site has been identified as suitable for a tall building. The proposal includes a Payment in Lieu towards affordable housing, the GLA's viability team are currently scrutinising the viability information to ascertain whether this is the maximum level of affordable housing contribution that can be achieved. In terms of internal layout, the proposal generally meets with the co-living requirements of the London Plan. The architecture, site layout and public realm raises no strategic concern. The proposal will not result in harm to nearby heritage or harm the OUV of the Greenwich WHS.

Transport: The car free development is generally supported, however the applicant is urged to look at options for providing at least one blue badge space (with EVCP). To support the enhanced access and decision making by pedestrians, a contribution towards wayfinding should be secured. An impact assessment on the London Underground is also required and a contribution maybe required. The trip generation assessment needs to be based on more than one other co-living development. The proposed long stay cycling facilities do not meet with London Plan requirements and further discussion about the cycle 'pool scheme' is also required in terms of how it would be managed, secured and monitored.

Sustainability and Environment: The scheme will meet with urban greening and biodiversity requirements. Further information on energy, WLC is required, and mitigation measures on flood risk and air quality should be secured by condition

Metropolitan Police (Designing Out Crime Officer)

5.7 No comment

Natural England

5.8 No objection

Thames Water

5.9 No objections subject to conditions

DLR

5.10 No objection subject to conditions

London City Airport

5.11 No objection subject to a condition regarding crane methodology

LB Southwark

5.12 No comment

Port of London Authority

5.13 No objection

NATS

5.14 No objection.

Internal responses

LBTH Biodiversity

5.15 No objection subject to conditions securing biodiversity enhancements

LBTH Energy Efficiency/Sustainability

5.16 No objections subject to inclusion of carbon offset payment requirement in the s106

LBTH Environmental Health (Contamination)

5.17 No objection subject to conditions

5.18 LBTH Environmental Health (Noise)

5.19 No objection subject to a number of conditions requiring noise mitigation and a verification report.

LBTH Environmental Health (Air Quality)

5.20 No objection subject to conditions

LBTH Health Impact Assessment Officer

5.21 No comments

LBTH Viability

5.22 The viability has been reviewed and is considered to be the maximum reasonable.

LBTH Transportation & Highways

Car Parking

5.23 The proposals are for a car free development. This is welcomed as is in line with policy. The current use has a circa 65 space private car park which will be removed and this, in turn will contribute to a cleaner environment within the site as a result of a reduction in vehicle movement. The application should include blue badge parking within the site.

Cycle Parking

- 5.24 The applicant is proposing a cycle provision which is below the London Plan minimum numbers. The justification put forward is that they are providing a paid cycle loan scheme. A paid scheme would be unacceptable to LBTH highways as it offers no incentive to entice residents to cycle.

Officer comments: Free hire bikes for residents are now being proposed and will be secured through s106.

Servicing

- 5.25 It is proposed to service the site off street from Byng Street. In principle this is acceptable. Marsh Wall cannot be used as a stopping area (although this may become less likely if the proposed crossing facility is provided). A Service Management Plan is required as a condition outlining how all the servicing associated with the site will be managed. We will also expect a commitment to a zero carbon approach to servicing where possible and an encouragement to use environmentally friendly vehicles, such as cargo bikes

Travel Plan

- 5.26 A draft Travel Plan has been submitted but a full plan which aspires to meet the London Mayor's targets for active travel will be required prior to occupation

Construction

- 5.27 A draft CMP has also been submitted but a full one will be required prior to any works taking place on site. This should detail how the effect on the public highway will be minimised. All vehicles associated with the development must be able to access / egress the site from/to the public highway in forward gear. The parking or stacking of vehicles on the public highway will not be permitted, neither will loading / unloading from the public highway. The cumulative effects of development in the area must be considered and consolidation with other developments must be considered. The use of alternate fuel vehicles for demolition and construction must be considered. A pro-forma of requirements for the CMP is on the Council's website. Any basement works which may affect the integrity of the public highway will require technical approval from the Highways Structures team before any works begin and the use of cranes will also require technical approval and potentially licensing.

LBTH Waste Policy & Development

- 5.28 A waste compaction ration of 1:2 is acceptable subject to conditions regarding bin weight and details of how collection would be managed by the building operators to limit the manoeuvring distances for waste collectors.

LBTH Drainage

- 5.29 No comment

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 2021 (LP)
- Tower Hamlets Local Plan 2031
- Isle of Dogs Neighbourhood Plan

- 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 (residential, employment)

- London Plan policies: H1, E1
- Local Plan policies S.H1, S. EMP1, D. EMP2

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

- London Plan policies: GG2, H1 H4, H5, H7, H16
- 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
- IOD Neighborhood Plan – Policy D1- Infrastructure, D2- High Density

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

- London Plan policies: D3, D9, D14
- Local Plan policies: D.DH8
- IOD Neighborhood Plan: CC2, CC2, CC3

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, fire)

- London Plan policies: G1, G4, G5, G6, D12, 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
- IOD Neighborhood Plan – SD1

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (as updated)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (2020)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- 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)
- LBTH Reuse, Recycling & Waste (July 2021)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Environmental Impact Assessment (EIA)

7.2 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) co-ordinated by Ramboll.

7.3 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.

7.4 The Council issued an EIA Scoping Opinion on 11/02/2022. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- Demolition and Construction
- Socio-Economic
- Health
- Transport and Accessibility
- Noise and Vibration
- Air Quality
- Wind Microclimate
- Daylight, Sunlight and Overshadowing
- Archaeology
- Townscape, and Built Heritage
- Climate Change
- Greenhouse Gas Emissions
- Mitigation and Monitoring

7.5 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. The Council's EIA Officer and the Council's Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.

7.6 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.

Land Use

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

Loss of Employment

- 7.14 Policy E1 of the London Plan seeks to amongst other things, retain existing viable office floorspace outside of town centre locations or designated office locations. The policy also seeks improvements to the quality, flexibility and adaptability of office space of different sizes through the facilitation of new office provision, refurbishment and mixed-use development.

- 7.15 Policy S.EMP1 of the Local Plan seeks to protect and enhance the role and function of the Borough's designated employment locations and maximise the provision of employment floorspace to contribute towards the Borough's target of creating 125,000 new jobs over the period to 2031. The application site falls within the Isle of Dogs Activity Area. The policy goes on to identify that the Tower Hamlets Activity Areas, District Centres and larger Neighbourhood Centres also provide opportunities for purpose-built office buildings with ground-floor retail and leisure uses.
- 7.16 Policy D.EMP3 of the Local Plan seeks to protect employment floorspace within Preferred Office Locations, Local Industrial Locations, Strategic Industrial Locations and Local Employment Locations. Outside of designated employment areas, development should not result in the net loss of viable employment floorspace except where they:
- a) provide evidence of active marketing over a continuous period of at least 24 months at a reasonable market rent which accords with indicative figures, or
 - b) provide robust demonstration that the site is genuinely unsuitable for continued employment use due to its condition; reasonable options for restoring the site to employment use are unviable; and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.17 The proposal would result in the loss of employment floorspace as a result of the demolition of the 1980's office building (1,666 sqm GIA). The Applicant has submitted a supporting note to demonstrate that the site is no longer suitable for continued employment use due to its condition and that the benefits of the proposal would mitigate the loss of employment floorspace.
- 7.18 The applicants report indicates that the building is in poor condition and lacking in modern facilities required to attract tenants at a viable rent level. Given the refurbishment costs required to keep the building in lettable standard are prohibitive it unlikely to attract the necessary investment to facilitate the retention of the current employment floorspace.
- 7.19 The applicant has summarised a number of economic and regeneration benefits (included below) of the proposed scheme which are detailed further in the Socio-economic chapter within the ES.
- 7.20 Economic Benefits
- Supporting the local economy through the construction and supply chain related jobs
 - Construction training opportunities and apprenticeships;
 - Provision of non-residential mixed use commercial floor space, including co-working
- Environmental Benefits
- Delivery of high-quality architecture
 - Redevelopment of a previously developed, brownfield site
 - Delivery of high-quality landscaping and public realm spaces, revitalising the existing streetscape;
 - Provide much improved routes and connections, contributing to permeability within this part of Marsh Wall;
 - A highly sustainable building
 - Carbon offset payment towards a net zero carbon building.
- 7.21 Officers agree that there are clear planning benefits from the proposal which would deliver wider regeneration benefits that would outweigh the need to retain the existing employment floorspace in this location where significant levels of modern employment floorspace exists or is planned at Canary Wharf.
- 7.22 Overall, Officers consider that the loss of employment floorspace is accepted and appropriately justified given the site-specific characteristics and wider regeneration benefits proposed. Officers are satisfied that there is limited prospect of the site being reused for employment purposes.

Proposed flexible ground floor commercial uses

- 7.23 Policy S.TC1 of the Local Plan requires development to support the role and function of the Borough's town centre hierarchy and the provision of town centre uses. For the Tower Hamlets Activity Areas, development is required to amongst other things support the delivery of new retail and leisure floorspace to meet identified needs and promote active uses at ground floor level.
- 7.24 The proposed development would provide flexible commercial floorspace at the ground floor level in the form of a café space alongside a co-working space available to both residents and members of the public. The development would provide a total of 442 sqm (GIA) of floorspace with uses falling within the new Use Class E (Commercial, Business and Service). The proposed provision of co-working and café space at ground floor is in line with the role and function of the Isle of Dogs Activity area in that active uses have been promoted at ground floor level and these units would help to provide a transition from the Canary Wharf Metropolitan Centre to the surrounding area.
- 7.25 The proposals would not only assist in meeting the needs of future occupiers of the development, but also provide additional facilities and services to meet the immediate needs of wider local residents. The provision of flexible commercial uses to support the residential-led development is considered to be acceptable.

Principle of Co-Living

- 7.26 The NPPF seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 119 of the NPPF specifically sends a core message to ensure that previously developed land (brownfield land) is effectively reused in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Chapter 11, paragraph 120, part c) of the NPPF emphasises that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 7.27 The London Plan emphasises that there is a pressing need for more homes in London and that providing a range of high quality, well-designed, accessible homes is important to delivering Good Growth, ensuring that London remains a mixed and inclusive place in which people have a choice about where to live. Strategic objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must, amongst other things, under part (c) create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.
- 7.28 Policy H1 of the London Plan sets a ten-year target for net housing completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) new homes between 2019/20 and 2028/29. The accompanying text to policy H1 also sets out how to calculate the contribution non-self-contained communal accommodation make towards meeting housing targets.
- 7.29 Co-living is an emerging type of housing, which does not fall within a traditional residential use classes but is classed as sui-generis use. Co-living is a form of communal living within which residents have their own private room and private en-suite but share other facilities such as living space, cooking facilities and other amenities, such as gyms, with other residents. This type of housing is similar to that provided by larger HMO's (albeit at a larger scale) where residents share living and cooking facilities whilst retaining their own private space for sleeping.
- 7.30 The London Plan acknowledges the role that co-living developments can play in contributing towards housing targets and providing a range of housing options for Londoners. Policy H16 of the London Plan sets out criteria to ensure that, where delivered, these developments deliver good quality accommodation that is well designed, provides the necessary communal facilities for residents, promotes social integration, and contributes towards affordable housing targets.

7.31 The London Plan policy H16 sets out criteria that co-living units must meet -

- 1) *it is of good quality and design*
- 2) *it contributes towards mixed and inclusive neighbourhoods*
- 3) *it is located in an area well-connected to local services and employment by walking, cycling and public transport, and its design does not contribute to car dependency*
- 4) *it is under single management*
- 5) *its units are all for rent with minimum tenancy lengths of no less than three months*
- 6) *communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least:*
 - a) *convenient access to a communal kitchen*
 - b) *outside communal amenity space (roof terrace and/or garden)*
 - c) *Internal communal amenity space (dining rooms, lounges)*
 - d) *laundry and drying facilities*
 - e) *a concierge*
 - f) *bedding and linen changing and/or room cleaning services.*
- 7) *the private units provide adequate functional living space and layout, and are not self-contained homes or capable of being used as self-contained homes*
- 8) *a management plan is provided with the application*
- 9) *it delivers a cash in lieu contribution towards conventional C3 affordable housing.*

7.32 The London Plan stipulates that non-self-contained communal accommodation is calculated on a 1.8:1 ratio where one point eight bedrooms/units of non-self-contained housing is counted as a single home. Given that the proposals would deliver 795 single co-living studios this would equate to 441 residential units using this calculation method.

7.33 Officers have assessed the proposed development against these criteria and as set out in the relevant sections of this report consider that the development would meet each of the criteria set out. Planning conditions and obligations in the proposed Section 106 agreement would be used to control the management and tenancy aspects of the policy.

7.34 The GLA have also produced a guidance document for consultation in January 2022 which set out detailed standards for communal spaces and private rooms to ensure the development provides good quality and sufficient communal facilities for residents. The Large-scale Purpose-built Shared Living (LSPBSL) guidance document has not yet been adopted but has provided a useful guide to help assess the overall quality of accommodation and facilities proposed. More detail on this element is included within the 'Quality of Accommodation' section of this report.

7.35 Local Plan Policy D.H7 also acknowledges large-scale purpose-built housing as an alternative to traditional housing. The accompanying text to policy D.H7 states that

"HMOs have traditionally provided lower cost housing, including for those under 35 years of age in receipt of the shared room rate housing benefit. However, there has been a recent growth in London of purpose-built, large-scale, higher quality HMOs charging commercial market rents. This includes, for example, accommodation modelled on student housing but available for a wider range of occupants or accommodation described as 'co-living'"

7.36 Local Plan Policy D.H7 states that this type of housing will be supported where they meet the following criteria

- a) meet an identified need
- b) do not result in the loss of existing larger housing suitable for family occupation
- c) can be secured as a long-term addition to the supply of low cost housing, or otherwise provides an appropriate amount of affordable housing
- d) are located in an area of high transport accessibility

- e) do not give rise to any significant amenity impact(s) on the surrounding neighbourhood, and
 - f) comply with relevant standards and satisfy the housing
- 7.37 With regards the requirement to meet and identified need in part a), a co-living demand study prepared by Savill has been submitted as part of the application. This sets out the applicant's analysis of the local housing market and demand for residential accommodation. The demand study indicates there is a demand for private rented accommodation from young privately renting households aged under 40 years old.
- 7.38 In relation to part b) there would be no loss of existing housing. The site is currently occupied by an office block so there are no existing residential units on site. The site also does not have any previous planning application history or existing planning permission related to a development for conventional C3 housing. It is acknowledged that the primary strategic need within the borough is for C3 housing and in particular family housing. The site is located within the Marsh Wall West Site allocation which includes housing as a key delivery requirement for the site allocation. Whilst this development would not directly meet this need, it is in a location where significant housing delivery has occurred or is in the planning pipeline. Within the site allocation area a significant quantum of housing has been delivered, is currently under construction or has approved planning permission to be implemented. Developments at Alpha Square, the Wardian, Ensign House and Cuba Street are delivering significant levels of conventional C3 housing. Current Planning Policy allows for the delivery of co-living developments alongside conventional C3 housing and hence it would not be possible to refuse permission on the basis of the co-living use. The co-living development would offer an alternative type of housing and provide potential renters with an alternative to shared HMO living.
- 7.39 With regards part C) as discussed further below the development would include a payment in lieu of affordable housing which would contribute towards the delivery of affordable housing within the borough. Part d), e) and f) are also considered later within this report and it is confirmed that the development would also comply with these elements.

Affordable housing

- 7.40 In terms of affordable housing policy H16 of the London Plan recognises the requirement for this type of housing to contribute to affordable housing. However, because it does not meet minimum housing space standards and is focused on single occupancy tenancies it is not considered suitable as a form of affordable housing itself.
- 7.41 Therefore, London Plan policy requires a financial contribution in lieu instead of on-site affordable housing to allow Local Authorities to deliver offsite affordable housing. The London Plan allows Local Councils to decide whether it would prefer the financial contribution as a single upfront payment in lieu of affordable housing which will be based on a 50 per cent discount to market value of 35 per cent of the units or an ongoing in perpetuity payment linked to actual rental income. The ongoing payment should be based on 50 per cent of rental income for 35 per cent of units for as long as the development is used for this form of accommodation.
- 7.42 A viability assessment has been submitted with the development which has been reviewed extensively by both the Councils Viability team and the GLA Viability team. Following discussions between the parties the original payment in lieu proposed of £44.4m was increased to £47.909m. It was agreed that this was the maximum viable and would represent 35% based on a 50% discount to market value as required by policy H16.
- 7.43 The payment in lieu would be paid in four equal instalments every 12 months over the construction period of the development as set out in the table below, with a clause in the s106 agreement ensuring the full amount was received before first occupation of the development. The payments would be index linked to ensure that the value is not diminished by the effects of inflation over time.

Payment Stages	% (of £47.909m)
6 months post implementation	25%
12 months +	25%
12 months +	25%
12 months + (or at PC, whichever is earlier)	25%

7.44 This payment in lieu is considered a significant benefit of the scheme which would contribute towards the delivery of affordable housing within the borough. Whilst the calculation is based on 35% of the development proposed in the application, the value to the Council in terms of affordable homes delivered will depend on how the sums are used within Tower Hamlets own housing delivery programme.

Quality of Accommodation

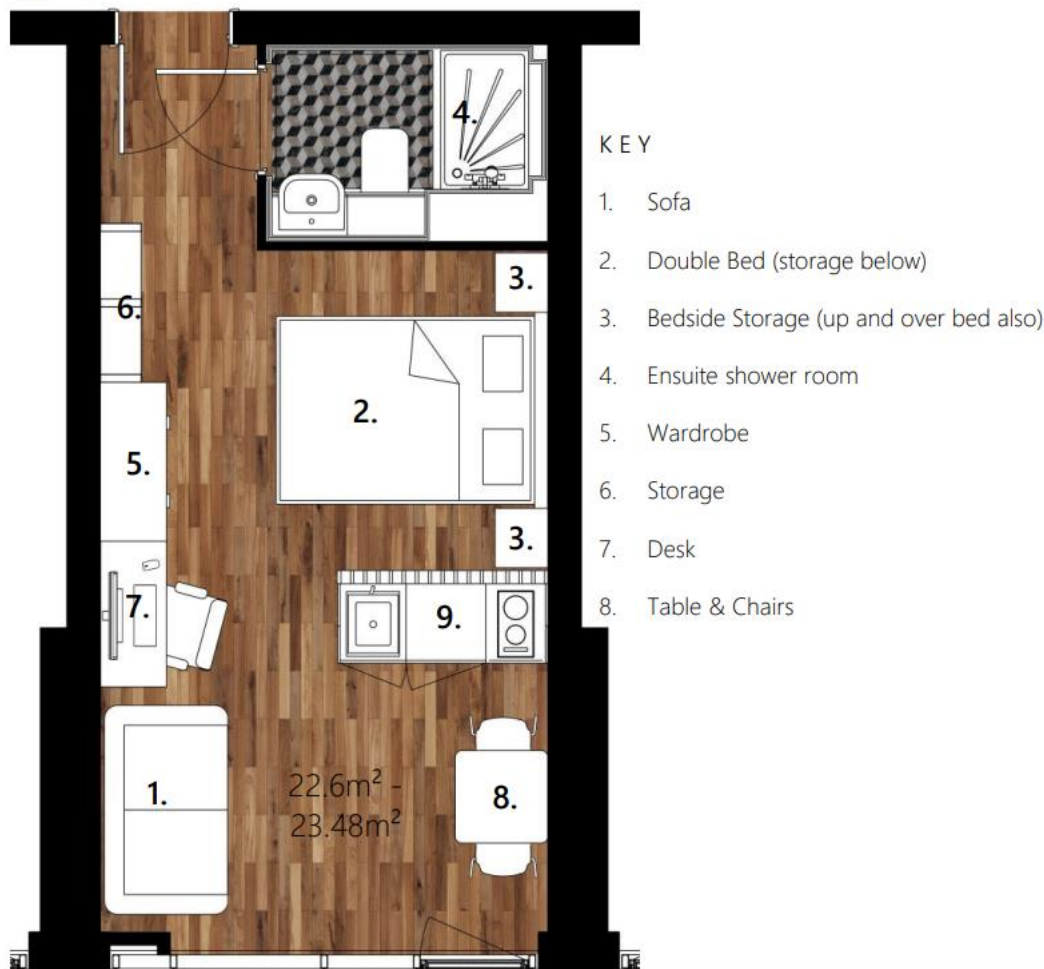
7.45 The GLA issued a draft guidance document for consultation regarding Co-Living in January 2022 to expand on policy H16. This document provided design guidance and identified benchmark standards for large-scale purpose-built schemes to meet in order to provide a good level of quality accommodation.

Sleeping Accommodation

7.46 In terms of the size of the sleeping accommodation the guidance states that units should be sized to avoid being converted to substandard self-contained units and therefore units should be at least 18sqm and not more than 27sqm. Accessible units are expected to generally be between 28sqm and 37sqm.

7.47 The proposed development includes a range of unit sizes of between 19.5sqm and 26.5sqm with accessible units of between of 34sqm. The graphic below shows a typical layout of one of the units.

Type D



7.48 The sleeping accommodation would take the form of individual single studio units with 19 studios on each floor. The units would be provided fully furnished, include an en-suite shower pod and a kitchenette including the facilities below

- The kitchenette will contain:
- A two ring hob
- A microwave oven
- A sink
- An under counter fridge
- Storage suitable for 1 person

Communal Facilities and Internal Amenity

7.49 In terms of communal amenity spaces the GLA guidance sets out that at least 5 sqm of internal communal facilities, including kitchen, living and dining space (KLD), should be provided per resident. Kitchen space should be provided at a minimum of 0.6 sqm per resident and 0.5 sqm of dining space should be provided, including space for chairs, tables, and circulation.

7.50 The proposed development provides 4.3sqm of KLD and an additional 2.2sqm of separate internal amenity space per resident and providing an overall 6.5sqm of communal space per resident.

7.51 The development proposes that residents are grouped into "clusters" of approximately 57 studios and providing kitchen, dining and living room facilities for these cluster over 3 floors. The visual below shows the typical layout for the communal spaces on each level.



Total Covers = circa 35

Total Covers = circa 38

Laundry
12 no. washer/dryers (over two floors)

Total of people able to cook at one time = 14

12 no. hobs
12 no. ovens
2 microwaves

Total area KLD spaces per 3 level cluster (57 studios)
258.5m² = 4.54m²/p

7.52 This layout is replicated through the building with each cluster of residents having access to these spaces across three floors.

7.53 At ground and first floor levels residential amenity spaces in the form of lounges, a gym, fitness room and a cinema room are proposed. On the upper floors at 43rd to 45th floor additional residential lounges are proposed. In total 1,276 sqm of additional internal amenity space is proposed. Overall the level of internal amenity including cooking facilities would deliver above the level recommended within the GLA draft guidance.

External Amenity

7.54 The Proposed Development includes 1,762 sqm of external amenity space in the form of ground floor and roof terrace space. This includes 1,371sqm public open space at ground and a 391 sqm communal roof terrace on the 45th floor. The GLA guidance suggests 1sqm of external amenity space for residents and the development would therefore deliver on this.



Wheelchair Accessible Housing

7.55 The development would include 82 accessible rooms located across all floors. The accessible rooms would meet the requisite standard for accessible rooms and would be secured by

condition. The communal kitchens will have accessible cooking provision (ie lowered hobs, sinks and worktops). The laundry room will ensure there are unstacked washer dryers available. The accessible rooms are also evenly distributed throughout the height of the building thus ensuring integration within the development. Within the ground and first floor amenity spaces there are accessible WC's provided as well as provision within the sky lounge.

Other residential facilities

- 7.56 Each cluster of 3 floors would include washing and dry facilities providing 12 washer dryers in each cluster. The building would be managed and operated 24hrs including housing keeping and concierge services. A management plan would be secured within the s106 agreement.

Noise, Vibration and Overheating

- 7.57 The proposed residential units would not be subjected to unacceptable noise or air quality. Conditions would be secured to ensure that residents were protected from noise generating plant equipment and to ensure new accommodation is constructed to appropriate standards with regard to acoustic insulation whilst ensuring appropriate levels of ventilation to prevent overheating.
- 7.58 Subject to the planning conditions referenced, officers consider 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.

Access to natural light

- 7.59 The submitted Internal Daylight and Sunlight report assesses the internal daylight provision for the proposed homes in terms Average Daylight Factor (ADF) and No Skyline methodologies.
- 7.60 In summary, the results of the ADF assessment show that 477 (60%) of the 795 habitable residential rooms will satisfy or exceed the minimum recommended ADF targets. This increases to 606 (78%) when used 1.5% for the living room spaces rather than 2%. A further 110 (14%) achieve the recommendation of 1% ADF for bedrooms. Therefore, a total of 728 (92%) of 795 units will offer reasonable levels of daylight given the urban location and the typology of the proposed units.
- 7.61 In terms of the communal spaces 25 (55%) of the 45 communal spaces meet or exceed their respective recommended target with all spaces.
- 7.62 All communal spaces meet BRE's recommendations for sky visibility (NSL)
- 7.63 In terms of sunlight 411 (82%) out of 500 studios suitable for assessment meet or exceed the recommended levels for APSH, and 427 (85%) also exceed the suggested levels of WPSH

Air Quality

- 7.64 The application submission has had regard to the potential impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment. Officers are satisfied that the proposal is acceptable, subject to the proposed embedded mitigation measures and recommended conditions.

Fire Safety

- 7.65 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).

- 7.66 The application has been accompanied by a Fire Statement prepared by Design Fire Consultants and details how the development would achieve the highest standards of fire safety, including details of fire safety systems, means of escape, internal fire spread, external fire spread, access and facilities for fire-fighting and fire safety management.
- 7.67 Following submission of the scheme the applicant included an amendment to the layout to include a second staircase. Subsequent to these amendments the Health and Safety Executive reviewed the scheme and considered the fire safety design of the scheme.

Density

- 7.68 The London Plan no longer incorporates a density matrix unlike its predecessor. Policy D3 of the London Plan requires that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.
- 7.69 The proposed development would have a density of equivalent to 2036 conventional residential units per hectare. 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 through pre-application discussions since 2019. The London Plan (para. 3.4.9) also requires applications for higher density developments 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). A condition is recommended with regards density management plan.
- 7.70 Isle of Dogs Neighbourhood Plan Policy D2 expects developments exceeding the 1,100 habitable rooms/hectare density to meet the specific expectations set out in the Mayor of London's Housing SPG for development exceeding the density matrix thresholds in the previous (2016) London Plan. It is noted that the updated London plan 2021 no longer makes reference to the density matrix however the proposal has been considered in relation to the Housing SPG.
- 7.71 The development is considered to contribute positively in terms of placemaking, creating a improved public realm at the junction of Marsh Wall and Mastmaker Road that improves the pedestrian experience as well as improving access through the site on the western boundary with 54 Marsh Wall. Servicing and cycle storage has been considered extensively through pre-app and the application. Furthermore, given the location of the site, in the Millwall Tall Building Cluster, an Opportunity area as well as a site allocation a high-density scheme is considered appropriate.

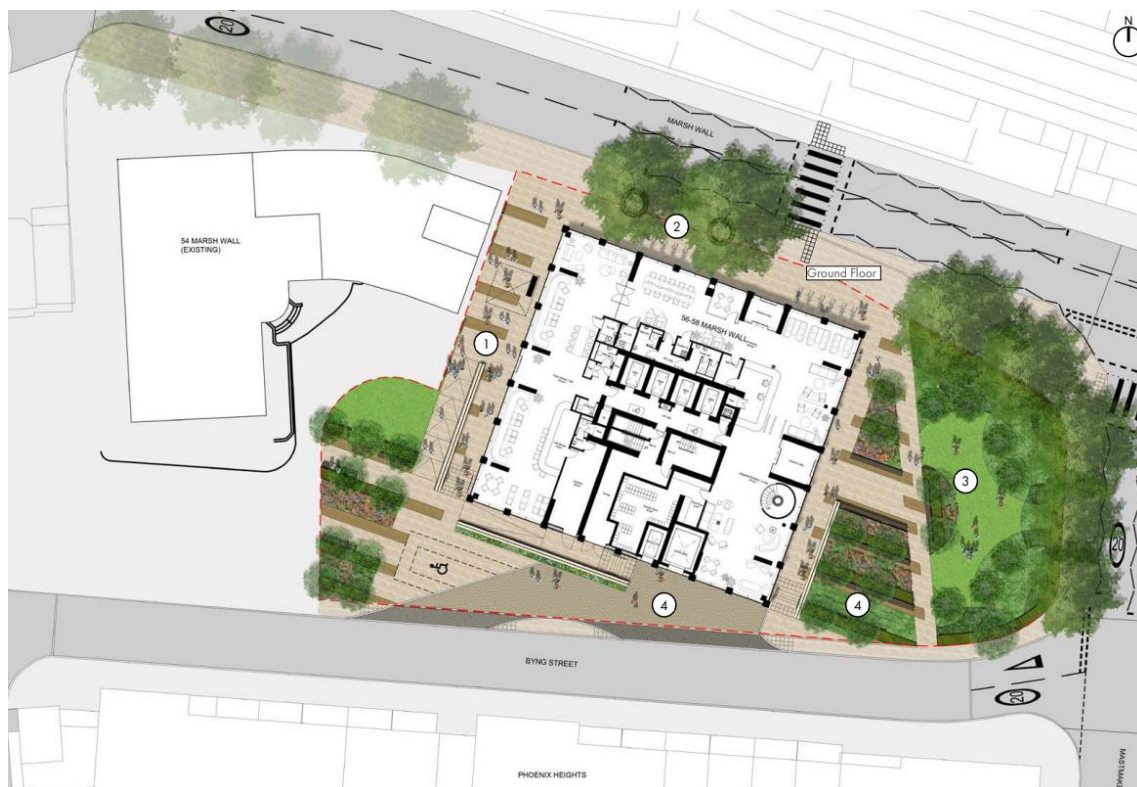
Design

- 7.72 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.
- 7.73 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.
- 7.74 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

- 7.75 The existing site constraints and surrounding built context have shaped the design development and layout of the site. The building has been set back from the junction of Marsh

Wall and Mastmaker and has included additional north-south pedestrian access around the building to the east, adjacent to 54 Marsh Wall.



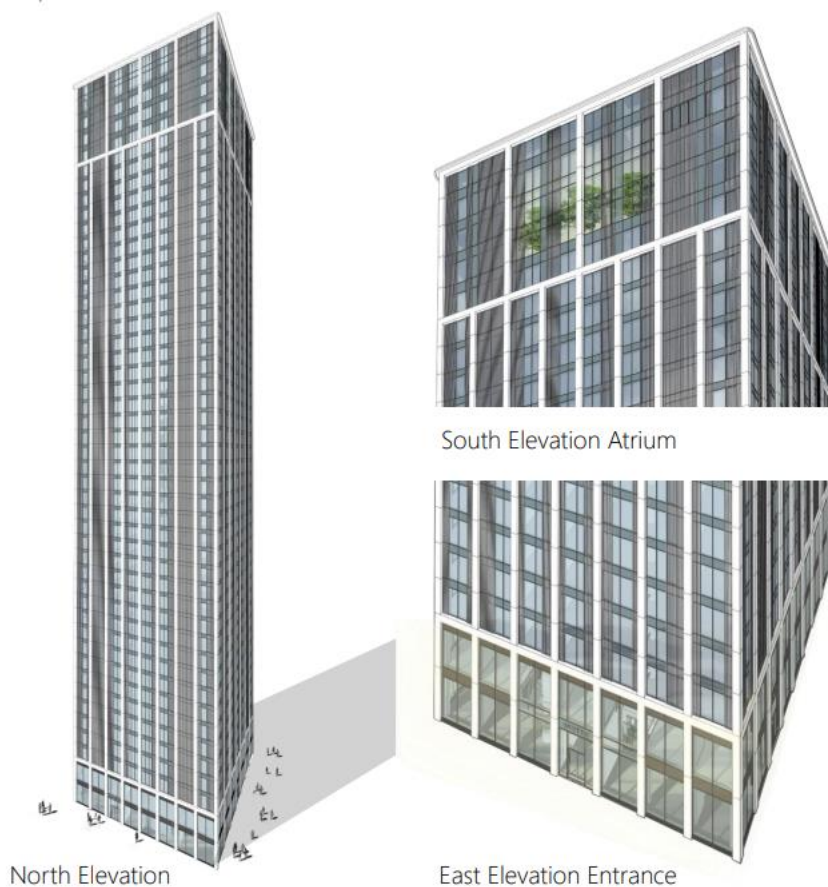
- 7.76 At ground floor level, the residential entrance would be located on the eastern elevation of the building, opening out onto the landscaped area on the junction of Marsh Wall and Mastmaker. A secondary entrance providing access to the café space would be on the western elevation of the building. Refuse storage and back of house facilities would also be provided at lower ground floor on the southern elevation.
- 7.77 Overall, the proposed layout arrangement are considered to respond appropriately to the site's context and constraints thus addressing the existing urban condition along Marsh Wall.

Townscape, Massing and Heights

- 7.78 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.
- 7.79 Tower Hamlets Local Plan Policy D.DH6 directs tall buildings to designated Tall Building Zones (Aldgate, Canary Wharf, Millwall Inner Dock, Blackwall and Leamouth).
- 7.80 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.
- 7.81 The application site is located within the Millwall Inner Dock tall building cluster, an area identified as appropriate for tall buildings. The scale of the building is considered appropriate for the site's location and the surrounding built context. The massing has sought to suitably sit within the surrounding cluster, by stepping down from the Wardian and Alpha Square buildings to the north and west.

Materiality and Design

- 7.82 The function of the building, as a co-living scheme, with the use repeating across clusters of 3 floors, allows the design of approach where the façade is expressed as a regular grid. Horizontal framing is introduced at the base and top of the tower to create architectural interest helping the tower to ground and establish itself within the site and the surrounding area, and also to lighten the top of the tower creating a lantern effect.



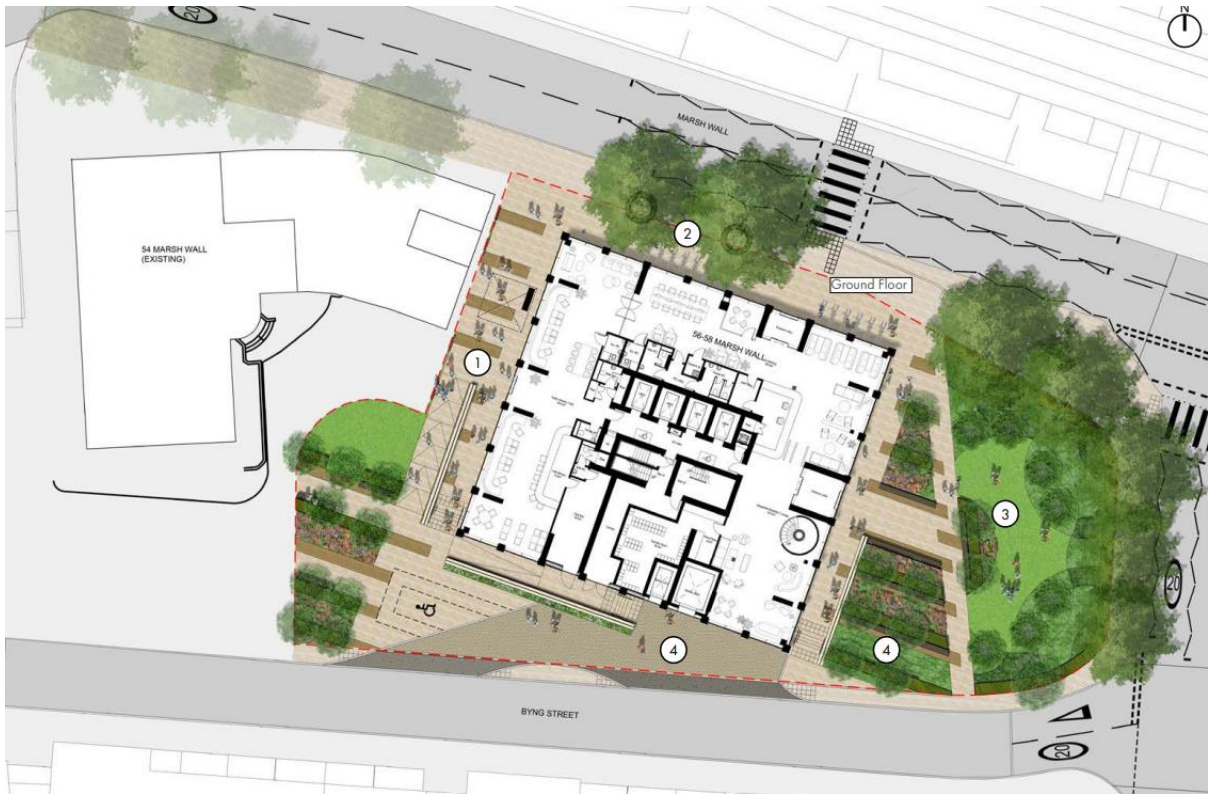
- 7.83 In terms of materiality the building would be aluminium clad with with glazed panels partially covered by vertical aluminium fins.
- 7.84 The solid and open areas of vertical fins within the residential portion of the elevations provide architectural detail, layering and interest by achieving depth to the elevations, and also provide a functional application by providing the residents with privacy, shading and natural ventilation to the co-living studios.
- 7.85 It is considered that the building would provide an interesting and positive addition to the cluster. At ground floor level the building has included active frontages on the north east and west elevations by virtue of the café space, co-living entrance and co-work space. The southern elevation would be predominantly for servicing and refuse access
- 7.86 The provision of communal amenity 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. Officers therefore consider that the development would meet the requirements of Local Plan policy D.DH6.



- 7.87 The Townscape Visual Impact and Heritage Assessment (TVIHA) and addendum report that forms part of the ES is based on 19 views that were agreed with officers and that were tested during the design development process.
- 7.88 Having reviewed the TVIHA officers are satisfied that the height of the proposed development would relate well to those of nearby developments, and when viewed from various points would sit comfortably within the prevailing pattern of development on the Isle of Dogs. The height of the building would be comparable with that of existing buildings in the vicinity and would be consistent with a general stepping down in the height of buildings moving away from the central Canary Wharf commercial cluster
- 7.89 The development would not compromise the recognition and appreciation of the St Paul's, Tower Bridge and Tower of London landmarks.

Landscaping & Public Realm

- 7.90 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.
- 7.91 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.
- 7.92 The submitted Landscape strategy document sets out the approach to the external spaces surrounding the building. The proposal would include improved pedestrian access and hard landscaping to the west of the building ensuring the design integrates well with the landscaping approved on the neighbouring site 54 Marsh Wall if this comes forward. To the east of the building a more substantial piece of green landscaping is proposed. This includes retention of the majority of the existing trees on site and planting an additional 27 trees. Of the 5 trees being removed three are of poor quality and have limited lifespan. One tree is located within the zone of the construction works and is likely to fail and the fifth tree suffers from internal decay and is subject to limited lifespan



Safety & Security

7.93 The Metropolitan DOCO have been consulted. A condition has also been recommended in relation to obtaining Secured by Design accreditation. Subject to this condition officers are satisfied with the proposal from a security perspective.

Heritage

7.94 The site is not located within a conservation area, nor does it contain any listed buildings. The TVIA does however have regard to the impact of the proposed development upon a number of designated and non-designated heritage assets within the surrounding area. The TVIA generally identifies significant beneficial and neutral effects on heritage assets during operation with negative impacts during construction. Officers have considered this in line with their statutory duty, as required by legislation, and have had special regard to the desirability of preserving the settings of conservation areas and listed buildings.

7.95 In terms of neighbouring conservation areas, the TVIA has considered the impact on the West India Dock and Coldharbour Conservation Areas (some distance to the north and east respectively). Given the scale and density of the surrounding context of the site and the proposed nature and scale of the building proposed it is not considered that there would be any detrimental impact on the neighbouring conservation areas.

7.96 In terms of listed buildings there are no listed buildings or structures within or immediately adjacent to the site. The TVIA has identified 2 Listed buildings that are within 500m of the site - the grade II entrance lock to South Dock and the grade II listed Cascades on Westferry Road. The TVIA assessment has considered these alongside other listed buildings and scheduled monuments outside of this radius which were of importance. Officers have assessed the submitted information and consider that the development would not have a harmful impact on any nearby listed buildings.

7.97 Overall, officers consider that the proposed development would preserve the character and appearance of surrounding conservation areas in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and would also preserve the setting of listed buildings in accordance with Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Archaeology

7.98 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) who have recommended conditions to be included if planning permission is granted. Subject to these conditions officers are satisfied that the development would comply with these requirements.

Neighbour Amenity

7.99 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions. The application site is situated in a highly urbanised area surrounded by several high density, tall residential buildings, and lower rise housing.

Privacy & Outlook

7.100 Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.

7.101 In respect of the proposed development, particular adjacent residential blocks of note are considered to be the following:

- 54 Marsh Wall
- Phoenix Heights



7.102 Separation distances between the proposed development and Phoenix Heights to the south are between 17m and 23m and between the proposed development and the approved scheme at 54 Marsh Wall between 20m and 22m. Whilst the separation distance from Phoenix Heights is marginally below 18m however this is not uncommon in densely developed areas and is

evident in the relationship between other nearby buildings. Given that the building would be at an angle and would not have any balconies or openable windows, and the distance is close to 18m it is not considered that the impact on neighbouring privacy would be significant, and it is considered acceptable.

Daylight, Sunlight & Overshadowing

- 7.103 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.104 To calculate daylight to neighbouring properties, the BRE guidelines, referenced in the Council's Local Plan policies, emphasise that vertical sky component (VSC) that measures light received by the windows, is the primary assessment. No skyline (NSL) assessment which measures daylight distribution, is also used 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.
- 7.105 The BRE guidelines say that changes in daylight and sunlight of 20% or less are negligible and therefore acceptable. 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 assessments. However, where defining a 'minor adverse' effect for daylight only, where the VSC levels as a percentage reduction in excess of 20% but retain a VSC greater than 27%, the impact is considered negligible.
- 7.107 When assigning significance per property however, consideration has been given to the proportion of rooms / windows affected, as well as the percentage alterations, absolute changes, existing levels, retained levels and any other relevant factors, such as orientation, balconies, overhangs or design features. As such, the criteria are not applied mechanistically.

Daylight and sunlight summary

- 7.108 The assessment highlights that for existing daylight baseline conditions, 7209 of the 7914 (91%) windows assessed for VSC and 3651 of the 3727 (98%) rooms assessed for NSL meet BRE criteria for daylight of 27% VSC and 80% NSL. For existing sunlight baseline conditions, 1746 of the 1766 (99%) rooms assessed meet BRE criteria of 25% total APSH and 5% winter APSH. The assessment provides that low existing daylight and sunlight levels can be attributed to the dense urban location and architectural features such as balconies, large roof overhangs and recessed windows.
- 7.109 The Environmental Statement assesses the likely significant impact of the proposal on the daylight and sunlight on surrounding residential properties identified listed below and identified in Figure 1 .

- 1) 1-7 Bellamy Close
- 2) Dowlen Court
- 3) 74 Manilla Street
- 4) 2 Millharbour Block A
- 5) 19-26 Cuba Street
- 6) 6 Alpha Square
- 7) 2 Millharbour Block D
- 8) 2 Millharbour Block B1
- 9) Millharbour West Block G2.1
- 10) Millharbour West Block G2.2
- 11) Discovery Dock East
- 12) South Quay Plaza 4
- 13) South Quay College
- 14) Arrowhead Quay East
- 15) Arrowhead Quay West
- 16) Land At 3 Millharbour - G4
- 17) Land At 3 Millharbour - G3
- 18) Discovery Dock Apartments West
- 19) Beatty House
- 20) Parker House
- 21) Phoenix Heights
- 22) 1-11 Bosun Close
- 23) 1-7 Alpha Grove
- 24) 42-44 Alpha Grove
- 25) 46 Alpha Grove



Figure 1 – Neighbouring sites

Daylight – likely significant effects

7.110 Of the 25 buildings identified above 10 of the buildings would see no reduction in daylight beyond the BRE guidelines. The remaining 15 properties are considered further below.

2 Millharbour Block A

7.111 This residential apartment building is located south-east of the site. A total of 240 windows serving 108 rooms were assessed for daylight within this building.

7.112 For VSC, 217 of the 240 (90.4 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

7.113 Of the 23 affected windows, all would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect.

7.114 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.

7.115 The ES ascribes the effect to this building as Negligible Adverse (not significant) overall

Alpha Square

- 7.116 This residential apartment building is located west of the site. A total of 2165 windows serving 433 rooms were assessed for daylight within this building. For VSC, 1962 of the 2165 (90.6 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.117 Of the 203 affected windows, 202 would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect whilst one would experience an alteration between 30-39.9 % which is considered a Moderate Adverse effect.
- 7.118 A total of 19 windows serve bedrooms, which may be considered less sensitive as their primary use is for sleeping. Each of these windows see minor adverse transgressions, which are no greater than 1.5 % above the 20 % threshold outlined in BRE Guidelines. As such, the change in daylight to these windows is unlikely to be noticeable. The remaining windows serve living kitchen diners (LKDs). On the lower storeys, lower levels of light can be observed, as would be anticipated. However, on the upper levels of the building greater levels of VSC are retained (15 %+ VSC), despite the minor adverse alterations. The moderate adverse impact occurs to an LKD window at the lowest storey which has a baseline level of VSC of 4.7 % resulting in a disproportionate percentage change.
- 7.119 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.120 Overall, the majority of windows meet the criteria for VSC and no alterations beyond the criteria for NSL occur. Where changes to the VSC at this building occur, they are of minor adverse significance. Therefore, the ES ascribes the effect to this building to be Negligible to Minor Adverse (not significant).

2 Millharbour Block D

- 7.121 This residential apartment building is located south-west of the site. A total of 212 windows serving 139 rooms were assessed for daylight within this building.
- 7.122 For VSC, 208 of the 212 (98.1 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.123 Of the four affected windows, all would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect. All four windows have low baseline levels of VSC (below 2.4 %) and so the percentage alterations are disproportionate to what the occupant is likely to experience.
- 7.124 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.125 Therefore, the ES considers the effect to be Negligible Adverse (not significant) overall.

2 Millharbour Block B1

- 7.127 This residential apartment building is located south-west of the site. A total of 112 windows serving 61 rooms were assessed for daylight within this building.
- 7.128 For VSC, 110 of the 112 (98.2 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.129 Of the two affected windows, one would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect whilst one would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. Both windows have low baseline levels of VSC (below 0.4 %) and so the percentage alterations are disproportionate to what the occupant is likely to experience.
- 7.130 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.131 Therefore, the ES considers the effect to be Negligible Adverse (not significant) overall.

South Quay College

- 7.132 This educational building is located south of the site. A total of 118 windows serving 38 rooms were assessed for daylight within this building.
- 7.133 For VSC, 116 of the 118 (98.3 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.134 Of the two affected windows, both would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect. Both windows serve a room on the first storey, which is served by multiple other windows and so the alteration in VSC is unlikely to be noticeable overall.
- 7.135 For NSL, 36 of the 38 (94.7 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.136 Of the two affected rooms, both would experience an alteration in NSL between 20-29.9 % which is considered a Minor Adverse effect. These two rooms are located at ground level, serving a reception room, which is not considered to be sensitive, and an educational room. The NSL retained is 63.3 % and 73.3 % respectively and the windows serving these rooms are not affected beyond BRE criteria for VSC.
- 7.137 Therefore, given the high level of VSC and NSL compliance, the uses of the rooms affected and levels of VSC and NSL retained, effect is considered in the ES to be Negligible Adverse (not significant) overall.

Arrowhead Quay East

- 7.138 This residential apartment building is located north-west of the site. A total of 520 windows serving 310 rooms were assessed for daylight within this building.
- 7.139 For VSC, 421 of the 520 (81 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.140 Of the 99 affected windows, all would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect. A total of 49 windows serve bedrooms, which may be considered less sensitive as their primary use is for sleeping. The remaining 50 affected windows serve dual LKDs. These already have low levels of VSC, below 11.1 % VSC, due to the presence of balconies which inherently restrict daylight availability. However, due to the mitigating windows at these LKDs, which are not affected beyond BRE criteria by the proposed development, these windows would not be significantly affected.
- 7.141 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.142 Therefore, given the high level of VSC and NSL compliance and those windows affected being obstructed by balconies, but not considered to be significantly affected due to mitigating windows, the overall effect is considered in the ES to be Negligible to Minor Adverse (not significant).

Arrowhead Quay West

- 7.143 This residential apartment building is located north-west of the site. A total of 597 windows serving 404 rooms were assessed for daylight within this building. 11.161 For VSC, 535 of the 597 (89.6 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.144 Of the 62 affected windows, 52 would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect whilst 10 would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect.
- 7.145 A total of 13 windows seeing minor adverse serve bedrooms, which may be considered less sensitive to changes in daylight as their primary use is for sleeping. These windows have

baseline levels of VSC below 8.9 %, resulting disproportionate losses changes equating to absolute losses no greater than 1.9 %.

- 7.146 The remaining 49 affected windows serve LKDs, living diners (LDs) and living rooms, seeing minor and moderate adverse losses. However, each of these windows has very low baseline levels of VSC below 8 %, owing to their location beneath balconies, resulting in disproportionate percentage changes which equate to absolute losses no greater than 1.7 % VSC. Each of these rooms are dual aspect, with at least one window not affected by the proposed development.
- 7.147 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.148 Therefore, given the NSL compliance and the majority of windows not affected beyond BRE criteria for VSC, with disproportionate alterations occurring to the windows seeing VSC losses, which would not be noticeable, the overall effect is considered in the ES to be Negligible to Minor Adverse (not significant).

Land At 3 Millharbour - G4

- 7.149 This building has educational uses at ground level and residential uses on the level above and is located south-east of the site. A total of 511 windows serving 350 rooms were assessed for daylight within this building.
- 7.150 For VSC, 503 of the 511 (98.4 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.151 Of the eight affected windows, three would experience an alteration in VSC between 30-39.9 % which is considered a Moderate Adverse effect whilst five would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.152 All eight windows serve rooms of unknown use within the school component of the building. These windows have very low baseline levels of VSC below 4.9 % VSC owing to their location at ground level. This results in disproportionate percentage changes equating to absolute losses of less than 1.5 % VSC, which is unlikely to be noticeable.
- 7.153 For NSL, 349 of the 350 (99.7 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.154 The affected room would experience an alteration in NSL between 20-29.9 % which is considered a Minor Adverse effect. This room is of unknown use at ground level within the school with levels of NSL below 30 % in the baseline condition.
- 7.155 Therefore, given the high level of VSC and NSL compliance and the reductions occurring only to windows and rooms where the baseline levels of daylight are low resulting in disproportionate percentage changes, the effect is considered in the ES to be Negligible Adverse (not significant) overall.

Land At 3 Millharbour - G3

- 7.156 This residential apartment building is located south-east of the site. A total of 479 windows serving 334 rooms were assessed for daylight within this building.
- 7.157 For VSC, 414 of the 479 (86.4 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.158 Of the 65 affected windows, 37 would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect and 27 would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. The remaining window would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.159 A total of 20 windows serve bedrooms, which may be considered less sensitive to changes in VSC as their primary use is for sleeping. These windows each see minor adverse alterations.

- 7.160 A further 24 windows serve dual aspect studio apartments. These windows see alterations ranging from minor to major adverse, with the significant alterations occurring to those windows at the lowest levels where lower baseline levels of light can be seen. Although minor to major moderate adverse loss occur, the studio apartment windows see losses no greater than 3.4 % VSC.
- 7.161 The remaining 21 affected windows serve dual aspect LKDs, which see moderate adverse changes in VSC at the lower levels, and minor adverse losses to the upper storeys. Owing to their location beneath balconies, these windows have low VSC levels ranging from 2.6-9.8 %, resulting in disproportionate percentage changes which equate to less than absolute reductions less than 2.3 % VSC.
- 7.162 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.163 Overall, there is a high level of VSC and NSL compliance with approximately a third of the affected windows serving bedrooms, which are less sensitive to changes in VSC and only see minor adverse changes. The remaining windows serve dual aspect studio apartments and LKDs which, despite seeing moderate to major alterations, would incur very small absolute reductions in daylight due to their low baseline values. Therefore, the effect is considered in the ES to be Negligible to Minor Adverse (not significant).

Discovery Dock Apartments West

- 7.164 This residential apartment building is located north-east of the site. A total of 210 windows serving 171 rooms were assessed for daylight within this building.
- 7.165 For VSC, 209 of the 210 (99.5 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.166 The affected window would experience an alteration in VSC between 30-39.9 % which is considered a Moderate Adverse effect. This window serves a bedroom with a baseline level of 4.7 %, seeing an absolute reduction of 1.7 % VSC.
- 7.167 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.168 Therefore, the overall effect is considered in the ES to be Negligible Adverse (not significant).

Beatty House

- 7.169 This residential building is located north of the site. A total of three windows serving two rooms were assessed for daylight within this building.
- 7.170 For VSC, all three windows assessed see losses greater than recommended by BRE.
- 7.171 Of the three affected windows, all would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect. These three windows serve rooms of unknown use, with baseline values ranging from 7.2-10.3 %. The absolute change in VSC equates to no more than 2.4 %.
- 7.172 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.173 Overall, the effect is considered Minor Adverse (not significant). Parker House 11.192 This residential building is located north of the site. A total of 23 windows serving 10 rooms were assessed for daylight within this building.
- 7.174 For VSC, 19 of the 23 (82.6 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.175 Of the four affected windows, three would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect, whilst one would experience an alteration

greater than 40 % which is considered a Major Adverse Effect. These four windows have low baseline levels of daylight below 5.8 % which equates to absolute reductions in VSC of no more than 1.5 %.

- 7.176 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.177 Overall, although significant percentage changes occur, these are a function of the low baseline VSC levels and the absolute change is unlikely to be noticeable. Therefore, the overall effect is considered in the ES to be Negligible to Minor Adverse (not significant).

Phoenix Heights

- 7.178 This residential apartment building is located south of the site, with the north façade directly overlooking the proposed development. A total of 569 windows serving 363 rooms were assessed for daylight within this building.
- 7.179 For VSC, 359 of the 569 (63.1 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.180 Of the 210 affected windows, 56 would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect and 47 would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. The remaining 107 windows would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.181 A total of 86 affected windows serve bedrooms, which may be considered less sensitive to changes in VSC as their primary use is for sleeping. Two of these bedroom windows see minor adverse alterations, with the remaining seeing moderate to major adverse alterations.
- 7.182 A further 11 affected windows serve kitchens, each of which see moderate to major adverse alterations. Each of these kitchens are situated at ground levels and so any increase in massing and so inherently have limited view of the sky. A total of 111 living rooms and LKDs are affected, seeing alterations ranging from minor to major adverse. Of these, 44 windows would retain at least 15 % VSC, which may be considered an adequate retained level of VSC.
- 7.183 The remaining 67 affected living room and LKD windows are situated on the northern façade and have baseline levels of VSC ranging from 6.9 % VSC on the lowest storeys to 23.4 % VSC on the upper levels, a number of which are situated beneath balconies. These windows, particularly those situated beneath balconies, rely on daylight from across the empty site can be partially attributed to the design of the building itself. Alterations of this magnitude can be expected, with massing coming forward within a low-rise / empty site and where neighbouring windows are already obstructed by balconies.
- 7.184 The remaining two windows serve rooms of unknown use which have been assessed as a worst case.
- 7.185 For NSL, 302 of the 363 (83.2 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.186 Of the 61 affected rooms, 10 would experience an alteration in NSL between 20-29.9 % which is considered a Minor Adverse effect and 19 would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. The remaining 32 rooms would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.187 Overall, the effect to building is considered in the ES to be Moderate to Major Adverse (significant). Reductions of this magnitude can be anticipated, as the affected windows on the rooms on the north facing elevation of this building currently receive unobstructed access to daylight across the site. The retained levels of VSC should be noted.

1-11 Bosun Close

- 7.188 These residential terraced houses are located south-east of the site. A total of 30 windows serving 24 rooms were assessed for daylight within this building.

- 7.189 For VSC, 13 of the 30 (43.3 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.190 Of the 17 affected windows, 11 would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect and four would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. The remaining two windows would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.191 At ground level, seven windows would see minor adverse changes to VSC. At first level, ten windows would see minor to major adverse VSC changes. The greater magnitude of effect to these windows occur as a result of overhanging eaves which cut out the top part of the view out and so the alteration is a result of the building design itself.
- 7.192 For NSL, 12 of the 24 (50 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.193 Of the 12 affected rooms, eight would experience an alteration in NSL between 20-29.9 % which is considered a Minor Adverse effect and three would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect. The remaining room would experience an alteration in excess of 40 % which is considered a Major Adverse effect.
- 7.194 Two of the rooms at ground level affected for VSC also see moderate adverse NSL alterations. Ten rooms affected for NSL are at first level and are served by the windows affected for VSC.
- 7.195 Overall, the effect to this buildings is considered in the ES to range from Minor to Moderate Adverse (significant).

42-44 Alpha Grove

- 7.196 This residential building is located south-east of the site. A total of 10 windows serving eight rooms were assessed for daylight within this building.
- 7.197 For VSC, eight of the 10 (80 %) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.198 Of the two affected windows, both would experience an alteration in VSC between 20-29.9 % which is considered a Minor Adverse effect. Both windows have very low baseline levels of VSC, below 2.8 %, and therefore the percentage change is disproportionate to what the occupant is likely to experience, equating to an absolute reduction of 1 % VSC.
- 7.199 For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.
- 7.200 Therefore, the overall effect is considered in the ES to be Negligible Adverse (not significant).

Sunlight

- 7.201 In terms of sunlight given the orientation of the buildings and the surrounding context of the 19 buildings tested only three buildings would see alterations in APSH and/or Winter PSH beyond BRE Guidelines recommendation and are therefore discussed in further detail below

Alpha Square

- 7.202 This residential apartment building is located west of the site. A total of 172 rooms were assessed for sunlight within this building of which 155 (90.1 %) would meet the BRE's criteria for both Annual and Winter PSH.
- 7.203 For Annual PSH, 155 of the 172 (90.1 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.204 Of the 17 rooms affected annually, 15 would experience an alteration in Annual PSH between 20-29.9 % which is considered a Minor Adverse effect whilst two would experience an alteration between 30-39.9 % which is considered a Moderate Adverse Effect.

7.205 For Winter PSH, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.

7.206 Overall, the effect is considered Negligible to Minor Adverse (not significant).

Beatty House

7.207 This residential building is located north of the site. A total of two rooms were assessed for sunlight within this building of which 1 (50 %) would meet the BRE's criteria for both Annual and Winter PSH.

7.208 For Annual PSH, one of the two (50 %) rooms assessed would meet BRE's criteria and is therefore considered to experience a Negligible effect. The remaining room sees a loss between 20-29.9 % which is considered a Minor Adverse effect.

7.209 For Winter PSH, one of the two (50 %) rooms assessed would meet BRE's criteria and is therefore considered to experience a Negligible effect. The remaining room sees a loss greater than 40 % which is considered a Major Adverse effect.

7.210 Overall, the effect is considered Negligible to Minor Adverse (not significant).

Parker House

7.211 This residential building is located north of the site. A total of 10 rooms were assessed for sunlight within this building of which 8 (80 %) would meet the BRE's criteria for both Annual and Winter PSH.

7.212 For Annual PSH, all rooms assessed would meet BRE's criteria and so are considered to experience a Negligible effect.

7.213 For Winter PSH, eight of the 10 (80 %) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect. The remaining two see losses between 30-39.9 % which is considered a Moderate Adverse effect.

7.214 Overall, the effect is considered Negligible to Minor Adverse (not significant)

Overshadowing

7.215 The assessment considers the likely effects on three amenity spaces one on the site and two neighbouring amenity spaces (Wardian and South Dock). The impact of the development on The South Dock space is considered to be minor adverse in the ES and the Wardian amenity space would be moderate adverse

Solar Glare

7.216 The BRE Guidelines state at paragraph 5.8.1: "Glare or solar dazzle can occur when sunlight is reflected from a glazed façade or area of metal cladding."

7.217 The Solar Glare analysis assessed the impact of solar glare on a number of locations around the site. It was concluded that there would be negligible or minor impacts from Solar Glare and the results would be similar to other buildings of similar scale and character.

Cumulative Effects

7.218 The EIA Daylight and Sunlight chapter also includes details of a number of cumulative scenarios which have tested the impact of the development alongside approved developments. The cumulative analysis does identify some significant impacts on neighbouring properties. This is not unexpected given the dense nature of the area and the approved developments within the area.

7.219 To further understand which part of the cumulative effect that relates to the Proposed Development, a future baseline scenario has been considered which has considered the cumulative schemes as built and assesses the impact of the development on neighbouring

buildings. The conclusions of this analysis demonstrate that a large proportion of the impacts on neighbouring properties are a result of the cumulative schemes rather than the proposed development.

Daylight and sunlight conclusions

7.220 The Daylight, Sunlight, Overshadowing and Solar Glare assessment has been independently reviewed by both Temple Group (ES Chapters 10, 14 and NTS) and Delva Patman Redler (DPR) who agree with the significance of effects ascribed in the ES and the conclusions drawn.

7.221 In conclusion, the ES demonstrates that of the 25 buildings assessed for daylight, significant effects are likely to occur at two: Phoenix Heights and 1-11 Bosun Close would experience Moderate Adverse to Major significant effects. The remaining 23 buildings would experience Negligible to Minor Adverse effects which are considered Not Significant in the ES.

7.222 In relation to the two neighbouring buildings which are most significantly impacted DPR made the following observations

Phoenix Heights: Due to the proximity of this building in relation to the development site, there are single aspect rooms that will experience a high reduction in VSC up to seventeenth floor level.

1-11 Bosun Close: Although there will be a noticeable reduction in light to this property, the retained level of daylight is generally acceptable for a dense urban location.

7.223 In the cumulative scenario, there would be further effects beyond those occurring of the proposed development in isolation however, the Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.

7.224 In taking all the above into account and the wider benefits of the proposal, the proposal is not considered to result in an unacceptable loss of daylight, sunlight, overshadowing and solar glare detrimental to the living standards and amenities enjoyed by neighbouring occupiers and as such the development is considered to be acceptable on matters relating to daylight, sunlight, solar glare and overshadowing.

Construction Impacts

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

7.226 The application is supported by a Construction Environmental Management Plan. This estimates an overall construction programme of between 3 and 4 years and sets out potential security and storage, traffic routeing, loading/unloading areas, delivery times, construction vehicle restrictions, working times, noise/dust/air pollution control measures and management, monitoring, and review arrangements etc.

7.227 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 Logistics Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme. The information submitted to discharge the condition would be expected to include up to date consideration of the surrounding developments ensuring that impacts on existing residents are minimised.

- 7.228 Subject to the proposed conditions and obligations the development would appropriately address construction impacts and would comply with policies CC1, CC2 and CC3 of the Isle of Dog Neighbourhood Plan.

Transport

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

Vehicular, pedestrian and cycle access

- 7.230 The applicant has included potential roadworks and public footway works along Cuba Street, Manilla Street and Tobago Street which includes relocating and increasing the number of parking spaces and resurfacing footways. The details of the public highway works would be agreed by condition and implemented through a Section 278 agreement with the Council.

Car Parking

- 7.231 London Plan Policy T6.1 requires large-scale purpose-built accommodation to be car-free. 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.
- 7.232 The proposed development would parking permit free and car free with the exception of 1 'blue badge' car parking spaces on site. The scheme was amended to incorporate a blue badge space following a requested raised within the consultation response from TFL and the Councils Highway officer.
- 7.233 The proposed car parking arrangements are considered to be 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).

Cycle Parking and Facilities

- 7.234 London Plan Policy T5 would require 795 long-term cycle parking spaces for C3 residential units. The applicant proposes 190 cycle parking spaces through a mixture of a two-tier system and Sheffield stands with additional folding bike lockers providing 216 cycles.
- 7.235 The applicant is proposing to deliver cycle parking at a quantum lower level than the London Plan requirements. To mitigate this and to increase cycling amongst residents, the applicant is proposing a free 216 bike hire scheme.
- 7.236 This approach has been adopted within LBTH on a recent student development at 30 Marsh wall and has also been adopted in other London boroughs. Although the provision does not meet the London Plan standards, the Council's Highway's officer considers the cycle hire scheme reasonable as it provides residents with a significant level of cycle parking space for those who have their own bike but complementing this with access to shared bikes, free of charge, which could encourage an increase in cycling in an area that is well connected to cycling routes . The cycle scheme would be secured through the s106 include a management and maintenance program for the bikes.
- 7.237 On balance, officers raise no objection to the proposal subject to conditions which would include the cycle parking and hire scheme and its provision as 'free to use' to be secured for perpetuity and a minimum of 216 cycles being available for residents.

Deliveries & Servicing

- 7.238 A Delivery and Servicing Management Plan has been submitted along with the Transport Assessment. The proposals include refuse and waste collected from a servicing bay located just off Byng Street. Deliveries would also be managed on site from the servicing bay on Byng Street with the Co-living operator receiving deliveries at reception for residents. This approach is acceptable in principle and it is recommended that a detailed Delivery and Service Plan is secured by condition.

Trip generation

- 7.239 The submitted Transport Assessment estimates that the proposed development would be likely to generate a net additional 255 and 137 two-way person trips in the AM and PM peak times of day. Allocating these trips across various modes of travel, the proposed 'car free' development is expected to see a reduction in vehicle movements. In contrast, there is expected to be an increase in walking, tube and DLR trips and lesser increases in cycle and bus movements. From the conclusions of the transport assessment and none of these are expected to have a material impact on public transport capacity.

Travel Planning

- 7.240 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.

Environment, health, and sustainability

Wind/Microclimate

- 7.241 Chapter 12 of the ES reports on the findings of a wind microclimate assessment, based on wind tunnel testing receptor locations within the site and surrounding area. Mitigation measures have been proposed at ground floor level on the eastern side of the building and would include tree planting and hedges. There would be no mitigation required within the roof terrace and as the development does not include any balconies there are no issues regard private amenity spaces.
- 7.242 Subject to a planning condition securing the identified additional mitigation measures, 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).

Air Quality

- 7.243 The application has had regard to the potential impact of the proposed development on air quality at nearby residential properties and the impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.
- 7.244 Mitigation of construction dust is proposed through implementation of mitigation measures in accordance with the Mayor of London's SPG based on the assessed risks of dust soiling and human health impacts from the site prior to mitigation. It is proposed that the required mitigation and dust monitoring strategy will be integrated into a Construction Environmental Management Plan (CEMP), to include an Air Quality and Dust Management Plan (AQDMP) and Construction Logistics Plan (CLP). The proposed construction dust mitigation measures are considered adequate and would comply with the requirements of IOD policy CC3.

Health Impact Assessment

- 7.245 Local Plan Policy D.SG3 states that developments that are referable to the Mayor require to be supported by a Health Impact Assessments (HIA).
- 7.246 The submitted HIA considers the potential health impacts (during the demolition and construction phase, and occupation following completion) arising from the development. The HIA is structured around the following key themes: delivering healthy layouts, promoting neighbourhood cohesion, enabling active living and creating the healthiest of environments.
- 7.247 In consideration of the above themes, the HIA concludes that the proposed development is likely to have an overall positive impact on health. The identified positive health impacts under each theme include but not limited to the following
- 7.248 Positive health impacts relate to:

- The delivery of 795 new high-quality co-living units which would contribute towards providing a mix of housing types;
- Provision of improved public realm and landscaping;
- A car-free development, delivering a new pedestrian through route and safety improvements on surrounding streets;
- Secured by design features promoting community safety;
- Provision of a ground floor co-working floorspace which will be accessible to the public, generate employment and create an active frontage, supporting social activity;
- Encouraging the reuse and recycling of materials where possible and incorporating sustainable design measures such as tree planting to attenuate climate extremes.

Energy & Environmental Sustainability

- 7.249 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).
- 7.250 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.
- 7.251 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.
- 7.252 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).
- 7.253 London Plan Policy SI 4 calls for development to minimise overheating in accordance with a cooling hierarchy.
- 7.254 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.
- 7.255 The application is supported by an Energy Assessment and Sustainability Assessment
- Carbon Offsetting.*
- 7.256 The carbon offset contribution (to be secured by S106 legal agreement subject to approval) is to be based on all residual emissions which are noted in the energy strategy as:

- Site Baseline – 1804 tonnes CO2 per annum
- Be Lean – 1304 tonnes CO2 per annum (28%)
- Be Clean – 1304 tonnes CO2 per annum (0%)

- Be Green – 686 tonnes CO2 per annum (34%)

7.257 The above measures are expected to save approx. 1117 tonnes of carbon dioxide per year (a 62% saving above the Building Regulations 2013).

7.258 A carbon offset payment of £1,956,525 is recommended to be secured within the s106.

Internal water use.

7.259 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. 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.

Construction waste.

7.260 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.

Considerate Constructors Scheme.

7.261 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.' It is recommended that this is secured by a s106 planning obligation.

Waste

Operational waste and recycling

7.262 All proposed kitchenettes and communal kitchens would be provided with three bins to accommodate general waste, mixed recycling and organic waste. The management company will then be responsible for collecting the communal kitchen bins and taking them to the waste chute at each of the floors. The management company would also organise collection of waste within the building.

7.263 Waste would then be collected from the servicing bay along Byng Street at lower ground floor level. Waste collection for this site would be twice weekly. To accommodate sufficient bins for a once weekly collection would require a significantly larger portion of the lower ground floor being given over to servicing which would negatively impact on the ground floor design and activation. Alternative proposals for in bin compaction were not considered acceptable to the Council waste team due to health and safety concerns in relation to bin weight and structural stability. Twice weekly collections already operate on other developments in the area and the Council's Highway officers does not consider that an additional pick up would significantly impact on traffic congestion or highway safety. A condition has been recommended requiring an operational waste management plan to be approved by the Council prior to completion of the development.

Biodiversity

7.264 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.

7.265 Policy D.ES3 requires major development to deliver net gains in biodiversity in line with the Local Biodiversity Action Plan (LBAP). The existing site consists largely of existing buildings and hard surfaces, with a few trees and small areas of ornamental shrubbery. The proposals include numerous features which will enhance biodiversity and contribute to LBAP targets and objectives including a biodiverse roof and extensive planting and landscaping at ground level. Overall, these enhancements will ensure a significant gain in biodiversity. The details of the

biodiversity enhancements would be secured by condition as recommended by the Councils Biodiversity Officer.

Flood Risk & Drainage

- 7.266 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.
- 7.267 The application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The site is located within Flood Zone 3a and is protected to a high standard by the Thames tidal flood defences, such as the Thames Barrier. There are risks associated with a breach of defences and therefore it is recommended that the finished floor levels are to be above the TE2100 breach level to improve the sites overall flood resilience. Given the location of the site whilst it not possible for the finished floor level at ground floor to be at this level there are no residential properties located on the lower levels with the first residential properties at first floor being above this level. A condition has been recommended in relation to a flood evacuation strategy to be approved before occupation. Neither the Environment Agency nor Thames Water have raised objections to the proposals.
- 7.268 The Drainage Strategy sets out proposals to limit the surface water outflow with the discharge rate for the site to conform to a minimum practicable greenfield run-off rate of 5 l/s, provided through a flow control device. This provides significant betterment to the pre-development brownfield rates. The proposed drainage strategy primarily makes use of a below ground a geo-cellular soil system, green roofs, and permeable paving which are sustainable forms of SuDS techniques. The applicant has highlighted the introduction of green roofs and a rain garden which also provide both biodiversity and amenity to comply with the London and local policy and would be secured through planning conditions.
- 7.269 The proposed scheme is designed to connect its foul water drainage network to the public combined sewer. The development would be an increase in foul sewerage entering the system (by 3.68l/s), this has been assessed by Thames Water who are satisfied that there are no issues with this development connecting to the network

Land Contamination

- 7.270 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. The Councils Contaminated Land officer has recommended conditions in relation to the submission of a remediation plan. This would ensure that the application accords with Tower Hamlets Local Plan policy D.ES8

Infrastructure Impact

- 7.271 Policy D1 (Part A) of the Isle of Dogs Neighbourhood Plan requires that in order to support sustainable development and in view of the strain on infrastructure in the area and the shortage of publicly owned land, applicants for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the planning application.
- 7.272 The supporting text to Policy D1 highlights that the Neighbourhood Plan seeks to identify those developments that are most likely to impact on the infrastructure needs of the Neighbourhood Plan Area and the wellbeing of its residents, with the aim that both the existing infrastructure provision and the likely impact of the development in question are taken into account when such applications are determined.

- 7.273 In terms of Transport matters the ES includes a detailed assessment of public transport capacity which has concluded that the development would have an acceptable impact on public transport capacity.
- 7.274 With regards water supply and waste water Thames Water have requested planning conditions be imposed which prevents occupation of the development until confirmation has been provided that either: (a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or (b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. This will ensure there is sufficient water infrastructure to serve the proposed development. These condition have been included within the recommended conditions.
- 7.275 With regards to electricity supply both the Council and the developer have been in consultation with UKPN in relation to the power requirements and additional infrastructure required within the area. Working with the GLA, the council is preparing a Local Area Energy Plan that will investigate future energy demand for the wider Isle of Dogs, South Poplar and Lower Lea Valley areas. This plan will include investment prioritisation of how to best meet this demand. With UK Power Networks, the Council are also undertaking a focused feasibility study of electrical connection route options onto the Isle of Dogs to increase network capacity. Once complete, the council will be liaising with developers, UKPN and key stakeholders on how best this new capacity is delivered by providers.
- 7.276 In terms of the gas supply the current proposals do not include gas supply requirement
- 7.277 In relation to health and education facilities, the development would include a significant CIL payment to commit to improved services if necessary. Furthermore, given the nature of co-living and the residents who would occupy these units would be single occupancy, the impact on education facilities would be minimal.
- 7.278 With regards public transport and highway infrastructure this is addressed in the ES documents and it is considered that there would be no unacceptable impact on transport infrastructure.
- 7.279 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £ 9,476,122 and Mayor of London CIL of approximately £2,124,129 The Tower Hamlets CIL would contribute towards strategic infrastructure requirements to mitigate the impacts of development,
- 7.280 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.
- 7.281 The applicant has agreed to meet all the financial contributions that are sought by the Council's Planning Obligations SPD (2021), as follows:
- £144,418.80 towards construction phase employment skills training
 - £9,959.52 towards end-user phase employment skills training
 - £1,956,525 toward carbon emission off-setting
- 7.282 Overall the development subject to securing the relevant conditions and planning obligation the development is considered by officers to have an acceptable impact on local Infrastructure and meets the requirements of the IOD Neighbourhood Plan.

Human Rights & Equalities

- 7.283 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.

- 7.284 The proposed new accommodation would meet inclusive design standards and 82 of the new units would be wheelchair accessible. This would benefit future residents with accessible requirements.
- 7.285 The application has undergone the appropriate level of consultation with the public and Council consultees. The applicant has also undertaken community engagement with neighbouring residents.
- 7.286 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 recommended conditions and prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- £47.909m Affordable housing contribution to be paid in four equal instalments, index linked to BCIS index
- £144,418.80 towards construction phase employment skills training
- £9,959.52 towards end-user phase employment skills training
- £1,956,525 toward carbon emission off-setting
- £25,00 Legible London Wayfinding
- Monitoring fee for financial contribution of 5% of the first £100,000 of contribution, 3% of the part of the contribution between £100,000 - £1 million, 1% of the part of the contribution over £1 million – 1%. Monitoring fee for non-financial contributions of £1,000 per 100 units or 10,000 sqm - £1,000

8.3 Non-financial obligations:

- Minimum Tenancy Agreement
- Management Plan
- Access to employment
- 20% local procurement
- 20% local labour in construction
- 21 construction phase apprenticeships
- Public realm Works delivery
- Submission of energy monitoring results to GLA (in accordance with Mayor of London's guidance).
- Compliance with Considerate Constructors Scheme

Transport matters:

- Car Free development (residential)
- Residential Travel Plan & monitoring.
- S278/s38 Agreement for highway works
- Cycle Hire scheme

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within six 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. Three-year deadline for commencement of development.
2. Development in accordance with approved plans.
3. Operating hours restrictions on demolition and construction activities
4. Removal of permitted development rights for commercial space (Class E) to change to residential
5. Removal of permitted development rights to erect boundary treatment
6. Noise insulation verification for co-living units
7. Energy and sustainability verification
8. Water Efficiency Measures
9. Noise standard limits from mechanical plant and equipment
10. Communal amenity space available prior to occupation
11. Wind Mitigation Measures
12. Development to be carried out in accordance with approved fire strategy
13. TV reception interference mitigation

Pre-commencement

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

14. Submission of Demolition and Construction Environmental Management Plan and Construction Logistics Plan
15. Submission of Site Waste Management Plan
16. Dust Management Plan
17. Air quality neutral assessment including details of backup generator
18. Hoarding details
19. Construction cranes (consult LCY)
20. Radio Survey Assessment(consult DLR)
21. Land Contamination
22. Piling Method Statement
23. Archaeology Written Scheme of Investigation (WSI).

Pre-superstructure works

24. Details and submission of samples of external facing materials and architectural detailing.
25. Lighting Strategy
26. Approval of landscaping details
27. Detailed SuDS measures and Drainage Management Strategy
28. Details of ecological enhancement measures
29. Secure by Design accreditation.
30. Delivery and Servicing Management Plan (DSMP)
31. Operational Waste Management Plan (OWMP).
32. Public Realm Management Plan
33. Density Management Plan
34. Details of scheme of highway improvements to be secured in a S278 / S38 agreement.

Pre-occupation works

35. Cycle parking
36. Flooding Evacuation Plan
37. Disabled parking space

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

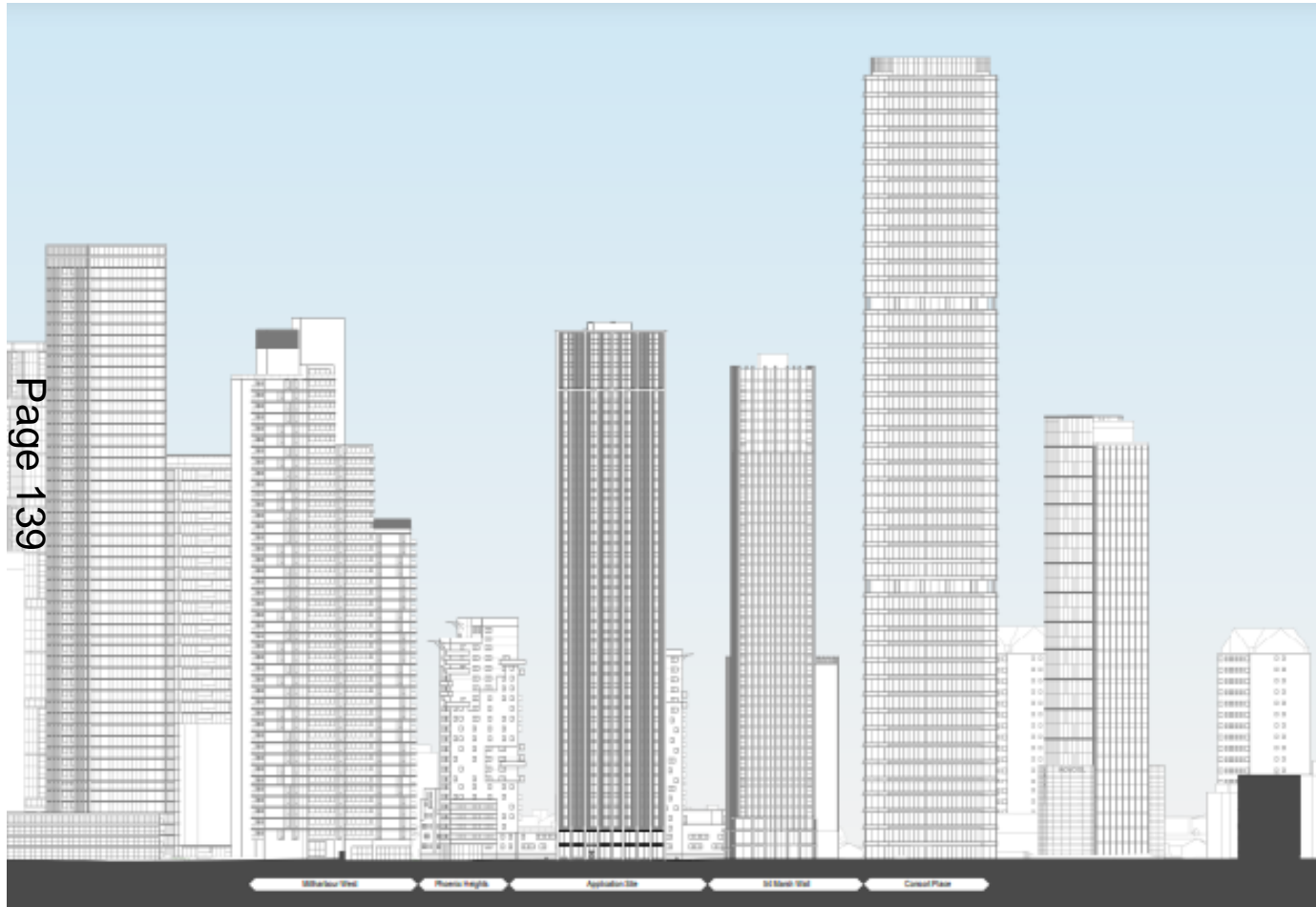
Application Drawing No.	Description
0413-RIO-XX-XX-DR-A-90000-2	Site Location Plan
0413-RIO-XX-XX-DR-A-90004-1	Demolition Plan
0413-RIO-XX-00-DR-A-01001-07	Ground Floor Ga Plan
0413-RIO-XX-01-DR-A-01002-05	First Floor Ga Plan
0413-RIO-XX-02-DR-A-01003-05	Typical Lower Community Level
0413-RIO-XX-03-DR-A-01004-05	Typical Middle Community Level
0413-RIO-XX-04-DR-A-01005-06	Typical Upper Community Level
0413-RIO-XX-41-DR-A-01042-05	Forty-First Floor Ga Plan
0413-RIO-XX-42-DR-A-01043-06	Forty-Second Floor Ga Plan
0413-RIO-XX-43-DR-A-01044-05	Forty-Third Floor Ga Plan
0413-RIO-XX-44-DR-A-01045-06	Forty-Fourth Floor Ga Plan
0413-RIO-XX-45-DR-A-01046-06	Forty-Fifth Floor Ga Plan
0413-RIO-XX-46-DR-A-01048-04	Forty-Sixth Floor Ga Plan
0413-RIO-XX-B1-DR-A-01000-0	Basement Floor Ga Plan
0413-RIO-XX-RF-DR-A-01047-07	Roof Ga Plan
0413-RIO-XX-XX-DR-A-90003-06	Proposed Site Plan
0413-RIO-XX-ZZ-DR-A-02000-06	Marsh Wall Ga Elevation (N)
0413-RIO-XX-ZZ-DR-A-02001-07	Mastmaker Road Ga Elevation (E)
0413-RIO-XX-ZZ-DR-A-02002-06	Byng Street Ga Elevation (S)
0413-RIO-XX-ZZ-DR-A-02003-06	54 Marsh Wall Ga Elevation (W)
0413-RIO-XX-ZZ-DR-A-02004-03	Partial North Elevation
0413-RIO-XX-ZZ-DR-A-02005-04	Partial East Elevation
0413-RIO-XX-ZZ-DR-A-02006-03	Partial South Elevation
0413-RIO-XX-ZZ-DR-A-02007-03	Partial West Elevation
0413-RIO-XX-ZZ-DR-A-02010-04	Context Elevations Ne
0413-RIO-XX-ZZ-DR-A-02011-04	Context Elevations Sw
0413-RIO-XX-ZZ-DR-A-03000-06	Ga Section A (N-S)
0413-RIO-XX-ZZ-DR-A-03001-06	Ga Section B (E-W)
0413-RIO-XX-ZZ-DR-A-03010-04	Context Sections
D3051-FAB-00-45-M2-L-1002 PL02	Roof Terrace Illustrative Landscape
D3051-FAB-00-45-M2-L-2001 PL02	Roof Terrace General Arrangement
D3051-FAB-00-RF-M2-L-1003 PL02	Roof Terrace General Arrangement
D3051-FAB-00-RF-M2-L-2002 PL02	Green Roofs General Arrangement
D3051-FAB-00-00-M2-L-1000 PL05	Ground Floor Illustrative Landscape
D3051-FAB-00-00-M2-L-1001 PL05	Ground Floor Illustrative Landscape
D3051-FAB-00-00-M2-L-2000 PL05	Ground Floor General Arrangement
D3051-FAB-00-00-M2-L-4000 PL05	Ground Floor Levels Plan

PLANNING DOCUMENTS

- Design and Access Statement (including Accessibility Statement and Fire Statement) - RIO
- Planning Statement - DP9
- Environmental Impact Assessment ('EIA') – Prepared by Ramboll
 - Volume 1: ES Main Report;
 - Volume 2: Built Heritage, Townscape and Visual Impact Assessment; and
 - Volume 3: Appendices
- Affordable Housing Statement and Financial Viability Assessment - DS2
- Landscape DAS Fabrik Infrastructure Impact Assessment - DP9
- Construction Environmental Management Plan - RG Group
- Statement of Community Involvement - Your Shout
- Circular Economy Statement - Hodkinson Consultancy
- Whole Life Carbon Assessment - Hodkinson Consultancy
- Transport Statement - Curtins
- Travel Plan - Curtins
- Construction Logistics Plan - Curtins
- Delivery, Servicing and Waste Management Plan - Curtins
- Energy and Sustainability Assessment Vitech Overheating Assessment - Vitech Utilities
- Statement Vitech Daylight and Sunlight Assessment - GIA
- Fire Statement Design Fire Gateway 1 Design Fire Aviation Safeguarding Report - Eddowes
- Health Impact Assessment - Ramboll
- Demand for Co-living Research Report - Savills
- Biodiversity Net Gain – Ramboll
- Arboriculture Report - Fabrik

APPENDIX 2 -SELECTION OF APPLICATION PLANS AND IMAGES

North Elevation Context



North Elevation

Page 140

Material Legend

1. Custom walling (glazing panel)
2. Custom walling (glazing opening)
3. Window opening
4. Glass (10' aluminum infill) without cladding
5. Vertical aluminum ribs
6. External glass door
7. External glass door
8. Aluminum horizontal beam
9. Custom walling aluminum separator
10. Extruded aluminum mesh panels
11. Louvered doors

PROJECT INFORMATION

CLIENT: Rio

ARCHITECT: OLYMPIAN

PROJECT NAME: March Wall Development
 16 - 18 March Wall

DATE: 11/09/21

SCALE: 1/8" = 1'-0"

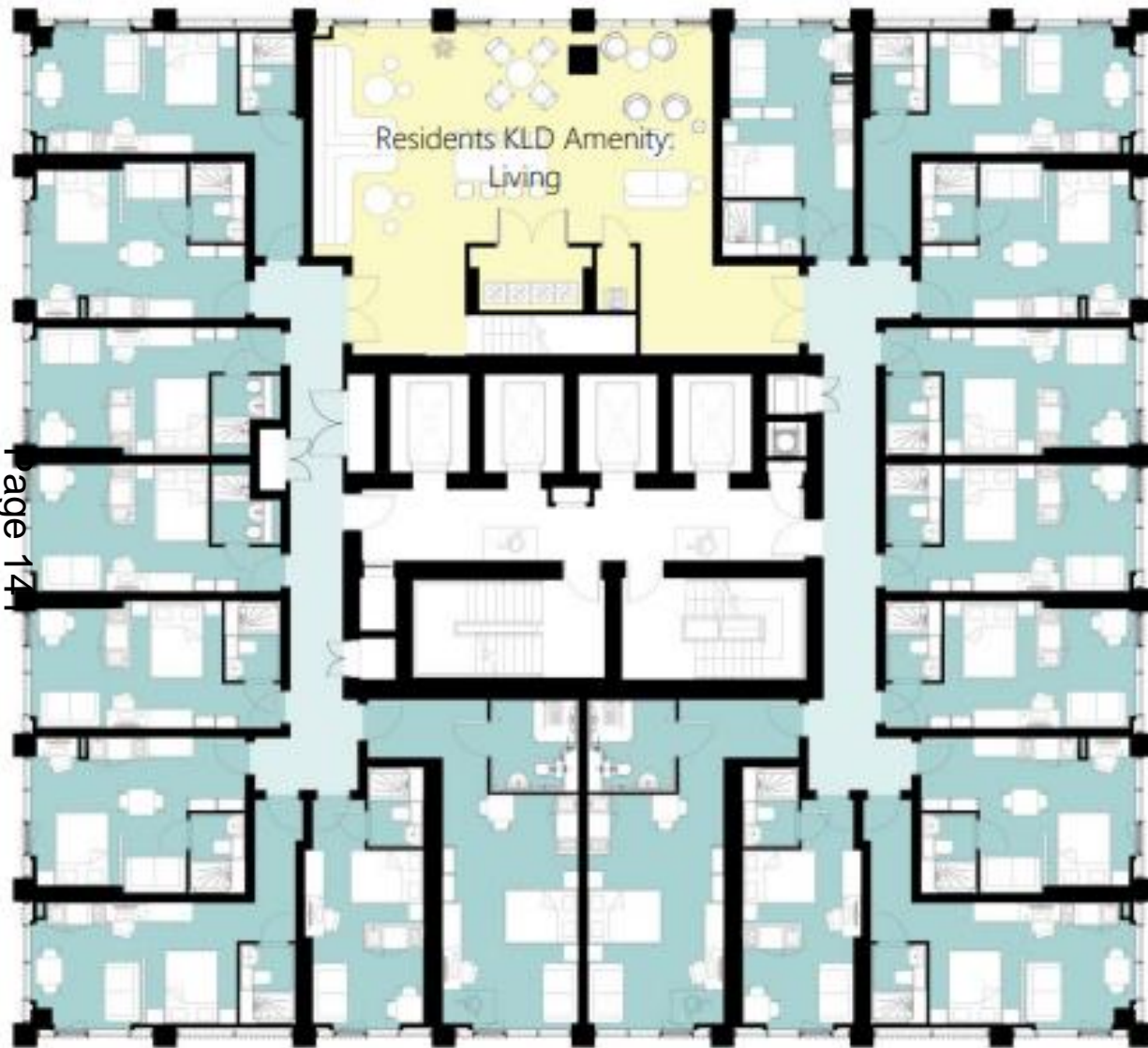
PROJECT LOCATION: March Wall (GA) Elevations (N)

DATE: 11/09/21

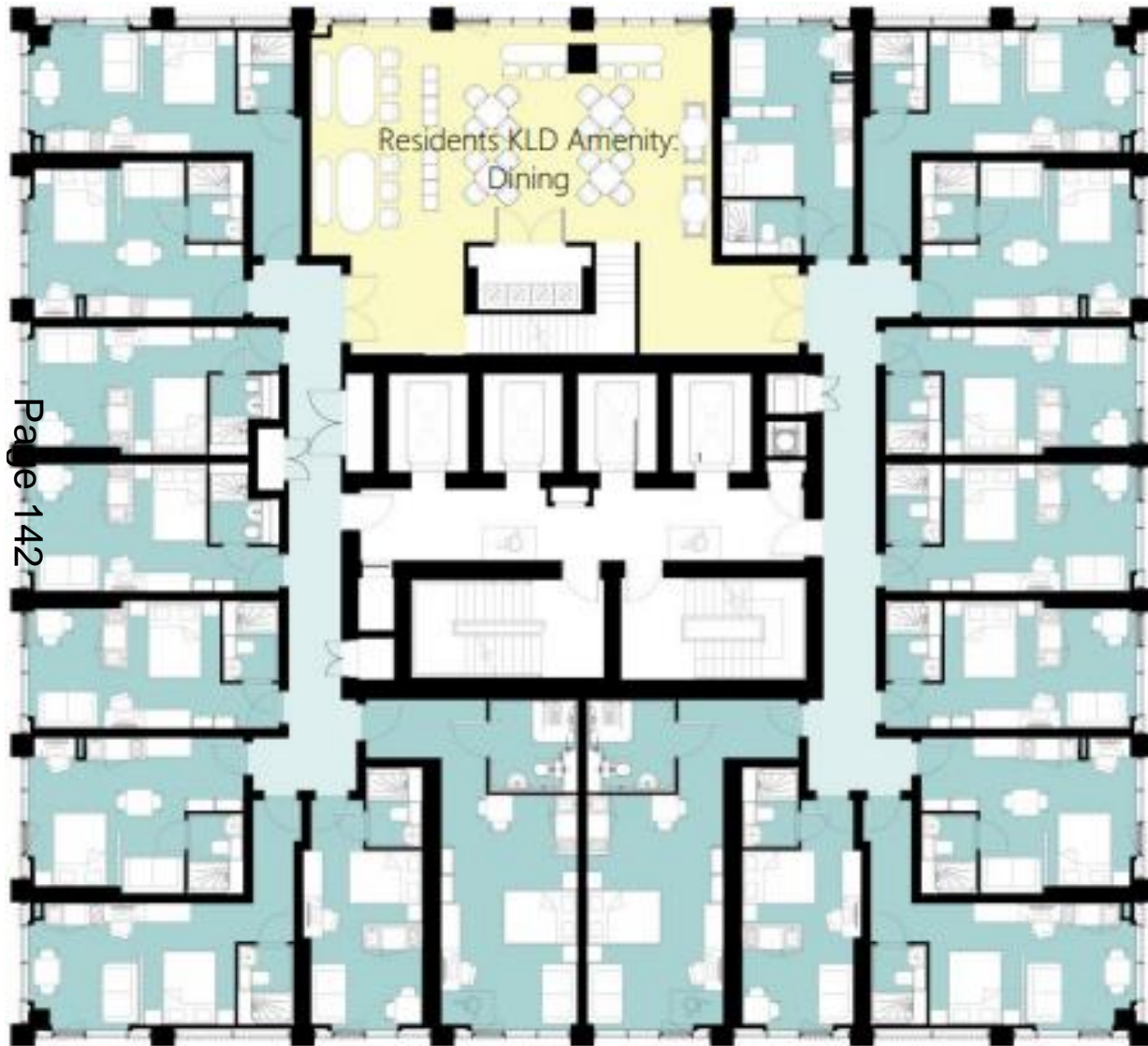
SCALE: 1/8" = 1'-0"

PROJECT LOCATION: March Wall (GA) Elevations (N)

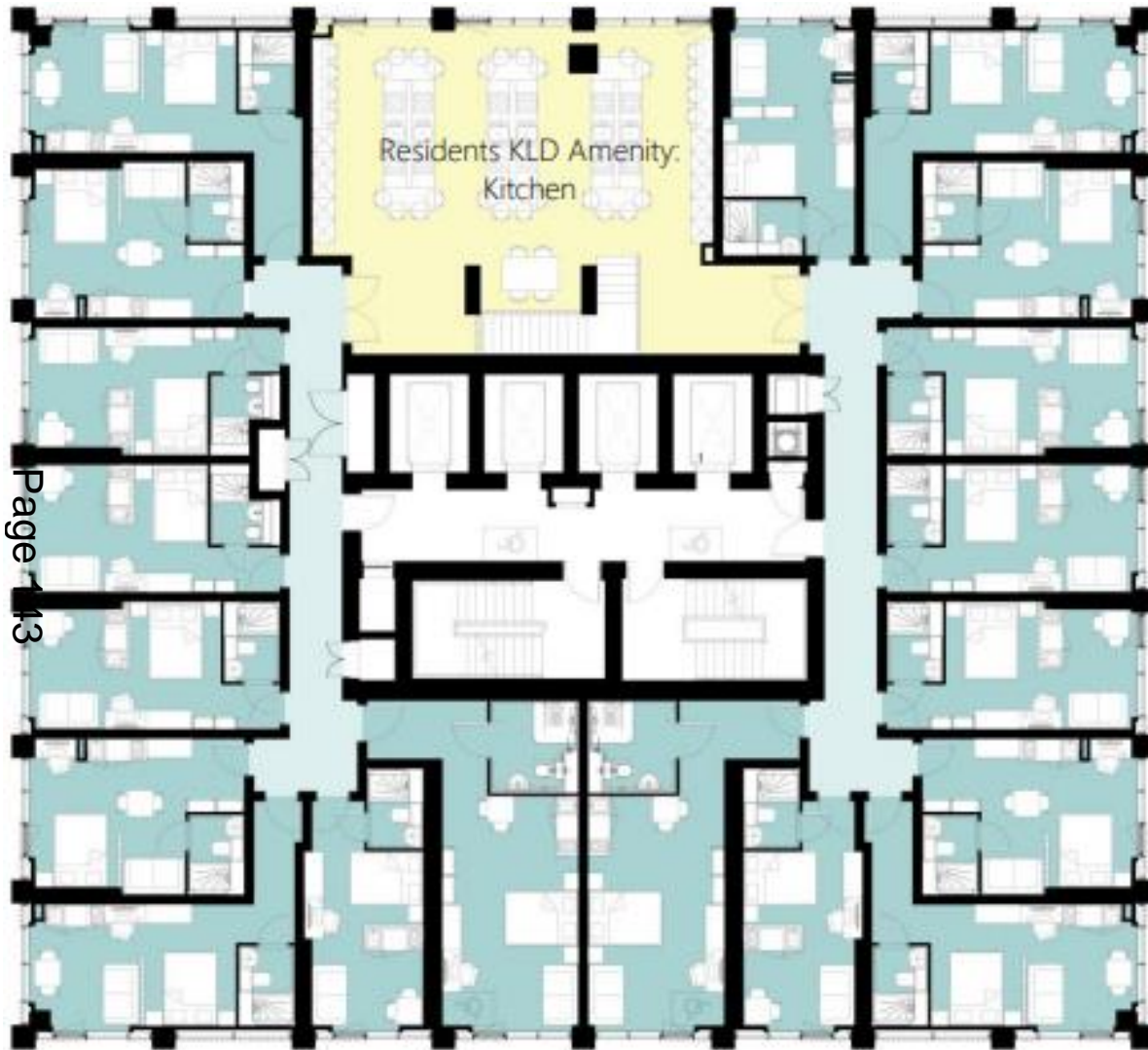
Lower-level Accommodation -Living Space



Lower-level Accommodation -Dining Space



Lower-level Accommodation -Cooking Space



2.2 Studio Layouts

2.2.2 Studio Layouts : Typical Studio – Type D

Type D is a typical standard studio type and this is shown in more detail opposite.

The size of Type D ranges from 21.9-22.7m².

The amendment between the original submitted scheme and this proposed amendments is that the depth of the studio has decreased by 225mm due to the core width increasing.

A schedule of furniture to be provided within the studio is listed opposite.

The kitchenette will contain:

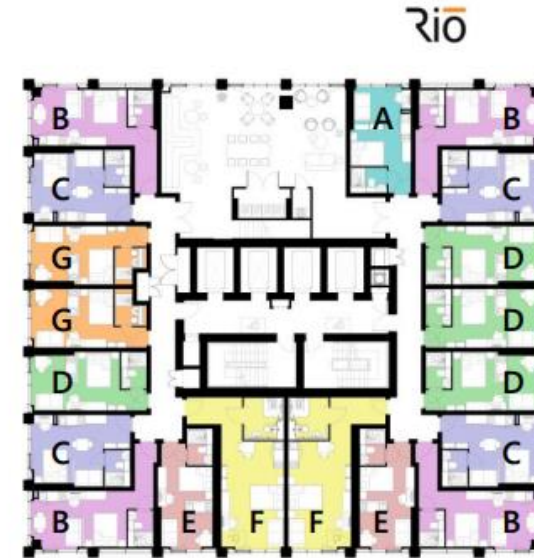
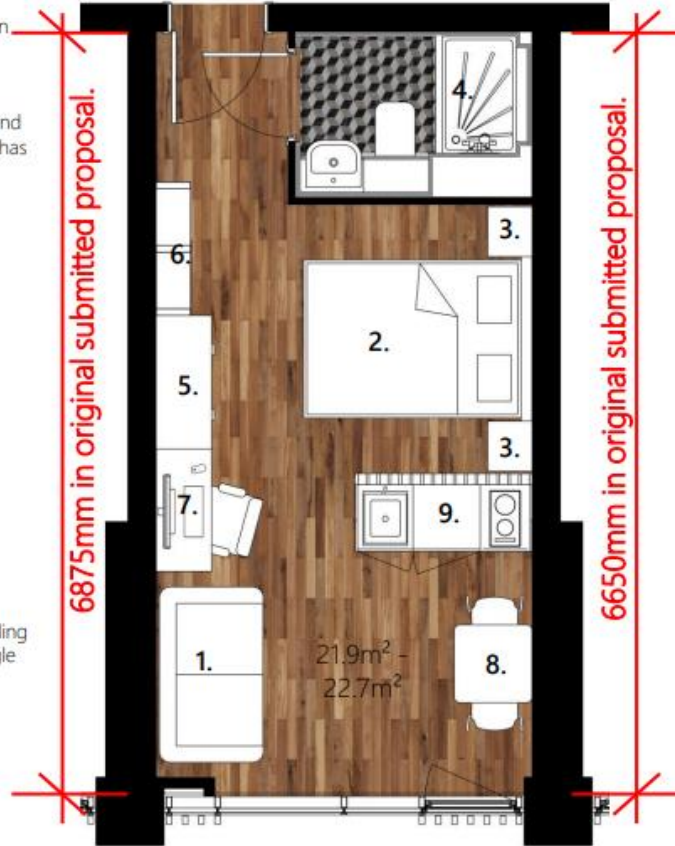
- A two ring hob
- A microwave oven
- A small sink
- An under counter fridge
- Storage suitable for 1 person

All studios are equipped with an en suite shower pod.

All studios will have opening windows to allow natural ventilation. All windows are full height to maximise natural light and an overheating analysis has taken place which confirms overheating will not be an issue.

Those studios which lie on the northern corner of the building will also have windows to the east and west to avoid a single northerly aspect.

Type D



KEY

1. Sofa
2. Double Bed (storage below)
3. Bedside Storage (up and over bed also)
4. Ensuite shower room
5. Wardrobe
6. Storage
7. Desk
8. Table & Chairs
9. Kitchenette

2.3 KLD Provision

2.3.3 KLD : Catering study :

This page was included in the original DAS on page 58. This revised page is only included in this addendum to show that the level of provision of cooking stations within the kitchen is identical to what was proposed originally.





The concept plan on the right demonstrates how the typical kitchen space can be configured to provide adequate catering provision for a community of 57 co-living residents. Empirical data and Node's operational experience confirms that a ratio of 1:5 cooking stations is required to satisfy this population over 3 levels.

Overall Area Per Floor Exc Stair = 87.8m²

Units in total = 1.54m² per unit per floor

Ratio applied to cooking stations required = 12 stations, made up of a hob and under counter or mid level oven.

- 10 no. Hobs @ 900mm High
- 2 no. Hobs @ 725mm High (Accessible)
- 10 no. Under counter Ovens
- 2 no. Integrated Ovens within tall units (Accessible)
- 12 no. extractor fans
- 6 no. sinks (1 Accessible)
- 2 no. integrated microwaves
- 2 no. American style fridge/ freezers
- 34 no. tall breakfast bar stools
- Breakfast Bars

-  Access Points
-  Accessible Cooking Stations
-  Hob (12 per cluster)
-  Oven (12 per cluster)

