



Strategic Development Committee

Agenda

**Wednesday, 18 October 2023 at 6.30 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 Kamrul Hussain

Members:

Councillor Saied Ahmed, Councillor Gulam Kibria Choudhury, Councillor Iqbal Hossain, Councillor Amina Ali, Councillor Asma Begum, Councillor Mufeedah Bustin and Councillor Shahaveer Shubo Hussain

Substitute Members:

Councillor Maium Talukdar, Councillor Suluk Ahmed and Councillor Ahmodur Khan
(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Monday, 16 October 2023**

The deadline for submitting information for the update report is Noon
Tuesday, 17 October 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

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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, 18 October 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

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

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

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

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

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

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 6th September 2023.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 15 - 22)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director of Housing and Regeneration 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 of Housing and Regeneration 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

- 4.1 (PA/21/01713) 26-38 Leman Street, London E1 8EW (Pages 25 - 80)

5. PLANNING APPLICATIONS FOR DECISION

- 5.1 (PA/21/02776) 15-28 Byng Street, 29 Byng Street and 1-12 Bellamy Close (Revised residential scheme) (Pages 81 - 124)

This application was presented at SDC on 21 July 2022, where Members resolved to approve planning permission. However due to changes to the scheme, it has been brought back to the committee. Further details can be found here: [Tower Hamlets Council - Agenda for Strategic Development Committee on Thursday, 21st July, 2022, 6.30 p.m.](#)

- 5.2 (PA/22/00210) Ailsa Wharf, Ailsa Street, London, E14 (Pages 125 - 196)

6. OTHER PLANNING MATTERS

- 6.1 (PF/23/00087) Former Westferry Printworks, 235 Westferry Road, London (Pages 197 - 220)

Next Meeting of the Strategic Development Committee

Wednesday, 6 December 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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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.

06/09/2023

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE
HELD AT 6.35 P.M. WEDNESDAY, 06 SEPTEMBER 2023
COUNCIL CHAMBER – TOWN HALL, 160 WHITECHAPEL ROAD,
LONDON E1 1BJ

Members Present:

Councillor Amin Rahman -(Chair)

Councillor Kamrul Hussain

Councillor Gulam Kibria Choudhury

Councillor Suluk Ahmed -(Substitute)

Councillor Shahaveer Shubo Hussain

Councillor Iqbal Hossain

Councillor Asma Begum

Members Present Virtually:

Councillor Mufeedah Bustin

Officers Present in Person

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

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

Gareth Gwynne – (Area Planning Manager, Planning & Building Control)

Kirsty Gilmer – (Team Leader Development Manager, West Area, Planning and Building Control, Place)

Robin Bennett – (Principal Planner Officer, Planning and Building Control)

Justina Bridgeman – (Democratic Services Officer, Committees)

Euan Miller-McMeeken – (Borough Urban Design Officer)

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1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Amina Ali and Councillor Saied Ahmed.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests, although Councillor Kamrul Hussain noted he represents Whitechapel ward.

3. APPOINTMENT OF VICE CHAIR

The Chair requested nominations for the position of Vice-Chair of the Strategic Development Committee for the municipal year 2023/24. Councillor Gulam Kibria Choudhury proposed Councillor Kamrul Hussain for the position. This was seconded by Councillor Iqbal Hossain.

There were no further nominations received.

The Strategic Development Committee **RESOLVED** to:

1. Elect Councillor Kamrul Hussain the Vice-Chair of the Strategic Development Committee for the municipal year 2023/24.

4. STRATEGIC DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF 2023/24 MEETINGS

Justina Bridgeman, Democratic Services Officer requested members to note the Strategic Development Committee terms of reference, membership, quorum and meeting dates for the municipal year 2023/24. The terms of reference were agreed at the Overview and Scrutiny Committee meeting held on 16 May 2023.

The Strategic Development Committee **RESOLVED** to:

1. Note it's terms of reference, quorum, membership and meeting dates as set out in appendices 1,2 and 3 of the report.
2. **Agreed** to hold all Strategic Development Committee meetings at 6.30pm in the Council Chamber for the municipal year 2023/24.

5. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Strategic Development Committee meeting held on 5 April 2023 were approved as a correct record of proceedings.

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6. DEFERRED ITEMS

There were none.

7. 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 of Housing and Regeneration 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 of Housing and Regeneration 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.

8. PLANNING APPLICATIONS FOR DECISION

8.1 PA/21/01713 28-36 Leman Street, London E1

Paul Buckenham introduced the application to grant planning permission for the demolition of the existing buildings and redevelopment of the site to provide a building ranging from basement, ground plus 19 storeys, comprising office (Class E (g)) and aparthotel (Class C1); associated cycle and car parking, hard and soft landscaping and other associated works.

Robin Bennett provided a presentation to accompany the application, which highlighted the key features of the proposal's site and surroundings. Details also included; the existing and proposed uses, publicity and engagement, the proposed height and scale, the daylight and sunlight impacts to neighbouring properties and the planning obligations

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

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- Clarification on the number of apprenticeships provided. Details were given on the eleven apprentices outlined in the construction phase and one end user phase apprentice.
- Further details on the 10 out of 19 neighbouring properties who will experience a reduction in daylight / sunlight. Officers confirmed that the impacts are negligible and only account for 9 out of 345 windows throughout the proposed building.
- Clarification on why separate approaches to fire safety have been proposed for the office space and aparthotel. Officers explained that as the aparthotel's use will differ from the office space, the 'defend in place' approach is more appropriate for applications of this nature.
- Further details on the proposal with regard to the former Dispensary. Officers clarified that the design approach has been taken to reduce the impact on the historical building and respond appropriately to the townscapes height and surroundings.
- Clarification on the existing use of the building. Details were given on applications site, currently occupied by two office blocks bound by Camperdown Street to the north, Lemn Street to the east and Alie Street to the south. These are independent buildings which adjoin and the ground floor is currently in use as a gentleman's club.
- Further details on the benefits the scheme will have to the borough. Officers outlined that if approved, the proposal will attract financial investment with retail and business opportunities. Incentives of 15% of office floorspace and 35% discounted rate for the lifetime of the development have also been proposed. Modernising the existing build with affordable workspace and the aparthotel will generate visitors and bring employment into Tower Hamlets.
- Clarification on the statutory public consultation. Details were given on the methods used to gain resident feedback on the proposal. This included mailing 189 letters, two site notices erected around the site and newspaper advertisements. No objections were received.
- Queried if occupants at 55-57 Alie Street were consulted. Officers clarified that those properties are outside the boundary for consultation, They are over 40 metres away from the proposed site and the daylight/sunlight impact is less than 1%. The boundary recommendation requires 20 metres and the BRE guidance are metrics to measure impacts, so are negligible in this instance.
- Further details on approximate staircase evacuation times in the event of a fire. Officers clarified the scheme proposes two staircases, one for the office and one for the aparthotel as well as three lifts, including one for fire fighters. The evacuation times are not known as they are not required at the planning

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application stage. If the application were to be granted, this would depend on building regulations requesting further requirements.. If additional requirement alters the design, the application would be brought back to the Strategic Development Committee for review.

- Queried if this application includes a premises license. Officers confirmed that this is not a specification, as the proposal requests all existing buildings be demolished, including the current gentleman's club.

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

- Concerns with the separate fire safety approach for the office and Aparthotel and requested further details on this.
- Concerns with the daylight / sunlight impact the proposal will have on occupants of 55-57 Alie Street.

Councillor Kamrul Hussain requested a deferment of the vote to undertake a site visit. This was seconded by Councillor Iqbal Hossain.

On a vote of 5 in favour 0 against and 2 abstentions, the Committee

RESOLVED:

1. That the consideration of the application at 28-36 Leman Street, London, E1 8EW be **DEFERRED** for a Committee Site Visit.

The meeting ended at 7.19pm
Chair, Councillor Amin Rahman
Strategic Development Committee

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STRATEGIC DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

STANDING ADVICE ON APPLICATIONS FOR DECISION

1. INTRODUCTION

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

2. THIRD PARTY REPRESENTATIONS

- 2.1 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 consider 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.
- 2.2 All representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.3 Any further representations, 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 Update Report.

3. ADVICE OF DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

- 3.1 This is general advice to the Committee which will be supplemented by specific advice within the reports and given at the meeting, as appropriate.

Decisions on planning applications

- 3.2 The Committee is required to determine planning applications in 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;
 - a post-examination draft neighbourhood 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.
- 3.3 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 policies relevant to the application and there are no other material considerations, the application should be determined in accordance with the Development Plan.

- 3.4 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).
- 3.5 If the committee resolve to refuse planning permission, they must provide reasons that are based on evidence, development plan policies and material considerations. The Council may be subject to an award of costs in the event that reasons for refusal cannot be defended at appeal.

The Development Plan and other material considerations

- 3.6 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
- The London Plan 2021;
 - Tower Hamlets Local Plan 2020;
 - The Isle of Dogs Neighbourhood Plan 2021.
- 3.7 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are relevant to each planning application, and to other material considerations.
- 3.8 Material considerations are those that are relevant to the use and development of land in the public interest and relevant to the development proposed in the application.
- 3.9 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.
- 3.10 Other material planning considerations may include (but are not limited to):
- the design, size and height of new buildings or extensions;
 - the impact of new uses of buildings or of land;
 - loss of light and the privacy of neighbours;
 - access for disabled people;
 - the provision of affordable housing;
 - the impact of noise from proposed development;
 - the impact of development on public transport, the highway network, parking and road safety;
 - effect on heritage assets such as listed buildings and conservation areas;
 - environmental impacts.
- 3.11 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. Applicants and objectors may also want to direct the Committee to other provisions of the Development Plan (or other material considerations) which they believe to be relevant to the application.

- 3.12 The Planning Officer's report summarises statutory consultee responses, non-statutory responses and third party representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations. 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

- 3.13 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.
- 3.14 The prevailing view is that in some cases Community Infrastructure Levy (CIL) and potential New Homes Bonus payments 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.
- 3.15 Accordingly, NHB or CIL receipts 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

- 3.16 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.
- 3.17 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.
- 3.18 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 the natural environment

- 3.19 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.

- 3.20 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

- 3.21 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)..”

Mayor of London’s Transport Strategy

- 3.22 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

- 3.23 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.

- 3.24 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.

- 3.25 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.

- 3.26 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

- 3.27 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 3.28 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.
- 3.29 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.
- 3.30 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.

Other regulatory regimes

- 3.31 Other areas of legislation that cover related aspects of construction, environmental matters or licensable activities 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.

4. RECOMMENDATION

- 4.1 That the Committee notes the advice in this report prior to taking any planning decisions recommended in the attached reports.

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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.

Agenda Item 4

Committee: Strategic Development	Date: 18.10.23	Classification: Unrestricted	Agenda Item No: 4
Report of: Corporate Director Housing and Regeneration		Title: Deferred Items	
Originating Officer: Paul Buckenham		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
06.09.23	PA/21/01713	26-38 Leman Street, London E1 8EW	Demolition of the existing buildings and redevelopment of the site to provide a building ranging from basement, ground plus 19 storeys, comprising office (Class E (g)) and aparthotel (Class C1); associated cycle and car parking, hard and soft landscaping and other associated works.	Formal Committee site visit undertaken on 18.09.23

3. CONSIDERATION OF DEFERRED ITEMS

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

PA/21/01713: redevelopment at 26-38 Leman Street, London E1 8EW

4. PUBLIC SPEAKING

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

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

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

5. RECOMMENDATION

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



Application for Planning Permission

[click here for case file](#)

Reference	PA/21/01713
Site	26-38 Leman Street, London E1 8EW
Ward	Whitechapel
Proposal	Demolition of the existing buildings and redevelopment of the site to provide a building ranging from basement, ground plus 19 storeys, comprising office (Class E (g)) and aparthotel (Class C1); associated cycle and car parking, hard and soft landscaping and other associated works.

Summary Recommendation Grant planning permission with conditions and planning obligations

Applicant Newport Holdings Ltd

Architect/agent Stockwool / DP9

Case Officer Robin Bennett

Key dates

- Application registered as valid on 26/07/2021
- Neighbour letters posted 17/08/2021
- Newspaper advertisement 19/08/2021
- Site notice erected 16/03/2023
- Public consultation finished on 05/04/2023

EXECUTIVE SUMMARY

The application site is occupied by two office blocks at 26-38 Leman Street (Pennine House and Frazer House). The site is bound by Camperdown Street to the north, Leman Street to the east and Alie Street to the south.

The site is located within the City Fringe Opportunity Area, Central Activities Zone (CAZ) and a Borough designated Secondary Preferred Office Location as well as being located within the Aldgate Tall Building Zone (TBZ).

Refurbishment and extension of the existing buildings whilst ensuring optimisation of the site is achieved would not be possible given the site incorporates two existing buildings with floor levels that do not align, insufficient floor to ceiling heights for the intended uses and constraints with lift and stair locations, number, and quality relative to current design standards.

Redevelopment of the site would include no net loss of office floorspace whilst also allowing for the introduction of short stay visitor accommodation alongside the office space. Both the office and aparthotel are categorised by the London Plan as strategic land use functions appropriate in the Central Activities Zone and are therefore acceptable in principle in land use terms.

It should be noted the site's Secondary Preferred Office Location designation means the site is not appropriate, in land use policy terms, to come forward for a residential led redevelopment of the site.

The proposed tall building has been designed to ensure that it steps down at the edge of the TBZ, with its scale and form having been well considered to minimise heritage impacts, including the Outstanding Universal Value (OUV) of the Tower of London World Heritage Site. The proposal would not result in harm to the setting of nearby listed buildings and no detrimental impact on the OUV of the World Heritage Site.

Design changes that have been secured through the course of the application means that the proposed development would represent high quality design which would respond appropriately to both short, mid and long-range views. The base of the building would have a masonry-based finish ensuring it assimilates comfortably with the lower rise surroundings, including heritage assets. The tower would be more lightweight in appearance with glazing and metal panels which responds to other built out tall buildings in the locality.

Whilst the site is bound on three sides by highways (TfL and LBTH managed roads), the provision of safe and satisfactory servicing and delivery arrangements alongside provision of Blue Badge parking whilst also taking into account the principles of good urban design has been challenging to achieve. However, changes to access and parking arrangements have been agreed with the applicant through the course of the application which have resulted in a satisfactory outcome in terms of highway and transportation matters. Proposed Blue Badge parking is now separate from areas for general servicing, to ensure safe and dignified parking arrangements for Blue Badge holders. Servicing and delivery arrangements for the office and aparthotel would be via a shared service bay accessed off Camperdown Street. Subject to compliance with the recommended conditions and Section 106 Heads of Terms the service bay will be able to operate without detriment to highway safety, including operation of the TfL Strategic Road Network on Leman Street.

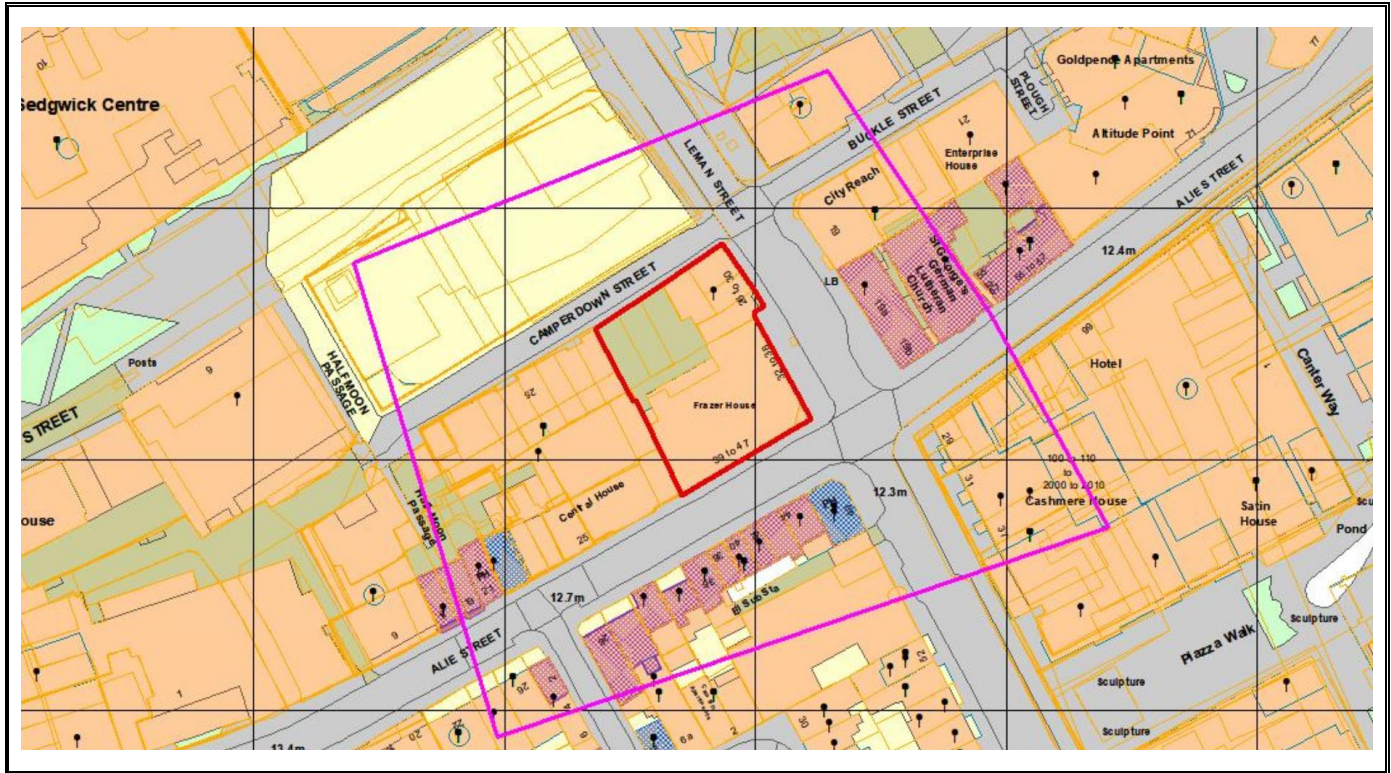
The building would result in some major adverse daylight impacts to existing neighbouring residential properties. However, the site falls within a Tall Building Zone where a certain scale of development is anticipated and the form of the development has been designed so as to accord with the design principles within tall building clusters. Whilst there would be adverse impacts these are acceptable in the context of the site designations, the ability of the development to contribute to the unique mix of uses within the CAZ and the public benefits provided by the scheme.

A strategy for minimising carbon dioxide emissions from the development is appropriate subject to condition, with a carbon offset contribution formula to be secured within the S106.







The existing site is devoid of biodiversity supporting features. The creation of two roof gardens within the development would enable biodiversity enhancements to be achieved through the required landscaping scheme for these areas resulting in a biodiversity net gain for the site overall.

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 as well as an affordable workspace offer significantly beyond the minimum levels set out in the Local Plan.



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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/21/01713

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



**London Borough
of Tower Hamlets**

Date: 04 October 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site is 0.11 hectares in size and is located on the western side of Lemman Street between the junctions with Alie Street (to the south) and Camperdown Street (to the north). The site is currently occupied by two office buildings, Frazer House and Pennine House, along with a service yard to the rear.
- 1.2 Frazer House (32-38 Lemman Street) is a 1970s brick and concrete building occupying the corner with Alie Street. The building rises to seven storeys at the corner, dropping down to six storeys adjacent to 25 Alie Street.
- 1.3 Pennine House (28 Lemman Street) is a 1980s post-modern building constructed of granite with glazed curtain walling set in red metal frames. Pennine House is also seven storeys in height but terminates higher than Frazer House. The buildings collectively provide 4,585sqm of office (Class E(g)) floorspace. Frazer House also includes a 395sqm night club (sui generis) at the ground floor.
- 1.4 The service yard is accessed via a metal gate on the southern side of Camperdown Street immediately to the rear of Pennine House.
- 1.5 The site is located within the Central Activities Zone (CAZ), the City Fringe Opportunity Area, the Aldgate Secondary Preferred Office Location and a Tall Building Zone (Aldgate cluster). Buildings to the north, east and west of the site are located within the Tall Building Zone. Tall buildings within the Zone include the One Braham development (serving as the global headquarters building British Telecom), and on the opposite side of Lemman Street Aldgate Place to the north east of the site and Goodmans Fields development to the south east.
- 1.6 The site is also within the Green Grid Buffer Zone, New Green Grid Buffer Zone, a Tier 2 Archaeological Priority Area (2.11 - Aldgate and Portsoken) and lies within the vicinity of a number of listed buildings and locally listed buildings as set out below:

Listed buildings

- 19A Lemman Street (originally the East London Dispensary) (Grade II)
- Church of St George, Alie Street (German Lutheran Church and Vestry) (Grade II*)
- St George's German and English Schools (Numbers 55,57 and 59 Alie Street) (Grade II)
- St George's German and English Infants' School (Grade II)
- 34 Alie Street (Grade II)
- 30-44 Alie Street (Grade II)
- 28 Alie Street (Grade II)
- The White Swan Public House, Alie Street (Grade II)
- 17 and 19 Alie and railings (Grade II)
- 62 Lemman Street (Grade II)
- 66 Lemman Street (Grade II)
- 68 Lemman Street (Grade II)
- The Garrick Public House (Grade II)

Locally listed buildings

- The Black Horse Public House, 40 Lemman Street

– 64 Lemman Street

- 1.7 The site is not within a conservation area, but is oversailed by Strategic View 25A: 1 to 3. This is the view of the Tower of London World Heritage Site (WHS) from the Queen’s Walk adjacent to City Hall.
- 1.8 The site has a PTAL rating of 6(b) with Aldgate and Aldgate East Stations within 400m of the site. Lemman Street is a TfL road. There are Red Route double lines along the Lemman Street frontage as well as double Red Route junction protection lines on Alie Street and Camperdown Street.
- 2. PROPOSAL**
- 2.1 The proposed development involves the wholesale demolition of Frazer House and Pennine house and the redevelopment of the site to provide a mixed-use building rising to 20 storeys in height.



Figure 1: View of scheme looking north with 1 Braham St (BT Building) behind the proposal.

- 2.2 The massing of the new building would be split between a five-storey base element rising to a podium and the twenty storey tower element, which would be located towards the north east corner of the site. The tower element would be set in from the Alie Street frontage by 9.3m,

3.4m from the Lemman Street frontage and 6.8m from the neighbouring building to the west. There would be no set back of the tower on the Camperdown Street elevation.

- 2.3 The development would comprise office use across basement to 5th floors with the aparthotel use accommodated across the 6th to 20th floors. Table 1, below, sets out the existing and proposed floorspaces.

Use	Existing Sqm (GIA)	Proposed Sqm (GIA)	Difference Sqm (GIA)
Office (class E)	4,585	4,708.6	+123.6
club	395	0	-395
Aparthotel (class C1)	0	6,933.7	+6933.7
Servicing/refuse areas	0	490.8	490.8
Total	4,980	12,133.1	+7,153.1

Table 1: Existing and proposed uses

- 2.4 A ground floor reception serving the office space would be accessed from Alie Street. Lightwells would be provided within the office lobby to provide natural light into the basement office accommodation. The central core means the upper floor offices would be provided with windows to three sides, and with floorplates that would allow for subdivision if required.
- 2.5 The aparthotel would have 182 guest bedrooms as well as reception and café space at ground floor level. There would be two entrances from Lemman Street into the café / reception space.



Figure 2: CGI of scheme showing hotel entrance from Lemman Street

- 2.6 In terms of other access and servicing arrangements, an entrance for cyclists would be provided on Alie Street. This would lead to a ground floor visitors' bike store and a bike lift and staircase into basement bike parking, showers and lockers. Along the Camperdown Street elevation would be accesses to a long stay bike store, two parking spaces for Blue Badge holders, a shared service bay for both the uses and a substation.

2.7 The new building would be set back from the Lemn Street and Camperdown Street frontages when compared to the alignment of the existing buildings, resulting in wider footways.



Figure 3: Ground floor arrangement of the proposed development showing the Aparthotel reception and café (right), office entrance (bottom) and servicing (top)

3. RELEVANT PLANNING HISTORY

3.1 Planning application ref: PA/16/01243:

Demolition of existing buildings and construction of a 21 storey building and two basement levels comprising 4,316sqm (GIA) of replacement commercial floorspace (Use Class B1) at lower ground, ground and first to fourth floor levels and residential accommodation to provide 107 flats (Use Class C3) between the fifth and twentieth floor levels, plus basement car parking, landscaping, plant and associated access works.

3.2 The above application was withdrawn by the applicant in August 2021.

3.3 Pre-application ref: PF/19/00162:

Redevelopment of site for part office (B1) and part visitor accommodation (C1) - Building up to 22 storeys

4. PUBLICITY AND ENGAGEMENT

Statutory consultation

4.1 Letters were sent to 189 addresses surrounding the site notifying occupants of the application. In addition, the application was publicised by display of site notices in the vicinity of the site and by publication of a notice in the local newspaper.

4.2 No written representations were received as a result of the publicity for this application.

Applicant pre-application consultation

4.3 The applicant undertook their own pre-application consultation on the proposal. This has included sending approximately 2,713 letters to properties surrounding the application site outlining the proposed development; and setting up an online consultation portal and hosting an online Q&A event in April 2021.

4.4 The submitted Statement of Community Involvement (within the Planning Statement) provides a more detailed summary and outcomes of the consultation undertaken to date.

5. CONSULTATION RESPONSES

External consultees

Historic England

5.1 On the basis of the information available, Historic England do not wish to make any comments and suggest that LBTH seeks the views of its specialist conservation advisors, as relevant.

Historic England - Greater London Archaeological Advisory Service

5.2 The site lies in a rich archaeological landscape dating as far back as the neolithic period, and also includes significant Roman and medieval archaeology. Conditions are therefore recommended for archaeological fieldwork and public heritage interpretation and outreach.

London City Airport

5.3 London City Airport suggests that as per CAP1096 (Guidance to crane users on the crane notification process and obstacle lighting and marking) the appointed crane operator notifies the CAA AROPS team of any proposed cranes that will be used in the future to build the development. This enables key airspace users to assess the potential impacts (if any) on their flight operation.

Greater London Authority

- 5.4 Land Use Principle: The proposed office and hotel uses within the CAZ and City Fringe Opportunity Area are supported and comply with relevant London Plan policies.
- 5.5 Urban design: The proposed architectural approach is supported and the scale, height and mass of the building is not expected to raise any strategic concerns. Further, the proposal is expected to result in less than substantial harm to nearby heritage assets, however will not have an adverse impact upon strategically important views. Additional viewpoints from various aspects and approaches to (and from) the WHS are required to enable a comprehensive assessment of the proposals' impacts on the relevant attributes of the OUV of the WHS.
- 5.6 Transport: An Active Travel Zone (ATZ) assessment that accords with TfL guidance is required. In addition, a Pedestrian Comfort Level (PCL) Assessment for the new pavement widths and a Gateline and line loading assessment for Aldgate and Aldgate East Station is requested. Further, land should be safeguarded for a cycle hire docking station and a contribution to its delivery is requested. The layout of the servicing yard should be reconsidered to ensure vehicles can access in a forward gear. The location of the Aparthotel long stay cycle parking store should be moved to a safer location and providing short stay cycle parking in the public realm should be investigated.
- 5.7 Sustainable development: The development generally accords with London Plan energy and whole life-cycle carbon requirements, however some further clarification is required. Every attempt to maximise urban greening on the site should also be made
- 5.8 It should be noted since receipt of the above reported GLA comments the concerns expressed around transport matters have been addressed to the satisfaction of TfL.

Historic Royal Palaces

- 5.9 No response received.

Metropolitan Police – Designing Out Crime Office

- 5.10 It is requested that a condition is attached to any permission requiring a Secured by Design Strategy which details how the development will achieve Secured by Design accreditation.

NATS

- 5.11 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Natural England

- 5.12 Natural England has no comments to make on the application.

Thames Water

- 5.13 No response received.

Transport for London – Infrastructure Protection

- 5.14 No comments to make in relation to railway engineering and safety matters.

Transport for London – TfL Spatial Planning

- 5.15 Following discussions through the application phase, TfL raise no objections to the proposal subject to:

- A financial contribution being made to mitigate the impact of the development on cycle hire docking stations in the area.

Active Travel Zone (ATZ) improvements being secured to East Smithfield and Prescott Street.

- An enforcement camera being erected on the TfL red route to mitigate concerns over potential issues arising from vehicles reversing onto Leman Street from Camperdown Street.

Internal consultees

LBTH Biodiversity

- 5.16 The characteristics of the existing site and buildings mean that the development will not have adverse impacts on biodiversity. If granted, a condition should be attached to ensure that biodiversity enhancements are secured

LBTH Environmental Health

- 5.17 No objections subject to conditions covering the following matters:

- Dust management plan and PM10 monitoring
- Air quality standards for boilers
- Air quality mechanical ventilation
- Kitchen extract standards for commercial uses
- Construction plant and machinery (non-road mobile machinery)

LBTH Transportation & Highways

- 5.18 No objection, subject to mitigating through application of appropriate planning conditions and through the s106 legal agreement. Red Route enforcement cameras will go some way to protecting Leman Street, which is within the remit of TfL, from indiscriminate parking/loading but this will not cover Camperdown Street. Concerns about the use of Camperdown Street, by large vehicles, remain. In order to mitigate the potential impacts of servicing, a series of measures including loading restrictions and new signs are to be implemented at cost to the applicant.

LBTH Waste Policy and Development

- 5.19 No objection, subject to securing the appropriate planning conditions. As a shared waste stores approach is proposed an on-site management solution will be required. Further details of this and in-bin compaction are required as well as different types of waste to be collected. Such details are required to ensure LBTH can collect. If LBTH cannot collect then it will need to be demonstrated that a commercial contractor is in place. The on-site turntable is acceptable with regard to refuse vehicles entering and leaving in forward gear.

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
- Tower Hamlets Local Plan 2031

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

London Plan (2021)

Chapter 1 Planning London's Future - Good Growth

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG5 Growing a good economy

Chapter 2 Spatial Development Patterns

- SD1 Opportunity Areas
- SD4 The Central Activities Zone (CAZ)
- SD5 Offices, other strategic functions and residential development in the CAZ

Chapter 3 Design

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D9 Tall buildings
- D12 Fire safety

Chapter 6 Economy

- E1 Offices
- E2 Providing suitable business space
- E3 Affordable workspace
- E8 Sector growth opportunities and clusters
- E10 Visitor Infrastructure
- E11 Skills and opportunities for all

Chapter 7 Heritage and Culture

- HC1 Heritage conservation and growth
- HC2 World Heritage Sites
- HC3 Strategic and Local Views
- HC4 London View Management Framework

Chapter 8 Green Infrastructure and Natural Environment

- G5 Urban greening
- G6 Biodiversity and access to nature

Chapter 9 Sustainable Infrastructure

- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage

Chapter 10 Transport

- T1 Strategic approach to transport
- T2 Healthy streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.2 Office parking
- T6.5 Hotel and leisure uses parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning

Tower Hamlets Local Plan 2031

Achieving sustainable growth

- 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 development
- D.SG5 - Developer contributions

Creating attractive and distinctive places

- 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
- S.DH5 - World heritage sites
- D.DH6 - Tall buildings
- D.DH7 - Density
- D.DH8 - Amenity

Delivering economic growth

- S.EMP1 - Creating investment and jobs
- D.EMP2 - New employment space
- D.EMP3 - Loss of employment space
- D.EMP4 - Redevelopment within the designated employment locations

Revitalising our town centres

- D.TC1 Supporting the network and hierarchy of centres
- D.TC6 - Short-stay accommodation

Protecting and managing our environment

- S.ES1- Protecting and enhancing our environment

- D.ES2 - Air quality
- D.ES3 - Urban greening and biodiversity
- D.ES4 - Flood risk
- D.ES5 - Sustainable drainage
- D.ES6 - Sustainable water and wastewater management
- D.ES7 - A zero carbon borough
- D.ES8 - Contaminated land and storage of hazardous substances
- D.ES9 - Noise and vibration
- D.ES10 - Overheating

Managing our waste

- S.MW1 - Managing our waste
- D.MW3 - Waste collection facilities in new development

Improving connectivity and travel choice

- S.TR1 - Sustainable travel
- D.TR2 - Impacts on the transport network
- D.TR3 - Parking and permit-free
- D.TR4 - Sustainable delivery and servicing

Chapter 2: Sub-area 1: City Fringe (vision, objectives and principles)

6.4 **LBTH's Supplementary Planning Guidance/ Other Documents**

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- GLA City Fringe Opportunity Area Planning Framework (2015)
- GLA SPG London's World Heritage Sites – Guidance on Settings
- GLA London View Management Framework
- LBTH Employment Land Review (2016)
- LBTH Planning Obligations SPD (2016)
- Historic England Advice Note 4 – Tall Buildings
- Historic England Good Practice Advice in Planning: 3 (2nd Edition) The Setting of Heritage Assets

7. **PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design
- iii. Heritage
- iv. Neighbour Amenity
- v. Highways and Transport
- vi. Environment
- vii. Infrastructure
- viii. Equalities and Human Rights

Land Use

Office space

7.2 The application site is located within the Central Activities Zone (CAZ). London Plan Policy SD4 states that in the CAZ the unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses, should be promoted and enhanced.

- 7.3 The site is also located within a ‘core growth area’ of the City Fringe Opportunity Area (OA). The City Fringe Opportunity Area Planning Framework (OAPF) states that the core growth areas of the City Fringe are where there will need to be a continued supply of employment floorspace. The OAPF also states that the Mayor supports proposals for new B Class employment space, including new affordable workspace.
- 7.4 In the Local Plan, the site is located within a Secondary Preferred Office Location (SPOL). In terms of the role and function of these areas, Policy S.EMP1 states that these areas contain, or could provide, significant office floorspace to support the role and function of the Primary POL and the City of London. In Secondary POL, greater weight is to be given to office and other strategic CAZ uses as a first priority. In Secondary POL, Policy S.EMP1 states that proposals will be supported which provide opportunities to promote the creation of a sustainable, diverse and balanced economy through ensuring availability of a range of workspaces and unit sizes.
- 7.5 Local Plan Policy D.EMP2 seeks to ensure that new or intensified employment floorspace is provided within the borough’s designated employment locations, site allocations and activity areas, whilst Policy D.EMP4 sets out that redevelopment within the Secondary POL must be employment-led and deliver the maximum viable level of office floorspace, or other non-residential strategic functions within the CAZ.
- 7.6 The table below shows the existing and proposed floor areas.

Office floorspace	NIA	GIA
Existing	Unknown	4,585 sqm
Proposed	3,803 sqm	4,708.61 sqm

Table 2: existing and proposed floor areas

- 7.7 The proposed development would increase the office floorspace on the site by 123.6sqm GIA. Whilst this is not a significant quantitative increase compared to what already exists on site, the proposed office floorspace would represent a marked qualitative improvement through the provision of new Grade A office space which is designed to meet the requirements of occupiers in the contemporary office market, in addition the scheme would secure through the planning consent 686sq.m of affordable workspace.
- 7.8 The office element of the proposal is consistent with the above referenced policies as the development would be a commercial scheme with no net loss of existing office floorspace. In addition (and in the first instance), the two existing occupiers on the site will have the opportunity to be accommodated in the new scheme which is considered to be a positive of the scheme. Officers are also aware that if they chose not to locate in the new scheme, the existing business have other locations in the borough that they could choose to locate too. Details will be secured through the employment obligation.
- 7.9 Whilst the provision of new office floorspace is welcomed, the supply of second hand office floorspace contributes to the rich mix of uses in the CAZ by virtue of factors such as being able to offer cheaper rents and more flexible terms. As such, it is important that new employment space provides for affordable workspace as this will assist in ensuring adequate supply of space for more local businesses as well as start-ups.
- 7.10 Local Plan Policy D.EMP2 requires the provision of affordable workspace as part of major commercial and mixed-use development schemes. This must comprise at least 10% of the proposed floorspace, at least 10% discount below the indicative market rate for the location and for a minimum period of 10 years. In addition, the London Plan policy in relation to affordable employment space requires that affordable workspace is secured for the life of the development or for a period of at least 15 years.

7.11 In terms of the affordable workspace proposed within this application, 15% of the overall office floorspace has been offered at a 35% discounted rate for the lifetime of the development. This exceeds the baseline policy requirements in relation to affordable floorspace proportion and discount rate. This exceedance of the minimum Policy requirement is welcome and represents a benefit of the proposal and is informed by the office rental rates within the existing development on site. This will be secured in the section 106 agreement.

Sui generis use

7.12 A sui generis use is in operation at the ground floor level of the site. The sui generis use is afforded no specific policy protection and therefore the loss of the sui generis use at the site is acceptable when giving regard to the development plan.

Aparthotel

7.13 Local Plan Policy S.TC1 sets out the Borough's network and hierarchy of centres. As noted earlier, the site is located within the CAZ. The London Plan and CAZ supplementary planning guidance document recognise the CAZ as the geographical, economic and administrative heart of London.

7.14 The CAZ SPD sets-out a range of 'Strategic CAZ' uses which will be supported within these locations with the intention of recognising the unique function of the area and of supporting continued success in attracting businesses, visitors and investment. As set out in Table 1 of the SPD, tourism facilities, including hotels, are CAZ Strategic Functions. Therefore in principle the proposed aparthotel use would be wholly consistent with the site's CAZ designation and an appropriate use for the site.

7.15 Whilst the aparthotel use is acceptable from a strategic perspective, it must be considered against the Borough's own short-stay accommodation requirements as set out in Local Plan Policy D.TC6.

7.16 Policy D.TC6 sets out an overarching support for visitor accommodation in the CAZ subject to the following criteria:

- a. the size, scale and nature of the proposal is proportionate to its location
- b. it does not create an over-concentration of such accommodation, taking account of other proposals and unimplemented consents in the local area
- c. it does not compromise the supply of land for new homes (in accordance with our housing trajectory) or jobs and our ability to meet the borough's housing and employment targets, and
- d. the applicant can demonstrate adequate access and servicing arrangements appropriate to the scale, nature and location of the proposal.

7.17 The submitted application proposes 182 aparthotel rooms across floors 6-19 of the proposed building.

7.18 With regard to the potential over-concentration of short-stay accommodation in the area, there are a series of existing and recently approved schemes which will increase the overall supply of visitor accommodation within the area surrounding Aldgate and within the City of London.

7.19 Whilst the supply pipeline of traditional hotel rooms in the local area is high, the proposed apart-hotel/ serviced apartments would provide for a different type of guest (e.g. business people on extended trips) which allows the economic benefit of an additional segment of the hotel market to be captured within the borough. It also further supports the global financial centre function of the City (Square Mile) and, as evidenced by the applicant, an apart-hotel is likely to cater to these business people given its close proximity. In addition, officers note that in the site is in the CAZ which is a local centre for hotels of this scale are directed too. In terms

of local concentrations of hotels, the closest hotels are to the east of Lemn Street and further south toward Prescott street (rather than being located in the quieter and more residential streets just to the north of Prescott Street). To the west there are hotels closer to Tower Hill too; however, none within the immediate location. For these reasons, given the number of hotels in proximity and limited number within the immediate urban block, the proposal would not lead to an overconcentration of hotels in the local area.

- 7.20 With regard to the proposed scale of the accommodation, in the site's context this would be appropriately proportionate given the site location with the CAZ, City Fringe Opportunity Area, and Aldgate Tall Building Zone where higher densities and development intensity is appropriate.
- 7.21 Whilst the demand/need for short stay accommodation across the borough is approaching projected figures there is significant policy weight attributed to the Secondary POL and CAZ prioritised uses.
- 7.22 The site would not compromise the supply of land for new homes or impact on the ability to meet the borough's housing and employment targets given:
- the site is not allocated for any housing provision.
 - the site does not benefit from a previous permission for housing. Indeed, it is of note a previous planning application for the site was for a residential led redevelopment failed to progress and was subsequently withdrawn. Also within the same broad timelines a residential led scheme proposed for the neighbouring 1 Braham Street site was refused by the Council for failing in land use terms compliance with the Local Plan in respect of residential led development within the Aldgate Preferred Office Location designation.
 - the site's designation within the CAZ and SPOL provide a greater emphasis on commercial/employment/strategic functions as a first priority (which includes hotel use);
 - the application would deliver an uplift on existing office floorspace to contribute to the Borough's employment targets including better quality and higher grade office space; and
 - following amendments acceptable access and servicing arrangements are now proposed.
 - Existing occupiers will have the opportunity to be accommodated in the new proposal.
- 7.23 To summarise the principle of the development in land use terms is acceptable. The proposed short-stay accommodation in development plan policy terms for this site is acceptable as a strategic land use function for this site located in the CAZ and SPOL. The scheme would not prejudice the necessary level of office provision required for the redevelopment of the site within the SPOL. Furthermore, the scheme does not prejudice the supply of housing as assessed against the relevant Local Plan policies as the site is not allocated for any housing, the site does not benefit from a previous permission for housing and the site designation precludes a residential led redevelopment of the site.

Design

- 7.24 The NPPF requires the creation of high quality, beautiful and sustainable buildings and places which optimise the potential of sites to accommodate and sustain an appropriate amount and mix of development, whilst being sympathetic to local character and history.
- 7.25 Chapter 3 of the London Plan contains a suite of policies designed to ensure all new development is high quality. Policies D3 and D9 are particularly pertinent to this application. Policy D3 sets out the requirement for a design-led approach through consideration of the form and layout, experience and quality and character of development proposals. Policy D9 sets out impacts that tall building proposals should address. These include visual impacts (long, mid and immediate views), consideration of spatial hierarchy, architectural quality, avoiding harm to heritage assets and their setting, glare, light pollution, access, servicing, economic impact, wind, daylight, sunlight, noise and cumulative impacts.
- 7.26 Policies S.DH1 and D.DH2 of the local plan seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. Policy

D.DH6 of the local plan considers building heights and tall buildings to ensure that proposals for tall buildings are located in accordance with a spatial hierarchy and satisfy a range of criteria.

- 7.27 Policy G1 of London Plan requires green infrastructure to be incorporated into new development whilst Policy G5 requires major development proposals to contribute to the greening of London by including urban greening and incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

Tall buildings

- 7.28 The site is located within the 'Aldgate Cluster' Tall Building Zone. Subject to compliance with the relevant design principles, the location within a Tall Building Zone means the erection of a tall building on the site is acceptable in principle. The principles to be considered include height, scale, mass, character, architecture, townscape, heritage, skyline, street level experience, public safety, microclimate, biodiversity and aviation safety. Further discussion around the Tall Building policies and how the proposal meets those criteria is detailed below and the subsequent environmental section of the report.

Layout

- 7.29 In terms of the layout of the existing buildings on the site, the Alie Street frontage of Frazer House forms part a consistent building line with its neighbours to the west, including the locally listed and listed buildings either side of Half Moon Passage
- 7.30 At the junction with Lemman Street the ground floor of Frazer House is chamfered, providing additional space for pedestrians passing the site on the footways at the junction of Alie Street and Lemman Street
- 7.31 Along the site frontage to Lemman Street the layout of the existing buildings is less consistent by virtue of Pennine House being set markedly forward of Frazer House.
- 7.32 To the north of the site Pennine House turns into Camperdown Street. Beyond the rear elevation on Pennine House is a wall and gate into the car parking and servicing area for the existing buildings (including basement parking beneath Frazer House). The north elevation of Pennine House is approximately 15m in length and the wall to the open parking and servicing area extends for approximately 16m along Camperdown Street. The extent of frontage to the parking/servicing area being greater in length than the existing building results in a significant weakening of the street scene of Camperdown Street.
- 7.33 In terms of the layout of the proposed development, the new Alie Street frontage would be set at the back edge of the footway as per the existing. This is appropriate given the consistent existing building line along this frontage which has been maintained across both historic and newer developments.
- 7.34 One of the most notable changes between the layout of the existing buildings and the proposed buildings is the Lemman Street and Camperdown Street elevations being set further from the back edge of the footway than the existing. As noted earlier, Pennine House is set forward of Frazer House. The proposed development would remove this step in the buildings and provide a building with an un-stepped elevation to Lemman Street. In doing so the footway along Lemman Street would be increased in width.
- 7.35 The Camperdown Street elevation would also be realigned to provide a more generous footway along Camperdown Street. In addition, the new building would infill the site of the existing service yard / car parking.
- 7.36 The increase in footway widths to both Lemman Street and Camperdown Street is a positive aspect of the proposed development and will improve the pedestrian environment in the locality. The benefit of the additional areas of public realm would clearly outweigh the loss of the chamfer on the Alie Street / Lemman Street junction. In addition, the chamfer is somewhat

of an anomaly and weakens the street particularly when considered in relation to the Black Horse Public House and the former dispensary building.

- 7.37 The introduction of a continuous built form along Camperdown Street is also an improvement over the existing situation where the gap between Pennine House and 25 Camperdown Street significantly weakens the street scene.
- 7.38 Overall, the layout of the proposed building is acceptable as it respects the layout of the existing surrounding buildings and takes the opportunity to create improvements over the existing situation including providing a more coherent and active edge to street and a more open and inviting appearance to street that is reflected in both the ground floor layout and the handling of the ground floor entrances and associated façade treatment.

Scale

- 7.39 The proposed new building is made up of two principal elements: the base and the tower. Ground levels rise from south (Alie Street) to north (Camperdown Street) by 0.77m. For the purposes of description and discussion in this section measurements are taken from the Alie Street footway level of 12.50m AOD.
- 7.40 The height of the proposed base element would be 21.6m whilst the maximum height of the tower would be 70m from ground level. Pennine House has a height of 27.46m whilst the seven storey element of Frazer House has a height of 23.69m and the five storey element on Alie Street has a height of 20.47m. The base of the proposed building would therefore be a part increase in height of 1.13m on Alie Street and a reduction in height of between 2.09m and 5.86m on Lemman Street and Camperdown Street.
- 7.41 In terms of the tower element of the proposed development, as described in the 'proposal' section of this report, it would be set in from the Alie Street frontage by 9.3m, by 3.4m from the Lemman Street frontage and 6.8m from the neighbouring building to the west. There would be no set back of the tower on the Camperdown Street elevation.
- 7.42 Paragraph 8.70 of the explanation text supporting Local Plan Policy D.DH6 recognises that each Tall Building Zone is different and tall buildings proposed within the zones will need to respect the existing character of the area and respond to sensitivities. Paragraph 8.73 states that within tall building zones clusters of tall buildings may be developed and that the height of tall buildings within a cluster should reflect the role and function of the cluster and normally the tallest elements should be located towards the centre of the cluster, which should mark a particular feature or location (e.g. One Canada Square, Canary Wharf). It goes on to state that developments involving tall buildings will be required to step down towards the edge of the tall building zone as per Figure 8.
- 7.43 Figure 8 of the Local Plan illustrates the principles of tall building clusters. The proposed tall building is within a Tall Building Zone but adjacent to one of its edges, therefore 'Cluster principle one' is the most relevant. This states that height should vary across the zone but drop down towards the edge.
- 7.44 In addition to the above, a table within Policy D.DH6 sets out 'Principles' for each of the Tall Building Zones. For Aldgate one of the specific principles is:
- a. The background to the views of the Tower of London world heritage site from the Queen's Walk at City Hall should be preserved.
- 7.45 It is notable that the principles for the borough's four other Tall Building Zones all refer to step down requirements, yet this is not specified for Aldgate.
- 7.46 The image below is taken from the applicant's Design and Access Statement. It shows the outline of the Aldgate Tall Building Zone and the storey heights of existing buildings at the edges (both within and outside) of the Tall Building Zone.



Figure 4 showing the Tall Buildings in the Aldgate Tall Building Zone

- 7.47 It can be seen from the above that the Zone is an irregular shape which would make it difficult to identify a centre from which other buildings should step down. It is also apparent that a significant number of tall buildings already exist within and at the edges of the Zone.
- 7.48 The existence of existing tall buildings at the edges of the Zone is not in itself justification for further such development in other parts of the Zone and each application must be assessed on its merits. However significant parts of the Zone are now developed and it is necessary to take into account the existing tall buildings and their distribution across the Zone in determining whether the current proposal is acceptable.
- 7.49 The dense nature of the Aldgate cluster with its existing tall buildings and narrow streets means that views of the site are largely obscured from the north, north-east and east.
- 7.50 From the north at the junction of Whitechapel High Street and Commercial Street the existing tall buildings of Aldgate Place (Wiverton Tower), Aldgate Tower and 1 Braham (BT) would obscure views of the tower element of the proposal (see image in Appendix 2). The base of the proposed building would be visible, but the visualisations show that the base of the proposed building would be much less prominent than the existing Pennine House with its unusual forward siting on the street. As noted earlier in the report, the base of the tower is lower than the existing Lemane Street building frontages and in the view the proposed development is more sympathetic to the scale of the buildings to the south of the site than the existing buildings on site.
- 7.51 In views from the east along Alie Street (Canter Way junction), the base of the proposed building would disappear from view by virtue of the base of the proposed building being lower than the existing Frazer House (see image in Appendix 2). This would be beneficial when considered in terms of whether the proposal would be considered of a human scale. The tower element of the proposal would be visible within this view, though the setback from the

Alie Street frontage described earlier in this report would assist in minimising the visual effect of the tower.

- 7.52 Similar visual effects are experienced when looking east along Alie Street in that the lower base level would be beneficial within views and the set back of the tower from the Alie Street frontage would minimise the prominence of the tower within views. In addition, in this view the tower is comfortably read in the context of the tall buildings of Goldpence Apartments and Ceylon House either side of the eastern end of Alie Street.
- 7.53 In addition to the above, a number of other views have been tested in the submission including from Altab Ali Park, Braham Street public space, Tenter Street and Swedenborg Gardens. In such cases the intervening development would screen the proposed development from view.
- 7.54 The proposed development would be most visible in views north up Lemman Street (see image 1). This includes both the medium range view from the junction of Lemman Street with Hooper Street and the short range view from adjacent to the Unite Students building on Lemman Street.
- 7.55 The northernmost part of Lemman Street within the Aldgate Cluster is of a markedly different scale to the southern section of Lemman Street. In views up Lemman Street the lower scale abruptly terminates at the 1 Braham (BT) building. 1 Braham is a very wide building and its offset white metal fins somewhat draws attention to the building. The tower element of the proposed building is much more slender than 1 Braham and would partly sit in front of it. The proposed tower is aesthetically calm and its scale from Lemman Street views is acceptable when taking the backdrop into account.
- 7.56 In terms of the base of the proposed building in Lemman Street views this would sit comfortably with the surrounding lower scale buildings surrounding the site. In addition, the reduction in height on the Lemman Street frontage and the new alignment on Lemman Street would be visually beneficial.

Scale – summary

- 7.57 The scale of the base element is very human in scale with the size and arrangement of windows finding an echo with the scale of windows found on neighbouring lower rise development in the area as it would fit harmoniously into its surroundings. In particular when viewed in the context of the block between Buckle Street and Alie Street which accommodates the listed Old Dispensary (now Lemman Bar) and City Reach (19 Lemman Street), the scale of Alie Street to the south and west of the site and the predominant scale of buildings south of the site between towards Prescott Street (including the shoulder height of the more recent Goodmans Fields development).
- 7.58 In terms of the tower element, notwithstanding that requiring a step down is not explicitly set out in Local Plan policy as a principle of development in the Aldgate Cluster, the building would achieve a step down relative to the adjacent 1 Braham of approximately two storeys. The proposal handles the introduction of height well and the scale of the development is acceptable in the context of existing development in the Tall Building Zone, including tall buildings within and at the edges of the Zone.

Appearance

- 7.59 The appearance of the building is made up of two distinct elements, with the different uses being distinguishable through the proposed architecture and materials. The base of the proposed building would be of masonry construction with the ground floor being constructed of pre-cast concrete/glass reinforced concrete and the upper floors being faced in brick. The tower element would be a combination of glazing and aluminium panels.
- 7.60 The use of concrete/GRC on the ground floor is a suitably robust material which is befitting of the solidity that is required at the base of a tall building, particularly in a central location. It would have a 'fluted' profile which would add texture and interest to the ground floor frontage. The brickwork would predominantly be laid to stretcher bond, but between the windows on each floor would change to triple soldier course.

- 7.61 The windows to the office floors would follow a uniform grid which would align with the ground floor window and door openings. Both the Alie Street and Lemman Street ground floor elevations would have a high degree of glazing with a stretched ground floor level which allows views in an out of the office foyer on Alie Street and the aparthotel reception and ancillary café on Lemman Street. The proposed frontage to these streets would represent a significant improvement over the existing situation – the corner of Lemman Street/Alie Street currently being inactive owing to the 'gentleman's club' which lies behind and neither office building having prominent entrances or visible and generous foyers. The existing chamfered corner also further detracts from the buildings frontage and accessibility in the public realm.
- 7.62 The arrangement of openings and the choice and detailing of materials adequately demonstrates the applicant's commitment to high quality and means that the base of the building would successfully assimilate with the lower scale surroundings.
- 7.63 In terms of the tower, a different approach has been taken, reflective of both the different use within and to provide a response which is more contextual and in keeping with other tall buildings nearby. The use of blue-grey cladding responds to the tone of the highly glazed buildings in the vicinity.

Landscaping, public realm and biodiversity

- 7.64 The site is currently devoid of landscaping and its characteristics are such that the existing site and buildings mean that the development will have a positive impact on biodiversity. This will be in the form of landscaping to the two roof gardens proposed within the development. If permission is granted, it is recommended that a condition is attached to ensure that biodiversity enhancements are secured.

Inclusive design

- 7.65 London Plan Policy D5 requires that development proposals should achieve the highest standards of accessible and inclusive design. This includes ensuring there are no disabling barriers and ensuring dignified access and evacuation for all. London Plan policy E10 requires 10% of new bedrooms to be wheelchair accessible.
- 7.66 In terms of the proposed short stay visitor accommodation, 10% of the rooms would be designed to be accessible for wheelchair users. Floors 6 to 9 would accommodate two wheelchair accessible units and floors 10 to 19 would have one wheelchair accessible unit on each floor. This would total 18 units which is 10% of the total number of rooms.
- 7.67 It should be noted that overall room sizes in the aparthotel are the same on each floor and that the 10% wheelchair accessible rooms have been created by four of the rooms on floors 6 to 9 being provided with a single bed (the equivalent rooms on floors above being provided with a double bed). It is regrettable that not all wheelchair accessible rooms are provided as doubles (which is the case for all non-wheelchair accessible rooms). However, unfortunately there is nothing within planning policy to require this.
- 7.68 If permission is granted it is recommended that a condition is attached to the permission to ensure the wheelchair accessible rooms are provided before the aparthotel is first brought into use and retained for the life of the development.

Safety and security

- 7.69 Policy D11 of the London Plan requires all forms of development to provide a safe and secure environment and reduce the fear of crime. This is similarly reflected in Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users.
- 7.70 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and in accordance with the Police's consultation response it is recommended that a condition is attached to any permission ensuring that the development is designed to Secure by Design standards and achieves accreditation.

Fire safety

- 7.71 London Plan Policy D12 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.
- 7.72 The application has been accompanied by an Outline Fire Safety Strategy. The Strategy sets out fire safety measures for the office and aparthotel. This also includes an assessment against London Plan criteria of fire safety measures incorporated into the design.
- 7.73 The office space would have a separate core to the aparthotel. In the event of the fire alarm being activated the office space would be simultaneously evacuated. The office space would be fitted with sprinklers and would have a firefighting shaft as well as an evacuation lift. Ancillary areas such as the service bays and ground floor café area would also be simultaneously evacuated and fitted with sprinklers.
- 7.74 The aparthotel rooms would have a 'defend in place' approach. This means that an alarm activation would be on a room-by-room basis with evacuation of only the affected room unless otherwise instructed by the fire service. In terms of access to the aparthotel rooms the core would be provided with a firefighting shaft and evacuation lift.
- 7.75 The application is not referable to the Health and Safety executive because it does not include two or more dwellings in a building 18m in height or over. In officers view, the Strategy appears to adequately assess the proposed fire safety measures relative to relevant London Plan policy though as noted in the Strategy the proposal will ultimately be required to comply with the functional requirements of Building Regulations.

Heritage

- 7.76 The Council has a statutory duty to consider a proposal's impact on heritage assets, including listed buildings and their settings and conservation areas. This is contained in Sections 66(1) and 72(1) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is reflected in national, regional and local policy and guidance.
- 7.77 Section 16 of the NPPF entitled "Conserving and enhancing the historic environment" contains guidance in consideration of development proposals and their effect on the historic environment. Section 16 of the NPPF is consistent with the aforementioned statutory duty in requiring that determining planning authorities give great weight to an assets conservation.
- 7.78 Paragraph 197 of the NPPF states that in determining planning applications local planning authorities need to take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 7.79 Paragraphs 201 to 204 set out the process for where a proposal leads to substantial or less than substantial harm to the significance of a heritage asset and the effect of an application on non-designated heritage assets.

- 7.80 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 7.81 London Plan Policy HC2 requires that development proposals in World Heritage Sites and their settings conserve, promote and enhance their Outstanding Universal Value (OUV). Policy HC2 states that Heritage Impact Assessments must accompany any proposal where the OUV may be affected.
- 7.82 Local Plan Policy S.DH3 expects development in the vicinity of listed buildings to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.
- 7.83 Local Plan Policy S.DH5 requires that development safeguards and does not have a detrimental impact upon the OUV of world heritage sites. With regard to the wider setting of the Tower of London, or development impinging upon strategic or other significant views from these sites (particularly around Tower Hill and Aldgate) will be required to demonstrate how they will conserve and enhance the OUV of the World Heritage Site.

Heritage

- 7.84 The site is not within a conservation area, nor are there any statutory listed buildings or locally listed buildings within the red line plan.
- 7.85 There are however a number of listed buildings close to the site. The proposed development would be within the setting of these.
- 7.86 The proposal also needs to be considered in terms of the setting of two conservation areas as well as the Tower of London WHS and the London View Management Framework (LVMF).
- 7.87 Officers note that the application has been accompanied by a Heritage Impact Assessment (HIA) prepared by Lichfields (dated 18 June 2021). In addition, Lichfields submitted a letter dated 18 January 2023 confirming that they have reviewed the proposed amendments to the scheme and confirm that the conclusions of their 2021 Statement have not changed. Officers have had due regard to the submitted information and also come to their own view (as detailed below) in terms of the impact on the following individual heritage assets.

Grade II St George's German Church, the Grade II St George's German and English Infants' School and the Grade II St George's German and English Schools (Numbers 55, 57 and 59)*

- 7.88 These buildings have historical interest and group value as a surviving complex of German Lutheran church buildings and educational facilities representing the sole surviving once substantial settlement of 'Little Germany'.
- 7.89 The proposed development would be visible within the backdrop of these listed buildings when viewed in a westerly direction along Alie Street. However it is not concluded this visibility would impact upon the heritage significance of these assets as derived from setting and this conclusion is in part informed by the presence of other tall buildings set within the backdrop of these views.

Grade II former dispensary

- 7.90 The building is of historic significance as the East London Dispensary built in 1858 to provide free medical and surgical help to the poor and underwritten by livery companies, local merchants and sugar bakers.
- 7.91 The HIA highlights that the setting of the dispensary has been dramatically altered since the building was constructed. The physical fabric is identified as being the main significance of the building. However, the link with other buildings on the west side of Leman Street whose business owners may have funded the Dispensary, the remaining legibility of the building and its relationship to 91-93 Whitechapel High Street all contribute to an understanding of significance through setting.

- 7.92 In terms of the effect of the proposed development on the dispensary, Officers have assessed the reduced scale of the base of the proposed building compared to the existing and the quality of the architecture as an improvement to the streetscape opposite the Dispensary. The approach of base and set back tower would successfully handle the transition between the 1 Braham and lower buildings to the south. In addition, the proposal would not affect the ability to appreciate the dispensary's Italianate architecture. The proposed development would therefore enhance the setting of the former dispensary.

Buildings on the western portion of Alie Street (west of Lemman Street)

- 7.93 On the south side of Alie Street there are three Grade II 18th century buildings and the local listed Black Horse public house. On the north side of Alie Street is the Grade II listed White Swan public House, an 18th century listed building and the locally listed 1980s 23 Alie Street.
- 7.94 The buildings on the western section of Alie Street form a coherent group of 18th and 19th century historic townscape, and their spatial relationship to each other are integral to their significance.
- 7.95 The proposed development would improve the architectural quality of the site, thereby improving their setting, with none of the changes to views affecting the significance of the assets in question.

Four corner blocks providing an entrance to Tenter Street

- 7.96 The HIA assesses three 19th century buildings and the locally listed 19th century 5 Mark Street.. Their 19th century appearance as compared to the 18th century terraced houses on Alie Street contributes to an understanding of these buildings forming part of the later development of the inner portion of the tenter ground.
- 7.97 In terms of the effect of the proposal on these buildings, Officers conclude the proposal would not impose itself upon views of these buildings and as such the appreciation of these buildings. Officers also conclude there would be no harm to the character of townscape or significance derived by setting would be incurred to these heritage assets.

Buildings on the west side of Lemman Street

- 7.98 62, 66 and 68 Lemman Street and The Garrick Public House are grade II listed and 64 Lemman Street is locally listed. The buildings are highlighted as a coherent group of 18th and 19th century mixed commercial and residential townscape.
- 7.99 The significance of these assets will be preserved as the proposal will not affect aspects of these assets' settings which contribute to their significance, and their ability to be read as surviving elements of 18th and 19th century historic townscape will remain.

Whitechapel High Street Conservation Area

- 7.100 The Aldgate cluster of tall buildings screens almost all views of the site from the historic high street. There is a glimpse of the site from Commercial Street looking south, with this view being in the background of other existing tall buildings.
- 7.101 The very limited connection between the site and the Conservation Area owing to the intervening tall buildings would mean that the proposed development would not cause any harm to the setting of the Conservation Area.

Tower Hill Conservation Area and Tower of London World Heritage Site

London View Management Framework

- 7.102 The local setting of the WHS plays an important role in terms of historical, functional, spatial and visual relationships which are important to the significance of the Tower of London World Heritage Site. Views of the Tower of London are integral to the significance of the asset and the designated London Plan Local View Management Framework (LVMF) exists to help

manage key views of the Tower which contribute to the ability to appreciate the WHS significance. The effect of the proposal from the LVMF views has been assessed as:

- LVMF View 25A.1: Not visible in this view. Fully concealed by the existing silhouette of No.41 Tower Hill. No change to LVMF View 25A.1.
- LVMF View 25A.2: Not visible in this view. Fully concealed by the Tower of London and other existing built form. No change to LVMF View 25A.2.
- LVMF View 25A.3: The existing backdrop of the Tower of London from this location is of a densely urban landscape. The upper storeys of existing tall buildings in the Aldgate Tall building cluster are visible in this view. The proposed development would be entirely screened in summer by intervening development and trees. In winter, the roofscape of the proposed building would be visible from this view location in the context of existing built form and vegetation.
- The proposal would sit within the foreground of the existing, visible, silhouette of Nos. 15-17 Lemman Street. The scheme would not project above the skyline of Nos. 15-17 Lemman Street or other tall buildings located in Aldgate cluster including that of 1 Braham Street. As such, the proposal would have no adverse impact upon the silhouette of the Tower of London or White Tower in respect of LVMF View 25A.3.

Other townscape views of proposal including in relation to WHS

- 7.103 The GLA Stage 1 response notes that the TVA does not include visualisations of the scheme when viewed from views looking out from the WHS itself and from views out from the designated local setting such as from Tower Bridge. In response to the GLA request the applicant has provided additional viewpoints including from within the WHS itself and approaches to the site to enable a comprehensive assessment of the proposals' impacts on the relevant attributes of the OUV of the WHS.
- 7.104 A Zone of Theoretical Visibility (ZTV) shows the maximum potential visibility of the scheme, with the visibility and views then confirmed by fieldwork. The results of this exercise are shown on the map below with the pink identifying where the development would be visible (the site being marked by the star).



Figure 5 Zone of Theoretical Visibility (as highlighted in red shading)

- 7.105 This scoping exercise demonstrates that there would be very limited visibility of the scheme from within the WHS itself, with this being essentially focussed within a part of the modern pedestrian square at Tower Hill to the west of the Tower of London, outside of the tower enclosure. This visibility would not impose upon any additional skyspace set in the backdrop of the WHS due to the presence of other tall buildings within the Aldgate Cluster.
- 7.106 As for visibility of the development within the designated setting of the WHS, again, this would be limited. The proposed building would be visible in some limited views when crossing Tower Bridge. However, this visibility would only be in the context of existing views of 1 Braham Street which has white fins contrasting in tone to the Tower of London. The proposed building itself would be lower in scale and of a more subtle colouration than 1 Braham Street. As such, the development would sit more comfortably in this view. In addition, this would not lead to a visual perception of the Aldgate Tall Building Zone further encroaching upon the WHS or the listed Tower Bridge (than the existing tall buildings in the Aldgate Cluster). The impact is neutral or indeed concluded to be minor beneficial in the setting of the WHS.
- 7.107 As such the scheme would preserve the setting and Outstanding Universal Value of the WHS.

Heritage conclusion

- 7.108 The HIA submitted with the application has assessed heritage assets in a manner which is appropriate and proportionate to the importance of the various heritage assets and is sufficient to understand the potential impact of the proposal on their significance.
- 7.109 The scheme would not materially impact adversely upon any views of the Tower of London World Heritage Site or impact upon its defined Outstanding Universal Impact. The Borough Conservation and Urban Design Team have also reviewed the townscape and heritage, impacts of the development and are satisfied the scheme is of a considered design, that seeks to be sensitive to context and would not have any adverse impact of the special character of

individual designated or non-designated heritage assets including that of the Whitechapel High Street Conservation Area taken as a whole. The scheme's heritage impact needs to be understood in the context of a series of other tall buildings in the locality and this results in no harm to the setting of surrounding heritage assets.

Neighbour Amenity

7.110 Local Plan Policy D.DH8 seeks to protect the amenity of surrounding residents and building occupants from development. It states that development should maintain good levels of privacy; avoid unreasonable levels of overlooking; not result in unacceptable material deterioration of sunlight and daylight conditions to neighbouring properties.

Daylight and Sunlight

7.111 The application has been accompanied by a Daylight and Sunlight Report ('the Report') prepared by Waldrams chartered surveyors. The report assesses the impact of the proposed development on neighbouring residential properties using the methodology set out in the Building Research Establishment publication 'Site layout planning for daylight and sunlight a guide to good practice, second edition 2011'.

7.112 Officers have commissioned specialist consultants Anstey Horne to independently review the Waldrams report. The independent review of the applicant's report:

- Assessed the assumptions underpinning the study as stated in the applicant's report, in terms of whether they are robust and accurate, and the relevant surrounding properties and amenity spaces have been assessed;
- Assessed the impacts the proposal would have in terms of daylight/sunlight to surrounding residential properties, highlighting failures and degree of impact;
- Reviewed the methodology used and commented on the results based on BRE guidelines.

7.113 The Council's appointed independent consultants were satisfied with the assumptions, methodology and the preparations of the results in the applicant's submitted daylight/sunlight report.

Impact on the neighbouring properties

7.114 A total of 19 neighbouring properties are identified in the Report as requiring assessment and noted as containing residential accommodation or including uses where there could be an expectation for natural light such as within St. George's Lutheran Church.. The scope of the review is considered appropriate.

7.115 The technical analysis demonstrates that 10 out of the 19 neighbouring properties assessed would experience breaches of the BRE guidelines. The BRE suggests that the retained levels in the proposed condition should remain to at least 0.8 times of the value achieved in the existing condition. If the reduction is beyond 0.8 the change could be noticeable to an occupant and adversely affect the property.

7.116 Anstey Horne have commented on each of the assessed neighbouring properties set out below and given their opinion on the assessment approach, reported results and summary conclusions of impacts to those properties. The following significance criteria banding have been used when summarising the overall daylight and sunlight effects to the surrounding buildings: -

- Negligible: 0-20% transgression from the guidance
- Minor adverse: 20-30% transgression from the guidance
- Moderate adverse: 30-40% transgression from the guidance
- Major adverse: >40% transgression from the guidance

The location of the residential properties that have been considered in Anstey Horne's review are highlighted with stars on the map extract below.



19 Lemman Street

7.117 Number 19 Lemman Street (City Reach) is located to the north of the development site and comprises commercial usages on the basement and ground floors, with residential flats located above.

7.118 74 windows have been assessed for VSC, with 46 (62%) demonstrating BRE compliance with negligible impacts. The results of the 28 remaining windows that fall below the BRE Guidelines can be summarised as follows: -

- 9 windows would deviate from the existing values by more than 40% and are considered **major adverse impacts**. These windows are located on the fourth and fifth floors of the building, with 7 windows serving Living-Kitchen-Diners (LKD's)/Living Diners (LD's) and 2 serving bedrooms.
- 9 windows would experience a **moderate adverse** degree of impact (30% to 40% reduction). These windows are located on the third, fourth and fifth floors and the nature of these changes are likely to be noticeable to the occupants of these properties.
- 10 windows experience **minor adverse** impacts (20% to 30% reduction) and occur to windows on the first, third and fourth floors. In many instances, the reductions can be attributed to the low levels of existing VSC whereby even small additional absolute changes could trigger disproportionate percentage reductions from the former VSC value. These changes may also be noticeable to occupants.

7.119 Turning to the BRE guidelines which state in paragraph 2.2.6: "If a room has two or more windows of equal size, the mean of their VSCs may be taken" a further analysis of 19 Lemman Street has been undertaken.

- 7.120 There are several windows within 19 Lemman Street (on the corner of Buckle Street and Lemman Street) that have either 7 or 8 window panes serving a single room. When considering this methodology, of the 32 rooms tested within the building, 18 rooms will not experience a change greater than 20% former value (based on the average VSC values for each room). 35 rooms have been assessed for NSL, with 29 (83%) demonstrating BRE compliance and thus **negligible impacts**.
- 7.121 The 5 rooms that fall below the BRE guidelines would deviate from the existing values by 20% to 61% and are limited to bedrooms in all but one case. There is one living room on the 5th floor (R3) that will experience an NSL reduction of beyond 20% former value although it is noted that the room will retain access to direct sky to 59% of its area.
- 7.122 To conclude the adverse daylight impacts are considered overall limited in scope when consideration is given to both the VSC and the daylight distribution (NSL) results and the fact only 5 rooms would fall short of BRE guidance daylight distribution levels and the retained level of impacts to the only impacted living room would remain reasonably good.
- 7.123 In terms of sunlight, there are 10 living rooms that have windows orientated within 90° of due south and therefore in accordance with the BRE guidelines require sunlight testing. It appears that bedrooms have not been analysed, owing to paragraph 3.1.2 of the BRE Guidelines which states that living rooms have the main requirement for sunlight. The results contained within the applicant's report show that in terms of annual sunlight, 6 out of the 10 rooms assessed will meet the BRE Guidelines, with the remaining 4 rooms retaining between 22%-24% APSH. The identified reductions in APSH are to a limited number of rooms and remain close to the recommended 25% minimum in the BRE guidance.

19a-19b Lemman Street

- 7.124 This building is situated to the east of the development site and the Report states that whilst it is in commercial usage, Valuation Office Agency (VOA) searches have revealed a residential flat on the second floor.
- 7.125 The precise location of this flat has been deduced from external observations which appear to show that the only second floor windows are skylights. The development of 26-38 Lemman Street will therefore not cause any material losses of light to this flat, given the unobstructed access to natural light from above and its southern aspect.

55-57 Alie Street

- 7.126 Number 55 -57 Alie Street is set back from the development site in an easterly direction and based on VOA searches, is understood to contain a number of residential properties.
- 7.127 10 windows have been assessed by reference to the VSC methodology, 9 of which (90%) will meet the BRE Guidelines. The 1 window not able to meet the strict application of the BRE is on the ground floor and will experience a change of 21% former value, marginally beyond the permissible 20% as suggested by the BRE. An additional appraisal has been undertaken which considers the mean VSC values, given that there are several similar sized windows which serve one single room. This testing shows that the VSC test for the room is fully BRE compliant.
- 7.128 In terms of NSL, the proposal achieves full BRE compliance has been recorded in terms of NSL to this property. In relation to sunlight, there are 2 rooms that warrant assessment and are understood to be used as living rooms.
- 7.129 The proposal complies with APSH levels set out in BRE guidance although it is noted that there are 3 rooms which fall short in terms of winter sunlight. The winter losses range from 22%-32% former value although ensuring adequate penetration of sunlight during the winter months can be difficult due to the sun's lower positioning on the horizon at this time of year and the surrounding developments on the adjoining streets.

Leman Locke, 15 Leman Street

7.130 Buckle Street Studios by Locke Living (also known as Leman Locke) are located to the north of the development. VOA searches show that 13 flats within the building are registered to pay Council Tax. Whilst that is the case, those properties are registered by virtue of the units being operated as serviced apartments. Serviced apartments within the development would fall under Use Class C1 (along with the remainder of the aparthotel units) rather than dwellinghouses falling under Use Class C3.

7.131 BRE guidelines do not require an assessment of the impact of the proposed development on aparthotel uses.

34 Alie Street

7.132 Number 34 Alie Street is located directly south of the development site and VOA searches indicate that the building has been split up into two residential properties, one on basement level and the other on the floors above.

7.133 Assumptions have been made as to its internal subdivision and room usage in order to assess a worst case scenario. This shows that whilst the existing windows currently fall below the recommended VSC levels, all windows and rooms would comply with The BRE Guidelines in terms of any losses being no more than 20% with the exception of one small window located above the ground-floor doorway. On external inspection, it is considered likely that this window serves an entrance way which would not require assessment in terms of daylight and sunlight. Whilst the level of daylight to these properties is low, the proposal will not cause further noticeable impact to these properties and therefore the daylight loss will be negligible.

7.134 There are also no windows/rooms within this property that require assessment for sunlight due to its orientation.

38 Alie Street

7.135 Number 38 Alie Street is located directly south of the development site and VOA searches indicate that the building has been split up into five residential properties.

7.136 Due to lack of floorplans, all windows facing the proposal have been assumed as residential use which would be a worst case scenario. Whilst the existing windows currently fall below the recommended VSC levels, all windows and rooms would comply with the BRE guidelines in terms of the proposed development not imposing any additional losses at odds with compliance with BRE guidance with the exception of one small window located above the ground-floor doorway. On external inspection, it is concluded this window serves an entrance way which would not require assessment in terms of daylight and sunlight.

7.137 To conclude the scheme provides no cause for concern in terms of daylight impact to the homes at this address.

7.138 There are also no windows/rooms within this property that require assessment for sunlight due to its orientation to the south of the development site.

40 Alie Street

7.139 Number 40 Alie Street is located to the south of the development site and is understood to be in residential usage (there is one Council Tax record for the address). No layouts have been secured and in the absence of such, assumptions have been made as to how this building is internally subdivided.

7.140 In terms of VSC, a total of 11 windows have been assessed, 10 of which (91%) will meet the BRE Guidelines. There is one ground-floor window (W1) that will experience a 22% change from former value although importantly, this window appears to be located above the entrance doorway and therefore is likely not to have an expectation for natural light.

7.141 In respect of the NSL testing, 10 rooms have been considered, of which 8 (80%) will meet the BRE Guidelines. There is one room located on the second floor (R1) that will experience a

change of 25% former value. Whilst that is the case it is noticed that in the existing condition, this room only has access to direct sky to 33.84% of its area. It therefore follows that any additional massing directly opposite could translate into reductions beyond 20% former value. There is a further room situated on the third floor (R1) that will be reduced to 53% of its former value. Whilst these values are beyond those recommended within the BRE guidance, the levels of daylight are marginalised in the existing condition such that disproportionate effects will be inevitable. The scheme as concluded by officers does not give rise to unacceptable daylight impacts to this property.

7.142 There are no windows/rooms that warrant assessment for sunlight as the property is directly to the south of the application site.

42 Alie Street

7.143 Number 42 Alie Street is situated to the south of the development and assumptions have been made as to its internal subdivision.

7.144 Due to lack of floorplans, all windows facing the proposal have been assumed as residential use which would be a worst case scenario. This shows that whilst the existing windows currently fall below the recommended VSC levels, all windows and rooms would comply with The BRE Guidelines in terms of any losses being no more than 20% with the exception of one small window located above the ground-floor doorway. On external inspection, it is concluded likely that this window serves an entrance way which would not require assessment in terms of daylight and sunlight. Whilst the level of daylight to these properties is low, the proposal will not cause further noticeable impact to these properties and therefore the daylight loss will be negligible.

7.145 There are also no windows that warrant assessment in relation to sunlight.

44 Alie Street

7.146 Number 42 Alie Street is situated to the south of the development. All windows have been tested as residential use albeit not all rooms are habitable rooms.

7.147 This shows that whilst the existing windows currently fall below the recommended VSC levels, all windows and rooms would comply with The BRE Guidelines in terms of any losses being no more than 20%. Officers consider the impact to these properties to be minimal.

Goldpence Apartments

7.148 Goldpence Apartments is a large residential block, set back from the development site in an easterly direction.

7.149 The Report has tested the first to seventh floor within the building, only considering the small element of the tower. It is however noted from VOA searches that there are 92 flats within the building that are registered for Council Tax.

7.150 The submitted window maps confirm that the review has focused on the Buckle Street frontage and not analysed the taller tower element which has a more direct outlook over the site. Clarification on how this building has been assessed was therefore requested. The applicant has subsequently commented that the seventh floor flats all retain at least 90% for daylight distribution and all meet the recommendations for sunlight. In addition Waldrams have commented that windows further up which are not set under balconies retain 88% or more of their VSC. This rationale is accepted and the results for the tower are concluded are acceptable in relation to both daylight and sunlight.

7.151 In relation to the VSC test, of the 91 windows assessed for the bottom 7 storeys of this development, 78 (86%) will meet the BRE guidelines. It is recognised that of the 13 windows that fall short of these levels, 12 windows are understood to serve rooms with multiple light sources. Given that the windows are of similar size and serve the same room consideration has been given to the average VSC levels for each room. On this basis, the results show that all rooms will be BRE compliant (for VSC for each room). There is one window on the seventh floor (W11) that will experience a change of 5% former value. However, it is relevant to note

that this window is located underneath a balcony and therefore records a low existing VSC value of 6.64%. As such, whilst the absolute reduction is relatively modest, it is triggering a disproportionately large percentage change.

- 7.152 Full BRE compliance has been achieved for those windows/rooms that warrant assessment for sunlight.

Cashmere House

- 7.153 Situated to the east of the development site, Cashmere House is a large mixed-use scheme with residential usages from the first floor and above. The applicant's report states that layouts have been secured from the planning portal.

- 7.154 A total of 85 windows have been assessed in terms of VSC, of which 80 (94%) will achieve BRE compliance. The 5 windows not able to meet this criteria form part of the winter garden window configuration and therefore the mean VSC values have been taken for each room.

- 7.155 This testing shows that all rooms will be BRE compliant in respect of VSC.

- 7.156 All rooms will also comply with The BRE Guidelines in terms of NSL.

- 7.157 All windows/rooms that warrant assessment for sunlight comply with the BRE Guidelines.

Conclusions of review

- 7.158 Officers concluded that the methodology used for the assessment has been completed in accordance with the principles and tests as explained within the BRE Report Site Layout Planning for Daylight and Sunlight: A Guide to good practice (2011).

- 7.159 Nineteen neighbouring properties have been analysed with nine of the properties experiencing transgressions from the BRE guidelines.

- 7.160 In summary, officers conclude that the submitted results demonstrate that the majority of the surrounding windows and rooms will not be adversely affected by the proposed development. However, there are instances of particularly noticeable reductions in the daylight levels; these are at 19 Lemn Street, 40 Alie Street and Goldpence Apartments. There are also technical breaches of the BRE guidance to 15 Lemn Street and 38 and 40 Alie Street

- 7.161 *Conclusions on daylight and sunlight impacts of the development*

The independent review by Anstey Horne of the applicant's daylight and sunlight report confirms that the proposed development would have some major adverse impacts on some neighbouring residential properties. Whilst the proposed development would clearly result in material deterioration of daylight to certain windows, the impacts are limited in scope in relation to number of residential windows and rooms impacted and these impacts need to be understood in the context of the existing daylight conditions and various architectural features.

- 7.162 In addition the impacts need to be assessed in relation to the designations that cover the application site and the scale of development envisaged by such allocations, as well as being weighed in the balance against the benefits that flow from the development. Such benefits include the delivery of uses which will contribute to the rich mix of strategic functions of the CAZ, the provision of affordable workspace significantly beyond the minimum requirements, improvements to walking and cycling infrastructure in the locality and townscape improvements through high quality architecture and active frontages. These factors when taken in the round would outweigh the adverse effects to daylight that would be experienced by some residential properties.

Privacy and Outlook

- 7.163 The proposal does not include self contained residential accommodation therefore the Local Plan separation distance of 18m between habitable rooms does not apply. The site is within a location characterised by predominantly commercial developments with some residential interspersed amongst this. Whilst there will be some intervisibility between the proposed uses

and surrounding residential properties this is consistent with other relationships in the area and is not the sort of impacts that Local Plan policy seeks to protect.

- 7.164 In terms of outlook, the proposed building will feature more prominently within the outlook of some residential properties. However this will not be unusual or uncharacteristic in the context the more slender design of the tower element relative to the base and the surrounding context within which tall buildings feature heavily.

Construction Impacts

- 7.165 The application is supported by a Construction Environmental Management Plan (CEMP). This outlines measures to be put in place to minimise the environmental, amenity and safety impacts of the development during the demolition and construction phase. At the planning application stage not all details are known for a final Plan to be submitted and approved (e.g. contractors are not known and agreements with LBTH Highways and TfL are not in place). Therefore, should permission be granted it is recommended that a condition is attached requiring a CEMP to be submitted and approved before development takes place.
- 7.166 In addition to the above, the Council's Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace towards Development Co-ordination and Integration. This is required in order that the Council can effectively managing the impacts of construction activity both on-site and within the surrounding streets and spaces proactively and strategically across the Borough when considered cumulatively with other developments. The Applicant has agreed to pay the required contribution, and this would be secure through the S106 legal agreement.

Transport

- 7.167 Development Plan policies promote sustainable transport and travel and the limiting of car parking. Safe and appropriate servicing is also required, with this taking place within the site unless specific circumstances apply.

Pedestrian, cycle and vehicular access

- 7.168 Pedestrian access to the office space would be via the office reception, the entrance to which is on Alie Street. Pedestrian access to the aparthotel would be via the Lemman Street frontage through one of two doors either directly to the reception or via the café.
- 7.169 Access for cyclists would be either from Alie Street for the office space or Camperdown Street for the aparthotel.
- 7.170 Vehicular access would be from Camperdown Street.
- 7.171 The setting back of the Lemman Street and Camperdown Street frontages from their existing alignments would enable footways along those streets to be widened.
- 7.172 Other improvements to the pedestrian environment are proposed within the applicant's Active Travel Zone assessment. These identify that active travel to and from the site would be encouraged by adding pedestrian crossings on Lemman Street and Prescott Street and improving a crossing point on East Smithfield.

Cycle Parking and Facilities

Office – long-stay

- 7.173 Seventy spaces would be located in the basement. The door from the street would lead to stairs with a wheel channel to the side as well as a dedicated cycle lift. Shower, toilet and locker facilities would also be provided in the basement.

Office – visitor

- 7.174 Visitor cycle parking would be located within the building on the ground floor. This would accommodate 10 spaces for standard bicycles and space for two larger bikes.

Aparthotel – long stay

7.175 A bicycle store for 10 standard sized bicycle spaces and one larger bike would be located on the corner of Camperdown Street and Lemman Street, with access from Camperdown Street. This has been agreed with the highways authority.

Short stay

7.176 Ten short stay spaces would be provided on the widened section of footway on Lemman Street.

Deliveries and Servicing

7.177 All deliveries and servicing would take place within the site. A single service bay serving the two uses is proposed, with access to it being taken from Camperdown Street. Within the service bay would be a vehicle turntable (8m diameter).

7.178 Camperdown Street is a narrow no through road with vehicle access from the one-way TfL red route on Lemman Street. To avoid obstruction of the red route or interference with access arrangements to other premises on Camperdown Street it is essential that deliveries and servicing take place within the confines of the application site.

7.179 The turntable would ensure that vehicles can enter and leave in forward gear which is necessary in the interests of highway safety. Swept paths have been provided which demonstrate that Camperdown Street can accommodate the manoeuvres required without encroachment on the footways or on street parking spaces. Any competing demands that will be placed on the service bay by virtue of it being shared by two uses will be managed by a Delivery and Servicing Plan (DSP). It is recommended that the Plan is secured by condition if permission is granted.

7.180 In addition to the DSP, a condition has been suggested by the applicant's planning agent for a waste and recycling strategy to be approved by the LPA before any superstructure works commence. This has been proposed in response to the comments of LBTH Waste. This is considered to be an acceptable solution as in the event LBTH are not able to collect from the site alternative private collections could be secured via the strategy.

7.181 Whilst managing of delivery and servicing vehicles is theoretically possible via the DSP, there remains a residual risk that arrangements could fail. This would most likely be in the form of the loading bay already being occupied when another vehicle arrives to use it. Given the loading bay is to accommodate vehicles up to 18m, if that were to happen there would be insufficient space on Camperdown Street for the vehicle to safely turn and exit back onto Lemman Street in forward gear i.e. vehicles may reverse onto Lemman Street which would be a safety risk.

7.182 Given this residual risk, TfL have requested that the applicant fund the provision of an enforcement camera on Lemman Street so that access arrangements are monitored and enforced by TfL if required.

7.183 In addition, the highly constrained nature of Camperdown Street and the limitations of the service bay in terms of the dual use it will serve have resulted in LBTH Highways requesting that the following additional restrictions are implemented on Camperdown Street at the applicant's expense:

- Implement loading restrictions (double blips) along the whole south side of Camperdown Street.
- Implement loading restrictions (double blips) from the end of the existing business parking bay on the north side of Camperdown Street to the junction with Lemman Street.
- For the duration of construction works the business parking bays on the north side of Camperdown Street will need to be suspended and made to double yellow line (with loading restrictions) and reinstated to business permits bays once the construction has been completed.

- Signage at the entrance to Camperdown Street on both sides should be erected stating that Camperdown Street is a no through road and not suitable for HGV vehicles. This can be included within the S278 agreement.

7.184 The applicant has agreed to these additional restrictions. In the event that permission is granted they should be secured via a legal agreement.

Car Parking

7.185 One Blue Badge holder parking space would be provided for each of the uses. This is acceptable having regard to the site's PTAL score of 6b (the highest). Vehicle access into the spaces would be provided off Camperdown Street. Swept paths have been provided which demonstrate that vehicle access into the spaces would be safe and satisfactory.

7.186 Users of the spaces would be able to directly access the aparthotel reception without the need to go back onto Camperdown Street and around to the entrances from the street. This route would also allow access to the office reception and lift area.

Conclusion on transport matters

7.187 The proposed number, location and type of cycle parking as well as related facilities is policy compliant. In the event that permission is granted conditions are recommended to ensure the parking and facilities are provided for the life of the development.

7.188 Active travel to and from the site will be encouraged by improving pedestrian crossing arrangements on Leman Street, Prescott Street and East Smithfield. These improvements are considered reasonable and necessary given the nature of the proposal and the likelihood that visitors will be walking southwards from the site towards St. Katharine Dock and the Tower of London.

7.189 Car parking is limited to Blue Badge holder spaces only in recognition of the highly accessible nature of the location.

7.190 Servicing and delivery arrangements will be safe and satisfactory subject to the measures outlined in the recommended conditions and planning obligations being implemented and adhered to.

Environment

Environmental Impact Assessment

7.191 The proposals do not require an Environmental Impact Assessment.

Circular economy

7.192 Retention, reuse and adaptation of existing buildings is a key component of seeking to reduce waste and the environmental impact of built development.

7.193 As noted earlier in this report, it is proposed that all buildings on the site will be demolished. The applicant has provided information as to why this existing buildings on the site cannot be reused, adapted and extended.

7.194 In relation to Pennine House (28 Leman Street) the reasons are stated as:

- Uneconomic floor plates of 1,600 sq ft, poor layout which does not allow floors to be multi let without losing too much space to corridors. Makes for a series of very small rooms on each floor
- Single lift makes it impossible to meet BCO wait times
- Building risers too small for modern requirements (witness air conditioning ducts snaking up outside of building already)
- EPC – uneconomic to bring building up to EPC B as required by 2030
- Substandard toilet provision and no space to increase
- No shower facilities

- Limited ability to make building accessible for disabled occupiers
- No ability to improve facilities for transgender occupiers.
- Limited ceiling heights makes it impossible to retrofit embedded cooling or mechanical ventilation

7.195 In relation to Frazer House (32-38 Leman Street) the applicant's reasons are stated as:

- Slab to slab (floor to ceiling) currently 3m – Completely sub standard for current market requirements. No floor ducting for cabling not enough ceiling height to put in embedded cooling or mechanical natural ventilation.
- Single glazed critical windows failed and need replacing.
- Current small single lift makes it impossible to meet BCO wait times for a building of 13,000 sq ft.
- Toilets substandard for 1:8 or 1:10 occupation ratio. (3 cubicles per floor)
- Complete lack of shower facilities
- Complete lack of facilities for transgender toilet/shower provision
- Limited ability to make building accessible for disabled occupiers.
- Building riser are too small for modern requirements – very difficult to retrofit/refurbish.
- Reception area sub standard (tiny and low ceiling height)
- EPC – single glazed, under insulated property - uneconomic to bring building up to EPC B as will be required by 2030
- Ramp to car/bike park – not DDA compliant.

7.196 In addition to the above, Officers note from a site visit that the floor levels between the two buildings do not correspond. It would therefore not be possible to connect through between the new buildings.

7.197 Whilst the reuse, adaptable and extension of buildings is the starting point it is clear in this case that the constraints of the buildings are such that this will not be possible. In addition, redevelopment of the site allows for the site to be optimised in a manner appropriate to its location (principally by developing the outside service yard and extending upwards) which would not be possible if the buildings were to be retained. Further, the floorplate, access arrangements and floor to ceiling heights that are proposed mean that the scope for future alternative uses would not be so constrained by the built form as is currently the case.

7.198 Whilst demolition will result in waste the environmental impact of this will be minimised in accordance with the approaches set out in the applicant's Circular Economy Statement.

7.199 For the above reasons the proposal accords with the requirements of London Plan Policies GG5 and SI7

Energy and Environmental Sustainability

7.200 Development Plan Policies seek to ensure that new residential development should be zero carbon and non-residential developments should achieve a 45% carbon reduction target beyond Part L 2013 of the Building Regulations. Local Plan policy D.ES7 requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions up to 100%, to be off-set through a cash in lieu contribution. Policy SI2 of the London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

7.201 Development Plan policies further require the use of sustainable design assessment tools to ensure that new development has maximised use of climate change mitigation measures. The current interpretation of this policy is to require non-residential development to achieve BREEAM 'Excellent' standards. The Local Plan further requires new non-residential development, greater than 500sqm, to meet at least BREEAM 'Excellent' standards.

7.202 The LBTH Sustainable Development team and the GLA Energy team have reviewed the submitted Energy Strategy and subsequent Addendum. The scheme is proposing a gas boiler

system. The scheme proposes a PV array to deliver on-site renewable energy generation. Following GLA guidance and the Stage I response from the GLA, the energy officer has requested an updated energy assessment by way of condition to increase the reduction in CO2 emission beyond that currently set out in the Energy Strategy. Officers are satisfied with this approach to resolve the matters raised by the GLA and the energy team. On this basis, a carbon offset formula will be included in the s106 at £95 per tonne for all residual emissions as identified in the London Plan.

- 7.203 Subject to conditions and planning obligations as set out above and to include post construction monitoring, the proposals are considered to be in accordance with both local energy policy requirements for on-site carbon emission reductions.
- 7.204 In relation to sustainability, policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'excellent' rating'. The sustainability statement indicates that the scheme will achieve this policy requirements however BREEAM pre-assessments should be submitted to demonstrate this is deliverable – these would be secured by condition, subject to planning approval.

Air Quality

- 7.205 The application has had regard to the potential impact of the proposed development on air quality at nearby receptors and the impact of existing local air quality conditions on future occupiers.
- 7.206 This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.
- 7.207 The Local Plan identifies that the application site falls within an area of poor air quality with NO2 Annual Mean concentration greater than 40 (μgm^{-3}) for the majority of the site and with part of the site closest to Lemn Street suffering from NO2 Annual Mean concentration greater than 60 (μgm^{-3}).
- 7.208 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. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment. Following further clarification, the air quality officer is satisfied with the submitted information subject to conditions.
- 7.209 Subject to approval, conditions are required to secure submission of; Dust Management Plan and PM10 monitoring, details of mechanical ventilation, details of kitchen extraction for relevant future commercial uses, details of construction plant and machinery.

Wind/Microclimate

- 7.210 The application is accompanied by a Wind and Microclimate Analysis Report. This has tested 76 locations on and around the site within a radius of approximately 200m. The results show that at street level conditions would be appropriate for the intended use.
- 7.211 Where adverse impacts are identified these are on the private terraces within the development itself. Mitigation such as glazed balustrades would assist in minimising the impacts. However, whilst adverse impacts are identified this is not considered inappropriate given the spaces are private and building management can control access to them if weather conditions so require. Further, the outdoor amenity spaces are not required in order to make the office use and aparthotel use acceptable in principle.
- 7.212 A condition will also be attached to ensure the details of the mitigation measures are provided, built out and maintained for the lifetime of the development.

Flood Risk and Drainage

- 7.213 A Flood Risk Assessment has been submitted in support of the application. It is proposed that green roofs with blue roof attenuation storage are incorporated into the development on 5th and 20th floors. This would allow for runoff of 57% as well as being a benefit

from a biodiversity perspective. It is recommended that a condition is attached to any permission to ensure the proposed mitigation measures are carried out and maintained. In terms of drainage to sewers, this would take place to existing sewers adjacent to the site.

- 7.214 The proposal would be acceptable with regard to flood risk, sustainable drainage, sewerage and water supply and use and as such accord with relevant policy and guidance as set out in NPPF, Policies 5.12, 5.13 of the London Plan and Policies D.ES4, D.ES5 and D.ES6 of the local plan.

Land Contamination

- 7.215 A standard condition will be attached and any contamination that is identified can be addressed within the condition discharge process. This will ensure that the land is made safe prior to the construction process.

Infrastructure Impact

- 7.216 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,216,420.79. (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £1,243,303.32 (inclusive of social housing relief and exclusive of indexation).

- 7.217 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.

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

- £46,572.00 towards construction phase employment skills training
- £132,087.45 towards end-user phase employment skills training
- £ carbon emission off-setting formula
- £12,133.10 Development co-ordination and integration

Human Rights & Equalities

- 7.219 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.

- 7.220 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as listed in the 'Recommendation' section below.

- 7.221 The proposed development would provide for disabled workers or visitors to the site by providing safe and dignified access arrangements. The aparthotel would provide accommodation of a size and layout which takes into account the additional space requirements that may be required by disabled guests as well as multiple lifts to access upper floor levels. Improvements are also made around the frontage to enable ease of movement for all and additional improvements in accessing the site to be secured in the legal agreement.

- 7.222 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. £46,572.00 towards construction phase employment skills training
- b. £ 132,087.45 towards end-user phase employment skills training
- c. £ carbon emission off-setting formula
- d. £12,133.10 Development co-ordination and integration
- e. monitoring fee

8.3 Non-financial obligations:

- a. Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 11 construction phase apprenticeships
 - 1 x end-user phase apprenticeships
- b. Affordable workspace – 15% of the overall office floorspace at a 35% discounted rate for the lifetime of the development.
- c. Architect retention or design certifier
- d. No aparthotel bookings from parties arriving by coach
- e. Transport matters:
 - Aparthotel and Workspace Travel Plans
 - S278 Agreement with TfL (works to Leman Street highway; installation of Red Route enforcement camera on Leman Street; carrying out of Active Travel Zone measures namely installation of additional pedestrian crossings on Leman/Prescott Street and improved crossing on East Smithfield).
 - S278 Agreement with LBTH (implementation of loading restrictions on Camperdown Street, construction phase changes to on-street parking and signs relating to limitations of Camperdown Street).
 - Cycle hire docking station – 27 cycles and costs of £120k
- f. Compliance with Considerate Constructors Scheme

8.4 That the Corporate Director of Housing and Regeneration 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 Housing and Regeneration is delegated power to refuse planning permission.

8.5 That the Corporate Director of Housing and Regeneration 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. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;

- d. Ground-borne vibration limits; and
- e. Noise pollution limits.
- 4. Aparthotel – temporary sleeping accommodation and stays no greater than 90 days only and management arrangements to ensure such
- 5. PD restriction office
- 6. Air quality standards for boilers
- 7. Kitchen extract standards for commercial uses
- 8. Vehicle turntable
- 9. Noise from Plant (All Majors)
- 10. Music and amplified noise restriction
- 11. LVMF views – no plant equipment or other infrastructure
- 12. Majority active ground floor frontage
- 13. Land contamination

Pre-commencement

- 14. Construction plant and machinery (NRMM)
- 15. Archaeological written scheme of investigation
- 16. Archaeological programme of public engagement
- 17. Construction Environmental Management Plan and Construction Logistics Plan
- 18. Land Contamination Remediation Scheme (subject to post completion verification).
- 19. Dust Management Plan and PM10 monitoring
- 20. Updated Energy Assessment

Pre-superstructure works

- 21. Details of external facing materials and architectural detailing.
- 22. Details of hard and soft landscaping.
- 23. Secured by Design Strategy and details of Secured by Design Accreditation
- 24. Roof garden landscaping (target Urban Greening Factor score >3)
- 25. Air quality mechanical ventilation
- 26. Waste and recycling strategy
- 27. Sustainable surface water drainage
- 28. Microclimate mitigation

Pre-occupation

- 29. Wheelchair accessible hotel rooms
- 30. Bicycle parking (details required)
- 31. Electric vehicle charging
- 32. On-site car parking (two Blue Badge holder spaces)
- 33. Deliveries and Servicing Plan
- 34. Biodiversity
- 35. Light off timings
- 36. Cleaning gantry
- 37. BREEAM 'Excellent' certificates

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

Drawings:

3478_PL(00)000 Existing Basement Floor Plan
3478_PL(00)001 Existing Ground Floor Plan
3478_PL(00)002 Existing First Floor Plan
3478_PL(00)003 Existing Second Floor Plan
3478_PL(00)004 Existing Third Floor Plan
3478_PL(00)005 Existing Fourth Floor Plan
3478_PL(00)006 Existing Fifth Floor Plan
3478_PL(00)007 Existing Sixth Floor Plan
3478_PL(00)008 Existing Roof Floor Plan
3478_PL(00)009 Existing Alie Street South-East Elevation
3478_PL(00)010 Existing Lemman Street North-East Elevation
3478_PL(00)011 Existing Camperdown Street North-West Elevation
3478_PL(00)012 Existing Courtyard Section Elevations

3478_PL(20)100 Rev P2 Basement Floor Plan
3478_PL(20)101 Rev P3 Ground Floor Plan
3478_PL(20)102 Rev P1 1st-4th Floor Plan - Office
3478_PL(20)103 Rev P1 5th Floor Plan - Office
3478_PL(20)104 Rev P1 6th-9th Floor Plan - Aparthotel
3478_PL(20)105 Rev P1 10th-18th Floor Plan - Aparthotel
3478_PL(20)106 Rev P1 19th Floor Plan - Aparthotel
3478_PL(20)107 Rev P1 Roof Floor Plan

3478_PL(20)201 Rev P1 South-East Elevation
3478_PL(20)202 Rev P2 North-East Elevation
3478_PL(20)203 Rev P2 North-West Elevation
3478_PL(20)204 Rev P1 South-West Elevation

3478_PL(20)301 Rev P1 A Section
3478_PL(20)302 Rev P1 B Section
3478_PL(20)303 Rev P1 C Section
3478_PL(20)304 Rev P1 D section

3478_PL(20)401 Rev P2 Site Section 1-1 Lemman Street
3478_PL(20)402 Rev P2 Site Section 2-2 _Camperdown St
3478_PL(20)403 Rev P1 Site Section 3-3 _Alie Street
3478_PL(20)404 Rev P1 Site Section 4-4

3478_PL(20)501 Rev P2 Detail Elevation 01 - Lemman Street Aparthotel Entrance
3478_PL(20)502 Rev P1 Detail Elevation 02 - Lemman Street 5th Floor Parapet
3478_PL(20)503 Rev P2 Detail Elevation 03 - Camperdown Street Services
3478_PL(20)504 Rev P1 Detail Elevation 04 - Camperdown Street 5th Floor
3478_PL(20)505 Rev P1 Detail Elevation 05 - Camperdown Street Top Roof Parapet
3478_PL(20)510 Rev 01 Detail Elevation 06 - Camperdown Street Substation

3478_PL(90)001 Site Location Plan
3478_PL(90)002 Site Plan Building Footprint Proposed

Supporting Documents:

- ACCESSIBLE PARKING SPACES VISIBILITY SPLAYS & KERB HEIGHT PEDESTRIAN SAFE SPACE ref. 8200266/6104
- SWEPT PATH ANALYSIS 8.1M REFUSE VEHICLE ref. 8200266/6205 D
- SWEPT PATH ANALYSIS CAR REF. 8200266/6207 B

- Daylight and Sunlight Response, dated 25th March 2022
- Air Quality Assessment Addendum, March 2023
- Analysis and Recommendations of the Office and Apart Hotel, CBRE Report dated October 2022
- Energy, Sustainability and Environmental Assessments, XC02, dated 17th January 2023
- Townscape and Visual Appraisal Addendum, Lichfields, dated January 2023
- Heritage letter, Lichfields, dated 18th January 2023
- Planning Statement, June 2021
- Construction Logistics Plan, December 2021
- Delivery & Servicing Plan, December 2021
- Whole Lifecycle Carbon Assessment, December 2021
- Public Benefits Statement, December 2021;
- Air Quality Assessment, June 2021
- Archaeological Assessment, June 2021
- Circular Economy Statement, June 2021
- Construction Environmental Management Plan, June 2021
- Daylight and Sunlight Report, July 2021
- Ecological Impact Assessment, June 2021
- Energy Statement, June 2021
- Flood Risk Assessment, June 2021
- Health Impact Assessment, June 2021
- Heritage Impact Assessment, June 2021
- Hotel Needs Assessment, July 2021
- Landscape Design Statement, June 2021
- Noise Assessment, June 2021
- Fire Safety Strategy, June 2021
- Site Investigation Report, October 2013
- Socio-Economic Statement, June 2021
- Statement of Community Involvement, June 2021
- Sustainability Statement, June 2021
- Townscape and Visual Appraisal, June 2021
- Transport Assessment, July 2021
- Whole Lifecycle Carbon Assessment, July 2021
- Wind and Microclimate Analysis Report, June 2021

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES

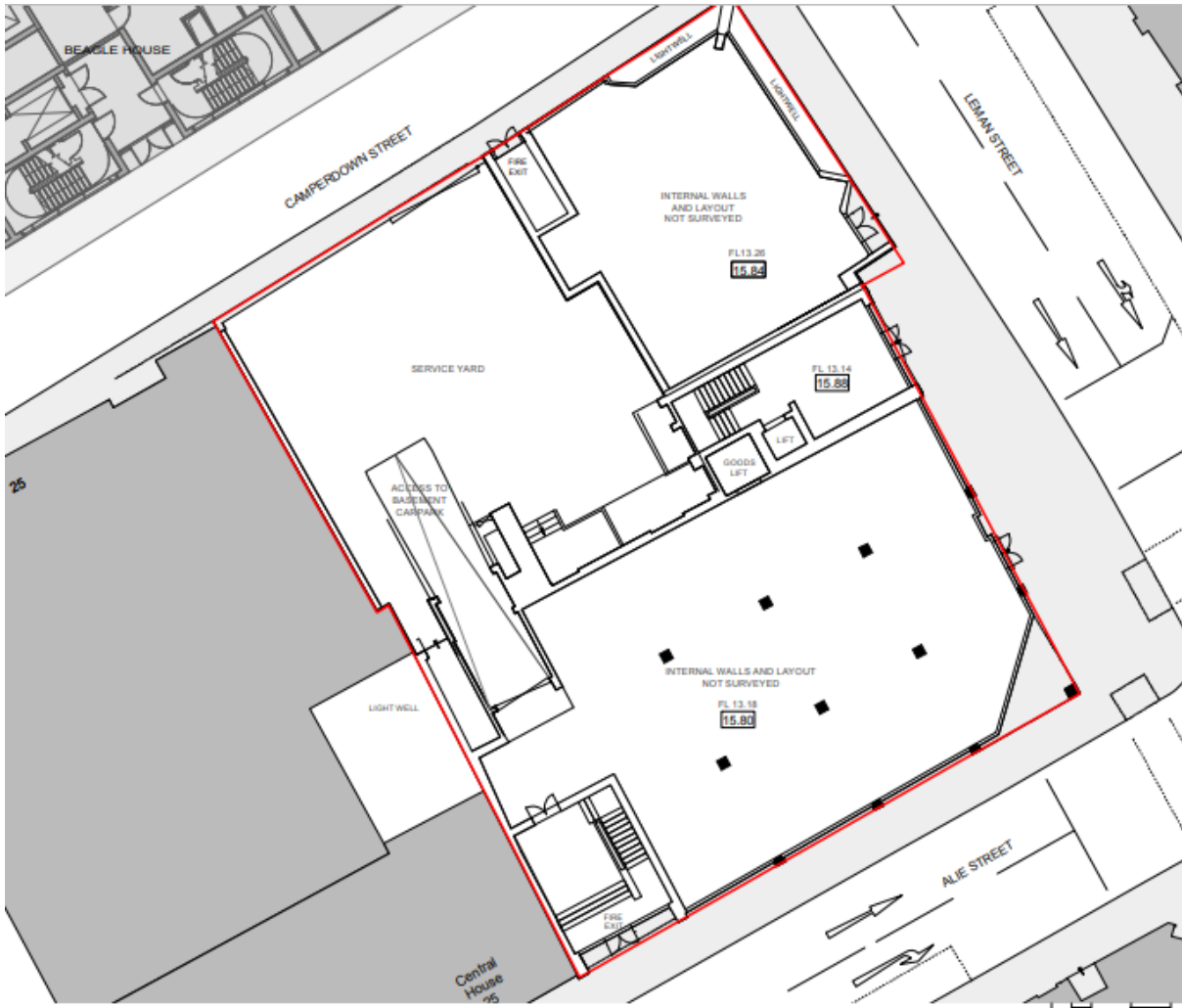
Existing



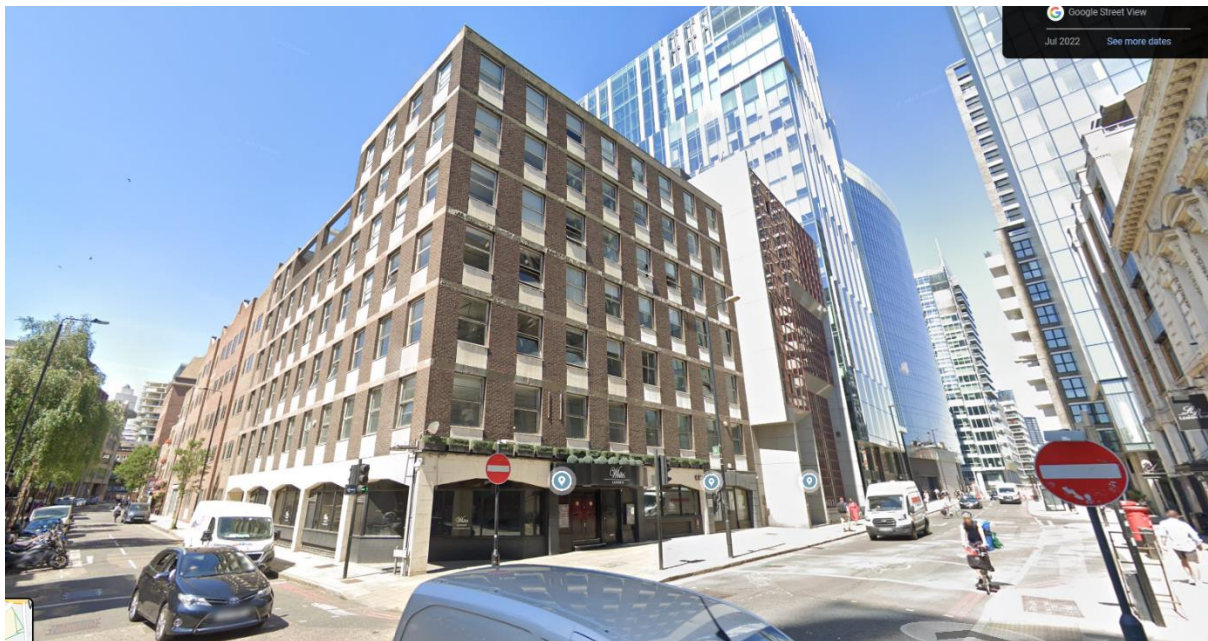
Leman Street - Existing east context elevation



Alie Street - Existing south context elevation



Existing ground floor plan



Existing image – junction at Alie/Leman St (facing west)



Proposed – Typical hotel floor plan (6-9th floor)



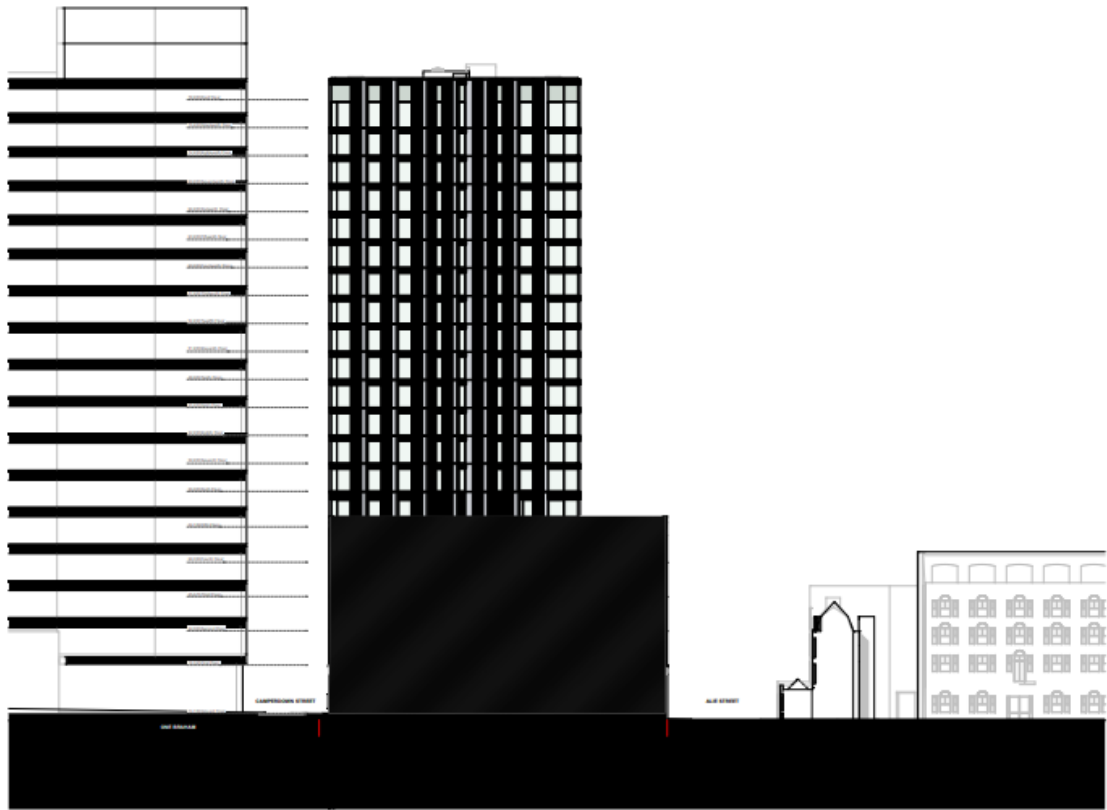
Proposed South context elevation (Alb Street)



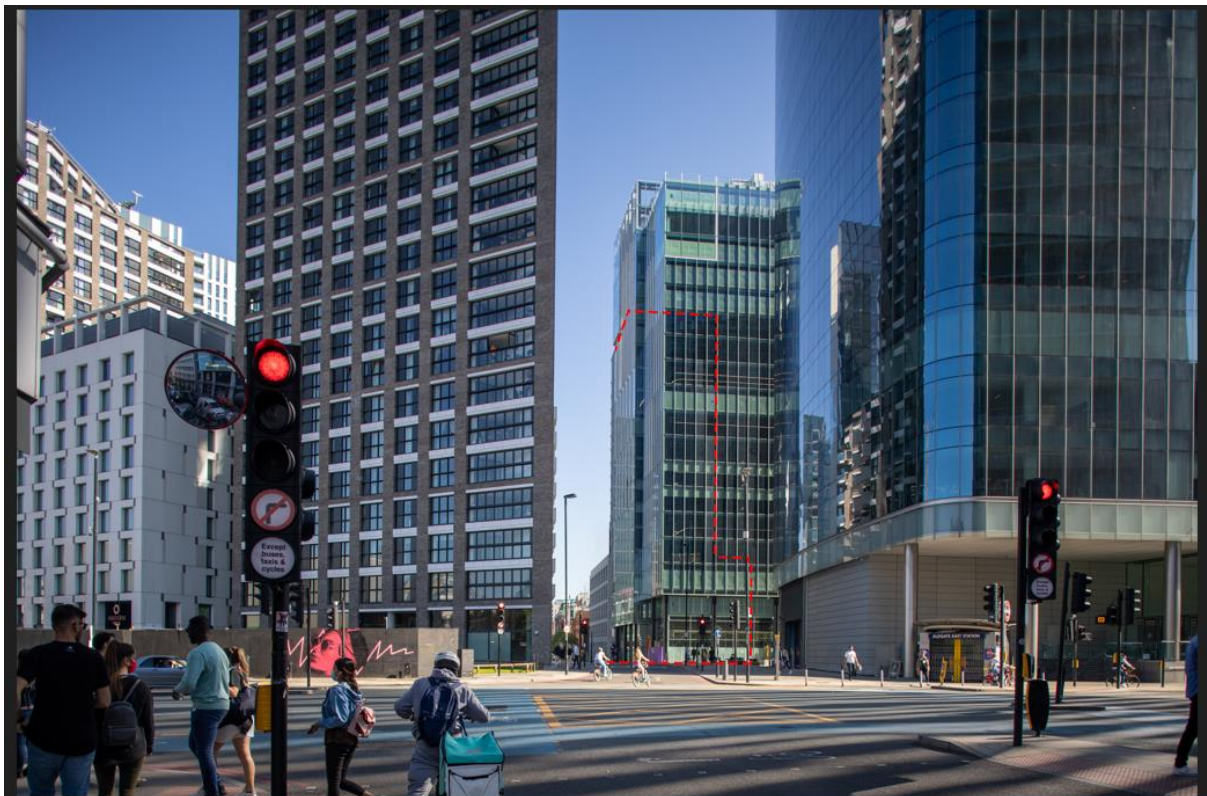
Proposed east elevation



Proposed north elevation



Proposed West elevation



Proposed Image – looking south from Aldgate junction



Proposed image – looking north from Leman Street



Proposed Image – looking west along Alie Street (St. George's in foreground)

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**STRATEGIC DEVELOPMENT COMMITTEE - 6 SEPTEMBER 2023
UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL**

Agenda item no	Reference no	Location	Proposal / Title
7.1	PA/21/01713	26-38 Leman Street, London	Demolition of the existing buildings and redevelopment of the site to provide a building ranging from basement, ground plus 19 storeys, comprising office (Class E (g)) and aparthotel (Class C1); associated cycle and car parking, hard and soft landscaping and other associated works.

1. CORRECTIONS AND CLARIFICATIONS

- 1.1 Paragraph 7.202 – clarification that the scheme is proposing an electricity-led centralised energy strategy with a hybrid system of air source heat pumps (ASHP) and gas boiler for high temperature top up.
- 1.2 Paragraph 8.3 – TfL Cycle Hire Docking Station contribution should be noted as £70,000, not £120,000.
- 1.3 Supporting Documents – an update Delivery and Servicing Plan (Issue 6) was submitted on 20 June 2023. This supersedes the Delivery and Servicing Plan dated December 2021 that is listed in the committee report.
- 1.4 The Committee will note from the main report that the site includes a nightclub. This “sui-generis” use has operated for many years providing specialist adult entertainment services. Given the nature of the entertainment use, officers are satisfied that the venue would not represent a cultural or community facility that would warrant protection or re-provision in line with policy HC5 of the London Plan. The loss would not conflict with the Mayor of London’s Cultural Infrastructure Plan.

2. RECOMMENDATION

- 2.1 The office recommendation to grant planning permission remains, subject to an amended financial contribution to TfL cycle hire docking station.

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Application for Planning Permission

[click here for case file](#)

Reference	PA/21/02776/A1
Site	15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14
Ward	Canary Wharf
Proposal	Demolition of the existing buildings and structures and construction of residential dwellings (use class C3), public realm works, landscaping, access, servicing, parking and associated works (revised scheme).

Summary Recommendation Grant planning permission with conditions and planning obligations

Applicant Mount Anvil

Architect/agent Quod (agent); HTA (architect)

Case Officer Fran Haines

Key dates

- Application registered as valid on 23/12/2021
- First public consultation finished on 15/02/2022
- Received resolution to grant planning permission at SCD 21 July 2022
- Second public consultation finished 24/08/2023

EXECUTIVE SUMMARY

The proposed development is an estate regeneration scheme which re-provides the existing 24 social rented homes and intensifies the residential use with the creation of additional 194 residential units.

In total, the proposed development provides for 43% affordable housing by habitable room, inclusive of the re-provided social rented homes. Excluding the re-provision, the proposal provides for 29% affordable housing. The proposed housing accommodation would be of high quality, with the creation of varied types of accommodation. In the affordable housing tenure, 57% of the units will be family sized units.

From a design perspective, the proposal positively responds to its local context through the delivery of a unique and high-quality design in a tall building zone. A single residential tower of 32 storeys is placed centrally within the site whilst lower elements are proposed along Byng and Manilla Streets. Of particular interest are three storey dwellinghouses along Byng Street which provide an attractive streetscape.

On the northern part of the site, the proposal includes a three-storey residential block in the north-western corner. The proposed courtyard along the site's northern boundary is arranged around the two retained trees, and contains vehicle movement for servicing and deliveries, as well as 2 off-street disabled car parking spaces.

The proposal re-provides the existing link through the site, connecting Byng Street and Manilla Street, and formalises it for the use of pedestrians and cyclists only. The proposed route is landscaped and visually attractive.

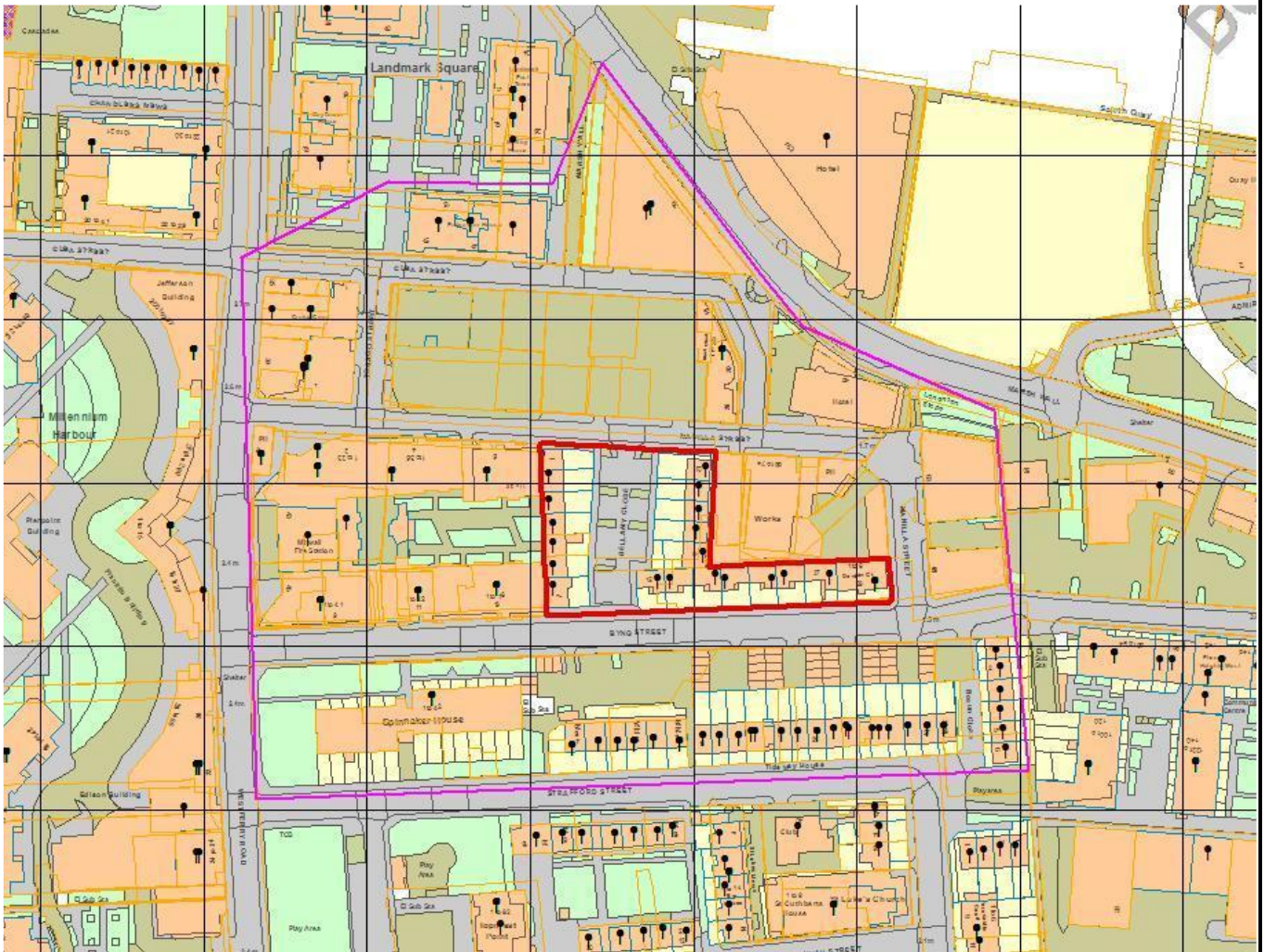
It is considered that the scheme's impact on neighbouring amenity would be acceptable on balance. Whilst some neighbouring properties would experience a reduction in daylight and sunlight, particularly the ones situated to the north of the application site, the proposed scheme delivers a number of benefits which on balance outweigh the harm caused to the amenity of neighbouring properties.

In terms of the environmental impacts of the scheme, the proposal would be air quality neutral, provide a biodiversity net gain, have acceptable microclimate conditions and a 75% reduction in carbon emission on site with the remainder offset through financial contributions.

The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to local employment and training, feasibility study, highways works and enhancement of open spaces in the area.

Considered as a whole, the proposed scheme delivers the requirements of the Local Plan Site Allocation and estate regeneration principles. Officers are satisfied that the proposed development would deliver a high quality, well integrated, inclusive sustainable place.

On this basis, the grant of planning permission is recommended.



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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/21/02776/A1

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: 06 October 2023

1. BACKGROUND CONTEXT

- 1.1 In July 2022, the Strategic Development Committee (SDC) resolved to grant planning permission, subject to any direction from the Mayor of London (GLA Stage 2) and a legal agreement, for a redevelopment of this site under the application reference number that is the subject of this report.
- 1.2 The proposed development, the subject of the resolution to grant permission, was for an estate regeneration scheme involving the demolition of the existing buildings on site, the re-provision of the existing social rented homes and the creation of an additional 178 residential units. The development comprised a single residential tower of 31 storeys, placed centrally within the site, with lower elements proposed along Byng Street and Manilla Street. Along Byng Street were three-storey dwelling houses and on the northern part of the site, a three-storey residential block in the north-west corner. In total, the development provided for 58% affordable housing by habitable room, inclusive of the re-provided social rented homes. Excluding the re-provision, the proposal provided for 49% affordable housing. This scheme will be referred to as the 'July 2022 scheme' hereafter.
- 1.3 It should be noted that the July 2022 scheme complied with relevant fire safety and building regulations at that time.
- 1.4 Following resolution to grant planning permission at SDC in July 2022, the LPA negotiated the legal agreement and referred the application, on the 12 December 2022, to the GLA for their Stage 2 response.
- 1.5 On the 14th of December 2022, the National Fire Chiefs Council (NFCC) released a statement calling for a requirement for all residential buildings over 18 metres, or seven storeys, to have more than one staircase. On the 23rd of December, the Government launched a consultation until March 2023 on introducing a requirement for a second staircase for residential buildings over 30 metres.
- 1.6 The GLA did not validate the submitted Stage 2 referral whilst the organisation put together a formal response to the NFCC announcement. The GLA made a statement regarding fire safety and tall buildings on the 8th February 2023. The GLA stated that, with immediate effect, all planning applications which involve residential buildings over 30 metres in height will need to be designed to provide two staircases before they are referred at Stage 2 for the Mayor's Decision. Consequently, the GLA did not accept the submitted Stage 2 referral.
- 1.7 On the 24th of July, the housing secretary announced that the Government would be mandating second staircases in new residential buildings above 18 metres, however the necessary changes to the Building Regulations and any transitional arrangements have not been made.
- 1.8 Since the GLA's announcement, the applicant and design team have been working to incorporate a second staircase into the residential tower element of the development. This has had implications for the layout of the tower and the building footprint has needed to increase by 250mm to the south to incorporate the additional stair. Furthermore, due to the delays caused by the need to revise the proposals, there have been implications on the viability of the scheme and consequently the affordable housing offer.
- 1.9 This committee report outlines the changes to the scheme which have resulted from the need to include a second stair. The changes primarily focus on the amended affordable housing offer as well as other minor alterations to the scheme more broadly.

1.10 It should be noted that residents have already been moved out of the properties on site as works were due to start in March this year.

2. SITE AND SURROUNDINGS

- 2.1 The application site is formed as an L shape of circa 0.3ha and is bounded by Manilla Street to the north and Byng Street to the south. Immediately to the west of the site are 4 storeys streetside blocks of 4 storeys in height with a central courtyard.
- 2.2 To the east and north-east is the consented scheme known as Alpha Square which is a mixed-use development with three towers ranging from 20 to 65 storeys. Backing onto 8-12 Bellamy Close is the approved 34 storey tower with its podium abutting 19-29 Byng Street.
- 2.3 The Former Millwall Fire Station development sits at the end of the urban block in which the application site is situated, where buildings reach a maximum of 9 storeys closer to the junction of Byng Street and Westferry Road. To the north of the application site on the opposite side of Manilla Street sits the consented Cuba Street site, which was granted planning permission on 21/12/2022. This development comprises a single tall residential building with retail use at ground floor and a publicly accessible park.
- 2.4 Further to the south of the application site lies a housing estate formed of several residential blocks including 4 storey Tideaway House, 3 storey block to its west and 6 storey Spinnaker House closer to Westferry Road. These properties are set back from Byng Street: Tideaway House includes garages and storage sheds to the north, the adjoining three storey block contains a car park along Byng Street and Spinnaker House is set back by a strip of green space and a footway providing access to the ground floor units.
- 2.5 The application site is currently occupied by 25 properties in total, made up of 19 houses and 6 flats. The existing houses include terraces 1-7 Bellamy Close on the western boundary of the site, 8-12 Bellamy Close on the north-east corner of the site and 15-27 (cons.) along the southern boundary of the site. The existing six flats are situated at the far eastern corner of the site facing Manilla Street to the east and Byng Street to the south.
- 2.6 There are no significant heritage constraints. The site is not listed nor situated within a conservation area. There are no listed buildings in the close proximity to the site. The closest listed building is the grade II listed Cascades along the River Thames, more than 200m to the north-west of Bellamy Close. The site is within the Strategically Important Skyline Canary Wharf and forms part of a setting of the UNESCO's Maritime Greenwich World Heritage Site.
- 2.7 The site is in an area of good access to public transport facilities with a Transport for London's PTAL (Public Transport Accessibility Level) of 4 on a scale of 0-6b where 6a and 6b are the highest. Byng street forms part of the London Cycle Network and Manilla Street is part of the National Cycle Network along with Cuba Street further to the north which also form part of the borough's Green Grid network.
- 2.8 The site is partially within the Marsh Wall West site allocation with the western part of the site included in the site allocation with 1-7 Bellamy Close being excluded. The whole of the site sits within the GLA's Isle of Dogs and South Poplar Opportunity Area and the Isle of Dogs Neighbourhood Forum's Planning Area. The site is in close proximity to the Canary Wharf Employment Area which includes the area to the north of the South Dock.
- 2.9 The site forms part of the Millwall Inner Dock Tall Building Zone and is situated within an area of deficiency to access to nature, Green Grid buffer zone and Flood zones 2 and 3a. The whole of the borough is within an Air Quality Management Area.
- 2.10 An application at this site for an estate regeneration, including the reprovision of 24 social rented homes to deliver a total of 148 residential homes, a publicly accessible pedestrian link and creative workspace was granted planning permission at Strategic Planning Committee in April 2021 subject to securing a S106 agreement and GLA Stage 2 (ref. PA/20/01065/A1).

3. PROPOSAL

- 3.1 This revised scheme seeks to deliver a total of 218 residential homes, including the re-provision of existing 24 social rented homes, an increase of 194 net additional homes and the re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.
- 3.2 The proposed layout includes the delivery of 12 three-storey houses along the southern boundary of the site on Byng Street (block A), 2 residential units within the three-storey block along the north-western corner of the site (block B) and 204 units within the 32-storey residential tower (block C) situated within the central area of the application site.

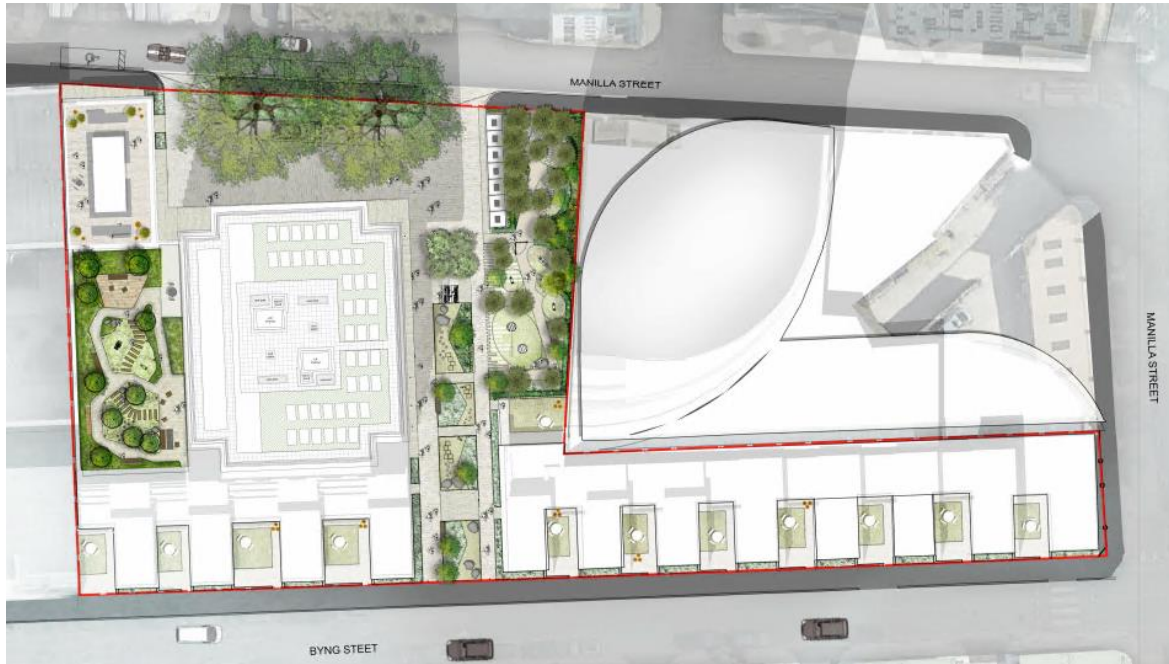


Figure 1: Proposed site layout

- 3.3 A publicly accessible and landscaped pedestrian link is proposed to the east of the residential tower. This represents a re-provision of the existing informal link formed of the front car parking of dwellinghouses on Bellamy Close.

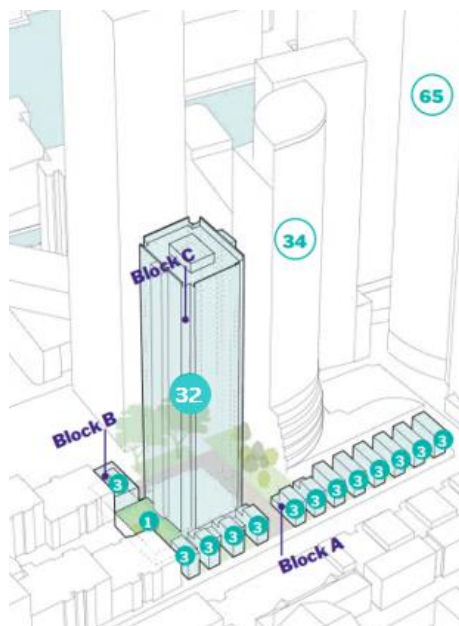


Figure 2. Heights of the proposed development and adjacent Alpha Square development.



Figure 3. Proposed 3-storey dwellinghouses and in the middle the pedestrian link.

- 3.4 The proposal would provide a total of 43% affordable housing. The re-provided social rented and additional social rented units would be situated within blocks A and B and lower levels of block C, whilst the private residential units would be within the higher floors of the residential tower.

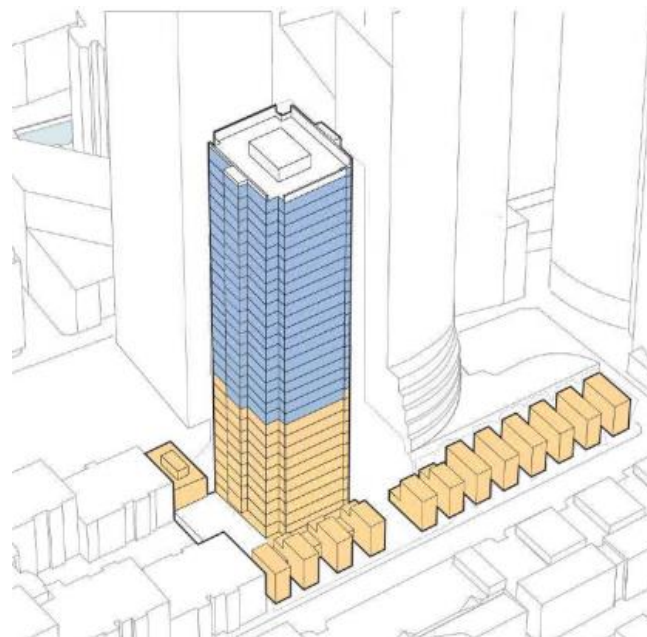


Figure 4. Proposed housing tenure (orange – affordable rent, blue – market)

- 3.5 In terms of amenity spaces, part of the communal amenity space will be provided indoors on the first floor of Block C and further amenity space is provided outdoors at podium level. The proposal includes the provision of child play space for children under 5 years old at podium level within Block C.
- 3.6 The proposed development would provide pedestrian and cyclists access from Byng Street to the south and Manilla Street to the North. The proposed vehicle access would only occur from Manilla Street.

3.7 Servicing and deliveries would take place off-street within the northern courtyard of the proposed development. This area would also contain vehicle movement associated with the four blue badge car parking spaces.

3.8 When considering the proposed development in comparison to the July 2022 scheme, which received resolution to grant planning permission at SDC, the design changes to the development incorporate the second staircase include:

- Enlarged core layout of Block C to accommodate the second staircase
- An increase in Block C's footprint by 250mm to the south. As a result, 4 of the Byng Street townhouses have moved 250mm to accommodate the increase in footprint to Block C.
- A reduction in floor to ceiling heights within Block C to allow for an additional residential floor, whilst maintaining the overall building height. Block C has therefore increased from 31 storeys to 32 storeys, but the height of the building has not changed. The residential floor to ceiling heights for each floor would also remain unchanged.
- Minor amendments to the façade design.

3.9 In addition to the design alterations to include the second staircase, changes have also been made to the housing provision. When comparing the revised scheme to the July 2022 scheme, the housing changes include:

- 16 additional homes, including 5 additional social rented homes. The scheme will deliver a total of 218 homes (compared to 202 previously).
 - o There will be 63 affordable rented homes, comprising 24 re-provided social rent homes and 39 new social rented.
- Adjustments to the tenure and unit mix. All shared ownership units have been removed from the proposal. Instead, the scheme just delivers social rented and market sale housing.

3.10 The table below summarises the proposed tenure and unit size mix when comparing the revised scheme to the July 2022 scheme. As demonstrated below, the scheme will provide 5 additional affordable homes, comprising 3 additional 4-beds, 1 additional 2-bed and 1 additional 1-bed.

	Affordable rented		Intermediate		Market	
	July 2022	Revised	July 2022	Revised	July 2022	Revised
1-bed	12	13	12	-	72 (incl 15 studios)	116 (incl 21 studios)
2-bed	13	14	8	-	36	39
3-bed	22	22	16	-	-	-
4-bed	10	13	-	-	-	-
5-bed	1	1	-	-	-	-
Total	58	63	36	0	108	155

Table 1: Revised tenure mix and unit size mix

4. RELEVANT PLANNING HISTORY

- 4.1 A planning application was submitted for the site in June 2020 (ref. PA/20/01065/A1) (referred to as the “April 2021 Scheme” hereafter in this update report). The application was for an estate regeneration scheme to deliver at total of 148 residential homes, including the re-provision of 24 existing social rented homes, creation of creative workspace and re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.

The April 2021 scheme proposed to deliver the above across the following 4 blocks:

- Block A – 12 townhouses along Byng Street;
- Block B – 2 units within a three storey block at the north west corner of the site;
- Block C – 134 units within a 26 storey building in the centre of the site (rooftop amenity space provided within the original scheme counted as the 26th floor) and creative workspace across the basement, ground and first floors; and
- Block D – Creative workspace within a 3 storey building on the eastern side of the Site adjacent to the Alpha Square development (ref. PA/15/02671/A1). The total amount of creative workspace across Block C and D equated to 683sqm (GIA).

The application went to LBTH Strategic Development Committee on 20 April 2021, where the committee resolved to unanimously grant planning permission subject to securing the S106 agreement and subject to the GLA Stage 2 referral process (GLA reference GLA/5270). The S106 agreement for PA/20/01065/A is currently on hold whilst the applicants progress with this current application.

- 4.2 The surrounding sites have the following planning history:

30 Marsh Wall

PA/20/02588 - Demolition of existing building and erection of a 48 storey building (plus basement and lift pit) to provide 1,068 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 184.6sqm 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.

- *Strategic Development Committee on 30/03/2022 resolved to grant planning permission subject to securing s.106 Agreement and GLA Stage 2 referral.*
- *Decision issued 28/07/2022.*

Alpha Square

50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP

PA/15/02671 – Planning permission granted by Mayor of London on 27/03/2017

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).

Vacant land on Cuba Street

Land at North East Junction of Manilla Street and Tobago Street, London

PA/20/02128 - 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.

- *Strategic Development Committee 30/03/2022 resolved to grant planning permission subject to securing S106 agreement and GLA Stage 2 referral process*
- *Decision issued 21/12/2022.*

PA/15/02528 – Planning permission refused on 11/10/2017

Redevelopment to provide a residential-led mixed use development comprising two buildings of up to 41 storeys (136m AOD) and 26 storeys (87m AOD) respectively to provision up to 434 residential units, 38 m2 flexible retail/ community uses and ancillary spaces together with public open space and public realm improvements.

Millwall Fire Station

Former Site North of Byng Street and Junction of Westferry Road, Byng Street, London

PA/02/00891 – Planning permission granted on 06/02/2003

Erection of new Fire Station with Class A3 / D2 (bar/restaurant and gym) and 173 residential flats in a development up to 9 storeys high with ancillary basement car parking.

5. PUBLICITY AND ENGAGEMENT

- 5.1 As outlined in the previous committee report, the applicant has carried out extensive non-statutory engagement with the residents of the site since 2016.
- 5.2 The Council carried out re-consultation in respect of the revised scheme in July - August 2023. Neighbour consultation letters were sent out, a site notice was displayed and a press notice. No further objections were received during this period.
- 5.3 One letter of support has been received following the re-consultation period. This was received from the 'Byng Street and Bellamy Close Residents Steering group.' The letter states that residents have been heavily involved in the design of the estate and relevant replacement homes throughout the process, are happy with the amendments to the proposal and are keen to see the homes delivered as soon as possible.

6. RE-CONSULTATION CONSULTEE RESPONSES

- 6.1 Below is a summary of the consultation responses received from both internal and external consultees during the re-consultation period. The comments received during the initial consultation period can be viewed in the previous committee report.

External responses

Canal & River Trust

- 6.2 No further comments to make.

Crossrail Safeguarding

- 6.3 No comments to make.

Docklands Light Railway

- 6.4 No comments to make.

Environment Agency

- 6.5 No objections.

Greater London Authority

- 6.6 The GLA's assessment from the previous Stage 1 response remains largely unchanged. The land use principles remain supported.
- 6.7 The Circular Economy and WLC Statements should be secured as approved documents within the draft decision notice. Post-construction monitoring should also be secured.
- 6.8 The GLA will have a further opportunity to review the revised details at Stage 2.

Greater London Archaeology Advisory Service

- 6.9 No objections subject to the inclusion of the two-stage archaeological condition.

Historic England

- 6.10 No comments to make.

Health and Safety Executive (HSE)

- 6.11 HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

Isle of Dogs Neighbourhood Planning Forum

- 6.12 No comments received.

London Bus Services

- 6.13 No comments received.

London City Airport

- 6.14 No conflict with the current safeguarding criteria. No objections subject to the inclusion of condition regarding details on cranes.

London Fire & Emergency Planning Authority

- 6.15 No comments received.

London Underground

- 6.16 No comments to make.

Maritime Greenwich World Heritage

- 6.17 No comments received.

Metropolitan Police – Crime Prevention Design Advisor

- 6.18 A number of scheme-specific recommendations have been suggested to be secured. A Secured by Design condition is also recommended to be secured.

National Air Traffic Services

- 6.19 No conflict with the safeguarding criteria.

Thames Water Authority

6.20 No comments received.

Transport for London

6.21 The increase in cycle parking spaces is in line with London Plan policy. Previous conditions recommended remain relevant. Travel Plan should be secured in the s106 agreement.

Internal responses

LBTH Biodiversity Officer

6.22 No comments received during re-consultation.

LBTH CIL Team

6.23 The proposal would be liable for Tower Hamlets and Mayor of London CIL. Estimated CIL figures provided.

LBTH Energy Efficiency and Sustainability Officer

6.24 We are unable to offer a connection to the Barkentine District Heat network that fits with the development timeline. Air Source Heat Pumps have been agreed as a sensible alternative and the scheme is designed to allow for a future connection to a heat network.

6.25 The submitted Energy Strategy (July 2023) sets out the proposals to reduce energy demand through energy efficiency measures and a low carbon heating and hot water system (Air source heat pumps), renewable energy technologies (PV array 20.3kWp) to deliver the following CO2 emissions:

- Baseline – 208.8 tonnes CO2 per annum
- Proposed Scheme – 51.7 tonnes CO2 per annum

6.26 The total on-site site wide CO2 emission reduction is anticipated to be 75% against the building regulation baseline utilising the SAP10 carbon factors.

6.27 The proposals are for a 157 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £147,345 to offset the remaining 51.7 tonnes CO2 and achieve net zero carbon. It is recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate the anticipated savings have been delivered on-site. This calculation has been based on the new SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

6.28 Recommends conditions are attached which ensure the buildings actual energy performance will be monitored post-construction.

LBTH Environmental Health

Air quality

6.29 No further comments to make. Previous conditions recommended remain applicable.

Contaminated land

6.30 No further comments to make. Previous conditions recommended remain applicable.

Noise and vibration

6.31 Previous comments made still remain applicable.

LBTH Growth & Economic Development

6.32 No comments received.

LBTH Health Impact Assessment Officer

6.33 No comments received.

LBTH Housing Team

6.34 The scheme provides 43% affordable housing as a standalone scheme and 33% affordable housing by habitable rooms when considering the re-provided homes as like for like replacements in terms of bedroom sizes. We should not take the proposed re-provided home sizes into account when calculating the re-provision as these residents may not seek to return to the development in the future.

6.35 The development will not provide any intermediate units which the council has as a policy requirement.

LBTH Infrastructure Team

6.36 No comments received.

LBTH Occupational Therapist

6.37 Amended plans were provided and considered acceptable to ensure all affordable housing units were fully accessible.

LBTH Parks and Open Spaces

6.38 No comments received.

LBTH Place Shaping

6.39 For Building B, the applicant has relocated the private amenity space to the roof. Although this will provide the occupants with larger amenity space, since these are family units, officers would have liked to see it placed in a location where adults can easily keep an eye on children using it. There is no lift access in Building B which, although not a requirement, the practicalities of this for families should be considered.

6.40 Place shaping support the alterations made to the layout of Building C to incorporate the second staircase. The applicant should ensure the tower structure has effective noise and vibration attenuation for the bedrooms now located next to lifts.

6.41 The proposals include changes to the horizontal banding. Officers agree that these changes create a simplified architectural expression that would not alter the building's exemplary design.

LBTH Senior Arboricultural Officer

6.42 No comments received.

LBTH Street Naming and Numbering

6.43 No comments received.

LBTH Surface Water Run Off

6.44 No comments received.

LBTH Transportation & Highways

6.45 The updated scheme is an uplift of 16 units which is a fairly modest change which will not affect the overall impact of the scheme on the public highway. The details submitted for the cycle parking provision are satisfactory.

6.46 Previous comments remain applicable in terms of conditions and s106.

LBTH Viability Officer

6.47 Following the review of the Financial Viability Assessment and amendments made to appraisals over the course of negotiations, it was concluded that 43% (including re-provision) is the maximum viable affordable housing provision.

6.48 The proposed level and mix of affordable housing is the maximum viable and no further affordable housing or contribution can be provided. Early and late state review mechanisms should be secured in the s106 to assess whether additional affordable housing can be provided.

LBTH Waste Officer

6.49 No further comments received.

7. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

7.2 In this case the Development Plan comprises:

- The London Plan (adopted 2021)
- Tower Hamlets Local Plan (adopted 2020)
- Isle of Dogs Neighbourhood Plan (adopted 2021)

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

Land Use (residential)

- London Plan policies: H1
- Local Plan policies: S.H1

Housing (affordable housing, housing mix, housing quality, amenity)

- London Plan policies: D6, D7, D11, D12, H4, H5, H6, H8, H10
- Local Plan policies: S.H1, D.H2, D.H3

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

- London Plan policies: D1, D3, D4, D5, D8, D9, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7
- IoD Neighbourhood Plan – Policy D1 – infrastructure, D2 – High Density

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

- London Plan policies: D3, D6, D9
- Local Plan policies: D.DH8
- IoD Neighbourhood Plan: CC1, CC2, CC3

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

- London Plan policies: T2, T4, T5, T6, T6.1, t7, T8
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

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

- London Plan policies: G5, G6, SI1, SI2, SI5, 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.MW3
- IoD Neighbourhood Plan – SD1

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- The Mayor's Good Practice Guide to Estate Regeneration (2018)
- London View Management Framework SPG (2012)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2021)
- LBTH Development Viability SPD (2017)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH High-Density Living SPD (2020)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)
- Isle of Dogs and South Poplar Opportunity Area Planning Framework (September 2019)

8. PLANNING ASSESSMENT

8.1 The key issues raised by the proposed development are:

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

Land Use

Residential use

- 8.2 Increasing housing supply is a fundamental policy objective at national, regional and local levels. The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings.
- 8.3 The existing use of the site is residential. As such, the principle of the residential use has been established. In addition, the application falls within the Marsh Wall West Site Allocation and the Isle of Dogs and South Poplar Opportunity Area. Both designations earmark the site for high density housing delivery.
- 8.4 The delivery of housing, and particularly affordable housing, is a priority in the borough. The re-provision of the existing social rented units and intensification of the residential use with the provision of additional units is supported given the site's planning designations.
- 8.5 In summary, as per the previous schemes considered at this site, the proposed residential development is supported and considered acceptable and in accordance with the planning policy.

Housing

- 8.6 The viability of the scheme has been impacted by the need to include a second staircase, as well as the delays to starting on site. Therefore, the affordable housing offer previously presented back in July 2022 has been revised. The following sections will report the updated affordable housing offer and reassess this in line with policy.
- 8.7 London Plan Policy H1 places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year.
- 8.8 The proposed development would contribute to the achievement of the Council's housing targets and will meet the requirements of the Marsh Wall West site allocation in which it is situated.

Estate Regeneration

- 8.9 London Plan policy H8 requires that loss of existing housing be replaced at existing or higher densities with at least the equivalent level of overall floorspace. This policy also seeks a consideration of alternative options before the demolition and replacement of affordable homes. In addition, the policy requires the replacements social rent units to be provided as social rent where facilitating a right of return for existing tenants.
- 8.10 Part 5 Tower Hamlets Local Plan policy D.H2 provides a set of criteria which estate regeneration schemes are required to follow. These include the following:
- Protect and enhance existing open space and community facilities
 - Protect the existing quantum of affordable and family units, with affordable units re-Provided with the same or equivalent rent levels
 - Provide an uplift in the number of affordable homes, and
 - Include plans for refurbishment of any existing homes to the latest decent homes standard.
- 8.11 The Mayor of London's Good Practice Guide to Estate Regeneration provides detailed guidance for assessing approaches to estate regeneration. The guide puts great emphasis on early consultation and engagement with residents and requires all estate regeneration schemes to provide an increase in affordable housing, full rights to return or remain for social tenants, and a fair compensation deal for leaseholders and freeholders.

- 8.12 The Mayor's Good Practice Guide to Estate Regeneration also states that when an estate is being redeveloped as part of a wider programme, then it may be possible to re-provide a different mix of affordable housing on that particular estate (taking into account the wishes of the people who want to return or remain on the estate) if like-for-like replacement is achieved across the overall programme. Households who are currently overcrowded should be offered homes large enough for their needs.
- 8.13 The proposal seeks to intensify the residential use on site and provide additional housing, and affordable housing. The alternative option with the retention of existing homes would not secure significant provision of housing on site. There are numerous benefits of the proposed scheme, including the re-provision of homes which are accord with the latest standards and policies, and fully address the housing need of existing residents on site.
- 8.14 All existing homes are social rented and managed by One Housing Group apart from one private 4 bedroom unit. The proposal includes the re-provision of all social rented units. The following table shows the existing and proposed re-provided social housing mix.

Units	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
Existing	6	4	8	5	1	24
Proposed	4	5	5	9	1	24

Table 2. Existing and proposed re-provided social rented units.

- 8.15 The applicant has carried out extensive and regular consultation with the existing residents which has fully informed the proposal. All existing residents were provided with a right to return to a new home which meets the specific current needs of their household, as evident in a slightly changed housing mix of the re-provided homes. The Mayors Good Practice Guide supports this approach. The private tenants have also had the opportunity of being rehoused.
- 8.16 The following table demonstrates the existing social housing mix and the total proposed affordable housing units. There will be an uplift of 39 social housing units on site.

Units	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
Existing	6	4	8	5	1	24
Proposed	13	14	22	13	1	63

Table 3: Existing and total proposed social rented units

- 8.17 The regeneration plans were subject to a successful resident ballot in December 2019 which resulted in 100% turnout and a total of 84% of the residents voted in favour of the regeneration proposal.
- 8.18 The proposal also includes details regarding the decant strategy which provides detailed arrangement and confirms that the decant of existing homes on site was subject to a positive ballot. As a result, the Council's Common Housing Register Forum approved the decant of the existing residents.
- 8.19 The proposal would therefore re-provide the existing affordable rented units; however, across an increased floorspace. The floorspace of the existing units amounts to 2,077sqm whilst the proposed floorspace for the re-provided units would be 2,526sqm.
- 8.20 In terms of rental levels, the returning residents would continue to pay the same rent, both during the decant status and when moved into a re-provided home on site. Adjustments to rents would be made only if there are changes to the number of bedrooms. The changed rent would match an equivalent sized home on the estate.

- 8.21 Whilst the existing site does not include community facilities and open spaces, significant focus during the pre-application stage was on the existing car parking spaces to the front of houses on Byng Street. An improved and regularised pedestrian link would be provided as part of the proposed scheme.
- 8.22 The proposal provides an intensification of the residential use which also provides an uplift in the number of the overall affordable homes. The proposed scheme was subject to a viability tested route in order to ensure that the proposed affordable housing quantum on site has been maximised.
- 8.23 In summary, the proposed development is considered to be policy compliant in terms of the principle of an estate regeneration. The applicant has followed the Mayor of London's good practice guide.

Housing Mix and Tenure

- 8.24 London Plan Policy H10 requires developments to consist of a range of unit sizes. Tower Hamlets Local Plan Policy D.DH2 also seeks to secure a mixture of small and large housing that meet identified needs which are set out in the Council's most up-to-date Strategic Housing Market Assessment (2017).
- 8.25 The table below details the overall proposed mix of the scheme, inclusive of the 24 re-provided homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	116 (incl 21 studios)	39	0	0	0	155
Affordable	13	14	22	13	1	63
Intermediate	0	0	0	0	0	0
Total	129 (59%)	53 (24%)	22 (10%)	13 (6%)	1 (1%)	218

Table 4. Proposed housing mix, including re-provided affordable rented units.

- 8.26 The table below sets out the scheme's housing mix inclusive of the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	75%	15%	-	25%	21%
2 bed	50%	25%	40%	-	30%	22%
3 bed	20%	0%	45%	-	30%	38%
4 bed +					15%	19%

Table 5. Proposed housing mix assessed against policy requirements, including re-provided affordable rented units.

- 8.27 Overall, the whole development would deliver 17% of family sized homes. Within the market sectors, there would be an overprovision of 1 bedroom homes and an under-provision of 2 bedroom and 3 bedroom units.

- 8.28 Within the affordable rented sector, there would be a significant provision of family sized homes equating to 57% of all affordable rented homes. There would be a minor under-provision of 1 bedroom and 2 bedroom homes.
- 8.29 The table below details the proposed mix of the scheme, excluding 24 re-provided affordable rented homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	116 (incl 21 studios)	39	0	0	0	155
Affordable	9	9	17	4	0	39
Intermediate	0	0	0	0	0	0
Total	125 (64%)	48 (25%)	17 (9%)	4 (2%)	0 (0%)	194

Table 6. Proposed housing mix, excluding re-provided affordable rented units.

- 8.30 The table below sets out the scheme's housing mix excluding the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	75%	15%	-	25%	23%
2 bed	50%	25%	40%	-	30%	23%
3 bed	20%	0%	45%	-	30%	44%
4 bed					15%	10%

Table 7. Proposed housing mix assessed against policy requirements, excluding re-provided affordable rented units.

- 8.31 Without taking into consideration the re-provided homes into the housing mix, there is an over-provision of family homes and a small under provision of 1 and 2 bedroom units within the affordable rented sector.
- 8.32 Great weight is given to the adequate re-provision of all of the existing social rented homes and the overall high provision of family sized homes, and particularly affordable homes within the proposed scheme. The proposal has been viability tested which is outlined below. On balance, the proposed housing mix and tenure are considered acceptable.

Affordable Housing

- 8.33 London Plan policy H8 states that all proposals demolishing and replacing affordable housing would be subject to a viability tested route.
- 8.34 Tower Hamlets Local plan policy S.H1 sets an overall strategic target of 50% of affordable housing, with a minimum of 35% provision sought, subject to viability. The policy refers to the GLA's Affordable Housing and Viability SPG which requires a minimum of 50% affordable housing provision for applications on industrial land to be considered under the fast track route.
- 8.35 Tower Hamlets Local Plan policy D.H2 sets the requirements of affordable housing provision within development in the borough, in terms of quantum, standard and provision. Development

is required to maximise the provision of affordable housing with a 70% affordable rented and 30% intermediate tenure split.

- 8.36 Tower Hamlets Local Plan policy D.H3 requires development to provide affordable housing which is not externally distinguishable in quality from private housing.
- 8.37 Of the total proposed 218 units, the scheme would provide 43% affordable housing by habitable room, inclusive of the re-provided homes. Of the additional 194 units, the scheme would provide 29% affordable housing by habitable room, excluding the re-provided homes.
- 8.38 The application was supported by the submitted Financial Viability Assessment (FVA) prepared by Quod, which was reviewed and scrutinised by the Council's viability officers. Following a robust review of the submitted viability evidence, LBTH viability team concluded that the proposed development proposes the maximum viable affordable housing offer. As such, it is agreed and concluded that 43% (including the re-provision) is the maximum viable affordable housing provision, the proposal therefore complies with Local Plan Policy D.H2. An early and late stage review will also be secured through the s106 to ensure that the maximum reasonable quantum of affordable housing is secured.
- 8.39 Within the affordable tenure, the proposal includes the re-provision of 24 units and additional provision of 39 units. The re-provided homes would retain the existing social rents, unless where a resident has opted to move into a larger home with more bedrooms. The additional affordable rented homes would be provided also as social rents; therefore, the scheme does not meet the policy requirement of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent. However, given that the applicant will seek grant funding to partially fund the scheme, this is considered acceptable on balance.
- 8.40 The revised scheme, including the second staircase, no longer provides an intermediate affordable housing product, previously proposed as shared ownership homes. The viability response provided by the applicants demonstrated scenario testing where if a policy compliant level of intermediate affordable housing were introduced into the scheme, the development would no longer be able to provide any additional social rented homes apart from the re-provision. Officers recognise the challenges faced by the applicant when incorporating the second staircase into the previously consented scheme.
- 8.41 As outlined in Local Plan policy D.H2, the borough faces an acute housing need, in particular affordable family housing. Further, the Tower Hamlets Strategic Housing Market Assessment update (2017), which forms part of the evidence base for the Local Plan, demonstrates that the highest level of need is for social rent. Recognising this need, the revised proposed development has therefore sought to maximise the social rented family sized homes within the scheme, whilst removing the intermediate tenure homes (shared ownership) to support the viability of the scheme.
- 8.42 Although there is a policy conflict in the lack of provision of intermediate tenure, in this instance, great weight is given to the large proportion of family sized affordable rented units proposed within the scheme, which meets an identified local housing need. Of the proposed 63 social rented homes, 36 will be family sized homes, which equates to 57% of social rented provision and therefore significantly exceeds the housing mix set out in Policy D.H2.
- 8.43 The social rented units would be provided within dwellinghouses on Byng Street, a three storey building within the north-western corner of the site and lower levels of the residential tower. The table below indicates where the different tenures would sit within the residential tower (block C).

Level	Tenure
Levels 01-10	Social rented
Levels 11-31	Private market

Table 8. Breakdown of floor tenure of Block C.

8.44 The proposed scheme would provide a tenure blind residential tower with additional affordable housing provided separate along Byng Street and on the north-western corner of the street. The provision of affordable housing is considered to be appropriate and as such, the proposed development is considered acceptable.

Wheelchair Accessible Housing

8.45 London Plan policy D7 and Tower Hamlets Local Plan policy D.H3 require residential developments that at least 10% of dwellings must meet Building Regulation M4 (3) ‘wheelchair accessible dwellings’ and the remainder of dwellings to meet M4 (2) ‘accessible and adaptable dwellings’.

8.46 A total of 21 wheelchair accessible dwellings meeting Building Regulation M4 (3) standards are proposed, which amounts to 10% of the total units. These units are therefore wheelchair user dwellings. Of the 21 units:

- 8 are social rented tenure, all of which are wheelchair accessible (M4(3)2b)
- 13 are in the private sale tenure, all of which are wheelchair adaptable (M4(3)2a)

8.47 The remainder of the residential units in Blocks A and C (195 units) would meet Building Regulation M4 (2) standards which means they are designed so that they are ‘accessible and adaptable dwellings,’ should the need arise in the future. The 2 maisonette units in Block B are M4(1) – ‘wheelchair visitable dwellings.’ These units are limited by the stepped access to the front door of the units. The provision of this type of home in Block B is unchanged from both previous schemes at the site.

8.48 The table below sets out the location of the proposed wheelchair units:

Level	Wheelchair housing units	Building reg
Level 02 - 04	1 affordable rented unit per floor	M4(3)2b
Level 05	3 affordable rented units	M4(3)2b
Level 06	2 affordable rented units	M4(3)2b
Levels 19 - 31	1 accessible private unit per floor	M4(3)2a

Table 9. Location of wheelchair accessible units.

8.49 The detailed floor layouts within the site for the wheelchair accessible homes within the affordable tenure have been agreed by the Councils Occupational Therapist. Blue-badge accessible parking would remain in line with the July 2022 scheme.

Quality of Residential Accommodation

8.50 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings.

8.51 Tower Hamlets Local Plan Policy D.H3 requires developments to meet the most up-to-date London Plan space standards and provide a minimum of 2.5m floor-to-ceiling heights.

8.52 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant.

8.53 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor. Within the proposed development, a

maximum of eight dwellings per core on each floor within the residential tower is provided. All units would meet a minimum floor to ceiling of 2.5m.

- 8.54 Out of the total proposed residential units, 62 percent would be dual aspect. All of the residential units within blocks A and B would be dual aspect. Within the residential tower, the only single aspect units would be one-bedroom west-facing or east-facing units. Overall, this is considered acceptable, and it is not considered that this would represent a poor standard of residential accommodation.
- 8.55 All residential units would meet or exceed the minimum space standards set out in the London Plan Policy D6.
- 8.56 All of the residential units would satisfy the minimum private amenity space standards. The proposed dwellinghouses along Byng Street would be provided with a front garden and a first floor terrace. In addition, one of the dwellinghouses would also have a second floor terrace. The two Block B units would have rooftop (Level 03) terraces as their private amenity spaces.
- 8.57 The first floor home in Block C will have their own large garden area which is fenced off from the communal open space. The upper residential units within Block C would have balconies as their private amenity space, which meet the minimum depth and width requirements.

Daylight & Sunlight

- 8.58 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 8.59 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.
- 8.60 The results of the July 2022 scheme were presented in the previous committee report. The applicants provided an internal Daylight and Sunlight Assessment in support of the scheme and the Council's external consultants, Delva Patman Redler, reviewed the submitted information. Overall, it was concluded that the daylight and sunlight conditions within the proposed development were reasonable and acceptable on balance, given the site constraints and the high density character of the surrounding area.
- 8.61 To include the second staircase, Block C required changes to the internal layouts of the flats and façade detailing. For completeness, the applicants completed a full daylight and sunlight assessment to compare the updated scheme with the July 2022 scheme. The results to Blocks A and B remain unchanged.
- 8.62 The revised scheme shows that 92% of the rooms assessed within Block C would be fully compliant with BRE Guidelines/target values for daylight, which is considered very good and in line with the July 2022 scheme. In terms of sunlight, the results are largely comparable to the July 2022 scheme.
- 8.63 Overall, the internal daylight and sunlight levels of the proposed development would not be materially different to the July 2022 scheme which received resolution to grant planning permission. The development would still provide sufficient daylight and sunlight for future occupants.

Wind/Microclimate

- 8.64 The July 2022 scheme was supported with the submission of a Wind and Microclimate Assessment. The external consultant Temple was appointed by the Council for the review of the July 2022 proposals and the applicant provided clarifications requested by the consultants. The assessments were also reviewed by the Council's Environmental Impact Assessment (EIA) officer and were deemed acceptable.
- 8.65 A Wind Microclimate Review addendum letter was provided following the increase of the tower footprint by 250mm. This concluded that the increase in footprint is minor and would not give rise to a material change to the wind microclimate conclusions. As such, it is considered that the wind and microclimate conditions for the proposed residential units would be acceptable.

Noise/Air quality

- 8.66 As confirmed by the Council's Environmental Health officers, the proposed residential units would not be subjected to unacceptable noise or air quality conditions. Conditions would be secured to ensure that new accommodation is constructed to appropriate standards with regard to acoustic insulation.

Fire safety

- 8.67 London Plan (2021) policy D12 requires all major applications to be submitted with a Fire Statement produced by a third party, suitably qualified assessor. The policy sets out the requirements in terms of details that Fire Statement should contain. London Plan Policy D5 (B5) states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users.
- 8.68 As discussed in the background context to this application, the Government recently conducted a consultation on introducing a requirement for buildings over 30 metres to include a second staircase. In July 2023, the government announced that emerging building regulations would require buildings over 18 metres to provide a second staircase.
- 8.69 Since the Government consultation and the GLA's requirement for buildings over 30 metres to include a second stair prior to being referred to Stage 2, the applicants have worked to incorporate a second staircase into Block C. As such, the applicants fire strategy has been revised. The applicants met with the Health and Safety Executive (HSE) prior to submission to ensure the development complied with the emerging building regulations.
- 8.70 The revised scheme is supported by a Fire Statement form, London Plan Fire Statement and Stage 2 Fire Strategy, produced by BB7 who are considered to be a third party and suitably qualified assessor, a fire engineering consultancy firm.
- 8.71 The fire evacuation strategy remains as 'stay put,' but the incorporation of the second staircase would enable occupiers of Block C, who choose to self-evacuate in the event of a fire, the option of two safe routes of escape. In addition, the building will also incorporate an Evacuation Alert System, which enables the London Fire Brigade to trigger alerts to support a controlled evacuation, if necessary.
- 8.72 Block C incorporates 3 lifts, 2 of which can operate as both firefighting and evacuation lifts. These lifts would be able to stop at all floors in the event of an emergency for people that require level evacuation access.
- 8.73 HSE have provided comment on the revised scheme and raise no objection to the proposed fire strategy. HSE are satisfied with the proposed fire safety design within the revised scheme.
- 8.74 Detailed fire safety documents were provided with this revised scheme. The GLA have advised that a condition should be attached to the permission which ensures compliance with the submitted fire related documents.

Communal Amenity Space & Play Space

- 8.75 Tower Hamlets Local Plan Policy D.H3 requires a minimum of 50 sqm of communal amenity space for the first 10 units and a further 1sqm for every additional unit thereafter, as well as the provision of appropriate child play space as determined by the child yield calculator.
- 8.76 The proposed development results in a minimum requirement of 258sqm of communal amenity spaces for all residential units. The proposed development slightly under provides, delivering a total of 244sqm of communal amenity space. Part of the communal amenity space will be provided indoors on the first floor of block C, measuring 182sqm. The space is designed to be flexible to support various types of uses throughout the day. A further 62sqm of communal amenity space is provided outdoors at podium level which will overlook the 150sqm of under 5 years child play space at podium level. This tenure-blind space would be accessible to all residents of block C.
- 8.77 The dwellinghouses along Byng Street and the two residential units within block B would be provided with their own private amenity spaces of generous sizes. Therefore, the slight shortfall in communal amenity space is considered acceptable, given that 14 units will have access to their own, generous, private amenity spaces.
- 8.78 The required play provision has altered from the July 2022 scheme, as a result of the changes to the tenure mix. With respect to child play space, the following table provides details on child yield generated by the proposed development and the minimum child play space requirements based on the LBTH Child Play Space calculator:

Age group	Child yield	Child play space requirement [sqm]
Under 5 years	42	423
5-11 years	37	374
12+ years	43	426
Total	122	1,224

Table 10. Children play space requirement for the proposed development.

- 8.79 As detailed above, the development is predicted to generate 122 children in total and therefore 1,224sqm of child play space is required, split across the different age groups. Units within blocks A and B would have access to their own private amenity gardens, therefore would have their own child space provision. Block C is predicted to generate 84 children and therefore a total of 841sqm of child play space would be required, split across different age groups. For 0-4 year olds, block C would require 314sqm of play space.
- 8.80 The updated proposed development will deliver a total of 317sqm of place space for under 5 years. 167sqm of child play space for children under 5 years old is proposed to be situated within the enclosed courtyard space along the western part of the application site and within the pedestrian link, which will be accessible to all. 150sqm of play space is proposed at podium level to the west of block C, which will be accessible to all residents in block C. Below, Figure 5 demonstrates the proposed locations of play space for children under 5.

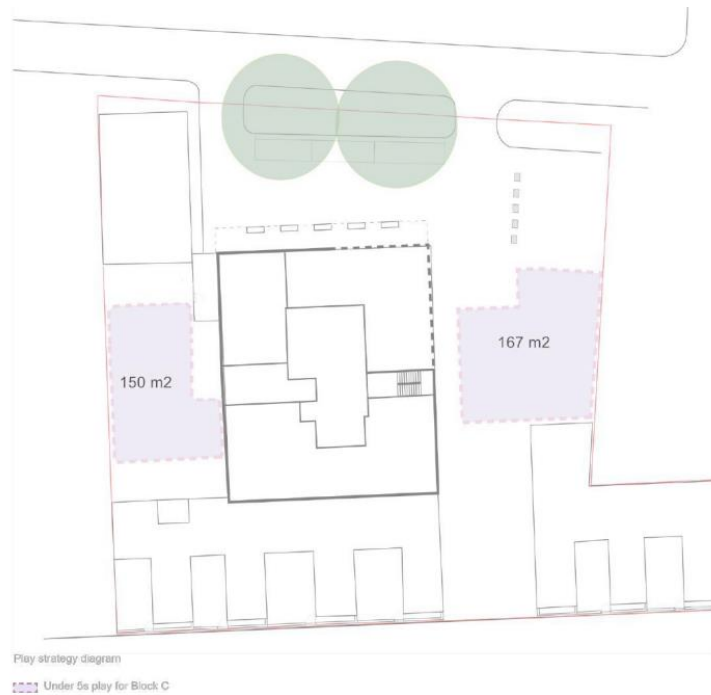


Figure 5: Play strategy diagram for children under 5.

- 8.81 Given the competing priorities for the site, including the re-provision of existing homes, delivery of a pedestrian link and on-site servicing arrangements, the remainder of the child play space required for children above 5 years old cannot be accommodated on site. As such, an appropriate off-site contribution is considered acceptable on balance given that the proposal would heavily rely on existing services.
- 8.82 The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. As detailed in this guidance, for developments projected to accommodate between 30 – 49 children, facilities for 5 – 11s should be provided first on site; however as above if not able to be accommodate they should be located within 400m walking distance of the site. For over-12s it is expected that appropriate play space should be provided within 800m walking distance from the site.
- 8.83 The SPD provides details on the needs of different age groups, noting that 0 – 11 requires local playable space and neighbourhood playable space which includes landscaped open spaces, kickabout areas, and equipment integrated into the landscape. Youth space, for ages 12 and above, is detailed as catering towards higher intensity uses including multi-use games areas (MUGA), climbing walls, wheeled sports areas, outdoor stages and exercise equipment.
- 8.84 The application site is in close proximity to several existing areas of open spaces which provide for a variety of character and uses. The emerging Cuba Street development located to the north of the site includes a new publicly accessible park (which would be less than 50m from the application site boundary) as part of the development. Strafford Street play area is approximately 110m walking distance to the south-west from the application site. This play area is owned, managed and maintained by the applicant, and includes play facilities aged 11-16 age group which includes fixed equipment, a youth shelter and a skate park.

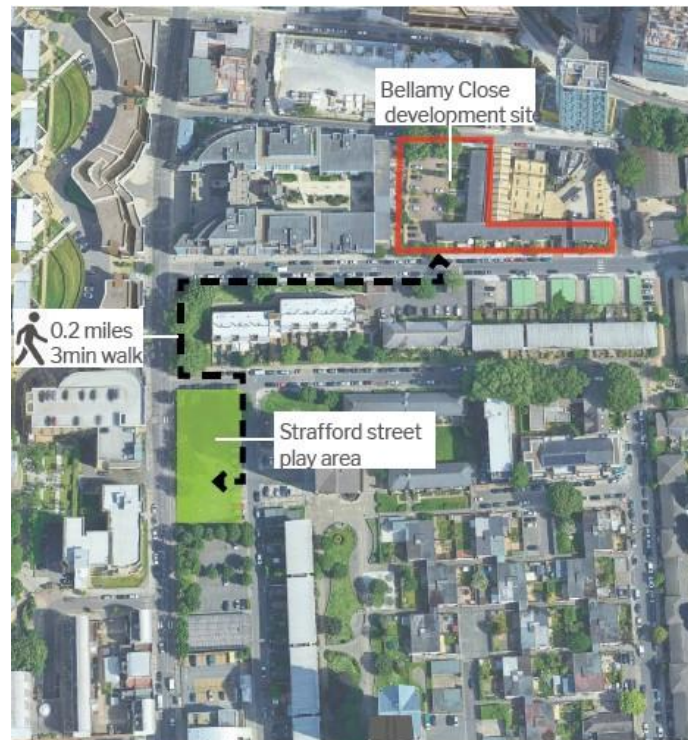


Figure 6. Location of the Stafford Street play area

- 8.85 The applicant has proposed improvements and upgrades to the Stafford Street play area due to the ownership implications and in order to improve and upgrade the existing play equipment. As detailed in the Design and Access Statement Addendum, the proposed improvements and upgrades to the play area include the following:
- Introduce facilities for 5-11 age group
 - Enhance the quality of existing facilities for 11-16 years old
 - Improve skate park features
 - Provide better quality surface finished and soft landscape design
 - Provide improvements in access and/or signage/wayfinding.
- 8.86 The Council's Parks and Open Space team did not provide comment on this application. However, the team had agreed to improvements to the Stafford Street area in the April 2021 application, subject to securing this by a S106 agreement.
- 8.87 Whilst there are other play spaces in the surrounding area, Stafford Street play area is the closest one to the proposed development. Given this proximity, it is considered that it is likely to be visited more often by the children in the proposed development than other play spaces in the area. As such, the proposed improvements and upgrades to this space are considered acceptable. Details and the commitment to the delivery will be secured by s106 agreement.
- 8.88 The provision of upgrades to the Stafford Street play area was considered acceptable in the July 2022 scheme, and this approach has not changed as a result of the revised scheme.
- 8.89 In summary, the application would provide requirements for doorstep play area catering to under-5s of Block C. The proposal's failure to provide play spaces for children above 5 years old given the number of competing priorities that the proposed development has satisfied, would be mitigated through the provision of enhancements and upgrades to the nearby play area.

Design & Heritage

- 8.90 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.
- 8.91 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be located 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.
- 8.92 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high quality design so that the proposed development are 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, landscaping and public realm

- 8.93 The site layout, landscaping and public realm largely remain as per the July 2022 scheme. The proposed layout seeks to respond to the streetscape with lower scale, three-storey dwellinghouses along Byng Street and a three-storey building in the north-west corner of the site fronting Manilla Street. The proposed residential tower is set back from the street and largely comprises the same footprint as the July 2022 scheme. The footprint of the building has increased by 250mm to the south, which is considered to be a minor alteration.

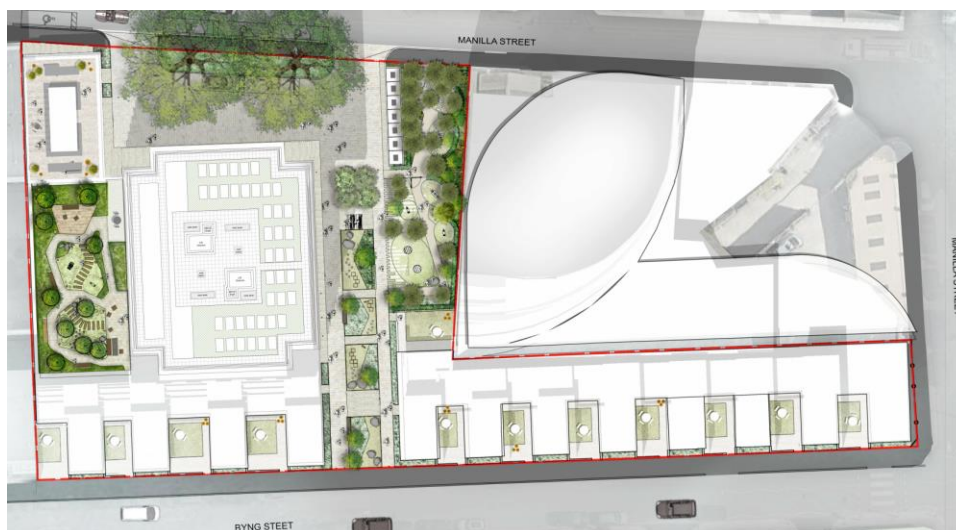


Figure 7: Proposed Site Layout

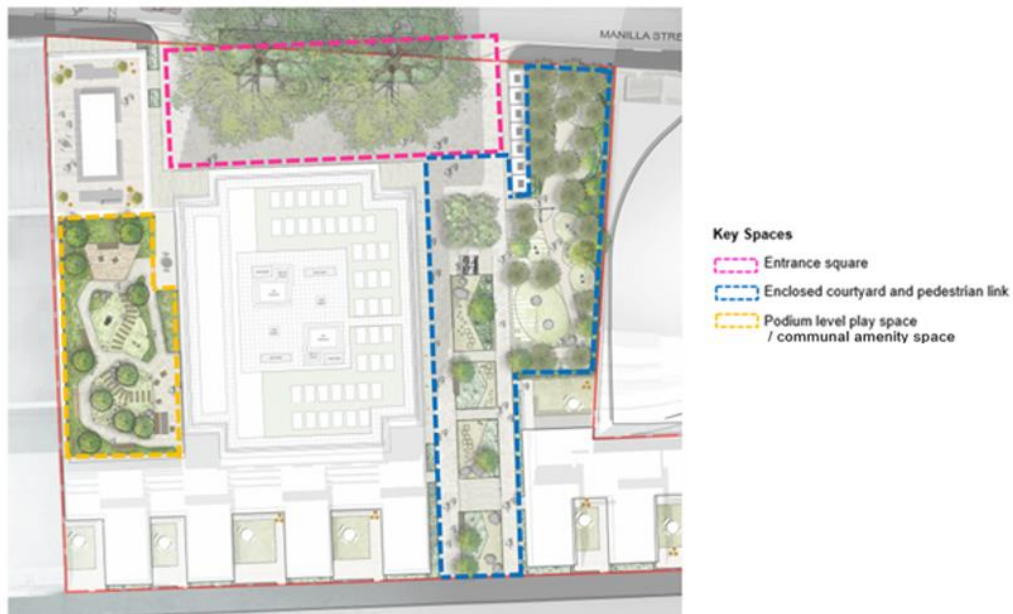


Figure 8: Proposed landscape strategy

- 8.94 The landscaping strategy remains unchanged from the July 2022 scheme. The landscape proposals create a new piece of public realm and a generous new green pedestrian link to improve connectivity between Byng Street and Manilla Street. These spaces will be fully accessible to residents and members of the public.
- 8.95 A private garden/outdoor amenity space for residents of Block C will be provided within the first floor podium level. This will be fully accessible to residents of Block C, regardless of ability.
- 8.96 The private amenity space for residents of block B has been moved from being located beside the block C podium garden, to the roof level of block B. This will provide larger outdoor space for residents of Block B, which officers welcome.

Height, massing scale

- 8.97 The revised scheme will remain in line with the AOD heights considered acceptable within the July 2022 scheme. However, the floor to floor heights of the revised scheme have been updated to allow for the insertion of an additional residential floor, without exceeding the Block C AOD height. The residential floor to ceiling heights remain unchanged, continuing to meet or exceed 2.5 metres. The July 2022 scheme comprised of a 31-storey residential tower (Block C). The revised scheme comprises of a 32-storey residential tower (Block C).



Figure 9: Proposed residential tower (Block C)

8.98 Officers raise no objection to the provision of an additional storey within the revised scheme.

Appearance & Materials

8.99 The overall appearance of Block C will largely remain as per the July 2022 scheme. The façade metal profiles of Block C have been revised and the horizontal banding has been reduced in size to align with the revised floor to floor heights. These alterations would simplify the architectural expression which would not harm the buildings overall high quality design.

8.100 The architectural approach remains largely consistent with the July 2022 scheme and the alterations are considered to be minor and acceptable.

Neighbour Amenity

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

Daylight, Sunlight & Overshadowing

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

8.103 The applicant submitted a Daylight and Sunlight Assessment in support of the July 2022 scheme, prepared by The Chancery Group. The Council's external consultants, Delva Patman Redman, reviewed the submitted information.

8.104 In respect of the July 2022 scheme, officers concluded that the identified harm caused through the loss of daylighting a sunlighting conditions of neighbouring properties was considered acceptable on balance. The full assessment of daylight and sunlight impacts to neighbouring properties can be found in paragraph 7.150 onwards of the July 2022 scheme committee report.

8.105 With regards to the revised scheme, the footprint of the Block C has increased by 250mm when compared to the July 2022 scheme. Blocks A and B remain as per their previous size. The minor changes in massing would not have any further implications for daylight and sunlight as previously report and the Council's external consultants agree with this view. The conclusions regarding daylight and sunlight impacts to neighbouring properties remains unchanged.

Transport

8.106 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.

8.107 The updates to the scheme do not involve any changes to the access arrangements, car parking or blue badge bays.

8.108 As a result of the increase in unit numbers, the cycle parking provision has been revised. The proposed townhouses (block A) would continue to have dedicated cycle storage located on the ground floor of each dwelling. The 4 spaces associated with the maisonettes (block B) will be moved into the ground floor of block C.

8.109 The updated scheme results in an updated long-stay cycle parking requirement for Block C from 323 to 333 cycle parking spaces. This is an uplift of 10 spaces on the provision outlined previously. 8-short stay spaces are still sufficient to serve the development, in accordance with London Plan (2021) standards.

8.110 The revised proposal would deliver a total of 337 cycle spaces within the ground floor of Block C, accommodating the Block C requirement (333 spaces) and the Block B requirement (4 spaces). The 337 spaces will comprise of 304 two-tier stackers, 12 standard Sheffield spaces, 4 ambulant Sheffield stands and 17 stacked spaces above Sheffield stands.

8.111 The Block C cycle store has increased slightly to accommodate the additional cycle spaces, and this has been accommodated by using some of the space previously outlined for the ground floor energy centre. The storage has also been split into 3 separate rooms, improving security as well as conflicting movements.

8.112 The delivery and servicing arrangements remain consistent with the July 2022 scheme. The slight uplift in total dwelling numbers on site results in 2 additional daily delivery and servicing trips per day. The anticipated level of delivery and servicing trips can still be accommodated within the forecourt of the site.

8.113 Due to an uplift of 16 dwellings in the revised scheme, the expected trip generation will increase slightly, but this will be across non-car modes. The impact on local transport services as a result of the updated residential quantum is negligible. It is not considered that the development would have a significant impact to existing transport stations and services, as previously concluded.

Summary

8.114 Subject to securing the relevant conditions and obligations, as outlined previously, the proposal would be acceptable in terms of supporting sustainable modes of transport and would have no significant impacts on the safety or capacity of the highways network, in accordance with the planning policies.

Environment

8.115 The updated scheme did not require further environmental assessments in terms of environmental impact, air quality, biodiversity, flood risk, and land contamination. Therefore, no further assessment has been required in respect of these considerations.

8.116 Generally, a decarbonisation agenda has been adopted at all planning policy levels. Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

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

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

8.118 The updated proposed energy strategy includes energy efficiency measures, a low carbon heating and hot water system (air source heat pumps) and renewable energy technologies (PV arrays) which result in a 75% reduction in carbon emissions compared to the GLA's SAP10 baseline.

8.119 The July 2022 scheme energy strategy proposed to connect to the Barkentine Heat Network as a priority. In developing the scheme, LBTH advised that it would no longer be viable to connect to the Barkentine Heat Network. The updated scheme has therefore been progressed on the basis of utilising air source heat pumps at the roof of Block C, which was identified as a plan B option in the previous energy strategy.

8.120 Air source heat pumps would have a much higher carbon performance when compared to the previous option and LBTH Energy officers are supportive of the proposed energy strategy.

8.121 As requested by the GLA and the Council's energy officers, a condition will be secured for the scheme to provide details on the 'Be Seen' monitoring requirements.

Waste

8.122 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.

8.123 The July 2022 scheme proposed 7 x Underground Refuse System (URS) bins located in the north-east corner of the site, serving blocks B and C. The provision of 7 x URS bins remains appropriate for the revised scheme and number and size of dwellings proposed. The food waste bins will remain within the ground floor of Block C, as previously proposed, but the number of bins will increase from 18 to 20.

8.124 The proposed townhouses (Block A) would be provided with their own bin locations within their front garden areas facing Byng Street. This arrangement is consistent with the July 2022 scheme and remains unchanged.

8.125 The proposed arrangements are considered to be appropriate and compliant with planning policy, subject to securing a final Waste Management Plan via condition.

Wind/Microclimate

8.126 A Wind Microclimate Review addendum letter was provided following the increase of the tower footprint by 250mm. This concluded that the increase in footprint is minor and would not give rise to a material change to the wind microclimate conclusions.

Infrastructure Impact

8.127 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 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 application.

- 8.128 The updated scheme would have no further impact on infrastructure than previously reported in regard to the July 2022 scheme.
- 8.129 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £3,319,174.96 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £719,873.01 (inclusive of social housing relief and exclusive of indexation).
- 8.130 This would result in a total of £4,039,047.97. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.
- 8.131 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. Financial Obligations have changed slightly from the July 2022 scheme, due to the increase in floorspace proposed. The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £79,000 towards construction phase employment skills training
 - £21,800 towards development co-ordination and integration
 - Formula-based carbon emission off-setting contribution (approx £147,345)

Human Rights & Equalities

- 8.132 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. The human rights and equalities assessment remains as per the July 2022 scheme committee report. The proposed development would not result in adverse impacts upon human rights, equalities or social cohesion.

9. RECOMMENDATION

- 9.1 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:

9.2 Financial obligations

- a. £79,000 towards construction phase employment skills training
- b. Formula-based carbon emission off-setting (approx £147,345)
- c. £21,800 towards development co-ordination and integration
- d. £16,444.35 monitoring fee

Total financial contributions: £117,244.35 (excluding carbon offsetting contribution).

Non-financial obligations:

- a. Affordable housing (43% by habitable room)
 - 63 units at Social Rent (incl re-provided units)
 - Early and Late Stage viability reviews
 - 8 affordable wheelchair accessible units
- b. Access to employment and training
 - 20% local procurement

- 20% local labour in construction
- 15 construction phase apprenticeships

c. Transport

- Approval and Implementation of Travel Plans (residential)
- Highway Works (s278)
- Parking Permit Free development

d. Maintenance of a publicly accessible pedestrian route through the site

e. Improvements and upgrade to the Stafford Street play area

f. Compliance with considerate constructors scheme

g. Environmental Sustainability

- GLA 'Be Seen' energy monitoring

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

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

9.5 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;
 - d. Ground-borne vibration limits; and
 - e. Noise pollution limits.
4. Provision of blue badge parking for people with disabilities.
5. Cycle storage to comply with approved plans
6. Fire statement / report

Pre-commencement

7. Construction Environmental Management Plan and Construction Logistics Plan.
8. Land Contamination Remediation Scheme (subject to post completion verification).

Pre-substructure (below ground works)

9. Written Scheme of Investigation (Archaeology) (in consultation with GLAAS).
10. Construction methodology and diagrams (in consultation with London City Airport).
11. Piling Method Statement (in consultation with Thames Water).
12. Meanwhile uses strategy

Pre-completion of superstructure works

13. Design details of security measures
14. Details of external facing materials and architectural detailing.
15. Details of hard and soft landscaping of all public realm and open spaces including play equipment, street furniture and lighting.
16. Biodiversity enhancements.

Prior to occupation

17. Deliveries and Servicing plan.
18. Waste Management Plan
19. Estate Management Plan.
20. Parking Management Plan.
21. Noise verification report (residential units).
22. Infrastructure phasing plan (in consultation with Thames Water).

Post occupation

23. Secured by design accreditation certificate
24. Submission of a post-construction assessment to report on the development's actual Whole Life Carbon emissions

9.6 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Seek Crime Prevention Officer Advice

APPENDIX 1 – LIST OF PLANS FOR APPROVAL

Schedule of Drawings

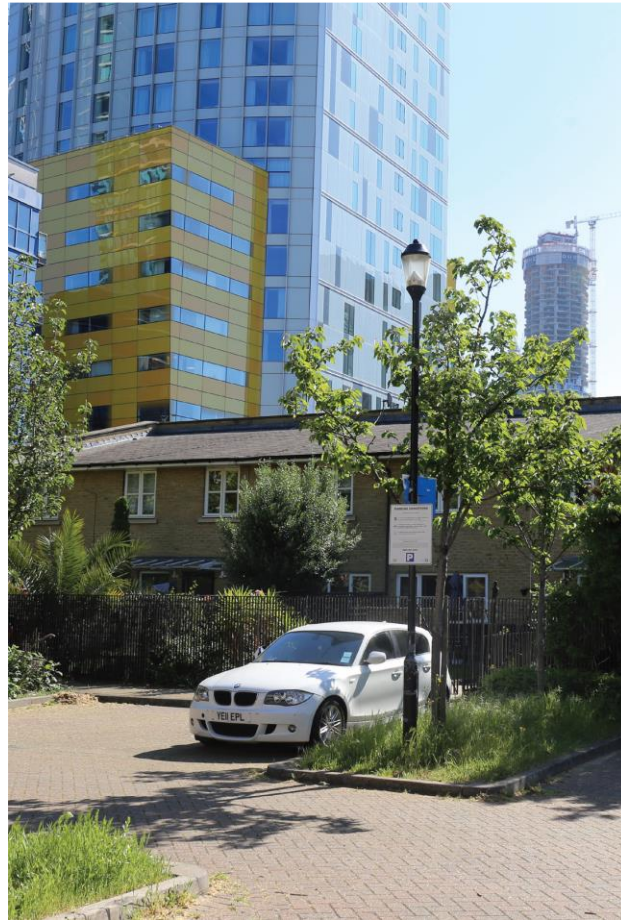
MOU-BCL_HTA-A_XX-DR_0001 – Existing Site Plan
MOU-BCL_HTA-A_XX-E01-DR_0010 – Existing Elevation 01
MOU-BCL_HTA-A_XX-E02-DR_0011 – Existing Elevation 02
MOU-BCL_HTA-A_XX-E03-DR_0012 – Existing Elevation 03
MOU-BCL_HTA-A_XX-E04-DR_0013 – Existing Elevation 04
MOU-BCL_HTA-A_XX-E05-DR_0014 – Existing Elevation 05
MOU-BCL_HTA-A_XX-SA-DR_0015 – Existing Section AA
MOU-BCL_HTA-A_XX-SB-DR_0016 – Existing Section BB
MOU-BCL-HTA-A-XX-RF_DR_0100 (revision A) – Location Plan
MOU-BCL-HTA-A-XX-RF_DR_010 (revision B) – Site Plan
MOU-BCL-HTW-A-XX-00_DR_2000 (revision D) – Level 00 General Arrangement Plan
MOU-BCL-HTW-A-XX-01_DR_2001 (revision C) – Level 01 General Arrangement Plan
MOU-BCL-HTW-A-XX-02_DR_2002 (revision B) – Level 02 General Arrangement Plan
MOU-BCL-HTW-A-XX-03_DR_2003 (revision B) – Level 03 General Arrangement Plan
MOU-BCL-HTW-A-XX-04_DR_2004 (revision B) – Level 04 General Arrangement Plan
MOU-BCL-HTW-A-XX-05_DR_2005 (revision B) – Level 05 General Arrangement Plan
MOU-BCL-HTW-A-XX-06_DR_2006 (revision A) – Level 06 General Arrangement Plan
MOU-BCL-HTW-A-XX-07-09_DR_2007 (revision A) – Level 07-09 General Arrangement Plan
MOU-BCL-HTW-A-XX-10_DR_2008 (revision A) – Level 10 General Arrangement Plan
MOU-BCL-HTA-A-XX-11_DR_2009 (revision B) – Level 11 General Arrangement Plan
MOU-BCL-HTA-A-XX-12-18_DR_2010 (revision B) – Level 12-18 General Arrangement Plan
MOU-BCL-HTA-A-XX-19-31_DR_2011 (revision A) – Level 19-31 General Arrangement Plan
MOU-BCL-HTA-A-XX-32_DR_2012 (revision B) – Level 32 Roof Plan
MOU-BCL_HTA-A-E01-DR_2100 (revision A) – Elevation 01 North
MOU-BCL_HTA-A-E02-DR_2101 (revision B) – Elevation 02 East
MOU-BCL_HTA-A-E03-DR_2102 (revision A) – Elevation 03 South
MOU-BCL_HTA-A-E04-DR_2103 (revision A) – Elevation 04 West
MOU-BCL_HTA-L_XX-XX_DR_0900 (revision E) – Landscape Masterplan
MOU-BCL-HTA-A-XX-00_DR_750 (revision A) – Block C Cycle Stores General Arrangement
MOU-BCL-HTA-A-XX-00_DR_751 (revision A) – Typical Details – External Sheffield Stands

Schedule of Documents

Affordable Housing Statement, June 2023
Air Quality Assessment, December 2021
Arboricultural Impact Assessment, December 2021
Construction Management Plan, December 2021
Decant Strategy, December 2021
Design and Access Statement, December 2021
Design and Access Statement Addendum, March 2022
Design and Access Statement Addendum, July 2023
Drainage and SuDS Strategy, December 2021
Daylight, Sunlight and Overshadowing Report, December 2021
Energy Strategy, July 2023
Equality Statement, December 2021
Estate Management Plan, December 2021
External Lighting Assessment, December 2021
Fire Statement, 28 July 2023
Stage 2 Fire Strategy, 27 July 2023
London Plan Fire Statement, 31 July 2023
Flood Risk Assessment, December 2021
Health Impact Assessment, December 2021

Heritage, Townscape & Visual Impact Assessment, January 2022
HTVIA Addendum, July 2023
Highways Response to GLA, March 2022
Infrastructure Impact Assessment, December 2021/
Internal Daylight, Sunlight and Overshadowing Report, December 2021
Internal Daylight and Sunlight Matters – supplementary letter dated 03 July 2023
Noise Impact Assessment, December 2021
Outline Construction Plan, December 2021
Overheating Strategy, 27 July 2023
Planning Statement, December 2021
Preliminary Archaeological Assessment, December 2021
Preliminary Ecological Appraisal Assessment, February 2022
Preliminary Land Contamination Assessment, December 2021
Statement of Community Involvement, December 2021
Stage 1 Road Safety Audit, 14/01/2022
Sustainable Design and Construction Statement, December 2021
Sustainability Statement, 17 July 2023
Transport Statement, December 2021
Transport Statement Addendum, June 2023
Whole Life-Cycle Carbon Assessment, 27 July 2023
Wind Microclimate Report, December 2021
Wind Microclimate Letter, 9 June 2023

APPENDIX 2 – EXISTING PHOTOS



Bellamy Close looking east – Before Alpha Square development works



Bellamy Close looking east with Alpha Square development in the background (taken May 2022).

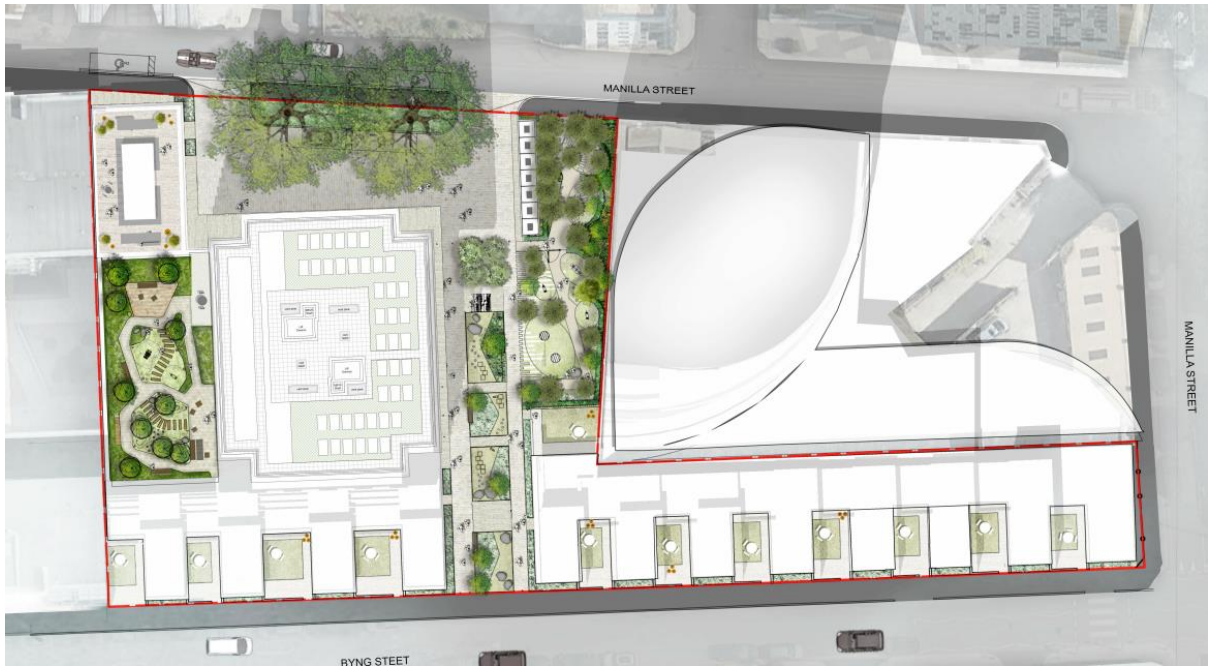


View across Bellamy Close towards north showing existing link and retained trees.

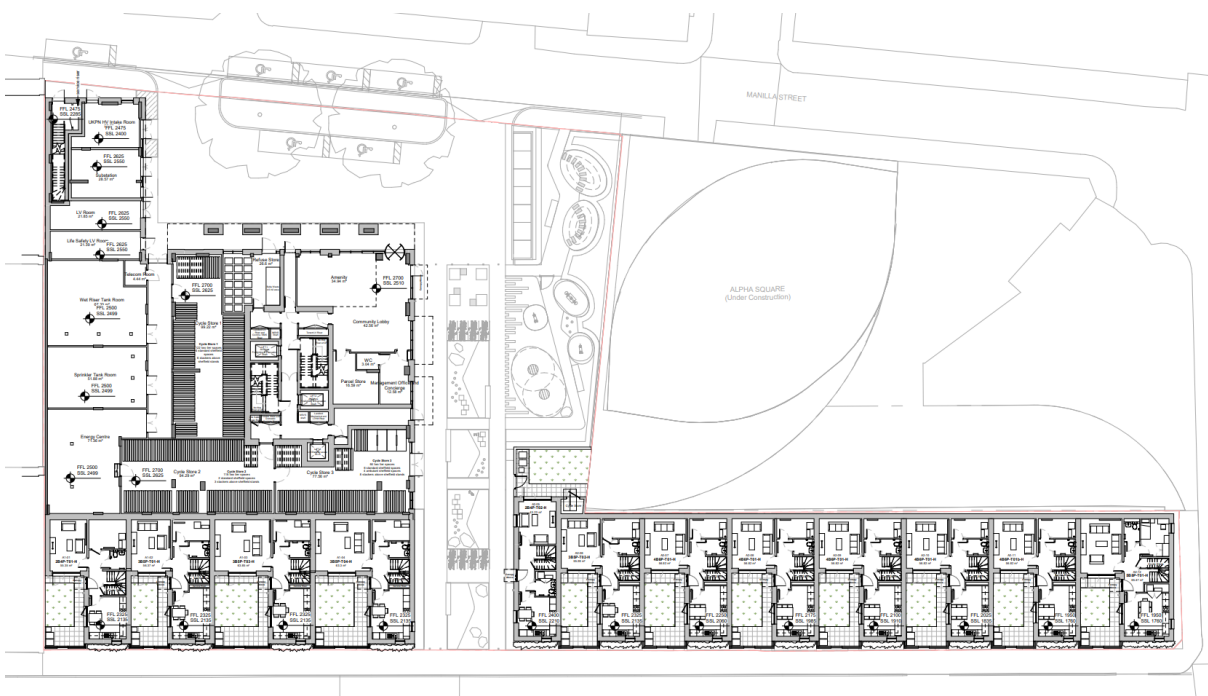


View of Byng Street facing north-west with Alpha Square development behind (taken August 2023).

APPENDIX 3 – PROPOSED DRAWINGS



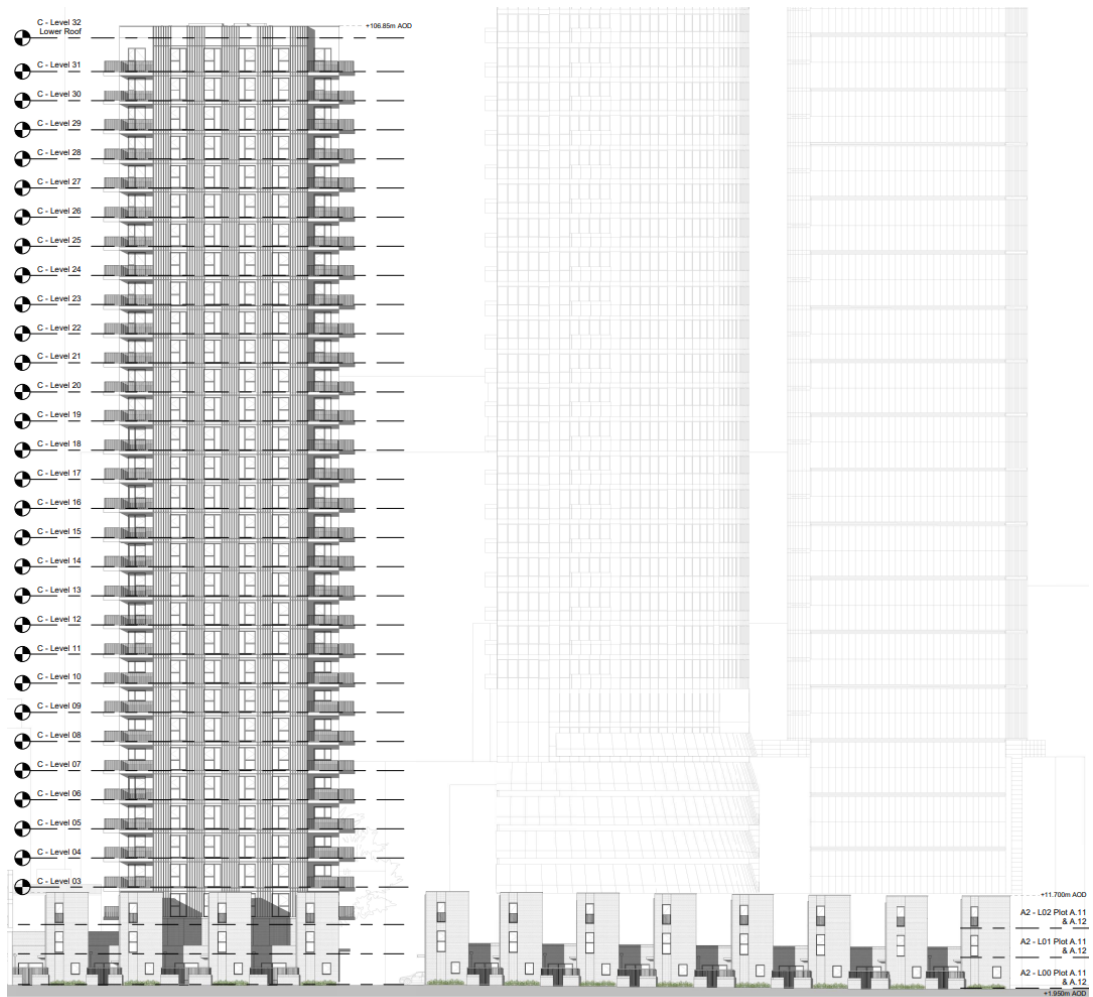
Illustrative masterplan.



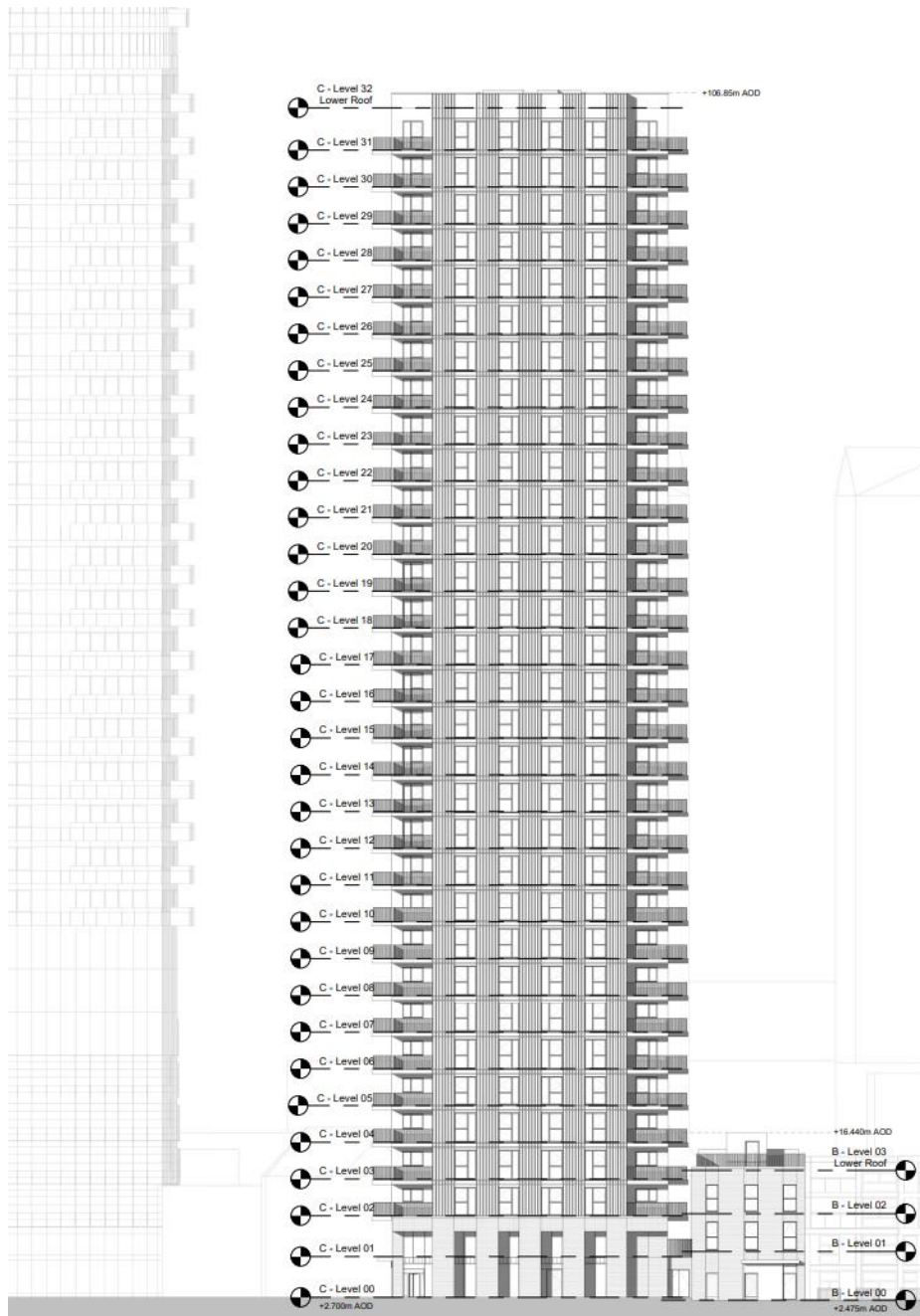
Proposed ground floor plan.



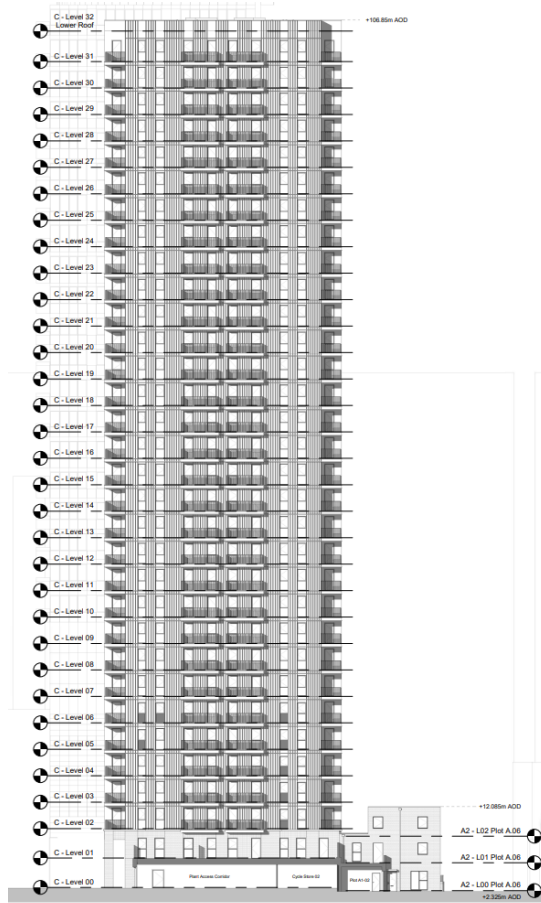
Proposed first floor plan.



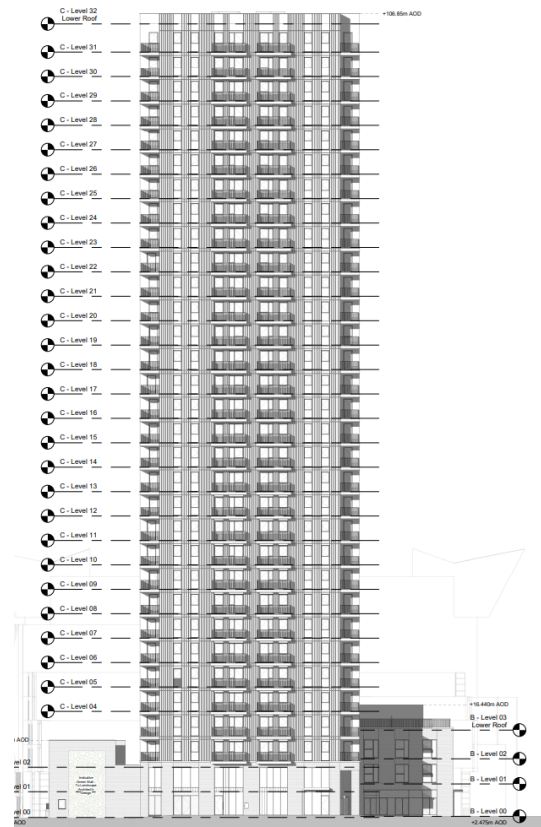
Proposed south elevation (Byng Street).



Proposed north elevation (Manilla Street).



Proposed west elevation



Proposed east elevation within the pedestrian link.

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Application for Planning Permission

[click here for case file](#)

Reference	PA/22/00210
Site	Ailsa Wharf, Ailsa Street, London, E14
Ward	Lansbury
Proposal	<p>Redevelopment of the Site for a mixed-use scheme providing 952 residential units; 1,555 sqm GIA commercial floorspace (Use Class E) within a series of buildings up to 23 storeys; the creation of a new access road and the realignment of Ailsa Street; the provision of safeguarded land for a bridge landing; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant planning permission with conditions and planning obligations.
Applicant	London RiverLea One
Architect/agent	Broadway Malyan (architect) Lichfields (planning agent)
Case Officer	Aleksandra Milentijevic
Key dates	<ul style="list-style-type: none">- Application registered as valid on 09/03/2022- Initial consultation finished on 17/04/2022- Amendments and further information received on 13/04/2023- Amended scheme consultation finished on 10/05/2023- EIA Regulation 25 finished on 02/06/2023- Further environmental information received on 30/06/2023- EIA Regulation 25 finished on 18/08/2023

EXECUTIVE SUMMARY

The proposal includes the redevelopment of a site in the Lower Lea Valley, consisting of construction of a mixed-use residential-led development providing 952 residential units under Use Class C3 and 1,548 sqm of commercial floorspace under Use Class E.

The site has an extant planning permission for a similar development of a small scale providing 785 residential units and 2,954 sqm of commercial floorspace. The proposed development would be delivered in two Phases, where Phase 1 buildings would completely mirror the same buildings in the extant scheme, and the proposed changes would relate to the Phase 2 buildings.

The proposals would result in the improvement to the site layout through the provision of a more consolidated open space along the riverside as well as taking a strong landscape focus, which is supported. The proposals would result in the increase in height of the buildings within Phase 2 reaching up to 23 storeys (69m AOD height), which is considered appropriate for the site, particularly given the changes to the existing and emerging context of the area.

In terms of housing, the proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. Of the total 285 affordable units, there would be 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The proposed housing mix and affordable housing offer is considered acceptable.

The proposed development would provide adequate housing accommodation given that the proposal results in varying daylight and sunlight conditions across the development site, with 68% of habitable rooms meeting the daylight levels recommended by BRE. This has been balanced against other needs for the proposed development, such as the provision of the appropriate amount of communal amenity and child play space for future occupiers of the site.

The proposal would result in some adverse impact to the adjoining and neighbouring properties, mainly in relation to the daylight and sunlight whilst other considerations such as privacy, outlook and construction impacts are considered to be acceptable. It has been noted that the proposed scheme has aimed to ensure that the impact on the surrounding area and properties is minimised through the provision of appropriate breathing space.

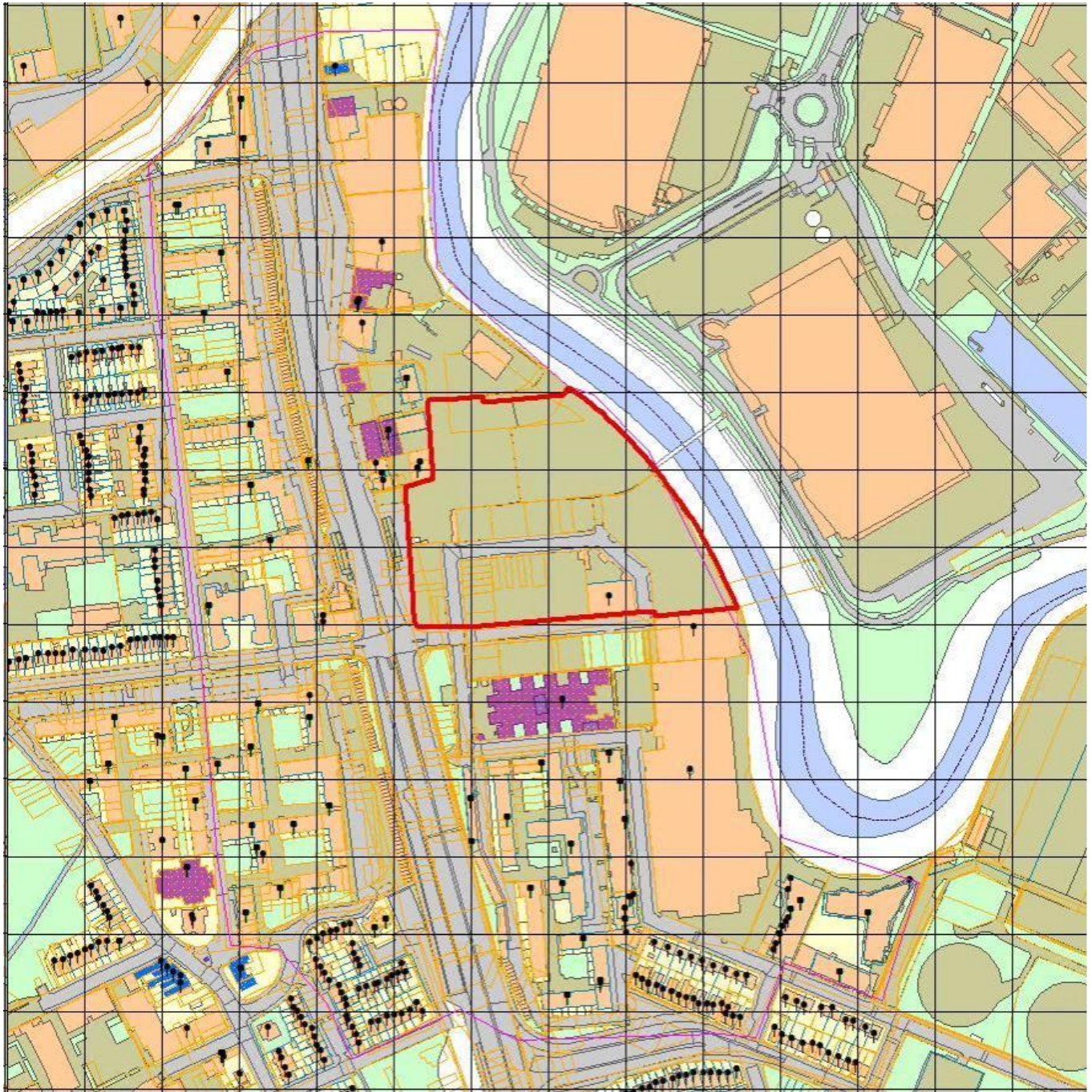
The highways aspect of the scheme, including servicing and deliveries would occur within the applicant's red line boundary, which is acceptable. There would be sufficient provision of cycle storage parking and facilities in line with the London Plan requirements, including a Cycle Hire docking station. The proposed car parking arrangements would include the delivery of the consented car parking spaces within the basement of Phase 1 and on-street blue badge spaces for Phase 2, which would be acceptable for both phases. The proposals would continue to safeguard the bridge landing area for the future bridge across the River Lea.

The proposed waste arrangements would include traditional collection method by using Eurobins for Phase 1, and the Underground Refuse Storage waste method for Phase 2. The proposed amount and location of waste storage would be acceptable for the proposed development.

The application has been accompanied by an Environmental Statement (ES), which has been reviewed by Council Officers in conjunction with Temple and has been found to be adequate. The proposed environmental impacts of the scheme are considered to be acceptable.

Overall, the application has been assessed against the Development Plan policies. It is considered that there are aspects of the proposals that would not comply with detailed policies. However, taken as a whole, it is considered that the proposed changes to Phase 2, and as such the proposed development would result in improvements to the extant scheme and the delivery of additional housing in the borough.

On this basis, Officers recommend the approval of planning permission subject to conditions, planning obligations and any direction by the Mayor of London.



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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/22/00210

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: 09 October 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site is approximately 2.39 hectares in size and situated on the western bank of the River Lea beyond which sits the London Borough of Newham along the eastern bank of the river. The site is bounded by Lochnagar Street to the south and the A12 and its footway area to the west. To the north of the site sits the Ailsa Wharf Waste Management Site while to the north-west of the application site are residential units within the Old Poplar Library site and Wellspring Close, adjacent to which are some container office units.
- 1.2 The application site was previously occupied by various industrial activities, increasing car breaking, vehicle salvage, waste transfer and open storage and scrap yards. At the approximately middle of the application site on its riverside front is the cable bridge across the River Lea. The current status of the application site is under construction, as per the planning history detailed below.
- 1.3 The surrounding area is characterised by a mix of residential and industrial uses and has been undergoing significant regeneration with several large-scale mixed-use developments creating a more residential-led area. Islay Wharf site sits to the south of the site, beyond which is the Former Poplar Bus Depot currently undergoing redevelopment. Adjacent to these sites is the Bromley Hall School, a Grade II Listed Building, on the southern side of Lochnagar Street. An application for the redevelopment of Aberfeldy Estate on the southern side of Lochnagar Street has been take over by the Mayor of London and awaits determination.
- 1.4 The site is surrounded by several historic assets, including the Limehouse Cut conservation area which runs to the north of the waste transfer site, grade II listed Bromley Hall School, Old Poplar Library and Former Brunswick Road Fire Station, and grade II* listed building at 43 Gillender Street. On the opposite side of the A12, several heritage assets including the grade II listed St Michael's Court and a few locally listed buildings are situated within the Langdon Park conservation area. Further to the south on the western side of the A12 sits the grade II* listed Balfron Tower and grade II listed Carradale House and Glenkerry House included in the Balfron Tower conservation area. The site forms part of the Lee Valley Archaeological Priority Area.
- 1.5 The application site forms part of the central and largest area of the Ailsa Street Site Allocation, which also includes the waste transfer site and adjacent sites, as well as the Bromley Hall School, Islay Wharf and Former Poplar Bus Depot sites to the south. The site is included in the GLA's Lower Lea Valley Opportunity Area and the Poplar Riverside Housing Zone.
- 1.6 In terms of environmental designations, the site is included in the flood risk area and flood zones 2A and 3. The adjacent River Lea is the Site of Importance for Nature Conservation. The new Green Grid is also shown across the application site. A smaller part of the south-western area of the site is included within the area of deficiency of access to nature. The whole of the borough represents the Air Quality Management Area, however, due to the proximity to the A12, the western half of the site is in an area of substandard air quality whilst the adjacent A12 experiences even worse conditions of air quality.
- 1.7 The site is within an area of poor public transport accessibility with Public Transport Accessibility Level (PTAL) being 3 in the area closer to the A12 along Lochnagar Street whilst the rest of the site measures PTAL of 1a and 1b, on a scale where 6b represents excellent accessibility levels to public transport decreasing to 1a and 1b being poor. The main bus route serving the site is D8 with a route from Stratford to Crossharbour. Within a 5 minute walk is a bus route 309 serving places between Canning Town and Bethnal Green area.

Extant planning permission

- 1.8 The application site has an extant planning permission for a mixed-use residential-led development which secured the delivery of a total of 785 residential units and 2,954 sqm of commercial floorspace.
- 1.9 The three riverside buildings increase in height north to south starting with 13 storeys (block C, 15 storeys (block B) to 17 storeys (block A). Block M fronting along the A12 is a part 7, part 8, part 10 storey building while block D on Lochangar Street is part 6, part 8 storeys in height. The two courtyard buildings positioned within the central part of the site range in height from 3-8 storeys, where the southern element of these comprises a row of 3 storey terrace houses.

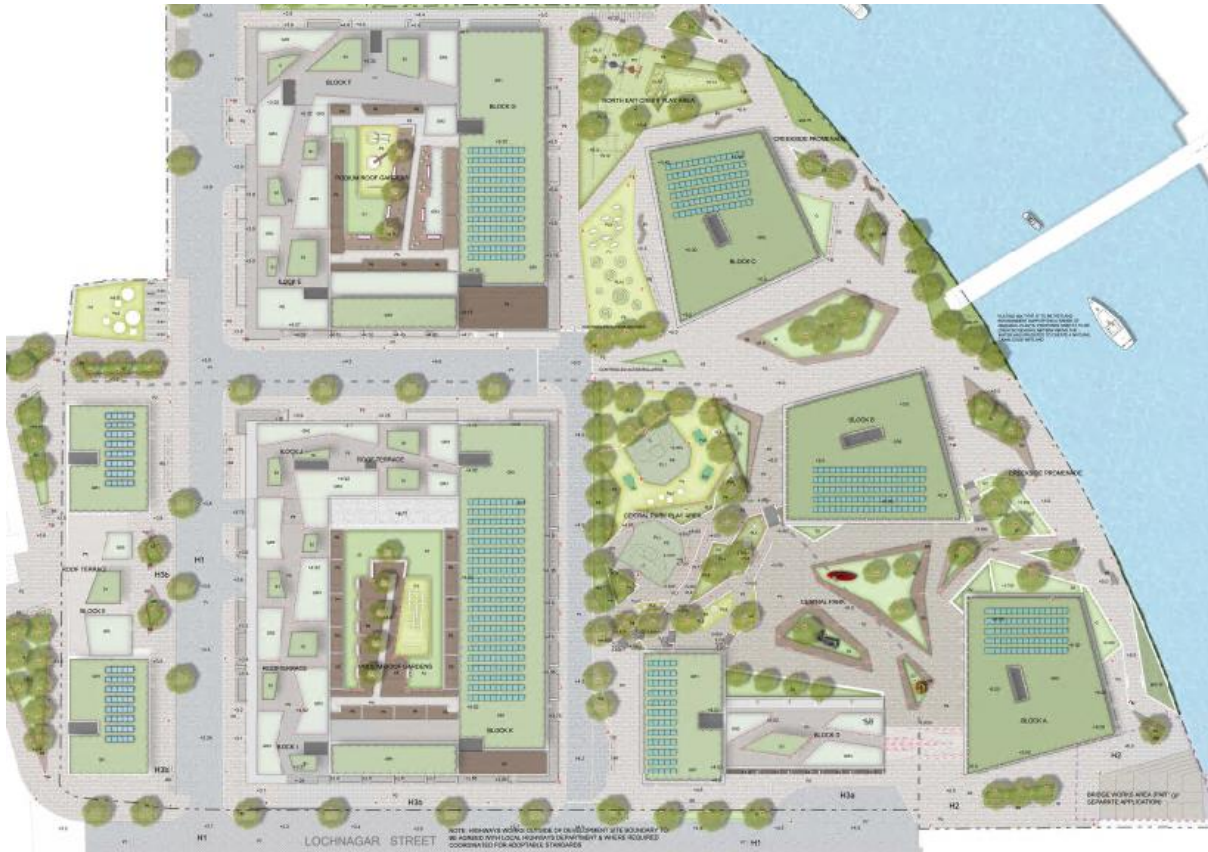


Figure 1. Previously permitted Ailsa Wharf scheme.

- 1.10 In terms of housing, the extant permission secured 35% affordable units by habitable room. The 233 affordable units are split 65/35% in favour of affordable rent (50% Tower Hamlets Living Rent and 50% London Affordable Rent) with the remaining being intermediate sale units. This equates to 152 affordable rented units and 81 intermediate units.

2. PROPOSAL

- 2.1 The proposal is a revised scheme for the site, a redevelopment of the application site consisting of a of mixed-use residential-led development delivering 952 residential units under Use Class C3 and 1,555 sqm of commercial floorspace under Use Class E. The proposed development would be delivered in two phases, as shown in the Figure below.
- 2.2 The proposals under this application seek to build on the extant permission for the site which secured a development of a similar layout as detailed in the previous section. The proposed changes relate to Phase 2 of the consented scheme given that Phase 1 has been implemented and is under construction. The south-eastern corner of the site continues to provide safeguarded land area for the future bridge across the River Lea providing connection to London Borough of Newham.



Figure 2. Proposed phasing strategy.
Key: Red – Phase 1, Orange – Phase 2.

- 2.3 Phase 1 buildings include the courtyard buildings which would incorporate a mix of affordable and private units. The northern courtyard building would incorporate blocks E-H and the southern building would incorporate blocks I-L.
- 2.4 The proposed Phase 2 consists of the three residential towers along the riverside and block M which is situated immediately adjacent to the A12. The residential blocks have been designed in a way to provide a riverside park between them, which would be publicly accessible and incorporate child play space.
- 2.5 The proposed commercial uses would be provided on the ground floor of the riverside towers and block M, as well as on the first floor of block M, while the residential use would be on all upper floors. Phase 1 buildings would incorporate only residential use on all floors, however, there would be a small commercial unit within block I at the junction of Lochnagar Street and Bromley Hall Road.
- 2.6 The proposed pedestrian access into the site would generally be provided around each of the buildings, however, the main pedestrian routes would run along the proposed streets. This would allow for access from Lochnagar Street, the A12 and along the riverside walk. The main cycle routes would be along the proposed street, while the proposed vehicle access would be from Lochnagar Street into the extended Bromley Hall Road where further movement would be clockwise to exit the site as all streets would be one way.
- 2.7 In terms of housing, the proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. Of the total 285 affordable units, there would be 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The intermediate units are proposed as shared ownership whilst the affordable rented units will be equally split between the Tower Hamlets Living Rent and London Affordable Rent.



Figure 3. Proposed site layout, showing block locations.

- 2.8 The proposed courtyard buildings would retain all features of the consented scheme, including the height ranging of 3-8 storeys. Along the southern block, the height would be 3 storeys as the units would be provided as dwellinghouses. The western part of the two buildings would have seven storeys while the eastern part would have 8 storeys.
- 2.9 For the riverside buildings, the tallest would be block B with 23 storeys and 69m in height while the adjacent block B would be 22 storeys and 67m in height. The most northern riverside building, block C, would be 22 storeys but reaching 69m in height.
- 2.10 Blocks B and C would have an additional smaller element. To the south of block B would sit block B2 which would be nine storeys in height, and to the north of block C, block C2 would be situated reaching 10 storeys in height. Block M on the western part of the site along the A12 would be 12 storeys in height reaching 37m. Block M would also have a basement, which would be used as additional space for operational purposes linked to the residential use.
- 2.11 The proposed buildings would be clad in brick with metalwork as secondary material for window frames and balcony balustrades.
- 2.12 The proposals have taken a landscape-led approach through the creation of different landscape character areas and movement routes. As part of these, the proposed development would include the delivery of a consolidated open space along the riverside, improvements to the route on the site and in the wider area, better connection to the A12 underpass, as well as landscaping along the A12, adjacent to block M.
- 2.13 The proposed development would provide communal amenity space for each of the blocks, which would be accessible to the residents of the subject blocks. With regards to the child play space, the majority would be provided as publicly accessible, particularly within the proposed riverside blocks, and some play space areas would also be provided within the podium and internal courtyard of the blocks.
- 2.14 The servicing and deliveries, including waste collection, would take place within the red-line boundary. For Phase 1, the proposed waste collection and management would use the traditional method while for Phase 2, the proposals involve the use of URS, which is

proposed adjacent to the blocks on Ailsa Street and the extended Bromley Hall Road on site.

- 2.15 The proposed car parking provision would consist of the two basement areas, each one situated below the courtyard blocks within Phase 1. For Phase 2, the proposed units would be car free with the exception of providing blue badge spaces for the proposed wheelchair units. The proposed cycle parking would be situated within the ground floor of all blocks.

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 The application site has the following planning consent, which have been implemented with Phase 1 being currently under construction. This will be referred to as extant consent throughout the report.

PA/18/03461 – Section 73 application granted on 16/01/2020.

An application for a minor material amendment to planning permission PA/16/02692 dated 2nd October 2018 in respect of amendments to the internal layouts and external elevations of Blocks IJKL, EFGH and M and to the footprint and layout of all basements, together with amendments to the residential tenure mix by block and the detailed design of the landscaping and public realm.

PA/16/02692 – Full planning permission granted on 02/10/2018.

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

Surrounding area

- 3.2 The surrounding area has been undergoing significant redevelopment and the adjoining sites in the area have the following planning history:

Land forming part of Ailsa Wharf, Lochangar Street (Lochnagar Bridge)

PA/23/01679 – Application for full planning permission currently under consideration.

New pedestrian and cycle bridge across the River Lea at Ailsa Wharf.

Islay Wharf

PA/19/01760 – Full planning permission granted on 20/11/2020.

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

Aberfeldy Estate

PA/21/02377 – Application for Outline planning permission currently under consideration by the Mayor of London.

Hybrid application seeking detailed planning permission for Phase A and Outline planning permission for future phases, comprising:

Outline planning permission (all matters reserved) for the demolition of all existing structures and redevelopment to include a number of buildings (up to 100m AOD) and up to 139,629sqm (GEA) of floorspace comprising the following mix of uses:

- Residential (Class C3);
- Retail, workspace, food and drink uses (Class E);
- Car and cycle parking;
- Formation of new pedestrian route through the conversion and repurposing of the Abbot Road vehicular underpass for pedestrians and cyclists connecting to Jolly's Green;
- Landscaping including open spaces and public realm; and
- New means of access, associated infrastructure and highway works.

In Full, for residential (Class C3), retail, food and drink uses and a temporary marketing suite (Class E and Sui Generis), together with access, car and cycle parking, associated landscaping and new public realm, and open space.

This application is accompanied by an Environmental Statement.

Former Poplar Bus Depot

PA/19/02148 – Full planning permission granted on 14/10/2020. Consent implemented.

Part retention and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 530 residential units (Class C3), 2644sqm (GIA) of workspace (Classes B1a, B1b, or B1c), 508sqm (GIA) of flexible retail; professional services; and restaurant/bar uses (Classes A1, A2, A3, A4), within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works.

This application is accompanied by an Environmental Statement.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant carried out the pre-application non-statutory consultation in May 2021, which is detailed in the submitted Statement of Community Involvement (SCI), prepared by Lichfields.
- 4.2 As evidenced in the SCI, the applicant's engagement consisted of the distribution an informative leaflet to properties in the area and the provision of a dedicated website, with opportunities to provide feedback either online or via a form by Free Post. The majority of the responses supported a redevelopment of the site given its current state, as well as specifics relating to the affordable housing on site, car and cycle parking, and landscaping and public realm.
- 4.3 During the pre-application stage, the scheme was presented to the Council's Conservation and Design Advisory Panel. This process ensured that the proposed design has been reviewed by the design experts, in accordance with London Plan policy D4 which requires development proposals referable to the Mayor to undergo at least one design review panel.
- 4.4 Upon validation, the Council carried out statutory consultation for the application which consisted of putting up planning notices along the western boundary of the site, a press notice in the local press, and sending **1,218** neighbour letters to the properties in the local area.
- 4.5 An additional re-consultation of 14 days was carried out at the end of April 2023 for the submitted changes to the proposed scheme incorporating a second staircase to blocks A, B, C and M, as well as the relocation of block C by 3m away from the River Lea, and associated landscaping changes.

- 4.6 Two consultations under Regulation 25 were carried out, one running concurrently with the mentioned re-consultation, and an additional one in August 2023. Both of the Regulation 25 consultations were subject to a minimum of 30 days.
- 4.7 A total of one representation in support of the proposal was received. The supporter expressed opinion of a sensitive development and positive additional density which would provide new amenities and much needed homes.

5. CONSULTATION RESPONSES

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

External consultees

Canal & River Trust

- 5.2 The main issue relates to the arrangements for surface water drainage. As such, a condition should be secured, and the Trust would want the opportunity to comment on the design of outfalls and the pollution control measures, as well as the Construction Environmental Management Plan. The secured CEMP should also secure pollution control measures by ensuring that no extracted/perched groundwater is discharged into the River Lea during the demolition and construction works.
- 5.3 A pre-commencement condition securing a feasibility assessment for waterbourne freight during demolition and construction stage should be secured, as well as a condition for a Landscape Management Plan.
- 5.4 Informatives should be secured for the necessary consents to be obtained by the developer for any works affecting the Canal & River Trust and any surface water discharge to the waterway.

Environment Agency

- 5.5 Initial objections due to the proximity of the proposal to the flood defence. Additional information requested in relation to the proximity of the proposed development to the buried elements forming part of the flood defence. A river wall raising strategy should be submitted.
- 5.6 Following of the submission of the changes to the proposals, the initial objections have been removed. Conditions have been suggested in relation to the implementation of the development in accordance with the plans, detailed balcony design and removal method, and ecological enhancement to the river wall. An informative should be put in relation to the flood risk activity permit.

Greater London Authority

- 5.7 The use of the site for residential and commercial floorspace along with public realm improvements is supported in line with the extant consent and to help achieve housing and jobs targets in the Opportunity Area. The reduced level of employment floorspace raises no strategic concern and meets with the objectives of the London Plan employment policies.
- 5.8 Further optimisation of the extant consent to deliver additional housing is supported in principle. Whilst the site was previously in industrial use, on the basis that the previous consent for residential-led mixed use development committed to delivering 35% affordable housing has been implemented, as well as the weighting of the affordable housing towards genuinely affordable, low cost rent housing, it is appropriate to apply a 35% affordable housing threshold in order to meet the fast track route. Rent levels, eligible income thresholds and an early stage viability review should be secured in the s106 agreement.
- 5.9 The proposed layout reflects the consented scheme with the exception of the three towers that would be slimmer and allow for better daylight and sunlight condition of the open space which is also considered to be an improvement on the previous series of smaller, compromised spaces. The proposed positioning of units and openings within block M, as

well as the landscape around the block would minimise the adverse impact of the adjacent A12.

- 5.10 The moderate increase in height across the site from the consented scheme is broadly comparable with the extant scheme and the buildings' layout and overall massing are considered to be an improvement. The internal layout of buildings raises no strategic concern. The architectural approach is expected to result in a high quality scheme and raises no strategic issues. Relevant details on external building materials, compliance with fire statement and accessible units should be secured by condition.
- 5.11 Whilst it is accepted that the impact on the highway network will be negligible, further details should be provided on the trip generation and impact on public transport. The reduction in car parking is welcomed and a parking management plan should be secured. The proposed cycle parking for Phase 2 will be in line with the London Plan standards, but spaces for oversized bicycles should be increased to include more provision for different bicycle types.
- 5.12 An Active Travel Zone assessment has been produced and the proposal includes a welcome focus on prioritising pedestrian and cycle movement. The design retains the safeguarding for the new bridge and the applicant should continue discuss with stakeholders. There would be increased use of crossing of the A12 and contribution should be secured, along with a financial contribution towards cycle hire docking station within the site. The relevant detailed plans relating to construction stage should be secured, as well as a residential and non-residential Travel Plans.
- 5.13 Further information should be provided with regards to the proposed energy strategy and whole life-cycle carbon to demonstrate the scheme's compliance with planning policies. Any carbon offset payment should be based on the GLA's recommended carbon offset price and secured in the s106 agreement. Initiatives outlined within the final version of the Circular Economy Statement should be appropriately secured.
- 5.14 Although the proposed would achieve less than 0.4 of the Urban Greening Factor, there would be many new areas of planting, including trees. The net gain in biodiversity is welcomed. The proposed surface water mitigation measures should be secured, as well as any air-quality mitigation measures and requirements in order to meet the policy requirements.

Greater London Archaeological Advisory Service

- 5.15 The application lies in an area of archaeological interest. The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological condition is recommended to provide an acceptable safeguard.

Historic England

- 5.16 No comments to make on the application.

Health and Safety Executive – Planning Gateway One

- 5.17 It has been noted that Phase 1 buildings have previous permission and the consultation relates to Phase 2 buildings. Phase 2 buildings A, B, C and M do not have any basement storeys which addresses previous concerns, and it is also noted that the revised design includes a second escape stair that serve all residential levels in these blocks.
- 5.18 Following a review of the revised information provided in the applicant's response, HSE is satisfied with the fire safety design to the extent that it affects land use planning.

Lea Valley Regional Park Authority

- 5.19 No comments received.

London Borough of Newham

5.20 No comments received.

London Bus Services

5.21 No comments received.

London City Airport

5.22 No safeguarding objections to the proposed development. London City Airport requires a notification of the future cranes that will/maybe operated on site. The details should include maximum height, operating radius, name and phone number of site manager, installation and dismantling dates.

London Fire & Emergency Planning Authority

5.23 No comments received.

London Legacy Development Corporation

5.24 No comments received.

London Underground/DLR Infrastructure Protection

5.25 No comments to make on this planning application as submitted.

Marine Management Organisation

5.26 The applicant should take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark. Applicants should be directed to the MMO's online portal.

Metropolitan Police – Crime Prevention Design Advisor

5.27 No objections to the application, subject to securing a condition to ensure Secured by Design strategy detailing the measures incorporated into the development in order to meet Secured by Design accreditation.

National Air Traffic Service

5.28 No safeguarding objection to the proposal.

National Amenities Society

5.29 No comments received.

National Grid (Plant Protection)

5.30 No comments received.

Natural England

5.31 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Planning Casework Unit

5.32 No comments to make on the environmental statement.

Port of London Authority

5.33 The River Lea is outside of the PLA's navigational jurisdiction, but within its landownership. An informative should be added regarding the potential of an estates license should these be required.

- 5.34 No details have been provided in relation to the proposals for the footbridge, and it must be ensured that there is an appropriate amount of land safeguarded to ensure there is no impediment to safe navigation and for future access/exist ramps etc. It is strongly recommended that the applicant makes contact with all stakeholders on any updates on the proposed bridge design.
- 5.35 The landscape proposals do not include any consideration for the provision of essential riparian equipment along the river edge, and the PLA consider this essential infrastructure must be provided, which can be secured through an appropriate worded planning condition. External lighting should be designed to minimise the impact on navigation and ecology.
- 5.36 The Construction Environment Management Plan and Construction Logistics Plan must give full consideration to the maximisation of use of the River Lea as part of the construction stage, which can be secured through a condition.

Thames Water Authority

- 5.37 There are public sewers and water mains crossing close to the development. A piling method statement should be secured via condition. There are no objections to the surface water and foul water sewerage network infrastructure capacities. Some capacity has been identified to serve 99 dwellings. A condition should be secured to ensure that there is no occupation beyond the 99th dwelling until all network upgrades have been completed or a development and infrastructure phasing plan has been agreed.

Transport for London

- 5.38 There is very limited assessment of the potential impact of additional rail, underground and DLR trips on nearby stations which will need to be provided to understand the cumulative impact on these routes. The proposal is not expected to have a significant effect on bus capacity to require mitigation.
- 5.39 The proposed streets within the development appears suitable for cycling and walking, and the use of permeable block paving is welcomed across the site. The strategic importance of the Lochnagar Street link has not been referenced in the application. The transition between the street, in the area around the turning head and the ramp to the bridge is not clear. There should be more emphasis on the place function.
- 5.40 An Active Travel Zone assessment has been produced in line with TfL's updated guidance. The increase in trips towards public transport would see increased use of crossing of the A12, and it is considered that a contribution towards enhancements within the subway below the A12 would benefit all users of the site.
- 5.41 The landscape masterplan includes indicative proposals for the A12 public realm works extending beyond the red line boundary, including the repaving and planting of the public highway. Further information and clarifications are requested on this element. A planning mechanism, funding strategy and trigger points for the proposed A12 public realm works would also need to be agreed, and the timing and phasing of payments and delivery will therefore need to be discussed. The applicant would need to bear all costs associated with such works.
- 5.42 The proposed car parking in line with the London Plan is welcomed. A parking management plan should be secured, along with electric vehicle charging points, two car club spaces and membership, restriction of Phase 2 residents applying for parking permits.
- 5.43 The quantum of the proposed cycle parking is in line with the London Plan standards, however, the number of spaces for oversized bicycles should be increased to include more provision for different bicycle types. Internal access in blocks A and C should be clarified. Provision for non-residential elements should include facilities for changing areas and storage. Cycle parking details should be secured by condition.
- 5.44 The original consent secured the location and delivery of a Cycle Hire docking station, which should be retained. A financial contribution towards implementation of cycle hire should be

secured in the s106 agreement, as well as implementation and monitoring of the Travel Plan.

- 5.45 There is no reference to the role of the management company in receiving deliveries. A final Delivery and Servicing Plan should be secured by condition, as well as a full Construction Transport Management Plan and Construction Logistics Plan.

Internal consultees

LBTH Biodiversity Officer

- 5.46 The application site has recently been cleared as part of the implementation of the extant planning permission and has negligible biodiversity value. However, the baseline for measuring biodiversity on site is before clearance which provided wildlife habitat. The invasive Japanese knotweed occurs on the site and a strategy for safe and legal eradication and disposal should be secured by condition.
- 5.47 The River Lea is a Site of Metropolitan Importance for Nature Conservation, which could be adversely affected by the development, both during construction and operation stages. The lighting strategy should follow the Guidance Note 09/19 on bats and artificial lighting in order to minimise the impact on bats. The lighting along the riverside walk should be low-level, directional lighting, and no illumination should be directed at treelines near the river.
- 5.48 Clarification should be provided on the referred meadow planting. *Tilia tomentosa* should be removed from the landscaping plan due to it being toxic to bees.
- 5.49 With the avoidance of lighting impacts, there would be a minor adverse impact on biodiversity from the loss of the existing vegetation on site. The proposals include numerous features which would enhance biodiversity and contribute to the Local Biodiversity Action Plan targets, including an intertidal terrace along the river wall, ground level landscaping, tree and shrub planting and three types of biodiverse roofs, as well as nest and bat boxes and log piles and bug houses. All of these should be secured by condition.

LBTH Energy Efficiency and Sustainability Officer

- 5.50 The use of a boiler is currently proposed within Phase 1 to deliver a portion of the heat demand. Whilst boilers are not normally accepted and alternative low carbon sources should be used, in this instance the boiler is considered acceptable due to its incorporation within the previous consent.
- 5.51 The total on-site wide CO₂ emission reduction is anticipated to be 45.1% against the Building Regulation baseline utilising the SAP10 carbon factors, through the use of energy efficient design and heat pumps. The remainder the of the carbon offsetting should be secured as a financial contribution.
- 5.52 However, the applicant should also model additional energy efficiency measures to meet the energy efficiency target and also review the opportunities to deliver renewable energy generating technologies, including maximisation of solar PVs.

LBTH Environmental Health Team

- 5.53 No objection in terms of air quality subject to incorporation the condition for dust management plan and PM 10 monitoring, air quality standards for boilers, kitchen extract standards for commercial uses, non-road mobile machinery and mechanical ventilation.
- 5.54 In terms of contaminated land, a post completion verification report should be included as a condition.
- 5.55 Further details should be clarified with regards to the noise information presented in Chapter H of the ES. The applicant should demonstrate how the design of the proposed development would ensure there would be a relatively quiet ventilated space and external amenity space for the use of the household, as well as communal amenity space. Conditions should be secured for a noise insulation verification report for new residential units to be submitted,

section 61 Restriction on Demolition and Construction Activities, and compliance details for any mechanical plant and equipment to meet the acceptable noise levels.

LBTH Environmental Impact Assessment Officer

- 5.56 Following several reviews and provision of additional information, the ES is considered to be adequate for the submitted application. The decision documents, including a Committee report and decision notice, should contain the relevant details on the EIA process.

LBTH Growth and Economic Development Team

- 5.57 No comments received.

LBTH Housing Officer

- 5.58 The scheme provides a 35% affordable housing scheme by habitable rooms. The applicant should confirm the split in the affordable rented tenure and proposed intermediate product. Within Phase 2, affordable housing units are brought forward in block M which is close to the A12 and will need to ensure that all mitigation measures are included within the design to stop noise and pollution. The applicant has also made changes to the landscaped areas of the building.
- 5.59 The scheme is delivering 11% of wheelchair units through blocks A, B, C and M. Detailed drawings will need to be reviewed. It seems that some of the three bed 5 person units do not appear to have charging points. Details on car parking spaces for the affordable rented wheelchair units should be provided.
- 5.60 The applicant should look into some of the layout of the proposed units so these can be reconfigured so that bathroom door does not open into the living area of the unit. Internal doors within the general floor hallways of the building should be automated for wheelchair units, as well as the main entrance.

LBTH Infrastructure Planning Team

- 5.61 No comments received.

LBTH Occupational Therapist

- 5.62 The affordable units should be delivered as Part M (4)(3)(2)b. The front door and internal doors should be 850mm, with level access thresholds on all internal doorways with no wooden thresholds, including level access to the private amenity area.
- 5.63 The proposed units should have a fully wheelchair accessible kitchen and the minimum worktop length should be 6130mm. In bathrooms, there should be Part M wet room, 1500x1500x laid to fall shower area, height adjustable hand basin with flexible plumbing and splash back tiled suitable for heights 700mm to 1000mm, and toilets high 480mm and projecting 750mm clear of the wall.

LBTH Senior Arboricultural Officer

- 5.64 No comments received.

LBTH Surface Water Run Off Officer

- 5.65 No comments received.

LBTH Transportation & Highways

- 5.66 The proposals involve a number of changes to the approved scheme. The reduction in car parking spaces is welcomed as it brings down the overall site numbers of parking spaces from 210 to 91, which will help to mitigate the impact. A Permit Free agreement should be secured restricting all future residents from apply for parking permits. The blue badge bays should be on a lease and needs basis only. Free membership for at least three years should be offered to residents for the car club spaces.

- 5.67 The proposed quantum of cycle parking spaces meets the London Plan standards, however, there should be an increase in the provided 5% spaces for oversized/ adapted cycles to encourage sustainable freight. More inclusive spaces should be provided. All cycle facilities should meet the London Cycle Design Standards, and the relevant details should be secure by condition.
- 5.68 The proposed servicing is acceptable, but there are concerns with regards to the URS operation in Lochnagar Street in terms of safety, and the vehicle movement is likely to impact on pedestrian and cycle access to the proposed bridge. A Service Management Plan should be secured via condition.
- 5.69 The proposed development will open up a previously closed site and allows access to riverside, along with the safeguarding of the bridge land area. To the west the site suffers from severance along the A12 and a contribution should be provided towards improvements to the crossing facilities. Other relevant documents for travel plans and construction stage should be secured as appropriate.

LBTH Waste Officer

- 5.70 Clarification is required on the number of URS bins and their servicing, particular the ones for block C which could impede on the pedestrian from the bridge. More detail is required on the collection of food waste and the collection points. There should also be a separate space for the short-term storage of bulky items at the ground level. There are some concerns about the implications on the collections and the movement of vehicles through the estate. All commercial units should have sufficient waste storage facilities.
- 5.71 Additional comments raised an in-principle objection to the URS location on Lochnagar Street.

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)
 - Tower Hamlets Local Plan 2031 (2020)
- 6.3 The key development plan policies relevant to the proposal are:

Land use

- London Plan: GG2, E1, SI16
- Tower Hamlets Local Plan: D.SG5, S.EMP1, D.EMP3, S.TC1, D.TC5, S.CF1, D.CF3

Housing

- London Plan: D2, D3, D6, D7, D12, D14, H1, H4, H5, H6, H10, S4
- Tower Hamlets Local Plan: D.SG5, S.H1, D.H2, D.H3

Design and Heritage

- London Plan: D1, D3, D4, D5, D8, D9, D11, HC1, HC2, HC3, HC4, HC5, G4, SI16
- Tower Hamlets Local Plan: S.DH1, D.DH2, S.DH3, D.DH4, S.DH5, D.DH6, D.DH7, D.DH9, S.OWS1, S.OWS2, D.OWS3, D.OWS4

Neighbour Amenities

- London Plan: D14
- Tower Hamlets Local Plan: D.SG4, D.DH8

Transport

- London Plan: T1, T2, T3, T4, T5, T6, T6.1, T7, T8
- Tower Hamlets Local Plan: D.SG4, S.TR1, D.TR2, D.TR3, D.TR4

Environment

- London Plan: G1, G5, G6, SI1, SI2, SI3, SI4, SI5, SI7, SI12, SI13
- Tower Hamlets Local Plan: D.SG3, D.SG5, S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.MW3

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 Sustainable Design and Construction (2014)
- GLA Accessible London (2014)
- GLA Character and Context SPG (2014)
- GLA London View Management Framework SPG (2012)
- GLA Play & Informal Recreation SPG (2012)
- GLA All London Green Grid (2012)
- LBTH Planning Obligations SPD (2021)
- LBTH Reuse, Recycling and Waste SPD (2021)
- LBTH High Density Living SPD (2020)
- Building Research Establishment (BRE) ‘Site layout planning for daylight and sunlight: a guide to good practice’ (2022).

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

Designations

- 7.2 Policy SD1 of the London Plan seeks to ensure that the identified Opportunity Areas fully realise their growth and regeneration potential. The site is situated within the Lower Lea Valley OA which has the capacity to deliver additional housing and employment spaces.
- 7.3 The site forms part of the Ailsa Street Site Allocation which includes the area to the north and south of the application site. The site allocation policy sets out land use requirements which include housing and a range of employment floorspace, as well as an indicative site layout in the Site Allocation diagram, as seen in the below figure.

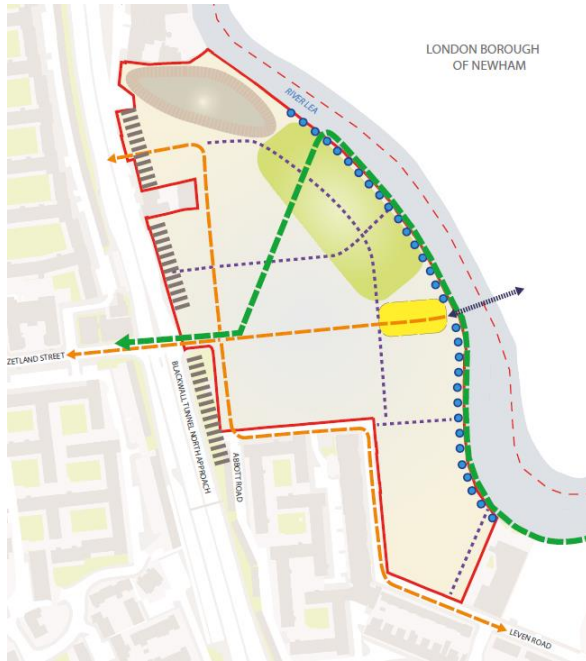


Figure 4. Ailsa Street Site Allocation diagram

Existing uses

- 7.4 The application site was previously used for industrial activities, increasing car breaking, vehicle salvage, waste transfer and open storage and scrap yards. The site is currently under construction for the implementation of the extant consent.
- 7.5 The applicant has confirmed that Phase 1 of the extant consent was implemented in July 2021, following which the demolition works of previous site structures were completed in September 2021. It was also stated that the remediation and site preparatory works were taking place at the time of the submission of the application and were completed early this year.
- 7.6 Given that the site is currently under construction for a mixed-use redevelopment, it is not necessary to consider the loss of previous industrial uses given that was established as part of the extant consent, which has been implemented.

Proposed residential use

- 7.7 Increasing housing supply is a fundamental policy objective at national, regional and local levels. The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings.
- 7.8 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, for the borough is required to deliver 34,730 (3,473 per year) new homes between 2019/2020 and 2028/2029.
- 7.9 At the local level, policy S.H1 of the Tower Hamlets Local Plan 2031 commits to securing delivery of at least 58,965 new homes across the borough (equating at least 3,931 new homes per year) between 2016 and 2031.

- 7.10 The site's inclusion within the Ailsa Street Site Allocation earmarks the site for significant housing delivery which would contribute to the borough's housing stock. As such, the principle of the residential is strongly supported.

Proposed commercial and retail uses

- 7.11 Policy SD7 of the London Plan states that development proposals should ensure that commercial floorspace relates to the size and the role and function of a town centre and its catchment.
- 7.12 Policy S.TC1 of the Tower Hamlets Local Plan 2031 defines a network of town centres and describes their role and function in the borough. For site outside of a town centre, such is the application site, other policies relate to the provision of retail and other uses to ensure the location and amount of such uses is appropriate.
- 7.13 Local Plan policy D.TC3 requires a sequential test and an impact assessment for individual units that exceed 200 square metres outside of the borough's Major, District and Neighbourhood centres. In the same locations, Local Plan policy D.TC4 only supports the delivery of financial and professional services where they are local in scale.
- 7.14 Policy D.TC5 of the Local Plan provides details on the desired locations of cafés and restaurants in the borough.
- 7.15 The proposal includes the delivery of 1,548 sqm of commercial floorspace under Use Class E. The proposed commercial floorspace would be delivered as follows: two smaller units in block C and two larger units in blocks A and B. In block M, a small unit is proposed on the ground floor in the north-western corner of the building, whilst the remainder of the space is proposed within the southern part of the ground floor and first floor.
- 7.16 The submission documents do not specify any particular type of the proposed commercial floorspace, and given the flexibility of Use Class E, this can incorporate various different uses from retail, financial and professional services, to cafés and restaurants.
- 7.17 When compared to the extant scheme which delivered 2,954 sqm of mixed commercial use, the proposed development would deliver significantly less commercial floorspace. Whilst this is likely to result in the decrease in the employment levels between the two schemes, it is not considered that this would have an adverse effect on the quality of the proposed scheme.
- 7.18 The level of the commercial floorspace is considered appropriate for the site which is outside of a town centre, and it is considered that the provided space would still have the opportunity to deliver a range of floor sizes as required by the Ailsa Street Site Allocation policy.

Conclusion

- 7.19 Notwithstanding that the proposed uses reflect the extant consent which has been formally implemented on the site, the above assessment concludes that the proposed uses are considered acceptable in terms of land use and in accordance with the relevant planning policies.

Housing

- 7.20 Development Plan policies set out a number of requirements which guide residential development in the borough.
- 7.21 The proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. The housing mix of the proposed units is set out in the table below, and a detailed assessment is provided in the following sections.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Studio	139	0	0	141
1-bedroom unit	195	55	24	274
2-bedroom unit	238	23	75	335
3-bedroom unit	91	28	67	185
4-bedroom unit	4	3	10	17
Total	667	109	176	952

Table 1. Proposed housing mix.

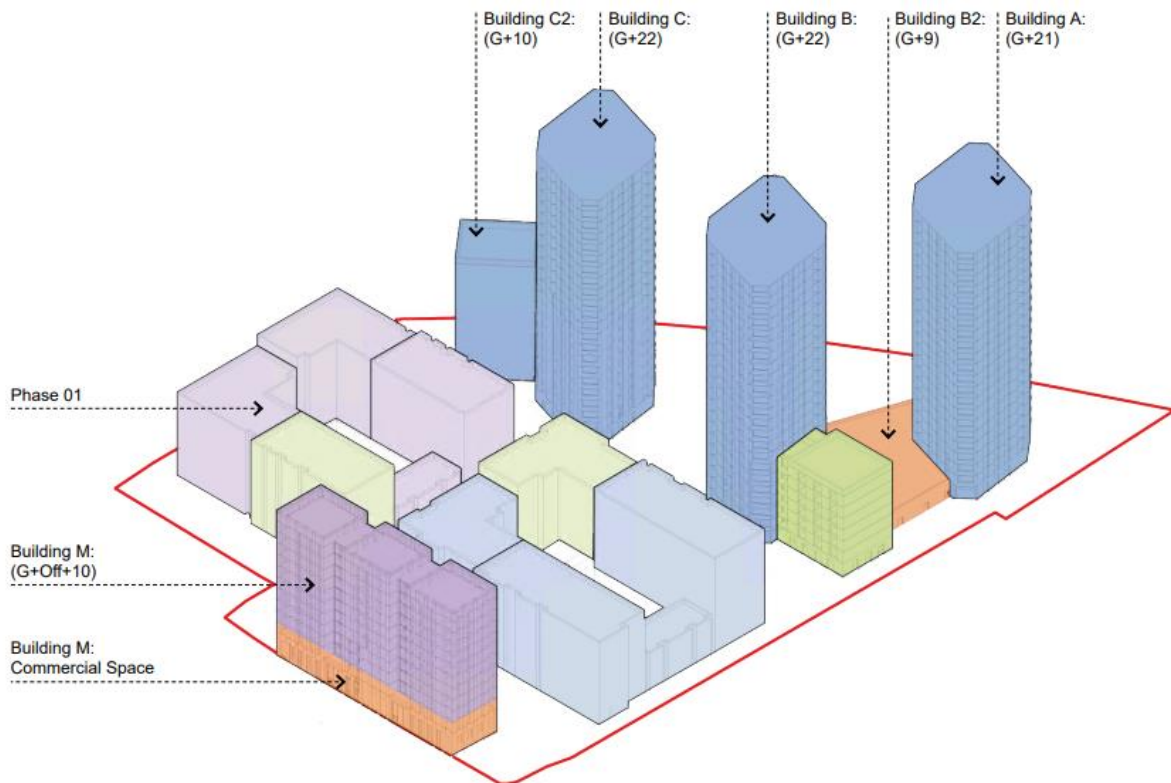


Figure 5. Proposed distribution of housing tenure across the site.

Key: Blue – private units, Green – intermediate units, Purple – affordable rented units.

- 7.22 It should be noted that whilst the current application considers the proposed housing mix as a whole, the applicant has not proposed any changes to Phase 1 given its current construction status. Throughout the pre-application stage, Officers have worked with the applicant to ensure that the new overall housing mix reflects the Local Plan requirements through the recalibration of the housing mix in Phase 2, given that the previous application was based on the previous Local Plan.
- 7.23 The following two tables set out the housing mixes for Phases 1 and 2, where Phase 1 reflects the extant consent, and it is not proposed to be changed as part of the proposals.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Location of Blocks	F1, F2, G, H	E, J2	I, J1, K, L	Phase 1
Studio	25	0	0	25
1-bedroom unit	64	24	24	112
2-bedroom unit	37	22	40	99
3-bedroom unit	18	21	37	76
4-bedroom unit	4	3	10	17
Total	148	70	111	329

Table 2. Proposed housing mix in Phase 1.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Location of Blocks	M	B2	A, B, C, C2	Phase 2
Studio	116	0	0	116
1-bedroom unit	131	31	0	162
2-bedroom unit	201	0	35	236
3-bedroom unit	71	8	30	109
4-bedroom unit	0	0	0	0
Total	519	39	65	623

Table 3. Proposed housing mix in Phase 2.

7.24 When compared to the extant scheme, the proposed development would deliver an additional 167 units in total. With regards to the affordable housing, there would be 53 additional units, out of which 29 would be intermediate and 24 affordable rented units. As a point of reference, the table below shows the housing mix for the whole site under the extant consent.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Studio	73	0	0	73
1-bedroom unit	219	38	38	295
2-bedroom unit	181	20	63	264
3-bedroom unit	76	22	34	132
4-bedroom unit	4	0	17	21
Total	553	80	152	785

Table 4. Consented housing mix.

Housing Mix and Tenure

- 7.25 Policies H1 and H10 of the London Plan promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods.
- 7.26 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.
- 7.27 Locally specific targets for unit mix and sizes based on the Council's most up to date Strategic Housing Market Assessment (2017) are set out in part 3 of Policy D.H2 of the Local Plan.
- 7.28 The table below sets out the scheme's housing mix against the policy requirements set out in policy D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	50% (including studios)	15%	50%	25%	14%
2 bed	50%	36%	40%	20%	30%	43%
3 bed	20%	14%	45%	30%	30%	38%
4 bed					15%	6%

Table 5. Proposed housing mix assessed against the requirements of policy D.H2.

- 7.29 As it can be seen from the table above, there would be an overprovision of 1-bedroom units and under-provision of 2-bedroom units in the market and intermediate tenures. There would also be an under-provision of family-sized homes within both of these tenures, which would be lower for the market tenure.
- 7.30 The affordable rented unit mix aims to be the closest to the policy requirements, however, it should be noted that there would be an under-provision of 1-bedroom units and overprovision of 2-bedroom units. The proposed delivery of family-sized homes in the affordable rented tenure would be 44% against the policy requirement of 45%.
- 7.31 The extant scheme and the consented housing mix were based on the previous, now superseded Local Plan. The proposed development seeks to increase the delivery of homes in total and bring them closer to the current policy requirements as much as possible, which is based on the latest housing needs assessment. This was particularly emphasised by Officers at the pre-application stage as it represented an opportunity to deliver the development which is based on a more up-to-date housing needs requirements.
- 7.32 Given that the proposals do not include any changes to the Phase 1 buildings, the applicant made efforts to recalibrate the housing mix through the Phase 2 units. Whilst more flexibility is provided by the policy for the market unit mix, it has been noted that the affordable unit mix is not fully policy compliant.
- 7.33 It has been acknowledged that the aspiration to retain Phase 1 buildings as consented would ensure an earlier delivery of housing on site, as demonstrated by the commencement of construction works to date. As such, the unit mix is considered in conjunction with such benefits, including other improvements to the scheme. This is further detailed in the affordable housing section below.

Affordable Housing

- 7.34 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.
- 7.35 Policy H5 of the London Plan sets out the threshold approach on residential developments to be a minimum of 35 per cent. In order to follow the Fast Track Route which does not require the submission of viability assessment, applications must meet or exceed the 35% affordable housing, be consistent with the relevant tenure split, meet other relevant policy requirements and obligations.
- 7.36 In addition, part C of policy H5 of the London Plan states that in order to follow the Fast Track Route, applications must meet or exceed the relevant threshold of affordable on site without public subsidy, be consistent with the relevant tenure split, meet other relevant policy requirements to the satisfaction of the borough and demonstrate they have taken account of the strategic 50 per cent target and have sought to increase the level of affordable housing.
- 7.37 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.
- 7.38 At the local level, policy S.H1 of the Tower Hamlets Local Plan 2031 requires development to contribute towards the creation of mixed and balanced communities by requiring a mix of rented and intermediate affordable tenures. Policy D.H2 provides further guidance on requiring developments to maximise the provision of affordable housing in accordance with a 70% rented and 30% intermediate tenure split.
- 7.39 The proposed development would provide a total of 35.5% affordable housing which amounts to 285 affordable housing units. This includes 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The intermediate units are proposed as shared ownership whilst the affordable rented units will be equally split between the Tower Hamlets Living Rent and London Affordable Rent.
- 7.40 As mentioned above, the applicant has implemented Phase 1 of the extant consent, which meant that the courtyard blocks within this phase were not able to be subject to the changes forming part of the proposals. However, the delivery of Phase 1 under the extant consent ensured an earlier delivery of over 60% of the total affordable housing proposed under the current scheme, given that Phase 1 included 181 affordable units when compared to 104 affordable units within the proposed Phase 2 blocks. It has been also noted that this difference in numbers is also due to the higher percentage of smaller units in Phase 2.
- 7.41 Given the specifics of the application site and the implementation of the extant scheme, as well as other improvements forming part of the proposed scheme as discussed in the report, it is acceptable to consider the application under the fast track route, which was also confirmed as acceptable by the GLA. In addition, the proposals include a slight increase in affordable housing when compared to the extant scheme. As such, the unit mix and tenure split of the affordable housing are considered acceptable on balance.

Quality of Residential Accommodation

Space standards

- 7.42 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings, the provision of sufficient daylight and sunlight to new dwellings and a minimum floor-to-ceiling height to be 2.5m for at least 75% of gross internal area (GIA) of each dwelling.

- 7.43 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 and Housing SPG. Policy D.H3 also requires that affordable housing should not be externally distinguishable in quality from private housing.
- 7.44 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant.
- 7.45 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor.
- 7.46 All of the proposed units would meet the minimum internal space standards. Minimum private amenity spaces would be provided for all units, either in the form of projecting or inset balconies, whilst for block M these would be winter gardens along western, northern and southern elevations. There would be an exceedance of the minimum floor-to-ceiling height for residential units with the minimum being 2.75m for the majority of floors with the exception of top floors having slightly higher floor-to-ceiling height.
- 7.47 The submission documents state that the amount of dual aspect units would be 71% and there would be no single aspect north facing units. Additional details have been provided to demonstrate that the single aspect units within blocks A, B and C would not be considered as fully north facing as these units would be oriented less than 45 degrees from due north, as per the definition in the Housing SPG. Whilst it is accepted that these units would not be facing due north, it is considered that their orientation would still be north-west facing rather than fully west-facing. Particular details in relation to daylighting and sunlighting conditions of these units is provided in the section below which ensures that the units would still have good levels of natural light.
- 7.48 Phase 1 blocks and block M would not have more than eight units per core on each floor. Private residential blocks along the riverside would have more than eight units per core on each floor on the lower levels, where the residential towers are joined by the lower elements. For block C where there would be all private units this would amount to 10 units per core per floor whilst in block B this would include intermediate units within the lower element of the block, there would be 12 units per core per floor.
- 7.49 It has been noted that these blocks originally incorporated two staircases up to Level 9 for block B and Level 10 for block C regardless of the subsequent incorporation of the second staircase for the upper levels. The creation of separated lobbies on the subject floors with more than eight units per core per floor would ensure that these spaces have a sense of ownership by future occupiers in their respective areas.

Wheelchair units

- 7.50 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 (90%) which meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: Access to and use of buildings.
- 7.51 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.
- 7.52 Within both phases, the proposed development would provide 11.8% of wheelchair user dwellings which would meet M4(3) standards. This amounts to 112 units, distributed across the tenures within the two phases as per the below table. All affordable rented wheelchair units would be delivered as accessible in accordance with M4(3)2b, while intermediate and private units would be adaptable units in as per M4(3)2a standards.

	Affordable rented	Intermediate	Private
Phase 1	18	14	10
Phase 2	10	7	53
Total	28	21	63

Table 6. Proposed wheelchair unit tenure distribution.

7.53 All of the wheelchair units would be provided as 2-bedroom or 3-bedroom units. The details on the distribution of unit sizes across the blocks and tenure have been provided in the table below.

Tenure	Location	Number of 2-bedroom units	Number of 3-bedroom units
Private	Blocks A, B, C, I, K	11	53
Intermediate	Blocks J2 and B2	6	13
Affordable	Blocks F1, F2 and M	16	10

7.54 The proposed development missed the opportunity to maximise the number of larger wheelchair units within the affordable rented tenure as this is where the highest need exists in the borough. Nonetheless, the proposed provision is considered to be acceptable on balance and further details on the layout of the wheelchair units will be secured via condition.

Air quality & Noise

7.55 Policy SI1 of the London Plan and D.ES2 of the Tower Hamlets Local Plan 2031 seek to ensure that developments adopt appropriate mitigation measures to minimise end users' exposure to poor quality.

7.56 Policy D13 of the London Plan and D.ES9 of the Tower Hamlets Local Plan 2031 require developments to minimise noise and vibration impacts and to ensure that new noise-sensitive land uses and activities avoid any conflict with existing noise-generating uses by ensuring good design and mitigation measures.

7.57 The proximity of the application site to the A12 poses poor existing air quality and noise conditions. Whilst this impact is the highest along the western boundary of the site due to the drop-off in pollutants when distancing from the pollution source, the proposed development should demonstrate how these constraints have impacted the design of the scheme.

7.58 Concerns have been raised about the location of the affordable block M given its location being immediately adjacent to the A12, where the noise pollution and poor air quality conditions are the highest. Whilst the location of this block reflects the extant consent, the change to a fully affordable rented block instead of a mix of affordable rented and intermediate units forms part of the changes to Phase 2 under this application.

7.59 Whilst this still remains a concern, it has been noted that including affordable rented units within other Phase 2 blocks would potentially create issues regarding the management of the units. In addition, there be no changes to Phase 1 blocks which creates an additional difficulty over mixing units in different blocks.

7.60 With regards to the unit layout within block M, the design aimed to ensure that the majority of the western part of the building is used for vertical movement in the building. There would be no single units facing the A12, and the private amenity space for these units would be provided as winter gardens, which is also the case for the corner units facing the courtyard blocks.

7.61 However, it has been noted that some of these private amenity spaces within block M would exceed the maximum guideline values of 55dB for such spaces, which is a concern due to the anticipated impact on future occupiers. As shown in the 3D noise model submitted by the

applicant, the exceeded values would be within private amenity areas of block M, but also the upper levels of other blocks.

- 7.62 It is considered that the applicant has explored sensible and reasonable means to mitigate the noise impact. The mitigation measures embedded in the scheme include careful specification of façade elements, plant, acoustically treated ventilation system, reduction of the ASHP use, restriction of delivery hours and other measures to reduce any noise impact generated by highways activities within the site.
- 7.63 With regards to the air quality conditions that will be experienced by the future occupiers of the development, the proposed scheme has been designed in a way to ensure that these impacts are minimised or where possible avoided. There would be minimising of the residential exposure along the ground floor level, particularly in block M where the commercial uses and workspace are proposed on the ground and first floor, as well as introduction of landscaping along the A12. The energy strategy seeks to ensure that systems used in buildings are minimising emissions. In addition, a car park exhaust will be placed at the roof level to ensure better dispersion of pollutants.
- 7.64 As a result, it is considered that the proposed scheme will minimise the adverse impact from the A12 onto the future occupiers, and details will be secured via conditions.

Privacy, Outlook & Sense of Enclosure

- 7.65 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires new development to maintain good levels of privacy and avoid an unreasonable level of overlooking or unacceptable increase in the sense of enclosure. The supporting text of the policy suggests that a distance of approximately of 18m is likely to reduce inter-visibility to a degree acceptable to most people. In addition, the policy seeks to ensure new and existing habitable rooms have an acceptable outlook.
- 7.66 The positioning of the proposed residential blocks used the opportunity to ensure that the minimum distance between habitable rooms has been secured as much as possible. This would be the case for most of the units, apart from the distance between the courtyard blocks which would be 14m. It should be noted that this would only be within the north-facing habitable rooms of the southern courtyard block and south-facing habitable rooms of the northern courtyard block. Residential units facing internal side of the courtyard blocks would maintain more than 18m distance between the habitable rooms.
- 7.67 There would be slightly lower distances between buildings in Phase 1 and Phase 2. Between the northern courtyard blocks and block C to the east, there would be 16.7m distance, however it has been noted that the angle of units within block C would ensure that the privacy between these blocks is safeguarded. Between the southern courtyard block and block M the distance would be 17.7m between the habitable rooms, which is considered a minor shortfall and as such, is considered acceptable.
- 7.68 Overall, it is considered that the proposed development would achieve acceptable levels of outlook and privacy and where separation distances between habitable rooms would be below 18m, this is considered acceptable on balance as explained in the above assessment.

Daylight, Sunlight & Overshadowing

- 7.69 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments following the methodology set out in the most recent version of the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2022) and British Standard EN17037:2018 "Daylight in building".
- 7.70 The application is accompanied by an internal daylight, sunlight and overshadowing assessment relating to the proposed development, which has been prepared by Lichfields. Throughout the course of the application, the applicant submitted an updated assessment report to reflect the changes in the BRE guidance, which has been included as Appendix 15 of the Environmental Statement Further Environmental Information (April 2023).

- 7.71 The assessments in relation to daylight, sunlight and overshadowing for the proposed scheme have been undertaken and presented with the cumulative schemes in place, which includes the Islay Wharf and Former Poplar Bus Depot to the south-east along the River Lea, and Plot J of the Aberfeldy scheme situated at the opposite side of Lochnagar Street.
- 7.72 The Council appointed specialist consultants BRE for the review of the submitted information relating to the daylight, sunlight and overshadowing.

Daylight methodology

- 7.73 The updated BRE guidance replaces the previous primary method of assessment of new build accommodation through calculating the average daylight factor (ADF) and No Sky Line (NSL). The BRE sets out the methods for assessing daylight withing a proposed building based on methods detailed in BS EN 17037: 2018 “Daylight in buildings”, the UK National Annex of the British Standard and the CIBSE publication LG 10 ‘Daylighting – a guide for designers’.
- 7.74 BS EN 1730 suggests two possible methodologies for appraising daylight in new developments, which includes the illuminance method and the daylight factor method.
- 7.75 The first relates to the Illuminance Method which uses Climate Based Daylight Modelling (CBDM) to predict daylight illuminance using sun and sky conditions derived from standard meteorological data (climate or weather data). The second method for appraising daylight in new developments is the Daylight Factor Method. This involves calculating the median daylight factor on a reference plane. In this regard the BRE guidance states that the daylight factor is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors.
- 7.76 The applicant has focused on the first method which allows the prediction of absolute daylight illuminance based on the location and building orientation, in addition to the building’s daylight systems (shading systems for example). Annex A within the BS EN 17037 proposes values of target illuminances and minimum target illuminances to exceed 50% of daylight hours. One of the methodologies that can be used to interrogate data is Spatial Daylight Autonomy (SDA) which is designed to understand how often each point of the room’s task area sees illuminance levels at or above a specific threshold.
- 7.77 BS EN 17037:2019 National Annex sets out minimum illuminance levels (300lx) that should be exceeded over 50% of the space for more than half of the daylight hours in the year. However, the National Annex suggests that these targets can be challenging to achieve within residential settings, particularly in areas of higher density and so suggests lower targets can be considered in this situation and as such reduced targets are suggested within BS EN 17037:2018 and they are provided so as to be comparable with the previous BRE guidance for ADF. Therefore, the relevant targets are 100 lux for bedrooms, 150 lux for living rooms and 200 lux for living/kitchen/diners, kitchens and studios. The BRE guidance specifies however, that where a room has a shared use, the highest target should apply. For example, in a bed sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day.
- 7.78 In addition to this, the applicant has also presented the results using the Average Daylight Factor (ADF) methodology, which was used in the previous editions of the BRE guidance and the former British Standard, which recommend the minimum ADF values of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. If a space has an ADF of 5%, it will not normally need supplementary electric lighting provided the uniformity is satisfactory. Where a room has a shared use, the higher minimum value should apply.

Daylight assessment

- 7.79 For the assessment of the target illuminance method, the applicant has used factors presented are included in the table below. Whilst these incorporate all factors which would be considered, it has been noted that these are at the upper end of the guidance where light surface finished have been specified. In their review, BRE have also commented on the potential overestimation of the maintenance factor for the balcony areas and frame

correction factor. It has also been noted that no balcony reflectance was included in the report and that the glazing transmittance used is reasonable.

Attribute	Factor presented in the Lichfields report and appendix 15
Internal wall reflectance	0.7
Ceiling reflectance	0.7 & 0.81
Floor reflectance	0.2 & 0.4
Below working plane factor	0.4 & 0.15
Surrounding buildings reflectance	0.3
River reflectance	0.1
Proposed scheme	0.4
Ground	0.3
Glazing transmittance	0.68
Maintenance factor	92%
Frame correction factor	0.8

Table 7. Factors used in the target illuminance assessment.

- 7.80 The applicant clarified factors used in the calculations, including that 0.4 has been used for floor reflectance and 0.81 for ceiling reflectance. The factor relating to the below working plane would not be relevant as this is used in the calculation of ADF and as such it is not relevant to the target illuminance method.
- 7.81 From the applicant's response, it would appear that there would be mainly the use of light-coloured paint and finishes internally within the flats, however, it is not clear how this would be maintained by future residents, and as such, there are concerns about the potential overestimation of the results.
- 7.82 From the submitted assessment, 1641 out of total 2560 of habitable rooms would meet the target illuminance, which presents 64% of the whole development. For specific room uses, this means 77% of all bedrooms meeting the 100 lux over at least 50% of the reference plane, 52% of the kitchen/ dining area meeting the kitchen recommendation of 200 lux, and 20% of the living areas meeting the 150 lux target recommendation. For other spaces, 44% of the combined living/kitchen/dining spaces and 20% of studio flats would meet the target recommendation of 200 lux over 50% of the points on the reference plane for half of the daylight hours of the year.
- 7.83 The table below summarises the results for rooms meeting the recommendations across each block and room type.

Block	Total Rooms	Bedrooms (Target illuminance 100 lux)	Studios (Target illuminance 200 lux)	LKD (Target 200 lux)	KD (Target illuminance of 200 lux)	Living Room (Target illuminance of 150 lux)
A	385	170/224	20/40	63/121	-	-
B	474	248/272	1/42	84/160	-	-
C	499	296/330	0/9	98/160	-	-
E	101	51/63	-	11/26	5/6	5/6
F1	121	73/83	-	9/22	4/8	4/8
F2	138	72/93	-	9/27	5/9	5/9
G	117	16/70	-	4/29	3/9	3/9
H	20	4/20	-	0/4	-	-
I	100	25/46	0/4	16/50	-	-

J1	108	38/76	-	3/32	-	-
J2	122	52/85	-	8/31	1/3	0/3
K	130	37/73	-	16/57	-	-
L	20	16/16	-	0/4	-	-
M	225	145/160	-	31/65	-	-
TOTAL	2560	1243/1607	21/95	352/788	18/35	7/35

Table 8. Habitable rooms within the proposed development meeting the BRE guidelines.

7.84 With regards to the analysis which assesses the ADF, it has been concluded in the applicant's assessment that 1728 out of 2560 rooms would meet the ADF. This represents 68% of habitable rooms throughout the proposed development. In terms of specific room uses, the table below sets out the results according to the room type, which would have different ADF targets.

Room type	ADF target	Habitable rooms meeting the ADF target
Living/ dining/ kitchen	1.5% (for a living room)	60%
Kitchen	2%	43%
Kitchen/ dining	2% (for a kitchen)	38%
Living room	1.5%	3%
Bedroom	1%	82%

Table 9. ADF summary table for the proposed development.

7.85 BRE have raised in their review that some of the analysed rooms appear to have been labelled incorrectly. Whilst it has been noted this includes several omissions, the ADF test has been provided as a supplementary set of information, given that the proposed scheme falls within the transitional arrangements between the two BRE guidance documents, where the applicant has updated the assessment throughout the course of the application to demonstrate the assessment against the 2022 BRE guidelines.

Sunlight methodology

7.86 With regard to the assessment of sunlight, the BRE guidance refers to BS EN 17037 criterion that the minimum duration of sunlight exposure in at least one habitable room of a dwelling should be 1.5 hours on March 21st. Medium and high sunlight targets are set at 3 and 4 hours respectively. The assessment is undertaken at a reference point located centrally to the window's width and at the inner surface of the aperture (façade and/or roof).

7.87 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 a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21st March. This is assessed at the inside centre of the window(s); sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.

Sunlight assessment

7.88 The result presented by the applicant indicate that 1137 out of a total 2560 rooms analysed would meet the sunlight provision, which represents 44% of all habitable rooms. However, as noted by BRE, from the numerical result it would appear that at least 50% would meet the minimum recommendation of 1.5 hours received on 21st March.

7.89 With regards to living areas, 464 out of 918 spaces representing 51% of living/kitchen/dining, living rooms and studio flats, would meet at least the minimum requirements. For kitchen

areas, the compliance rate would be 74% while 98% of bedrooms would also meet the minimum BRE guidelines.

- 7.90 Overall, 598 out of 952 units, or 63%, would have at least one room meeting at least the minimum sunlight hours recommendation. While this is not considered to be high, it has been noted that the proposed courtyard buildings within Phase 1 can be challenging for meeting sunlight due to their layout, and buildings within Phase 2 would be all tall, with additional of the Islay Wharf tall building to the south-east corner.

Overshadowing methodology

- 7.91 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.

Overshadowing assessment

- 7.92 The submitted overshadowing assessment identified 1- open spaces within the proposed development, as shown in the figure below.



Figure 6. Analysed open spaces within the proposed development.

- 7.93 All but two analysed spaces would meet at least two hours of sun on ground on 21st March, both of which would be within Phase 1. For the internal courtyard of blocks I-L (A2), at least 46% would meet the two hours on 21st March, which would be marginally under the BRE recommendation. The other area below the recommendation for sunlight provision would be area to the north of blocks E-H (A7), which would meet only 20% of two hours on 21st March. This space would provide a small area dedicated to child play space.
- 7.94 All analysed open spaces within Phase 2 would meet the minimum sunlight recommendation. It has been that that the riverside park area incorporating most of the publicly accessible child play space and amenity area would meet 66% of sunlight on ground.
- 7.95 Overall, most of the proposed open space would meet the minimum sunlight requirements. One of the child play spaces would have a significantly low percentage of sunlight on ground on 21st March, it has been noted that this is a very small area and situated immediately behind the northern courtyard block. Whilst this is not ideal, it is considered acceptable on balance.

Conclusion on Daylight, Sunlight and Overshadowing

- 7.96 From the above assessments, it is not considered that the proposed development as a whole would provide particularly high levels of daylight and sunlight for future occupiers. However, there are several things to note. There are no changes proposed within the

courtyard blocks forming part of Phase 1 and as such, the level of daylighting and sunlighting conditions for these units would remain as consented.

- 7.97 The proposed Phase 2 blocks seek to improve the consented scheme in terms of site layout by providing a more consolidated open space along the river, and additional communal amenity spaces for the riverside blocks which the extant consent did not provide. With regards to block M, while the layout of this block would remain largely the same as consented, it would resolve the issue of access to the Thames Water sewer along the southern edge.
- 7.98 Throughout the pre-application process, concerns have been raised about the positioning of the riverside blocks as these would result in the north-west and north-east elevation units and whilst these would not be north-facing, they would experience lower levels of daylight and sunlight. However, there is a need to balance other improvements of the proposed scheme when compared against the consented permission and as such, the daylighting, sunlighting and overshadowing conditions for the proposed development are considered acceptable on balance.

Fire safety

- 7.99 London Plan (2021) policy D12 requires all major applications to be submitted with a Fire Statement produced by a third party, suitably qualified assessor, demonstrating how the development proposals would achieve the highest standards of fire safety. The policy sets out the requirements in terms of details that Fire Statement should contain.
- 7.100 The application is supported by a Fire Statement prepared by Atelier Ten, and a fire statement form completed as per the requirements of the Planning Gateway One process under the Health and Safety Executive. Further information has been presented by the applicant throughout the course of the application, particularly in relation to the incorporation of a second staircase to blocks A, B, C and M, all of which are buildings over 30m in height.
- 7.101 Following the consultation with the HSE, it has been confirmed that the proposed fire strategy for the site is considered suitable and the HSE are content with the submitted information.
- 7.102 The most recent consultation on the fire safety legislation brought up the question of a second staircase being required for buildings over 18m in height, which would be applicable to the courtyard blocks given that their height would meet this threshold. However, it has been noted that the courtyard blocks have been implemented under the previous permission for the site, with their construction works progressing on site.
- 7.103 Overall, it is considered that the proposed fire strategy for the proposed development is considered appropriate, as confirmed by the HSE. Any implications from the 18m threshold for the second staircase will need to be considered by the applicant, once the transitional arrangement have been confirmed for properties which have commenced works on site.

Communal Amenity Space & Play Space

- 7.104 The proposed strategy for the provision of communal amenity and child play spaces for the whole site is provided in the figure below. These are separately discussed in the following sections.

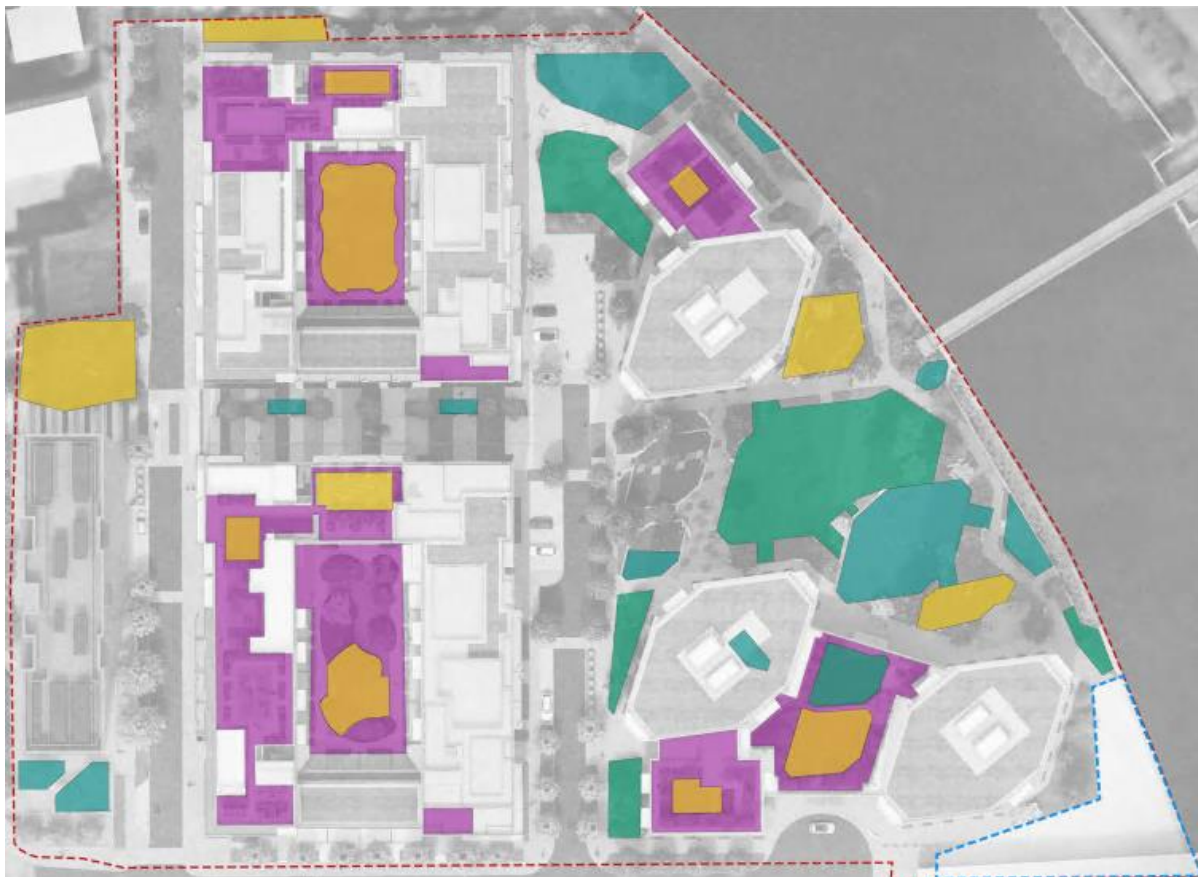


Figure 7. Location of the proposed child play spaces across the site.
 Key: Yellow: 0-5 years old; Green: 5-11 years old; Blue: 12+ years old;
 Purple – communal amenity space.

Communal amenity space

- 7.105 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.
- 7.106 The proposed development would deliver a total of 5,012 sqm of communal amenity space against the minimum requirement of 992 sqm for the whole development. The proposed communal amenity space would be provided both internally and externally, and across all blocks, as shown in the figure above.
- 7.107 The proposed provision of communal amenity spaces for the courtyard blocks within Phase 1 remains the same as secured in the extant consent. This includes a total of 2526 sqm provided within the internal courtyards, as well as a part of a roof terrace provided on Level 7 of the blocks.
- 7.108 In Phase 2, there would be a total of 2,486 sqm of communal amenity space, the majority would be provided within Blocks A and B where a total of 1,184 sqm space is proposed internally on the first floor with spaces such as multi-functional room, co-working space and gym and vitality poo. 870 sqm externally on the podium (Level 02) level between blocks A and B, as well as on the rooftop terrace of block B2. Block C would have 240 sqm of communal amenity space provided on the top Level 10 of the lower element of this block.
- 7.109 For block M, the applicant has originally proposed a smaller communal amenity space on every other floor, which were subsequently reduced in sized and located on every floor of this block as a result of the introduction of a second staircase. This was considered to be a poor provision of communal amenity space for this block.
- 7.110 The applicant made further changes and proposed the open space of about 192 sqm to the south of block M to serve as communal amenity space for future occupiers of this block.

Whilst concerns have been raised due to the proximity of this space to the A12, it has been noted that the landscaping would be included to mitigate the air and noise impact. In addition, this is considered to provide a more appropriate usable space for occupiers of block M than what was previously proposed.

7.111 Overall, it is considered that the proposed provision of communal amenity space within the proposed development would be acceptable. Each of the blocks would have their own respective communal amenity space which would provide convenient access to these spaces and in addition, the public open space along the riverside would also be used by future residents. Further detailing for these spaces would be secured via condition.

Child play space

7.112 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.

7.113 The GLA’s Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. The SPD also provides details on the needs of different age groups.

7.114 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.

7.115 The following table provides details on child yield generated by the proposed development and the minimum child play space requirements based on the LBTH Child Yield and Play Space calculator.

Age	Child yield	Required play space [sqm]	Provided play space [sqm]
0-4	156	1,558	1,555
5-11	122	1,222	1,290
12-18	106	1,064	939
Total	384	3,844	3,784

Table 8. Child yield, child play space requirements and provision for the proposed development.

7.116 As shown in Figure 7 above, the proposed child play space would be provided in various spaces across the proposed development, both within the blocks and on the ground level as publicly accessible. The amount of the provided floorspace would fall short for 60 sqm against the policy requirements and this would be mainly for age group 12-18, however it has been noted that there would be a slightly overprovision of space for 5-11 age group and as such, this is considered acceptable on balance.

7.117 For Phase 1, similarly as per the communal amenity space, the proposed child play space would be located within the internal courtyards and roof terrace level. With regards to Phase 2, the majority of the proposed child play space would be located within the landscape and would be publicly accessible while the remainder of the space would be provided on a podium level between blocks A and B, as well as the roof terrace level of the smaller elements of blocks B and C.

7.118 It is considered that most of the child play space would be situated in appropriate locations, however, some concerns were raised with regards to the location of the child play space to the north and south of block M, given the proximity to the A12 which is a significant air and noise pollution source. However, it has been noted that these spaces would aim to provide

greenery, and there would be additional landscaping along the A12, which would reduce the pollution to some extent. As such, this is considered acceptable on balance.

- 7.119 Details on the principle of child play spaces has been provided in the submitted Landscape Design and Access Statement. These are considered to be acceptable and further details would be secured via condition.
- 7.120 Overall, the proposed child play space provision is considered acceptable and would contribute to the delivery of residential amenities for the proposed development, which would also be publicly accessible promoting a wider social cohesion in the area.

Density

- 7.121 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.
- 7.122 Policy D4 of the London Plan requires all proposals exceeding 30 metres high and 350 units per hectare to demonstrate they have undergone a local borough process of design scrutiny.
- 7.123 Policy D.DH7 of the Local Plan requires that where residential development exceeds the density set out in the London Plan, it must demonstrate that the cumulative impacts have been considered (including its potential to compromise the ability of neighbouring sites to optimise densities) and any negative impacts can be mitigated as far as possible.
- 7.124 Whilst the new London Plan is now part of the development plan, the Housing SPG remains an adopted document and a material consideration in planning decisions. The criteria set out in paragraphs 1.3.51 to 1.3.52 of the Housing SPG requires the consideration of a number of factors including but not limited to local context and character, transport capacity, design and place making principles, residential mix and associated play provision, appropriate management and design of refuse, recycling and cycle parking facilities and whether the proposals are located within the type of accessible locations the London Plan considers appropriate for higher density developments. The requirement to consider all of these factors have been encapsulated across various interlinked policies contained within both London Plan and Local Plan policies.
- 7.125 The LBTH High Density Living SPD provides guidance on how density is calculated. For the proposed mixed-use development which seeks to provide 952 units within the 2.39 hectare site area, an indicative density would amount to 1,102 habitable rooms per hectare. As such, the development is considered to be high density. The acceptability of the proposed density and design is further discussed in the sections below.

Design & Heritage

- 7.126 The importance of good design is emphasised in Chapter 12 of the NPPF and the National Design Guide and development Plan policies which 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. Therefore, within the borough, it is expected that development must do more than simply preserve, the requirement is to enhance and improve.
- 7.127 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be located in sustainable location, in accordance with London Plan (2021) D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.
- 7.128 Furthermore, policy D3 requires developments to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness, as well as to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.129 London Plan policy D4 requires development proposals referable to the Mayor of London to have undergone at least one design review early on in their preparation before a planning application is made. As mentioned previously, the proposals had been reviewed and commented on by the Council's expert design panel.
- 7.130 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high quality design so that the proposed development are 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 and Access

- 7.131 The application site is clearly defined with a set of the existing defined structures and places. The site sits between the A12 and the River Lea. Its southern boundary is formed by Lochnagar Street and the north of the site adjoins the allocated waste site. In principle, the proposed site layout seeks to mirror the extant consent whilst using the opportunity to improve on it, particularly with respect to the delivery of public spaces and landscaping.
- 7.132 The positioning of the buildings has been informed by the key route within the site, as well as to the wider area. This includes the realignment of Ailsa Wharf, continuation of the Bromley Hall Road and the creation of an east-west route within the central part of the site linking the riverside park and towpath to the A12.
- 7.133 Given that there are no changes proposed to Phase 1, the courtyard blocks would remain as consented with a perimeter block wrapping around an internal courtyard. Block M on the A12, whilst in the same position, has been made smaller in footprint when compared to the extant consent due to the identification of a Thames Water infrastructure along the south of block M, which would require different access arrangements ensuring that there is no built structure over it. The proposed development would use the opportunity to provide a welcoming arrival point in this corner of the site.
- 7.134 Within the eastern half of the site, both the extant consent and proposed development include the delivery of three residential towers. The proposals aimed to consolidate the two residential towers with a podium level between them, which was previously a standalone block D reaching 6-8 storeys in height. This has allowed for a creation of a more consolidated open spaces along the riverside, which is strongly supported.
- 7.135 It is considered that a more consolidated open space instead of a set of interlinking smaller space would use the opportunity to ensure that the new open space along the riverside is perceived as publicly accessible. Within the south-eastern corner of the site, the proposed development would continue to provide the safeguarded area for the landing of the future Lochnagar bridge in this location.
- 7.136 With regards to the buildings within Phase 2, the building shape of block M would remain the same as a simple rectangular building. The proposed riverside blocks have been designed with a diamond-shaped footprint which would add visual interest to the area and as such, it is supported.
- 7.137 Overall, the proposed site layout is considered acceptable and would enhance the permeability of the site and the wider area. A more formal arrangement of buildings along the western part of the site closer to the A12 and a more organic, landscaped arrangement along the eastern part closer to the River Lea is supported.

Townscape, Massing and Heights

- 7.138 London Plan (2021) 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. With regards to visual impacts, the policy states that tall buildings should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views. Tall buildings

should also reinforce the spatial hierarchy of the local and wider context and aim legibility and wayfinding.

7.139 In general, Tower Hamlets Local Plan policy S.DH1 requires developments to be of an appropriate scale, height, mass, bulk and form in its site and context. More specifically, Local Plan policy D.DH6 seeks to guide and manage the location, scale and development of tall buildings in the borough. The policy identifies five tall buildings clusters in the borough and sets out principles of each of them.

7.140 Policy D.DH6 sets out a number of principles for tall buildings, including that development must demonstrate, amongst other, how they will be of appropriate height, scale and mass that are proportionate to their role, function and important of the location in the local, borough-wide and London context, taking account of the character of the immediate context and of their surroundings. The policy also requires developments to enhance the character and distinctiveness of an area and provide a positive contribution to the skyline.

7.141 The site is not situated within a designated Tall Buildings Zone, and as such part 3 of policy D.DH6 would be applicable which provides guidance for tall buildings outside of these zones. Such developments should demonstrate how they will:

- Be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas
- Address deficiencies in the provision of strategic infrastructure
- Significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
- Not undermine the prominence and/or integrity of existing landmark buildings and tall buildings zones.

7.142 The explanatory text for Policy D.DH6 emphasises that in such locations, tall buildings will be expected to serve as landmarks and unlock strategic infrastructure provision (such as publicly accessible open space, new transport interchanges, river crossings and educational and health facilities serving more than the immediate local area) to address existing deficiencies and future needs (as identified in the Infrastructure Delivery Plan and other relevant strategies).

Principle of tall buildings

7.143 The proposed developments includes buildings ranging from 3-23 storeys in height. The proposed courtyard buildings would range between 3-8 storeys in height, block M would be 12 storeys in height, while the riverside buildings would be the tallest buildings proposed reaching heights of 22 and 23 storeys.

7.144 The site benefits from low Public Transport Accessibility Level between 1a-3 where 6b constitutes the best PTAL rating. The site is not situated within a town centre but lies within the Lower Lea Valley and emerging Poplar Riverside Opportunity Area, as well as the Poplar Riverside Housing Zone. The site has been earmarked for regeneration within the Local Plan as the Ailsa Street Site Allocation.

7.145 With regards to the strategic infrastructure, the proposed development would secure the safeguarding landing area for the future bridge across the River Lea which would improve the connectivity in the wider area. In addition, the proposed development would provide a riverside park which would be publicly accessible and would benefit the wider area.

7.146 The proposed location of tall buildings on the site would mark the future river crossing and the proposed open space which would be used by future residents of the proposed scheme, as well as existing and future users within the wider area.

7.147 The proposed development is not in close proximity to any of the designated Tall Building Zones. In addition, there would be limited impact on any heritage landmarks and designated

views, as further evidenced in the sections below of this report. The surrounding area to the application site has been changing in character from a historically industrial to a more residential urban area, as evident with the recent developments to the south and north of the site.

7.148 Overall, it is considered that the principle of tall buildings outside of a Tall Building Zone has been justified in this instance.

Massing and heights

7.149 The main impact in terms of massing and heights from the proposed development would be as a result of the proposed changes to the Phase 2 buildings given that Phase 1 buildings would remain as consented and as such, it is not considered necessary to provide a detailed assessment of these. While for block M, this would include an additional two storeys, for the riverside buildings the increase in height would be more substantial.

7.150 The consented riverside buildings followed an increase in height north to south. The proposed changes seek to create a more varied townscape, particularly when being considered against the recent development in the area. The proposed development uses the opportunity to respond to the emerging context of the wider area, which is considered acceptable.



Figure 8. View of the proposed development from the A12.

7.151 During the application stage, one of the principles established and agreed with the applicant was that the proposed buildings should ensure that the consented building at Islay Wharf remains as the most prominent feature. The proposed heights respond to this principle.

7.152 The proposed changes to the Phase 2 blocks also include the changes to the form of the buildings which would be more slender looking buildings with a visually interesting appearance, as detailed in the following section. In addition, the proposed changes would result in the overall improvement to the consented scheme and as such, these are considered acceptable.

7.153 Overall, the proposed massing, height and scale of the proposed buildings within Phase 2 is considered acceptable and appropriate for the site.

Architecture & Appearance

7.154 For the Phase 1 building, mid-rise courtyard blocks would comprise solid brickwork with simple detailing and a less formal arrangement of “punched” openings for windows. On external facades, balconies are inset so as not to clutter street facades whereas within the courtyards they are external to maximise views beyond the development.

7.155 The design of the riverside buildings has taken clues from the heritage of the site and the Calico historical activity that took place in the area, which has resulted in the interest along the façade being intertwined with different elements. The main principle for the riverside building is accentuation of the principal facades of the diamond shaped building with expressed recessed between them.



Figure 9. View from the northern elevation of block M (right) towards east into the proposed development.

7.156 With regards to block M, the proposed architecture is expressed through three linked individual volumes with a vertical emphasis. Block M is proposed as a more robust element which is considered acceptable as the courtyard buildings would provide a subtle transition to the riverside blocks.

7.157 All buildings would have a mix of projecting and inset balconies, which has been designed to complement the overall architectural treatment of the proposed buildings.

Materiality

7.158 The proposed buildings would use brick as a primary material and metalwork as secondary for window frames and balcony balustrades. The riverside buildings would include three complimentary lighter brick shades as they are defined as waterside buildings. The shades would be graded from darker to lighter with the increase in height for each of the blocks.

7.159 The lower element of the riverside buildings would be tied with the taller elements, following the same material strategy and proposing a robust brick in a dark shade, which would also be used for the base of the waterside buildings. As such, the lower and taller elements would be visually joint, which is supported.

7.160 For block M, it is proposed to create a specific identify with a medium red brick and a more robust architectural appearance. Whilst the LBTH design officer questioned the need for a specific identity for block M, there are no objections to this element. In addition, it has been noted that this could be an opportunity to activate the A12.

7.161 Overall, the proposed materiality is considered acceptable and further details and samples of the proposed materials would be secured via condition.

Ground floor frontages

7.162 The proposed commercial uses within block M would activate the ground floor frontage along the A12 and along the south-eastern corner area along Bromley Hall Road, which is

supported. A small residential unit within block I of Phase 1 would additionally activate this space.

- 7.163 The proposals include the activation of the riverside park area with commercial units on the ground floors of blocks A and B, as well as block C. These units can spill out into the park to provide activity, as well as ensure the safety during all parts of the day.
- 7.164 Concerns have been raised by the LBTH design officer about the lack of active frontages along Lochnagar Street. While the southern courtyard block facing Lochnagar Street would provide some visual activity with the three storey dwellinghouses, it has been acknowledged that the southern ground floor frontage of blocks A and B would be given to the cycle storage and other operational areas. This is of particular importance given the adjacent safeguarded area for the future bridge across the River Lea.
- 7.165 Ideally, active frontages would have been provided along Lochnagar Street of blocks A and B, however, it is acknowledged that spaces such as cycle storage and other maintenance areas are required for operational purposes of the proposed residential development. Additional details have been presented to demonstrate how the proposed cycle storage in this location would aim to ensure a more transparent visual appearance to provide some activity. In addition, the applicant has sought to address the concerns raised at the pre-application stage to activate the park in order to ensure its use throughout all parts of the day.
- 7.166 It should also be noted that there would be an additional residential entrance along Lochnagar Street for blocks A and B. It is considered that this would provide some activity, albeit not to a large extent. However, the details proposed for this area appear to aim in securing high quality details which would help in addressing issue about the lack of active frontages in this part of the site.



Figure 10. Proposed residential entrance for blocks A and B on Lochnagar Street

- 7.167 For other parts of the site, a more residential feel has been proposed along Ailsa Street. Whilst this is also the case for the route between the southern and northern courtyard blocks, its direct connection to the A12 underpass would ensure that the pedestrian and cyclist movement provides some activity along these spaces.

Landscaping & Public Realm

- 7.168 The proposed design has been developed with a strong focus on landscaping and improving the extant consent in this respect. The design evolution aimed to create distinctive landscape character areas across the site, as presented in the figure below.



Figure 11. Proposed landscape character area.

- 7.169 The central east-west route has been envisaged as a Green Link, creating an arrival point along the A12 and direct connection to the riverside park area with planters. Along the full length of the eastern boundary of the application site, the proposals include the delivery of a riverside walk which would have intertidal terraces and additional planting.
- 7.170 The two north-south routes have been designed as neighbourhood streets, which would incorporate one-way vehicle movement. The proposed design aimed to ensure a pleasant pedestrian movement, with greenery and some informal seating spaces where available.
- 7.171 The proposals include smaller area of open space to either side of block M. The space to the north of block M would serve as a residential corner incorporating child play space. Initially, the space to the south of block M was envisaged to serve as a commercial corner, however, after concerns were raised with regards to the poor delivery of communal amenity space for future units within block M, the proposals have been amended to include the southern area to cater for block M.
- 7.172 The Riverside Park is one of the main improvements to the site layout of the extant consent as it creates a more consolidated open space along the river which would be publicly accessible. This space would include intertidal terraces and planting supporting biodiversity, child play space, as well as seating areas and table tennis tables. Along the edge of blocks A and B, there would be overspilling of the commercial uses, additionally activating this space.



Figure 12. Proposed riverside park visualisation.

- 7.173 Additional publicly accessible child play is proposed to the north of block C, which would also incorporate a basketball half court and play equipment for children aged 5-11 years old. This child play space would be accessed from Ailsa Street, but also along the riverside walk.
- 7.174 With regards to the areas connecting the site with other strategic movement routes, the proposed development includes a safeguarded bridge landing area in the south-eastern corner of the application site. Whilst the bridge design and landscaping of the safeguarded area are developed under a separate planning permission, the applicant has referenced the emerging bridge design in the illustrative landscaping plan. The applicant has agreed to deliver the landscaping along the northern part of the safeguarded land, which would be secured via planning obligation.
- 7.175 Outside of the application along the western boundary, the proposals include improvements to the A12, including repaving and re-planting of the area adjacent to block M. As shown in the figure below, this would benefit entrance to the commercial units within block M, but also the wider area, particularly when using the underpass and the adjacent bus stop. In addition to these, the applicant has agreed to contribute with financial obligation to the improvement to the underpass that TfL are planning to carry out in the future.



Figure 13. Proposed A12 landscaping, leading to block M.

- 7.176 Overall, the proposed landscaping design is considered to be acceptable, and it would ensure the delivery of high-quality design of the scheme and future users of the proposed

spaces. The landscape principles and objectives presented in the submitted Landscape Design and Access Statement area supported, and additional details will be secured through a planning condition to ensure that the detailed design of the proposed landscaped area is carried through to the delivery stage.

Safety & Security

- 7.177 Policy D11 of the London Plan requires all forms of development to provide a safe and secure environment and reduce the fear of crime. This is similarly reflected in Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users.
- 7.178 The proposed development would provide more natural surveillance across the application site and to its immediate surroundings through the proposed design. This would particularly be the case along the A12 with the provision of active frontage within the ground floor area of block M, as well as within the riverside towers, where active ground floor frontages would face the park area, ensuring the space would be safe to be used throughout different times.
- 7.179 In general, the proposed development would contribute to the provision and improvements of more lit spaces along the streets, which would also positively benefit the surrounding area.
- 7.180 The Metropolitan Police Designing Out Crime Officer has been consulted and stated no objections to the proposed development, subject to further details being provided in a Secured by Design strategy, which will be secured as a condition.

Built Heritage and Views

- 7.181 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. Development Plan policies require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.
- 7.182 The relevant assessments have included in the Environmental Statement as part of two distinctive chapter. The Built Heritage chapter deals with above-ground built heritage impacts, assessing the effects of the proposed development on the significance of the area's heritage assets. The Townscape and Views chapter gives consideration to townscape and visual effects through two separate but inter-related assessments consisting of consideration of the effects on the character and quality of the site and surrounding area, and an evaluation of the visual effects of the development on views, viewers and visual amenity.

Heritage assets

- 7.183 The north-western corner of the application site abuts the Limehouse Cut conservation run which stretches further to the north. The conservation area represents the former industrial landscape and is characterised by the waterscapes and relationship of the buildings with the waterspace along the Canal, the River Lea and Bow Creek.
- 7.184 To the south-west of the application site on the opposite side of the A12 sits the Langdon Park conservation area whilst further to its south is the Balfron Tower conservation area, both of which have listed buildings within their boundary with Balfron Tower being grade II* listed.
- 7.185 To the south of the application site, on the opposite side of Lochnagar Street behind a strip of land sits the grade II listed Bromley Hall School. Immediately to the north-west of the application sits the grade II listed Old Poplar Library and the grade II* listed Bromley Hall building. Bromley Hall is believed to date from the late C15 and was built as a manor house while the Old Poplar Library was designed in a classical Beaux Art style.
- 7.186 Further to the north of the site beyond the existing waste transfer site which abuts the northern boundary of the application site, sits the grade II listed converted Former Bow Fire Station, and the locally listed warehouse building at 23-26 Gillender Street and the adjacent

grade II listed building forming part of the industrial buildings associated with a former distillery on the site.

7.187 The ES assessment found that there would be no impact on any of the heritage receptors during both the construction and operation of the proposed development. Whilst in general there are no objections to the assessment and its conclusion, it should be noted that the proposed scheme would generally be a highly prominent feature along the Limehouse Cut conservation area, as well as within the settings of the immediately adjacent listed buildings. However, it is considered that the proposed development would represent an improvement on the existing site, particularly given the principles set out in the design, as detailed in the sections above.

Townscape and strategic views

7.188 London Plan policy HC4 provides requirements on the London View Management Framework (LVMF). The policy states that development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements, as well as the preservation of the landmarks of World Heritage Sites (WHS). Development proposals in designated views should comply with the relevant criteria set out in the policy.

7.189 Tower Hamlets Local Plan 2031 policy D.DH4 reiterates the requirement to comply with the LVMF requirements and the WHS Management Plans. In addition, this policy requires development to demonstrate how they preserve or enhance townscape and views to and from the site which are important to the identity and character of the place.

7.190 The applicant has provided details on the assessed views, which were previously agreed with the Council's design officer. These mainly represent the local views in the area, given that no part of the site generally falls within the views set out in the London View Management Framework. It should be noted that the Balfron Tower is a borough designated landmark.

7.191 The assessment concludes that there would be minor to moderate adverse impacts on the townscape views during the construction period, however, it has been noted that these would not be significant, and it would be of the during the construction period, which is considered acceptable.

7.192 The ES concluded that the proposed development once built would have several beneficial impacts, most of which would not be significant apart from the impact on the townscape of the site. As concluded in the section above, Officers considered that the proposed development would sit comfortably within the area's townscape and it would complement the existing and emerging character of the wider area.

7.193 Overall, it is considered that the proposed development would have an acceptable impact on the townscape and views, particularly when taking into consideration the emerging context of the site's surrounds.

Archaeology

7.194 The application site lies within the Archaeological Priority Area and the proposed development could have an impact on archaeological remains associated with the early industrialisation of the area. As such, the application has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

7.195 The proposed development could cause harm to archaeological remains and field evaluation would be needed to determine appropriate mitigation. It has been noted that some works have been carried out as part of a pre-commencement condition of the extant consent, however, further mitigation measures would be secured for an archaeological watching brief to be undertaken for Phase 2.

7.196 In addition, a condition would be secured for a strategy of appropriate public benefit if archaeological remains are found which are of significance, as recommended by GLAAS and identified in the ES review.

Neighbour Amenity

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

7.198 The existing properties to the north-west corner of the application site include Katherine Court, Wellspring Close and 45 Gillender Street. The applicant included the consented scheme for the Leaside Business Centre site, however, it has been noted that this consent has not been implemented and that the existing container structures on the site are commercial in use.

7.199 The existing properties to the south include the Bromley Hall School and 40 Leven Road further to the south. Between the application site and Bromley Hall School sits Plot J of the Aberfeldy scheme which is currently under consideration. Along the south-east corner of the application site sits the consented residential Islay Wharf tower, beyond which is the consented Former Poplar Bus Depot scheme consisting of three residential towers and lower perimeter blocks along Leven Road.

7.200 The closest neighbouring properties on the opposite side of the A12 to the west of the application site are 90-152 Teviot Street and Poplar Baptist Church which contains both religious and residential uses.



Figure 14. Map of neighbouring properties.

Privacy, Outlook & Sense of Enclosure

7.201 Tower Hamlets Local Plan policy D.DH8 indicates a distance of approximately 18 metres between windows of habitable rooms in order to reduce inter-visibility between these to an acceptable level.

- 7.202 With regards to the proximity of the adjoining properties, proposed block M would be more than 18m distanced from Wellspring Close and Katherine Court properties to the west. As such, this would ensure that there would be acceptable impact on these properties.
- 7.203 Wellspring properties would be distanced about 14m from the northern courtyard building containing blocks E-H, whilst 45 Gillender Street would be between 15.6-16.9m from this block. It has been noted that the northern courtyard block has been designed with a set back from the boundary to provide a road and alleviate impact on the adjoining properties. In addition, it is considered that the impact would be limited and as such acceptable.
- 7.204 Further to the west for properties on the other side of the A12, including 90-152 Teviot Street and 164-224 Teviot Street and Poplar Baptist Church, the impact is considered to be limited given the significant constraint and width of the A12.
- 7.205 To the south, proposed block J forming part of the Aberfeldy scheme currently under consideration would be part 2, 3 and 5 storeys in height on the opposite side of Lochnagar Street. This block would be circa 16m distanced from proposed southern courtyard building incorporating blocks I-L. It is not considered that this would have a significant impact on the amenity of the future occupiers of the two schemes.
- 7.206 Further to the south-west is the consented Islay Wharf building which would be more than 18m distanced from block A, ensuring that any impact is mitigated with sufficient separation distance between the habitable rooms of the two schemes.
- 7.207 With regards to futureproofing of the Leaside Business site to the north currently containing office containers, blocks E-H are set back 15.7m diagonally from the boundary with the adjoining site which would ensure that any redevelopment of the site would be limited.
- 7.208 Overall, it is considered that the proposed development has been designed to have regard to the neighbouring residential properties. None of the separation distances would be significantly below the policy recommendation of 18m, ensuring that there would be acceptable impact on privacy, outlook and sense of enclosure enjoyed by neighbouring properties.

Daylight, Sunlight & Overshadowing

- 7.209 Tower Hamlets Local Plan policy D.DH8 requires developments to not result in any material deterioration of daylight and sunlight conditions of surrounding development or unacceptable level of overshadowing to surrounding open space. Guidelines relating to assessing daylight, sunlight and overshadowing is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight (2011).
- 7.210 The application is accompanied by an assessment of an impact on daylight, sunlight and overshadowing of the neighbouring properties and spaces, which has been prepared by Lichfields. Throughout the course of the application, the applicant submitted an updated assessment report to reflect the changes in the BRE guidance, which has been included as a summary in Section 8.0 of the Environmental Statement Further Environmental Information (April 2023), with more detailed information provided within Appendix 8 of the Addendum to the Further Environmental Statement (June 2023). The applicant has also submitted a response to the BRE's initial review.
- 7.211 The Council appointed specialist consultants BRE for the review of the submitted information. BRE have reviewed the information submitted information, including the response submitted by the applicant.
- 7.212 The following daylight and sunlight receptors have been assessed for losses, as identified in the figure below:
- 45 Gillender Street
 - Katherine Court
 - Wellspring Close
 - 90-152 Teviot Street

- 164-224 Teviot Street
- Poplar Baptist Church
- Former Bromley Hall School
- 2-22 Leven Road
- 40 Leven Road
- Islay Wharf
- Plot J of the Aberfeldy scheme.

7.213 The applicant has also included a development within the Leaside Business Centre site which has approved under PA/19/01628. However, it has been noted that this scheme has not been implemented during its lawful decision time and has since lapsed. As such, this report does not include the assessment on this site given that the current uses on the site are not residential, and any future redevelopment would be subject to a separate planning approval.

Daylight

7.214 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.

7.215 The first test uses the Vertical Sky Component (VSC) to assess the percentage of the sky visible from the centre of a window. 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.

7.216 The second test is the daylight distribution assessment (No Sky Line) which measures the distribution of daylight at the working plane within a room where internal room layouts are known or can be reasonably assumed. 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.

7.217 The BRE guidelines recommend that both the VSC and daylight distribution are used, where room layouts are known for the daylight distribution. The applicant has used both tests for all assessed properties, and the room layouts have been taken from the planning portal or estate agents' website for Katherine Court, 45 Gillender Street and 40 Leven Road. For other properties, it appears that assumptions for layouts were made.

7.218 With regards to the significance criteria against the assessment results, the Council uses a classification of impact which is applied on a window by window basis. Relative losses of less than 20% are classed as negligible, 20-30% as minor adverse, 30-40% moderate adverse, and more than 40% major adverse. This is an objective set of criteria, and the boundaries of the categories are reasonable, as confirmed by the BRE in their review report.

7.219 However, it must be noted that some of the impacts to the neighbouring properties appear to be underestimated by the applicant. This has been noted both by BRE in the review, as well as by Temple in the Environmental Statement review. The assessment in this report clarifies the significance impact on the neighbouring properties, in accordance with the reviews carried out by the Council's specialists.

7.220 Moderate and major effects are deemed to be significant while negligible and minor are considered to be not significant. As such, the section below focuses on properties where daylight losses would be moderate adverse as there would be no major impacts on any of the surrounding properties.

7.221 The submitted assessment identifies a baseline which incorporates all existing neighbouring buildings and any properties which are under construction. In addition to these, the

cumulative baseline contains neighbouring developments with planning consent which includes Islay Wharf and Former Poplar Bus Depot to the south, as well as Plot J within the Aberfeldy scheme which is currently under consideration by the GLA.

45 Gillender Street

7.222 This receptor is a three storey building comprising of flats, situated to the north-west of the application site. A total of 18 windows facing the proposed development have been included in the VSC assessment and 12 rooms were assessed for daylight distribution.

7.223 With regards to VSC, nine of the 18 windows analysed would not meet the BRE guidelines, with most of these experiencing minor adverse impact. In the cumulative scenario, this would increase to 12 windows not meeting the BRE guidelines. All 12 rooms analysed would meet the BRE guidelines for daylight distribution in both scenarios.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	9	8	1	-
Daylight Distribution	12	-	-	-

Table 9. Daylight impact on 45 Gillender Street.

7.224 The overall impact on the loss of daylight to this property is considered to be moderate adverse given that half of the windows would have losses of daylight outside the BRE guidelines for VSC. However, it has been taken into consideration that all of the rooms would meet the BRE guidelines for daylight distribution.

Katherine Court

7.225 Katherine Court is a six storey block of flats to the north-west of the application site. The assessment analysed 59 windows for VSC and 31 rooms for daylight distribution.

7.226 For VSC, 27 windows out of analysed 59 would not meet the BRE guidelines, out of which 15 would be moderate adverse and 6 major adverse. 9 out of analysed 31 rooms would have daylight distribution outside of the BRE guidelines. The impact would remain the same in the cumulative scenario.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	32	6	15	6
Daylight Distribution	22	4	1	4

Table 10. Daylight impact on Katherine Court.

7.227 The overall impact on this property in terms of loss of daylight would be moderate adverse given that slightly under half of the analysed windows would not meet the VSC guidelines, most of which would be moderate adverse. In addition, almost a third of rooms would be affected for daylight distribution.

Wellspring Close

7.228 Wellspring Close is a two storey building containing commercial units and one residential unit on the ground floor and three further flats on the first floor. The assessment analysed 10 windows for VSC and 3 rooms with a known layout for daylight distribution.

7.229 With regards to the VSC, none of the windows would meet the BRE guidelines, all of which would have a moderate adverse impact with a single window experiencing minor adverse impact. Two of the three windows analysed for daylight distribution would meet the BRE guidelines for daylight distribution whilst the remaining one would experience a moderate adverse impact.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	-	1	9	-
Daylight Distribution	2	-	1	-

7.230 It is considered that the overall impact on this property in terms of loss of daylight would be moderate adverse given that the vast majority of windows would in fact experience a moderate adverse impact. In addition, a third of the analysed rooms would be affected for daylight distribution.

90-152 Teviot Street

7.231 This property is a four-storey block situated to the west of the application site, on the opposite side of the A12. A total of 36 windows were analysed for VSC and 36 rooms were included in the daylight distribution assessment.

7.232 With regards to VSC, 8 out of 36 windows would fail to meet the BRE guidelines, and these are all windows on ground, first and second floors facing east towards the proposed development. Out of these, one window would be marginally below the guidelines. For daylight distribution, 24 out of 36 analysed rooms would be outside the BRE guidelines. It should be noted that five of the impacted rooms would be marginally below the guidelines. The impact would remain the same in the cumulative scenario.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	28	4	-	4
Daylight Distribution	12	10	13	1

Table 11. Daylight impact on 90-152 Teviot Street.

7.233 The overall impact on this receptor would be moderate adverse given that four of the windows affected in terms of VSC would have significant losses in the region between 25-30%, and two thirds of the analysed rooms would have the daylight distribution outside the guidelines.

Poplar Baptist Church

7.234 Poplar Baptist Church is a three storey building situated to the west of the application site, on the opposite side of the A12. A total of 8 windows and same number of rooms have been analysed.

7.235 The assessment shows that the loss of daylight would be negligible as only one window would be marginally outside the BRE guidelines for VSC. However, there would be a moderate adverse impact in the cumulative assessment given that only 1 out of 8 windows would be meet the VSC guidelines, however, all rooms would still meet the daylight distribution guidelines. It has been noted that the retained VSC values would be between 24.2-26.9%, however, these would represent 30-36% reduction.

40 Leven Road

7.236 40 Leven Road (also known as Atelier Court) is an eight storey block of flats situated to the south. The assessment analysed 28 windows for VSC and 28 rooms for daylight distribution for this property.

7.237 All windows and rooms would meet the BRE guidelines. In the cumulative scenario, 8 out of 28 windows would not meet the BRE guidelines and the retained VSC values would be between 21.9-26.8%. All rooms would still meet the daylight distribution guidelines. This would be assessed as overall moderate adverse impact in the cumulative scenario.

Islay Wharf

- 7.238 Islay Wharf is a consented development of two blocks ranging in height between 12 and 21 storeys, situated to the south of the application site on the opposite side of Lochnagar Street and facing the River Lea along its eastern boundary. A total of 433 windows and 186 rooms were included in the assessment for VSC and daylight distribution.
- 7.239 With regards to the VSC assessment, out of 433 analysed windows, 197 would meet the BRE guidelines while the remaining 236 would fail to meet these, of which 45 would be moderate adverse and 169 major adverse. With respect to daylight distribution, out of analysed 186 rooms, 135 would meet the BRE guidelines.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	197	22	45	169
Daylight Distribution	135	30	2	19

Table 12. Daylight impact on the Islay Wharf consented development.

- 7.240 The overall impact on the Islay Wharf development would be major adverse given that more than a third of the analysed windows would experience a major adverse loss and more than 25% of analysed rooms would have reduction in daylight distribution.

Plot J of the Aberfeldy scheme

- 7.241 The applicant has also included buildings within Plot J of the Aberfeldy scheme, which is currently under consideration. These properties are situated on the opposite of the proposed development on Lochangar Street. A total of 62 windows and 57 windows were analysed.
- 7.242 With regards to the VSC assessment, out of 62, only 4 windows would meet the BRE guidelines, while the majority of windows would experience major adverse impact. For the daylight distribution, 17 out of analysed rooms would meet the BRE guidelines, while the rest would experience adverse impacts as set out in the table below.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	4	-	3	55
Daylight Distribution	17	10	13	18

Table 13. Daylight impact on Plot J of the Aberfeldy scheme.

- 7.243 It is considered that the proposed development would have an overall major adverse impact on Plot J currently under consideration as part of the wider Aberfeldy scheme, given the magnitude and number of impact properties, both in relation to VSC and daylight distribution.

Other analysed properties

- 7.244 With regards to other analysed properties for loss of daylight, there would be minor adverse impact to 164-224 Teviot Street and negligible impact to Bromley Hall School and 2-22 Leven Road.

Daylight Conclusion

- 7.245 In summary, the worst impacted properties would be the ones situated immediately adjacent to the north-west corner of the application site, including 45 Gillender Street, Katherine Court and Wellspring Close, as well as properties to the south, including consented development at Islay Wharf and Plot J of the Aberfeldy scheme currently under consideration. For other properties, the impact would be worsened in the cumulative scenario when additional impact would be taken into consideration from other neighbouring properties.

Sunlight

- 7.246 The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south. Sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between 21 September and 21 March, receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
- 7.247 The significance criteria for sunlight assessment uses the same classification of impact as detailed above for daylight assessment. Similarly, the assessment in this report clarifies the significance impact on the neighbouring properties, in accordance with the reviews carried out by the Council's specialists.
- 7.248 Given the location of the proposed development, only four properties have been analysed for sunlight as these would have windows facing within 90 degree of due south.
- 7.249 The assessment shows that there would be minor adverse impact to 45 Gillender Street as a result of two windows out of analysed 18 not meeting the BRE guidelines for winter sunlight. All other windows would meet the 25% of the annual probably sunlight hours guidelines.
- 7.250 Out of 34 windows analysed for loss of sunlight within Katherine Court, two would fail to meet the BRE guidelines for annual probably sunlight hours guidelines whilst 6 would fail to meet the 5% of winter probably hours. Given that this would only be a small number of windows affected, the overall impact would be minor adverse.
- 7.251 For the Wellspring Close properties, a total of 4 windows were relevant for the sunlight analysis and the impact on these would be negligible.
- 7.252 Poplar Baptist Church has one window due south which would meet the BRE guidelines for loss of sunlight. Similarly, all 126 windows within the Islay Wharf development would also meet the BRE guidelines.
- 7.253 For other properties, the proposed development would not cause issues to loss of sunlight as none of the windows face within 90 degree of due south.

Sunlight Conclusion

- 7.254 Overall, the impact of the proposed development on neighbouring properties would not cause significant losses of sunlight, which is considered acceptable.

Overshadowing

- 7.255 The BRE guidelines recommend that at least half of an amenity space should receive at least 2 hours sunlight on 21st March. If in an existing outdoor space, the area receiving at least two hours sun is less than this and less than 0.8 times the former area, then the loss of sunlight would be significant.
- 7.256 The submitted assessment does not include an assessment of loss of sunlight to open spaces. The applicant's collected information during site visit does not indicate that there are open spaces in the vicinity of the proposed development where loss of sunlight would be an issue. This has also been confirmed as acceptable by BRE.

Daylight, Sunlight and Overshadowing Conclusion

- 7.257 As outlined above, the proposed development would mainly result in significant impact to the daylighting conditions of the properties immediately adjacent to the north-west of the application site, where the proximity of these properties to the application site represents a particular challenge. In addition to these, one of the blocks on the opposite side of the A12 would also be impacted significantly.
- 7.258 Officers have acknowledged the indicated impact on the neighbouring properties. The proposed scheme would have a bigger impact than the consented scheme, albeit on the same properties, however, it has been noted that the two scheme were assessed against

the different BRE guidance. In addition, the surrounding area has been changing with additional sites being redeveloped which influenced a different baseline from the consented scheme.

- 7.259 Whilst the proposed impact would be significant, it is considered that the additional housing units, as well as overall improvements to the layout of Phase 2 would make the scheme acceptable on balance.

Noise & Vibration

- 7.260 Part E of policy D13 states that development proposals should not normally be permitted where they have not clearly demonstrated how noise and other nuisances will be mitigated and managed.
- 7.261 Policy D14 of the London Plan requires developments to manage noise by avoiding significant adverse noise impacts on health and quality of life, reflecting the Agent of Change principle and overall ensuring mitigation and minimisation of noise and controlling of any potential adverse effects.
- 7.262 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires developments to not create unacceptable levels of noise pollution during the construction and life of the development.
- 7.263 Policy D.ES9 of the Tower Hamlets Local Plan 2031 requires development to be designed in such a way to minimise noise and vibration impacts and identify mitigation measures to manage impact.
- 7.264 During the construction stage, the proposed development would have the potential to adversely impact on the existing neighbouring properties immediately to the north-west, as well as across the A12, and the properties to the south of Lochnagar Street along Leven Road. However, the incorporation of the relevant mitigation measures in the Construction Environmental Management Plan would ensure that the impact would be negligible to minor for most receptors, with some properties along Leven Road experiencing moderate adverse effects.
- 7.265 With respect to the operational stage of the proposed development, there would be a negligible impact on all existing receptors in the area, however, it has been noted that a mitigation measure in the form of restriction on opening hours and servicing of the commercial uses is proposed, which is welcomed and will be secured via condition.

- 7.266 As such, it is considered that the noise and vibration impact from the proposed development would be managed in order to safeguard the amenity of the neighbouring properties and the area in general.

Construction Impacts

- 7.267 Due to the planned redevelopment of various sites in the Lower Lea Valley, it is likely that the area will experience a significant volume of construction throughout the years. Conditions will be secured for the submission of further details to demonstrate how the construction impacts will be managed in a way that minimises any adverse impact to the area.
- 7.268 The applicant will be required to adhere to the latest Council's Code of Construction Practice to ensure that best practice is followed, which would further minimise the adverse impact. In addition, planning obligations will be sought towards development co-ordination and integration set out in the latest Planning Obligations SPD, as well as securing compliance with the Considerate Contractor Scheme.

Transport

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

- 7.270 The submitted information relating to transport considerations and impact has been included within Chapter G of the Environmental Statement and the appended Transport Assessment, as well as the additional environmental information subsequently received throughout the course of the application.
- 7.271 The existing site is currently closed for access given the ongoing works within Phase 1. The hoardings have been placed along the perimeter of the site to ensure public's safety.
- 7.272 The majority of the application site has a Public Transport Accessibility Level (PTAL) of 1a-1b on a scale of 1 to 6 where 6b is considered excellent. The south-western corner of the site has a PTAL of 3 given its proximity to the adjacent A12 underpass.

Vehicular, pedestrian and cycle access and movement

- 7.273 The application site would be accessed from Lochnagar Street by vehicles. The proposed design would have a reversed direction of the street accessing the site than consented scheme, which would be an improvement as the proposed arrangement would improve the safety.
- 7.274 The proposed pedestrian access into the site would generally be provided around each of the buildings, however, the main pedestrian routes would run along the proposed streets. This would allow for access from Lochnagar Street, the A12 and along the riverside walk. The figure below shows the proposed residential and commercial access points into each of the proposed blocks.

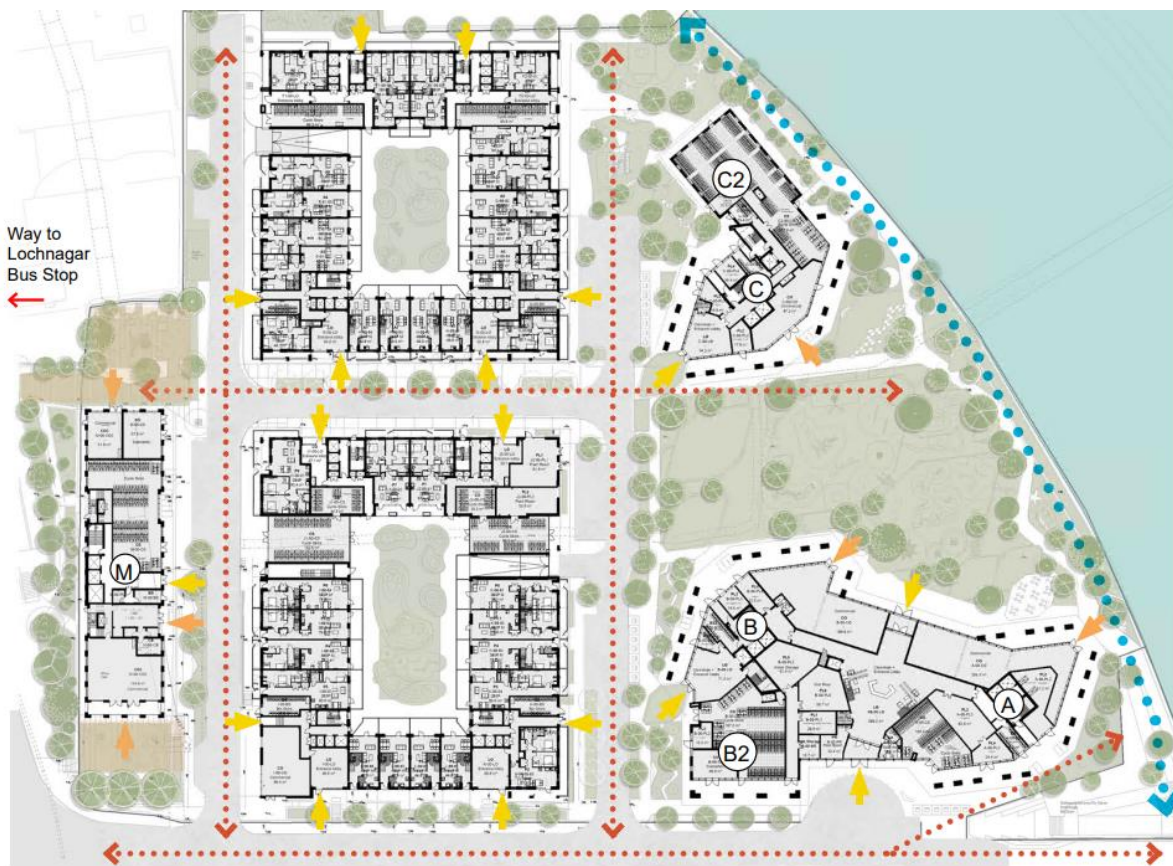


Figure 15. Proposed access points to buildings.
Key: Yellow arrows – residential access points, Orange arrows – commercial access points.

- 7.275 Given the location of the riverside towers around the proposed open space, it has been noted that they would be provided with access points from the street side, as well as the park side, which is welcomed as the design uses the opportunity to provide different access options to future users.
- 7.276 The proposed cycle access would be similar to the pedestrian given the scheme seeks to ensure accessibility into the site, however, it has been noted that Lochnagar Street, and

street between the courtyard blocks and immediately adjacent to block M would form the principle cycle routes, as presented in the submitted information.

- 7.277 The proposed development would open up the site in an area which was historically closed for the wider movement, which is strongly supported. The proposed riverside walkway would ensure the continuity of the towpath further to the south. In addition, Lochnagar Street would become a strategic movement route once the bridge across the River Lea is delivered, which would link the borough with neighbouring Newham.
- 7.278 Overall, it is considered that the proposed movement strategy along and within the site, particularly for pedestrians and cyclists, would have a positive impact to the wider area.

Deliveries & Servicing

- 7.279 The application is supported by an Outline Delivery & Servicing Plan (DSP), as well as details on the swept paths of the servicing and waste vehicles.
- 7.280 The proposed deliveries and servicing arrangement, including waste collection, would occur as a clockwise one-way route within the site accessed from Lochnagar Street.
- 7.281 The applicant has addressed many of the concerns during the pre-application stage regarding the deliveries and servicing arrangements. There are no objections to this element of the scheme, and a final version of the DSP will be secured via condition.

Car Parking

- 7.282 London Plan policy T6 encourages car free development through the provision disabled persons parking in line with policy T6.1 which requires the provision of disabled persons parking for new residential developments ensuring 3% provision from the outset with additional 7% to be provided upon request. The policy also states that new residential car parking spaces should provide at 20% of active charging facilities with passive provision for all remaining spaces.
- 7.283 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.
- 7.284 The consented scheme secured a ratio of 0.27 car parking spaces per dwelling which equated to a total of 210 spaces, of which 79 spaces were accessible. The proposed development would result in a reduction of the overall number of car parking spaces within the site from 210 to 95, which is supported.
- 7.285 The proposed car parking will remain as consented for Phase 1 and it would be situated within the basement level of the courtyard blocks provided as two separated car parking areas, both of which would be accessed from the eastern internal street. Given that there are no changes proposed to the courtyard blocks and the proposal would still result in a significant reduction of the overall number of car parking spaces, the retention of the car parking within Phase 1 is considered acceptable on balance.
- 7.286 For Phase 2, the proposals include a limited provision of car parking in order to comply with the current planning policies requiring developments to be permit-free. The proposed parking spaces associated with Phase 2 would only be for wheelchair units while remaining units would be secured as permit free. This would consist of the initially provided 3% amounting to 19 accessible car parking spaces on street level, with further 7% to be provided should the need arise at a later date. All of the accessible bays would be secured on a lease and needs basis only, as requested by the LBTH highways officer.
- 7.287 Of the proposed 95 residential car parking spaces within the whole development, 29 would be accessible. There would be a provision of 20% active electric vehicle charging points while the remaining 80% would be passive. For the non-residential component, there would be a provision of one accessible car park space on the street level. All details related to the car parking would be secured via condition in a Car Parking Design and Management Plan.

7.288 The proposals also include the provision of two car club spaces within Phase 2, which would be located on the western side of Ailsa Street. These would be secured on a three-year membership via a planning obligation.

Cycle Parking and Facilities

7.289 London Plan policy T5 sets out the minimum cycle storage requirements for each of the land uses. For residential developments, the size of units dictate the minimum standards, while for non-residential uses, this would depend on the proposed use. It should be noted that the cycle parking space requirements in the London Plan do not refer to the new Use Class E, but its predecessor Use Classes.

7.290 As per car parking, the cycle parking for Phase 1 would be delivered in accordance with the consented scheme, which equates to 524 long-stay and 9 short-stay cycle parking spaces for 329 residential units.

7.291 For Phase 2, a total of 1,049 long-stay and 16 short-stay cycle parking spaces would be provided for the proposed 623 residential units and commercial uses. This would satisfy the minimum requirements and as such, it is considered acceptable. The proposed residential cycle parking spaces would be situated within the ground floor area of the proposed blocks and would be provided as a combination of two-tier cycle racks and Sheffield stands. Both LBTH highways officer and TfL have suggested the provision of more than 5% minimum provision for oversized and adapted bicycles.

7.292 The proposed short-stay cycle parking spaces would be situated in front of the ground floor commercial space of block C overlooking the park. For blocks A and B, the proposed short-stay spaces would be situated within the buildings' setback ground floor area in the north-western and south-easter corners.

7.293 For the residential cycle parking, detailed design would be secured via condition, including compliance with the London Cycle Design Standards, as well as a requirement to maximise the provision of cycle parking spaces for larger and adapted bikes. In addition, a Cycle Parking Management Plan will be secured to demonstrate how users with specific needs will be allocated accessible spaces.

7.294 For the proposed non-residential uses, the applicant has confirmed that there should be facilities for changing areas and storage. Full details would be secured via condition.

Trip generation

7.295 The submitted Transport Assessment has undertaken a trip generation assessment to determine the multi modal trip generation of the existing site and the proposed development.

7.296 Clarifications have been provided through additional information to respond to the clarification queries initially requested by TfL. This included additional details on the three-hour period details for trip generation, as well as further assessment on the potential impact on rail, underground and DLR trips to nearby stations.

7.297 Overall, the provided information in relation to the trip generation is considered acceptable, and the assessment demonstrates that there would be negligible impact on the highway network from Phase 2 increase.

Travel Planning

7.298 A Framework Travel Plan and Residential Travel Plan have been submitted in support of the application to demonstrate how the proposals would encourage the use of public transport, walking and cycling. Final Travel Plans will be secured via condition to ensure that this has been addressed, which would be secured for construction, and residential and commercial elements of the proposed development.

Active Travel and Healthy Streets

- 7.299 The applicant carried out the Active Travel Zone assessment using the Healthy Streets indicator to key destinations within the 20-minute cycle catchment area for the site.
- 7.300 The proposed development would contribute to the improvement of the pedestrian and cyclist movement within and along the perimeter of the application, which would benefit the wider area. This includes connections to the A12 underpass through Lochnagar Street and provision of other routes within the site, all of which would have a welcome focus on prioritising pedestrian and cyclist movement, with the appropriate provision of soft landscaping.
- 7.301 Along its eastern boundary, the proposed development would deliver a riverside walk, which would ensure the continuation of the towpath from the south, as well as access to the proposed riverside open space also secured as part of the proposed development. These measures would secure the delivery of the Council's Green Grid network, which is strongly supported.
- 7.302 The proposals include the improvement works along the A12 through the repaving and replanting of the footway adjacent to proposed block M, and financial contributions for a delivery of a cycle hire docking station amounting to £220,000 which would be situated immediately to the east of block M, as well as a financial contribution towards the underpass improvement works of £250,000. These contributions have been requested by TfL and accepted by the applicant and will be secured via planning obligations.
- 7.303 In addition to these, the proposed development would continue to safeguard the landing area for the bridge proposed at the of Lochnagar Street offering connection to Newham on the eastern bank of the River Lea. In addition, the applicant has agreed to deliver the landscaping within the safeguarded area of the bridge, which would represent a continuation of the Ailsa Wharf landscaping further to the north.
- 7.304 Overall, it is considered that the proposed development would significantly contribute to the delivery of measures seeking to encourage active travel within the proposed development and the wider area.

Demolition and Construction Traffic

- 7.305 The application is supported by an Outline Construction Logistics Plan, draft Construction Traffic Management Plan and Construction Environmental Management Plan. Final versions of these documents would be secured via a condition to ensure that they consider and manage the impact on the surrounding area.

Summary

- 7.306 As detailed in the sections above, it is considered that the proposed development would comply with the planning policies and objectives which seek to ensure that impact on the highways network has been minimised and that future occupiers would be provided with suitable parking facilities.

Environment

Environmental Impact Assessment

- 7.307 The proposed development represents Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) coordinated by Lichfields.
- 7.308 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.

- 7.309 The submitted ES assesses the environmental impacts of the development under the following topics:
- Air Quality (Chapter I of the ES);
 - Archaeology (Chapter M of the ES);
 - Built Heritage (Chapter N of the ES);
 - Climate Change and Resilience (Chapter P of the ES);
 - Daylight and Sunlight (Chapter K of the ES);
 - Ecology and Nature Conservation (Chapter O of the ES);
 - Ground Conditions and Contamination (Chapter E of the ES);
 - Noise and Vibration (Chapter H of the ES);
 - Socio-Economics (Chapter J of the ES);
 - Townscape and Views (Chapter D of the ES);
 - Transport (Chapter G of the ES);
 - Water Environment, including Flood Risk (Chapter F of the ES); and
 - Wind Environment (Chapter L of the ES).
- 7.310 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.311 The application has been supported by an ES and Updated Non-Technical Summary (NTS) (June 2023), Environmental Statement Further Environmental Information (April 2023) and Addendum to the Further Environmental Statement (June 2023). The two set of responses containing additional ES information were considered to be 'further information' under Regulation 25, for which the relevant consultations were carried out in accordance with the legislation requirements, as detailed in section 4 of this report.
- 7.312 The Council appointed Temple Group to independently examine the ES to confirm whether the ES satisfies the Regulations. This is supported by review reports consisting of the Interim Review Report (dated 04/05/2022), Final Review Report 001 (dated 19/08/2022), Review of Further Supplementary Environment Statement Report, Final Review Report 002 (dated 12/05/2023), and Final Review Report 003 (dated 25/07/2023).
- 7.313 Clarifications were sought across a broad range of topics in the Final Review Report 002, with the following topics including matters considered as further information under Regulation 25:
- Climate change and Resilience,
 - Ecology and Nature Conservation,
 - Socio-Economics,
 - Transport, and
 - Wind Environment.
- 7.314 The first Regulation 25 consultation related to the further information presented for the above topics, whilst the second Regulation 25 consultation was with regards to the revised NTS document that included additional information on the likely significant effects.
- 7.315 During the construction stage of the proposed development, significant adverse effects have been reported in the ES in relation to the noise and vibration (minor to moderate) and climate change impacts, which would arise from construction activities.
- 7.316 During the operation of the proposed development, the ES sets out that there would be significant adverse effects on transport (moderate) and daylight, sunlight and overshadowing whilst significant beneficial effects have been reported for townscape and views (major), and socio-economics (moderate). Cumulative significant adverse effects have been reported in relation to socio-economics regarding the education and healthcare provision, as well as climate change.
- 7.317 With regards to the particular significant effects on daylight sunlight and overshadowing, these have not been reported as significant in the ES, however, it has been acknowledged

that there would be a major adverse impact on sunlight to a unit in the Leaside Business Park and as such, it is appropriate to consider the effect to be significant.

- 7.318 The Council's EIA Officer and the Council's appointed EIA consultants have confirmed that the submitted ES, including the subsequent ES submission as set out above, meets the requirements of the EIA Regulations.
- 7.319 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the proposed development, which forms the basis of the assessment presented in the report.
- 7.320 Appropriate mitigation and monitoring measures as proposed in the ES will be secured through planning conditions and planning obligations. The environmental information comprises the ES, including further information and all other information, any representations made by consultation bodies and by any other person about the environmental effects of the proposed development.

Air Quality

- 7.321 London Plan policy SI1 and Tower Hamlets Local Plan policy D.ES2 require major developments to submit an Air Quality Assessment demonstrating to meet or exceed at least Air Quality Neutral standard. London Plan policy also requires EIA developments to consider ways to maximise benefits to local air quality and measures and design features to reduce exposure to pollution.
- 7.322 The submitted information relating to air quality has been included in Chapter I of the Environmental Statement. The assessment has considered impacts during the construction and operational stage of the proposed development.
- 7.323 Through the ES review, additional clarifications have been requested regarding the methodology of the presented information, mainly in relation to the model use for the assessment, baseline data, location of receptors, and the Air Quality Neutral assessment. The applicant has provided further information on these, which were considered appropriate for the assessment.
- 7.324 The applicant has included the relevant details in the Air Quality Positive Matrix instead of producing an Air Quality Positive Assessment, which demonstrates that the mitigation measures would benefit air quality and minimise exposure to poor air quality.
- 7.325 The assessment has concluded that the impacts from the construction road transport emissions, as well as the dust generation would have a negligible effect. In addition, these effects would be temporary and relatively short term, all managed through the relevant planning conditions relating to the Construction Environmental Management Plan, Construction Logistics Plan, Dust Management Plan, Non-Road Mobile Machinery emission standards and compliance with the Dust from Demolition and Construction SPG,
- 7.326 During the operational stage of the proposed development, the impact from the increase in traffic and emissions generated by the energy centre would result in a negligible effect on the environment and surrounding receptors, which is considered acceptable. Conditions will be secured with regards to the air quality standards for boilers, location of car park exhausts, kitchen extract standards for commercial uses, and mechanical ventilation for the proposed residential units.
- 7.327 The proposed scheme also seeks to maximise the landscaping features along the A12 which would result in mitigating the existing air pollution and improving the air quality in the area, which is welcomed. Whilst it has been noted in the ES review that the applicant has not used the opportunity to explain whether the proposals would maximise benefits to the air quality, given the proposed improvement to the worst impacted part of the site along the A12, as well as other mitigation measures, this is considered acceptable.

Biodiversity and Ecology

- 7.328 London Plan policy G6 and Tower Hamlets Local Plan D.ES3 require developments to protect and enhance biodiversity. In addition, London Plan policy G5 recommends a target score for Urban Greening Factor (UGF) of 0.4 for predominantly residential development.
- 7.329 The information relating to biodiversity and ecology has been provided within Chapter O of the Environmental Statement, and consists of Preliminary Ecological Appraisals of the site, a Bat Assessment and Bat Emergence Survey, and the Biodiversity Net Gain Assessment report.
- 7.330 The application site is situated immediately adjacent to the River Lea, a Site of Metropolitan Importance for Nature Conservation (SINC), which demonstrates the site's ecological sensitiveness. The existing site has been cleared as part of the implementation of the extant planning permission and as such, has negligible biodiversity value; however, a baseline included in the Biodiversity Net Gain Assessment also includes the vegetation that previously existed on site, which is considered appropriate. It has been noted that the Japanese knotweed has been safely eradicated and disposed of as part of the site clearance works.
- 7.331 Overall, there would be a minor adverse impact on biodiversity from the loss of existing vegetation on site. A condition for a lighting strategy will be secured to ensure that there is no impact from lighting, both during the construction and operational stage of the proposed development.
- 7.332 It has been noted that the Urban Greening Factor (UGF) for the proposed development would be 0.27 against a minimum of 0.4 for predominantly residential development. Whilst the UGF would meet the policy aspirations, there would be substantial planting and green areas proposed on site.
- 7.333 The ES recommended a pre- Landscape Ecological Management Plan to manage the habitats created during the construction phase, which will be secured via a pre-commencement condition. In addition, a condition will be secured for an assessment of the impact of percussive piling on fish, if required.
- 7.334 The ES also reported minor beneficial effects on the adjacent SINC. As noted by the biodiversity officer, the proposals include numerous biodiversity enhancements which would contribute to the targets set out in the Local Biodiversity Action Plan. Further details of these features will be secured through planning conditions.

Energy & Environmental Sustainability

- 7.335 Generally, a decarbonisation agenda has been adopted at all planning policy levels. Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.
- Use Less Energy (Be Lean),
 - Supply Energy Efficiently (Be Clean),
 - Use Renewable Energy (Be Green), and
 - Monitor and report (Be Seen)
- 7.336 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.

Energy

- 7.337 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in the London Plan 2021 and the Borough's Local Plan Policy D.ES7 collectively require new development to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

- 7.338 Local Plan Policy D.ES7 requires zero carbon emission development 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 offset through a cash in lieu contribution. This is applicable to all developments.
- 7.339 As mentioned, no changes are proposed to the Phase 1 buildings, which would continue to have CHPs as their energy source as consented as part of the extant permission. Whilst CHPs are no longer acceptable due to the ongoing decarbonisation agenda and the need for alternative low carbon sources, it has been acknowledged that the courtyard blocks have commenced with construction. At the pre-application stage, it has been agreed with the applicant and the GLA Officers that the main changes should be made to the Phase 2 buildings, which should be fully compliant with the current policy requirements.
- 7.340 For Phase 2 buildings, the proposed development seeks to reduce the overall energy demand through energy efficient measures, efficient heating system consisting of air source heat pumps (ASHP), and photovoltaic array as a renewable energy generating technology. These are all considered to be acceptable.
- 7.341 The total on-site wide CO₂ emission reduction would equate to 462.82 and it is anticipated to be 45.1% against the Building Regulation baseline utilising the SAP10 carbon factors. Whilst this would meet the current policy requirements, it would fail to meet the current Building Regulation which have changed recently. In addition, the calculations would be based on the most recent SAP 10.2 factors.
- 7.342 Given that the Phase 2 building would need to be built out in accordance with the latest requirements, a condition will be secured for an updated Energy Assessment to be submitted to demonstrate compliance. This would be secured as a pre-commencement condition.
- 7.343 However, in order to fully meet the policy requirement for a net zero carbon development, all residual carbon emissions on site would need to be offset through a financial payment. Given that these are not known at the moment as they would be calculated once the updated Energy Assessment becomes available, it is considered acceptable to base the carbon offsetting contributions on the following formula as suggested by the LBTH energy and sustainability officer:

Carbon offset contribution = carbon gap (tonnes of CO₂) x price of carbon (£) x 30 (years)

- 7.344 Overall, the proposed development would achieve to meet the policy requirements with regards to energy, and further information will be provided via conditions, following which appropriate carbon offsetting contribution will be agreed based on the formula which would be secured as a planning obligation.

Environmental sustainability

- 7.345 Policy D.ES6 requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development, taking into consideration the cumulative impact of current and proposed development.
- 7.346 Local Plan Policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'Excellent' rating'. In addition, Local Plan policy D.ES7 encourages new residential buildings to meet the Home Quality Mark.
- 7.347 As required by policy, a compliance condition will be secured to ensure the maximum water use of 105 per person per day.
- 7.348 The proposal mainly includes commercial uses within Phase 2 of the development, however, only the commercial unit on the first floor of block M with a separate access on the ground

floor of this block, would be over 500 sqm in size. A condition will be secured for this unit to demonstrate BREEAM 'Excellent' rating as required by the policy.

Flood Risk & Drainage

- 7.349 Policy SI12 of the London Plan seeks to manage the current and expected flood risk from all sources and requires development to minimise and mitigate the flood risk and address the residual risk, to contribute to the delivery of the measures set out in the Thames Estuary 2100 Plan, and to protect the integrity of flood defences and allow access for future maintenance and upgrading.
- 7.350 Policy SI13 of the London Plan requires development to manage surface water run-off through the relevant drainage hierarchy.
- 7.351 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. This is also referred to as an area with a 'Medium' probability of flooding, in which the application site is situated.
- 7.352 Chapter F of the Environmental Statement assessment the impact of the proposed development with regards to flood risk and surface water drainage, which is accompanied by a Flood Risk Assessment and a Surface Water Drainage Strategy.
- 7.353 The site is considered as being at a low risk of fluvial and tidal flooding, however, there remains a residual risk in the event of a breach in the flood risk defences along the River Lea and the River Thames. This would be managed through the enhancement works to the existing river wall.
- 7.354 Initially, the Environment Agency objected to the proposals given that the submitted information did not adequately demonstrate that the flood defences can be accesses, protected and raised to the levels required by the TE2100 Plan.
- 7.355 Following this, the applicant engaged with the EA to resolve these issues which resulted in setback of block C by further 3m into the site from the River Lea. Having responded to the amended set of information, the EA removed their initial objection, subject to the inclusion of conditions that would ensure the implementation of the relevant measures and provide details of the ecological enhancements of the river wall, and a detailed balcony design and removal method that would ensure appropriate access to the river wall in case of maintenance.
- 7.356 It has been noted that a River Wall raising Strategy has been submitted as requested by the EA and a compliance condition will be secured to ensure that the river wall works would be carried out in accordance with the approved details.
- 7.357 Further to the above, it is considered that the proposed development is considered acceptable and would ensure that the integrity of existing and future flood defences will be protected. Furthermore, additional mitigation measures will be secured, as recommended in the ES with regards to the flood resilience measures and a Flood Warning and Evacuation Plan.

Health Impact Assessment

- 7.358 London Plan GG3 requires developments to assess their potential impacts on the mental and physical health and wellbeing of communities through the use of Health Impact Assessments (HIAs). Tower Hamlets Local Plan D.SG3 requires major developments referable to the GLA to provide an HIA.
- 7.359 The application is supported by a Health Impact Assessment report which assesses the proposed development against the key wider determinants of health to identify potential health impacts, both during the construction and operational phases.

- 7.360 The report concludes that there would be an overall negligible effect during the construction phase and an overall minor to moderate beneficial effect once operational. The positive impacts include the provision of new housing and particularly affordable homes, commercial uses on the site generating employment and catering for the wider area, the creation of publicly accessible open and child play spaces.
- 7.361 Of particular importance would be improvements to the public realm along Lochnagar Street and the A12, as well as the provision of the safeguarded land for the delivery of the Lochnagar bridge that would have an even wider impact to the communities across the River Lea. This would also promote active travel as one of the key health determinants.
- 7.362 The majority of the measures contributing positively to health and wellbeing would be embedded in the proposed development, and where relevant would be secured via planning conditions and obligations.

Land Contamination

- 7.363 The existing ground conditions and contamination impact have been presented in Chapter E of the ES.
- 7.364 Given that the extant consent has been implemented, this also included the remediation works which were subject to the discharged conditions under the previous permissions. Whilst it is not necessary to re-discharge this information again under this application, appropriate compliance condition for the approved documents and a condition for a verification report will be secured.
- 7.365 The LBTH contaminated land officer had no objections to the details in the submission documents, and the EA raised no issues with regards to the groundwater contamination.
- 7.366 As noted in the ES review reports, the relevant planning conditions will be secured to ensure that the additional mitigation measures have been included. These relate to a requirement for a piling environmental method statement and details on the discharge of contaminated water, as well as compliance conditions for the implementation of the further works.

Waste, Water & Wastewater Management

- 7.367 Policy D.MW3 of the Local Plan 2031 requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements. The policy requires new major residential development to incorporate high quality on-site waste collection system that do not include traditional methods of storage and collection.
- 7.368 The supporting text of the policy further explains that the Council is seeking to move away from the traditional waste storage methods, including Euro bin containers. The policy also states that supporting evidence must be submitted with the application to demonstrate where non-traditional waste methods are not practicable.
- 7.369 The Council's Reuse, Recycle and Waste SPD sets out design guidelines regarding waste management for new residential developments and provides a decision tree to ensure that the correct waste storage and collection methods are chosen for developments.
- 7.370 The High Density SPD also provides a set of guidelines for high density scheme. In relation to waste, design guidelines AB.14 states that traditional waste systems will be resisted.
- 7.371 Policy D.ES6 of the Tower Hamlets Local Plan 2031 requires developments to reduce water consumption and achieve a maximum water use of 105 litres per person per day, as well as the demonstrate that the local water supply and public sewerage networks have adequate capacity to cater for the proposed development while taking into account the cumulative impact of current and proposed development.
- 7.372 In addition to these, policy SI5 of the London Plan seeks from developments to incorporate other measures such as smart metering, water saving and recycling measures to achieve lower water consumption rates. The policy also seeks that development proposals should also seek to ensure that adequate wastewater infrastructure capacity is provided.

- 7.373 The courtyard blocks within Phase 1 will be based on the traditional waste management and collection system, which will be coordinated by the Facilities team on site. For blocks E, G, I and K, the waste collection will occur directly from the bin store, whilst for all other blocks in Phase 1, this will be done from a consolidated collection point situated to the west of block E.
- 7.374 For Phase 2, the proposed waste strategy uses an Underground Refuse Storage (URS) system for collections of residential waste and recycling whilst for food waste in Phase 2, there would be a traditional waste collection system.
- 7.375 Significant concerns have been raised in relation to the location of a URS at the end of Lochnagar Street given its location which would be immediately adjacent to the safeguarding landing area for the future bridge. It was considered that this would impede the movement from the bridge and around it.
- 7.376 In addition, LBTH highways and waste officers have raised significant concerns with regards to the URS waste collection on a public highway, given that this has proved to be challenging on a public highway during the operation of developments.
- 7.377 The applicant has re-located the URS bins from Lochnagar Street to the south-eastern part of Ailsa Street. It has been noted that the original location on Lochnagar Street resulted in a carrying distance of 25m for residents in block A which increased to 95m at the amended location on Ailsa Street, exceeding the minimum 30m carrying distance.
- 7.378 It has been noted that there are additional URS bins slightly further to the north on Ailsa Street, however, all of the bins would ensure the necessary capacity for the proposed development. In addition, a balanced view needed to be taken with respect to the carrying distance and a preference for a collection off the public highway, particularly as the location of the bins are on a natural way out from blocks A and B. As such, this element of the scheme is considered acceptable on balance.
- 7.379 A condition will be secured for a detailed Waste Management Plan to be submitted prior to the occupation of the proposed development.
- 7.380 In terms of the layout of the Phase 2 buildings, block M is in the same location, however, shortened along the southern edge to provide appropriate access to the Thames Water infrastructure, which was an issue with the extant scheme that intended to build over the relevant access point. It is welcomed that the applicant has worked with Thames Water to address this concern.
- 7.381 With regards to the waste and wastewater infrastructure, Thames Water reviewed the application and raised no objections. A condition has been recommended for no occupation beyond the 99th dwelling until all network upgrades have been completed or a development and infrastructure phasing plan has been agreed. However, it is considered that a pre-occupational condition is more appropriate to be secured, particularly in case further upgrades would need to take place before the occupation.
- 7.382 Overall, the waste, water and wastewater implications of the proposed development are considered to be acceptable, and further details will be secured via planning conditions as suggested.

Wind and Microclimate

- 7.383 The relevant information detailing the conditions and impacts on wind and microclimate has been included in Chapter L of the ES.
- 7.384 The submitted information provides details on the assessment and results from a wind tunnel testing carried out through five scenarios to determine the expected suitability of wind conditions based on the industry standard Lawson criteria for pedestrian comfort and safety. Additional clarifications have been requested in relation to the conclusions of the testing and any additional mitigation measures that might be required.

- 7.385 The information presented in the ES and its supporting documentation confirms that the proposed mitigation measures would ensure that all of the spaces within the proposed development would be suitable for their intended use, including open spaces containing amenity and child play space, podium level amenity space, balconies of the proposed development, as well as private, communal and other amenity spaces of the adjacent schemes. Overall, there would be a negligible impact on all assessed receptors.
- 7.386 The embedded mitigation measures would be included in the scheme through the proposed soft landscaping, particularly in relation to the positioning of the evergreen trees, and the increased solidity of the balcony balustrades. These details would be secured via compliance condition.

Infrastructure Impact

- 7.387 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) and Mayor of London CIL payments.
- 7.388 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.
- 7.389 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as detailed below.

Human Rights & Equalities

- 7.390 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.
- 7.391 The proposed new residential accommodation would meet inclusive design standards and would provide wheelchair accessible units.
- 7.392 In addition, the proposed affordable housing would be of particular benefit to groups that are socially and/or economically disadvantaged. It should be noted that the additional benefit comes from an increase in affordable and wheelchair units when compared to the extant scheme which is already under construction.
- 7.393 To conclude, the proposed development would not result in adverse impacts upon human rights, equalities, 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. £374,372 towards construction phase employment skills training
- b. £26,649 towards end-user phase employment skills training
- c. £28,000 towards Legible London wayfinding
- d. £220,000 towards Cycle Hire docking station
- e. £250,000 towards the A12 subway enhancements
- f. £96,755 towards development co-ordination and integration
- g. Formula-based contributions towards carbon emission off-setting

- h. 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.

Total financial contributions: £995,776 (excluding carbon emission off-setting contribution and monitoring fees).

8.3 Non-financial obligations:

- a. Affordable housing (35.5% by habitable room, 285 units in total)
- 88 units at London Affordable Rent
 - 88 units at Tower Hamlets Living Rent
 - 109 units as Shared Ownership
 - Early Stage Review
 - Details of marketing of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- b. Access to employment
- 20% local procurement
 - 20% local labour in construction
 - 53 x construction phase apprenticeships
- c. Transport matters:
- Permit Free development
 - Car Club (details of 2 x spaces, plus three years free membership for households)
 - Residential and Workspace Travel Plans
 - S278 Agreement (highway improvement works to Lochnagar Street and the A12)
 - Repaving and replanting of the footway along the A12
- d. Safeguarding of public access routes and public realm, including a Public Realm Management Plan (covering the riverside walk and park, and all publicly accessible areas).
- e. Safeguarded land for the bridge and delivery of landscaping within the safeguarded area.
- f. Compliance with the Code of Construction Practice and signing up to Considerate Constructors Scheme.
- g. Architect retention.
- 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. A12/TLRN infrastructure protection.
4. Compliance with the Fire Statement.
5. Air quality standards for boilers (low NOx<40mgNOx/Nm3).
6. Location of car park exhausts.

7. Ecological improvements on site during the construction stage.
8. No discharge of extracted/perched groundwater into the River Lea during the demolition and construction works.
9. Percussive piling assessment if used during the work.
10. Wind mitigation details.
11. Ground conditions and contamination compliance works details.
12. Operating hours of commercial uses.
13. Water consumption (105 litres per day per person).
14. Restriction of permitted development on the change of use of commercial, business and services uses (Use Class) to Residential (C3).
15. Restriction of permitted development on erection of fences.
16. Smart meter installation.
17. Section 61 restrictions on demolition and construction activities.
18. Active ground frontage retention and restriction of roller shutters use.
19. Notification to London City Airport if a crane is used.
20. No lighting directed over the adjacent SINC during construction.
21. Remediation details.
22. Works to the river wall in accordance with the River Wall Raising Strategy.

Pre-commencement

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

23. Construction Environmental Management Plan, Construction Traffic Management Plan and Construction Logistics Plan (Phase 2).
24. Archaeological findings and details.
25. Dust Management Plan, PM10 monitoring and Non-Road Mobile Machinery (Phase 2).
26. Waterborne transport feasibility, in consultation with Canal & River Trust and Port of London Authority (Phase 2).
27. Piling Method Statement (Phase 2).
28. Ecological enhancement of the river wall, in consultation with the Environment Agency.
29. Air quality mechanical ventilation details.
30. Nesting bird strategy (Phase 2).
31. Landscape Ecological Management Plan (Phase 2, construction).
32. Contaminated waste discharge details.
33. Updated Energy Assessment and details (Phase 2).

Pre-superstructure works

34. Landscaping details of all landscape character areas, including soft and hard landscaping, lighting scheme and any other street equipment features, and Landscape Management Plan (in consultation with Canal and River Trust).
35. Details and equipment associated with all child play spaces and communal amenity spaces.
36. Full details of plant equipment.
37. Secured by Design.
38. CHP details for Phase 1.
39. Detailed balcony design and removal method, in consultation with the Environment Agency.

40. Wheelchair units detailed layout design.
41. Biodiversity enhancement details.
42. SUDS strategy.
Prior to specific works taking place
43. Details of external facing materials and architectural detailing.
44. Block M ventilation details.
Pre-occupation
45. Network upgrades or Development and Infrastructure Phasing Plan, in consultation with Thames Water.
46. Car Parking Design and Management Plan, including electric vehicle charging points provision.
47. Delivery and Servicing Plan.
48. Residential and commercial cycle parking detailed design in line with London Cycle Design Standards, including maximisation of spaces for larger and adapted bikes and Cycle Parking Management Plan.
49. Remediation verification report.
50. Flood Warning and Evacuation Plan, including flood resilience measures in basement relating to the continued operation of power and other services.
51. Waste Management Plan.
52. Circular Economy Statement.
53. Whole Life Cycle Carbon.
54. Noise insulation details and verification report for residential units.
55. BREEAM Excellent rating for Block M commercial unit.
56. Kitchen extract standards for commercial uses.
57. Signage and shopfront details for the proposed commercial units.
58. Provision of essential riparian equipment along the river edge.

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Requirements for Canal & River Trust's consents.
5. Requirement for Port of London Authority's estates licences.
6. Requirement for the Environment Agency's Flood Risk Activity Permit.
7. Details on the conditions previously discharged under the extant permission.

APPENDIX 1 – List of Plans and Documents for Approval

Schedule of Drawings

Site Location Plan, Drawing No. AIL-BMA-P2-00-PL-A-90200 P1
Site Plans Existing Site, Drawing No. AIL-BMA-P2-00-PL-A-90201 P1
Site Plans Proposed Site, Drawing No. AIL-BMA-P2-00-PL-A-90203 P4
General Arrangement Plans Phase 2 Level B01 – Basement, Drawing No. AIL-BMA-P2-BS-PL-A-90399 P9
General Arrangement Plans Phase 2 Level 00, Drawing No. AIL-BMA-P2-00-PL-A-90300 P17
General Arrangement Plans Phase 2 – Level 00 Indicative, Drawing No. AIL-BMA-P2-00-PL-A-91300 P2
General Arrangement Plans Phase 2 Level 01, Drawing No. AIL-BMA-P2-01-PL-A-90301 P13
General Arrangement Plans Phase 2 Level 02, Drawing No. AIL-BMA-P2-02-PL-A-90302 P14
General Arrangement Plan Phase 2 Blocks A and B Level 02, Drawing No. AIL-BMA-P2-07-PL-A-90320 P2
General Arrangement Plans Phase 2 Levels 03 and 4, Drawing No. AIL-BMA-P2-XX-PL-A-90308 P3
General Arrangement Plans Phase 2 Level 05, Drawing No. AIL-BMA-P2-05-PL-A-90310 P3
General Arrangement Plans Phase 2 Level 06, Drawing No. AIL-BMA-P2-06-PL-A-90311 P3
General Arrangement Plans Phase 2 Level 7, Drawing No. AIL-BMA-P2-07-PL-A-90312 P3
General Arrangement Plans Phase 2 Level 08, Drawing No. AIL-BMA-P2-08-PL-A-90303 P11
General Arrangement Plans Phase 2 Level 09, Drawing No. AIL-BMA-P2-09-PL-A-90304 P11
General Arrangement Plans Phase 2 Level 10, Drawing No. AIL-BMA-P2-10-PL-A-90305 P11
General Arrangement Plans Phase 2 Levels 11 to 21, Drawing No. AIL-BMA-P2-XX-PL-A-90306 P12
General Arrangement Plans Phase 2 Level 22, Drawing No. AIL-BMA-P2-22-PL-A-90307 P11
General Arrangement Plans Phase 2 Level 23 – Roof, Drawing No. AIL-BMA-P2-RF-PL-A-90309 P11
Site Elevation Lochnagar Street Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90501 P5
Site Elevation River Site Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90502 P4
Site Elevation Elevation 03 Ailsa Street Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90503 P1
Site Elevations Elevation 04 North Site Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90504 P4
Site Elevation West Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90505 P4
Building Elevation Typical Tower Façade North East & South East, Drawing No. AIL-BMA-P2-XX-EL-A-90509 P4
Block M Elevations, North & East Elevations, Drawing No. AIL-BMA-M-XX-EL-A-90541 P4
Building Elevation Block M, South & West Elevations, Drawing No: AIL-BMA-M-XX-EL-A-90542 P5
Block ABC – Bay Study 01 – Ground Floor, Drawing No. AIL-BMA-P2-XX-DE-A-90601 P3
Façade Bay Study Blocks ABC Bay Study 02 – Podium, Drawing No. AIL-BMA-P2-XX-DE-A-90602 P5
Façade Bay Study Blocks ABC Bay Study 03 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90603 P4
Façade Bay Study Blocks ABC Bay Study 04 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90604 P5
Façade Bay Study Blocks ABC Bay Study 05 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90605 P4
Façade Bay Study Blocks ABC Bay Study 07 – Blocks ABC Residential Top, Drawing No. AIL-BMA-P2-XX-DE-A-90607 P2

Façade Bay Study Blocks B2 and C2 Bay Study 09 – Blocks B2 and C2 Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90609 P5
 Façade Bay Study Block M Bay Study 11 – Commercaill Façade, Drawing No. AIL-BMA-P2-XX-DE-A-90611 P4
 Façade Bay Study Block M Bay Study 12 – Residential Façade – Typical, Drawing No. AIL-BMA-P2-XX-DE-A-90612 P4
 Façade Bay Study Block M Bay Study 13 – Residential Façade – Top, Drawing No. AIL-BMA-P2-XX-DE-A-90613 P3
 Façade Bay Study Block M Bay Study 16 – Residential Balconies – Inset, Drawing No. AIL-BMA-P2-XX-DE-A-90616 P2
 Site Sections Section AA, Drawing No. AIL-BMA-P2-XX-SE-A-90451 P4
 Site Sections Section BB, Drawing No. AIL-BMA-P2-XX-SE-A-90452 P5
 Site Sections Section CC, Drawing No. AIL-BMA-P2-XX-SE-A-90453 P4
 Illustrative Colour Masterplan, Drawing No. AIL-FAB-ZZ-ZZ-PL-L-92000 P01
 Combined Hard and Soft Landscape General Arrangement – Sheet 1 of 4, Drawing No. AIL FAB ZZ 00 PL L 92001 P01
 Combined Hard and Soft Landscape General Arrangement – Sheet 2 of 4, Drawing No. AIL FAB ZZ 00 PL L 92002 P01
 Combined Hard and Soft Landscape General Arrangement – Sheet 3 of 4, Drawing No. AIL FAB ZZ 00 PL L 92003 P01
 Combined Hard and Soft Landscape General Arrangement – Sheet 4 of 4, Drawing No. AIL FAB ZZ 00 PL L 92004 P01
 Indicative Sitewide Sections – Sheet 1 of 2, Drawing No. AIL FAB ZZ 00 SE L 98001 P01
 Indicative Sitewide Sections – Sheet 2 of 2, Drawing No. AIL FAB ZZ 00 SE L 98002 P01
 Indicative Roof Level Sections, Drawing No. AIL FAB ZZ 00 SE L 98003 P01
 Combined Hard and Soft Landscape General Arrangement – Level 2, Drawing No. AIL FAX ZZ 02 PL L 92001 P01
 Combined Hard and Soft Landscape Roof Plan – Sheet 1 of 4, Drawing No. AIL FAB ZZ RF PL L 92001 P01
 Combined Hard and Soft Landscape Roof Plan – Sheet 2 of 4, Drawing No. AIL FAB ZZ RF PL L 92002 P01
 Combined Hard and Soft Landscape Roof Plan – Sheet 3 of 4, Drawing No. AIL FAB ZZ RF PL L 92031 P01
 Combined Hard and Soft Landscape Roof Plan – Sheet 4 of 4, Drawing No. AIL FAB ZZ RF PL L 92004 P01
 Gross Internal Area Plans Site Wide Levels B01 to 02, Drawing No. AIL-BMA-P2-XX-DE-A-98001 P2
 Gross Internal Area Plans Site Wide Levels 03 to 21, Drawing No. AIL-BMA-P2-XX-DE-A-98002 P2
 Gross Internal Area Plans Site Wide Level 22 and Totals, Drawing No. AIL-BMA-P2-XX-DE-A-98003 P2
 Proximity of Phase 2 Building to River Wall: Ground Floor, Drawing No. AIL-ABA-XX-XX-DR-S-2111 P01
 Proximity of Phase 2 Building to River Wall: Upper Floors, Drawing No. AIL-ABA-XX-XX-DR-S-2112 P01
 River Walls overall scheme, Drawing No. AIL-ABA-XX-XX-DR-S-4500 C03
 River Walls General Arrangement Zone 5, Drawing No. AIL-ABA-XX-XX-DR-S-4505 C04
 River Walls General Arrangement Zone 6, Drawing No. AIL-ABA-XX-XX-DR-S-4506 C04

Schedule of Documents

Affordable Housing Statement, by Lichfields, dated August 2023
 Ailsa Wharf BRE Client Report Response, by Lichfields, dated 02 August 2023
 Aisa Wharf – Core Arrangement, by Broadway Malyan
 Atelier ten's letter dated 19 October 2022
 Block C relocation – Landscape Alterations, by Broadway Malyan
 Circular Economy Statement, by Stantec, dated January 2022
 Concept: Wheelchair Unit Schedule, by Broadway Malyan, dated 09.06.2022
 Cycle Store Façade Treatment Blocks A B & B2, by Broadway Malyan, dated 12 July 2022
 Design and Access Statement, by Broadway Malyan

Drawing Register/Issue, by Broadway Malyan, dated October 2023
Energy Memo: GLA Consultation, dated 4/8/2022 with applicant's responses
Environmental Statement, by Lichfields, dated January 2022
ES Updated Non-Technical Summary, dated June 2023
Environmental Statement Further Environmental Information, dated April 2023
Addendum to the Further Environmental Statement, dated June 2023
External Lighting Statement, by atelier ten, dated March 2022
Fire Statement, by atelier ten, dated January 2022
Fire statement form, dated 26/07/2022
Health Impact Assessment, by Lichfields, dated January 2022
Landscape Design and Access Statement, by fabrik, dated January 2022
LBTH noise comments – response provided by Scotch Partners
Lichfields Letter dated 29 July 2022, response to planning application ref. PA/22/00210
consultation comments
Lichfields Letter dated 21 December 2022, response to planning application ref.
PA/22/00210 consultation comments December 2022
Lichfields Letter dated 13 April 2023, response to planning application ref. PA/22/00210
consultation comments
Lichfields Letter dated 9 August 2023, Updates to the housing mix to planning application
ref. PA/22/00210
Operational Waste Strategy, by Stantec, dated July 2022
Planning Statement, by Lichfields, dated January 2022
Proposed Mix & Tenure Schedule, by Broadway Malyan, dated 13/07/2023
River Wall Raising Strategy, by Alan Baxter, dated March 2023
SAP Spreadsheets Block A, Version: 1.0.5.50
SAP Spreadsheets Block B, Version: 1.0.5.50
SAP Spreadsheets Block C, Version: 1.0.5.50
SAP Spreadsheets Block EFGH, Version: 1.0.5.50
SAP Spreadsheets Block IJKL, Version: 1.0.5.50
SAP Spreadsheets Block M, Version: 1.0.5.50
Solar Reflection Analysis Report, by Lichfields, dated August 2022
Statement of Community Involvement, by Lichfields, dated January 2022
Sustainability and Energy Statement, by atelier ten, dated January 2022
Technical Note, by Steer, dated 22 June 2022
Utilities Statement, by Utility Results, dated January 2022
Whole Life-cycle Carbon Assessment, by Stantec, dated January 2022
WLC Memo: GLA Consultation, dated 4/4/2022 with applicant's responses

APPENDIX 2 – Selection of Proposed Drawings and Images



Proposed site layout.



Ground floor plan showing the proposed bridge structure.



Phasing strategy.



Proposed western site elevation (along the A12).



Proposed southern site elevation (along Lochnagar Street).



Proposed northern site elevation.



Proposed river elevation.



STRATEGIC DEVELOPMENT COMMITTEE

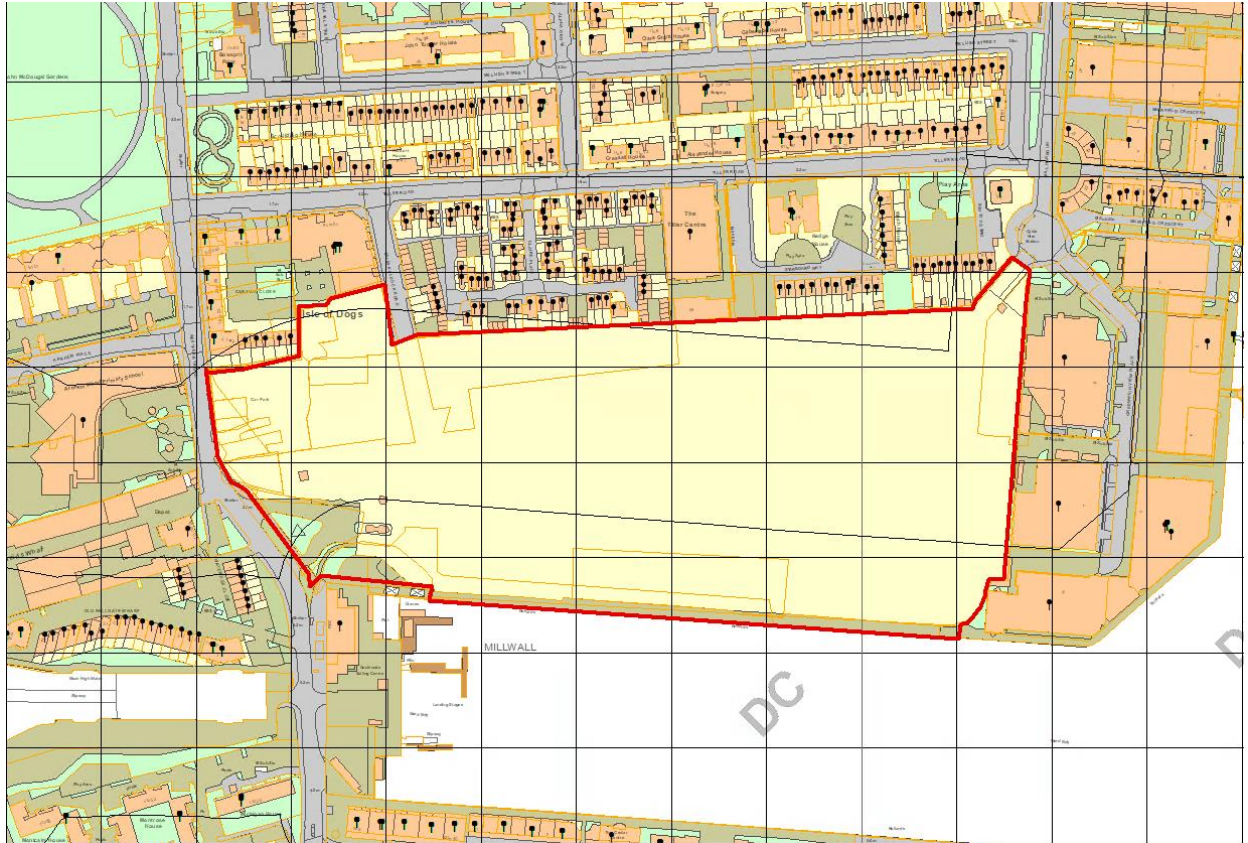
18/10/2023






Report of the Corporate Director of Housing and Regeneration Classification: Unrestricted

Pre-application presentation

Reference	PF/23/00087
Site	Former Westferry Printworks, 235 Westferry Road, London
Ward	Canary Wharf
Proposal	Comprehensive and phased mixed-use redevelopment comprising 1,358 residential units (Class C3), Secondary School (Class F), commercial, business and services (Class E(a)-E(g)(i)), community uses (Class F), car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works.
Applicant	Westferry Developments Limited
Architect	PLP Architecture Landscape Architects – LDA Design
Agent	DP9
Case Officer	Nelupa Malik
Key dates	Pre-application request submitted April 2022 – Scheme 1 Pre-application request submitted June 2023 – Scheme 2 Community Forum 11 th September 2023 – Scheme 2 Community Development Panel 19 th September 2023 – Scheme 2 Quality Review Panel 26 th September 2023 – Scheme 2

SITE PLAN



<p>Site Plan</p> <p> Grade II Listed Building</p> <p> Conservation Area</p> <p> Neighbourhood Centre</p> <p></p>	<p>Pre-Application Site Map PF/23/00087</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p> <p>Date: 18th October 2023</p>
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1. BACKGROUND

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

2. DESCRIPTION OF THE PROPOSAL

Background

- 2.1 The pre-application site has planning permission granted in 2016 (PA/15/02216) for the comprehensive redevelopment of the site to provide a mixed-use redevelopment including buildings ranging from 4-30 storeys in height comprising: a secondary school, 722 residential units, retail uses, flexible restaurant and café and drinking establishment uses, flexible office and financial and professional services uses, community uses, car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works. This application was approved by the Mayor of London following the Mayor exercising his power to become the determining authority for the planning application. The extant planning permission secured 20% affordable housing by habitable room.
- 2.2 In 2018, the Applicant submitted a revised planning application that amended the approved scheme, by increasing building heights to provide 1,524 residential units. On 26 March 2019, an appeal was submitted to the Planning Inspectorate (PINS). The procedure agreed for the appeal was a Public Inquiry. In April 2019, PINS advised that the Secretary of State for Housing, Communities and Local Government (the Secretary of State) had directed that he would be determining the appeal himself.
- 2.3 The Public Inquiry was held in August and September 2019 and following which, in November 2019, the Inspector recommended that the appeal be dismissed. On 14th January 2020, the Secretary of State allowed the appeal, contrary to the Inspector's recommendation.
- 2.4 Following a successful challenge by the Council under the Judicial Review procedure, the High Court quashed the Secretary of State's decision and ordered that the appeal be re-determined. Following a re-opened Public Inquiry in May 2021, the appeal was dismissed on 18th November 2021. The appeal was dismissed on the following summarised grounds:
 - The effect of the scale, height and massing of the proposed development on the character and appearance of the surrounding area.
 - The effect of the proposal on the settings of the Maritime Greenwich World Heritage Site and the Grade I listed Tower Bridge.

- Mix of tenure types and unit sizes; the scheme would not make adequate provision for family housing or maximise the provision of family homes in accordance with site allocation 4.12 (Westferry Printworks).
- The proposal would not make adequate provision for the viability reviews that are necessary to ensure that affordable housing is maximised.

Proposal

- 2.5 In June 2022, the landowner commenced pre-application discussions on an enhanced scheme, based on the principles of the 2016 permission but with a substantial uplift in development (hereafter referred to as scheme 1/Nov 22 scheme). The development proposed under scheme 1 sought to deliver 1200 units (uplift of 478 units from the consented scheme) and 7% affordable housing.
- 2.6 In June 2023 the landowner commenced further pre-application discussions on a revised iteration of the scheme that re-introduced a building that was not supported by the Planning Inspector at appeal (hereafter referred to as scheme 2). Scheme 2 is the subject of this pre-application report and proposes to deliver 1358 units (uplift of 636 units from the consented scheme) and targeting 35% affordable housing based on habitable rooms.
- 2.7 Pre-application advice is being sought for the comprehensive redevelopment of the former Westferry Printworks site consisting of the erection of 12 buildings to provide 1358 residential units. The scheme also proposes the delivery of a new secondary school, commercial floorspace, car and bicycle parking, associated landscaping, new public realm and public open space and all other necessary enabling works.

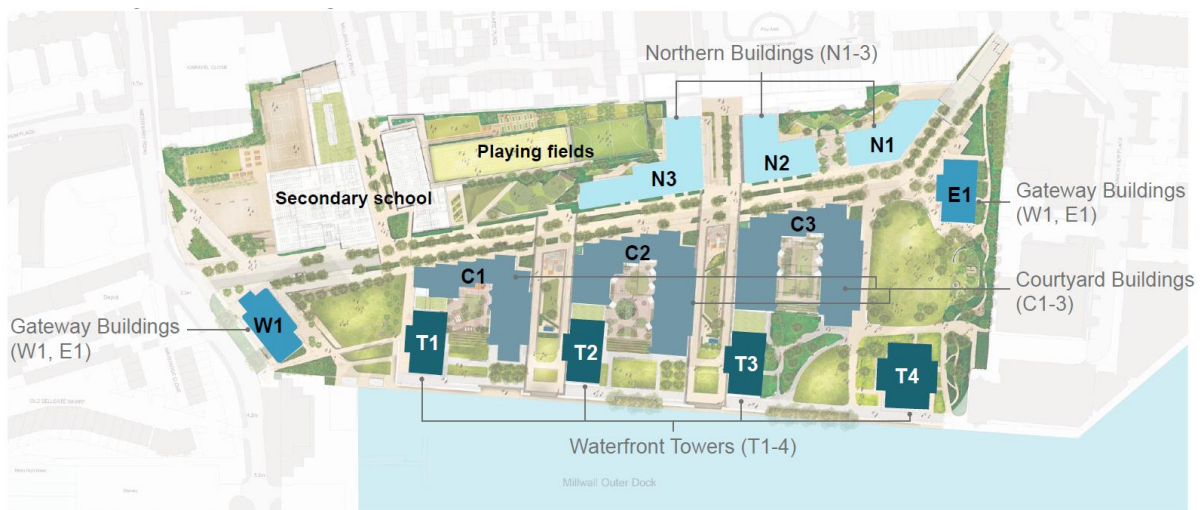


Figure 1 – Proposed Masterplan



Figure 2 – Aerial View of the Site.

2.8 The proposed development will come forward as a detailed full planning application to be delivered in 4 phases comprising Phases 1-4. Figure 3 below depicts the indicative phasing strategy for the proposed development.

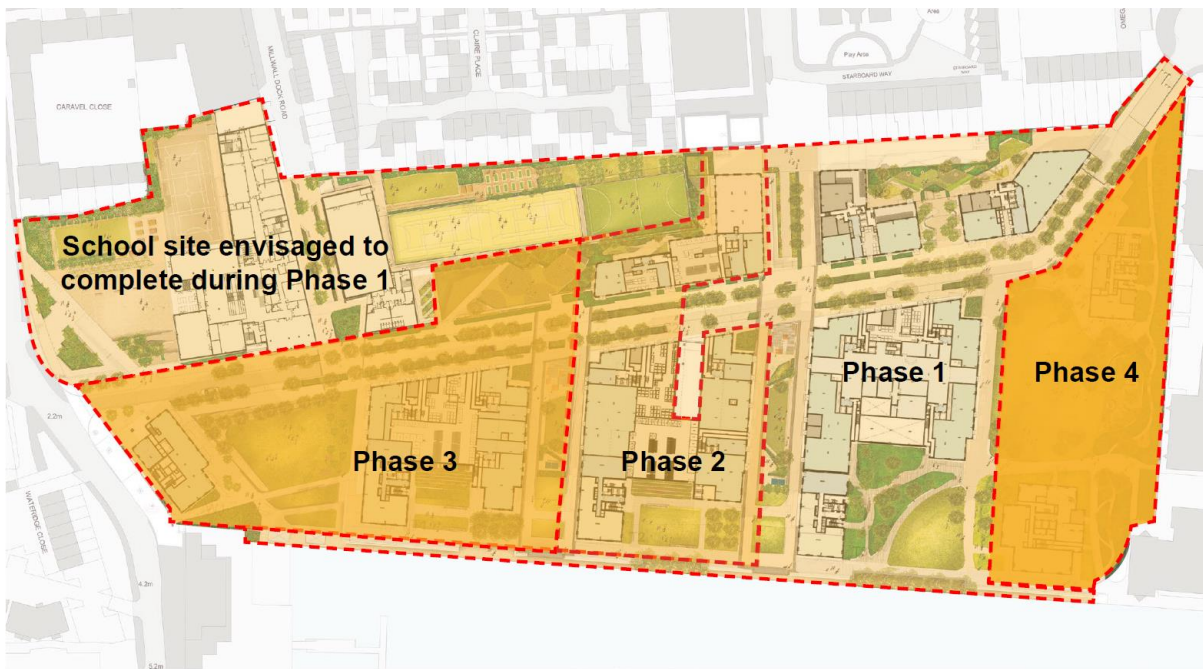


Figure 3 – Phasing Strategy.

2.9 The layout of the proposal adopts the consented layout with a spine road referred to as ‘the boulevard’ running through the site dissecting the site into two parts with tower (T1, T2, T3, T4) and courtyard buildings (C1, C2, C3) located south of the boulevard and a cluster of buildings identified as the “northern blocks” (N1, N2 and N3) located north of the boulevard. The tower buildings will sit directly north of Millwall Outer Dock and the associated waterfront promenade. The proposed new secondary school and associated sports hall and MUGA (Multi Use Games Area) pitches are located on the north western portion of the site. Finally, there are two gateway buildings (E1, W1) located on the eastern and western ends of the site. The residential buildings within the development will have maximum heights ranging between

8-storeys (37.47m AOD) to 31-storeys (110.90m AOD). The secondary school will reach 5-storeys in overall height.

- 2.10 The remainder of the site comprises a network of public realm areas and public open spaces intended to enhance permeability through the site and to reconnect the waterfront promenade to the wider neighbourhood.

3. SITE AND SURROUNDINGS

- 3.1 The pre-application site measures some 5.08 hectares and formerly comprised the Westferry Printworks which became redundant in 2012. The former building has since been demolished and the site cleared. The site is located along the northern side of Millwall Outer Dock and is bound by Westferry Road (A1206) to the west, Greenwich View Business Park to the east and to the north by residential dwellings off Tiller Road and Starboard Way south of the Barkantine Estate.

- 3.2 Greenwich View Business Park comprises data centre and business uses rising to 10-storeys on the corner of Millwall Outer and Inner Docks. To the north of the pre-application site is Tiller Leisure Centre and residential properties ranging in height from 2 and 3-storeys at Claire Place and Omega Close, 2 to 10-storeys at Starboard Way, and rising to four 1960s built 21-storey blocks of the Barkantine Estate.

- 3.3 The Docklands Sailing and Watersports Centre occupies 235a Westferry Road immediately south of the site and uses Millwall Dock for sailing and watersports activities. Opposite the site and on the south side of Millwall Outer Dock are 4-storey 1980's low-rise residential flatted blocks.

- 3.4 The site has the following planning designations and/site constraints.

- Site Allocation 4.12 (Westferry Printworks) of the Local Plan.
- Flood Zones 2 and 3A.
- Isle of Dogs Neighbourhood Plan Area.
- Archaeological Priority Area Tier 3.
- Millwall Inner Dock Tall Building Zone.
- Green Grid Buffer Zone
- New Green Grid Buffer Zone
- Area of Deficiency of Access to Nature.
- Isle of Dogs and South Poplar Opportunity Area

- 3.5 The site contains no listed buildings nor does it within a Conservation Area however the following designated heritage assets are within close proximity of the site:

- Chapel House Conservation Area
- Formerly St Pauls Presbyterian Church – Grade II
- Carnegie Library – Grade II

4. RELEVANT PLANNING HISTORY (Notable Applications Only)

- 4.1 **PF/22/00085** – Pre-application for the comprehensive redevelopment of the site to provide circa 1200 residential units, commercial floorspace, car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works. Pre-application closed.

- 4.2 **PF/20/00196** – Pre-application for the erection of a temporary building for the purposes of a residential marketing suite, associated with the redevelopment of the site. Pre-application closed.
- 4.3 **PA18/01877/A1** - Comprehensive mixed-use redevelopment comprising 1,524 residential units (Class C3), shops, offices, flexible workspaces, financial and professional services, restaurants and cafés, drinking establishments (Classes B1/A1/A2/A3/A4) and community uses (Class D1) car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works.

The application is accompanied by an Environmental Impact Assessment. Appeal Dismissed 18.11.2021.

- 4.4 **PA/15/02216/A1** - Demolition of existing buildings and structures at the former Westferry Printworks site and the comprehensive mixed use redevelopment including buildings ranging from 4- 30 storeys in height (tallest being 110m AOD) comprising: a secondary school (Class D1), 722 residential units (Class C3), retail use (Class A1), flexible restaurant and cafe and drinking establishment uses (Class A3/A4), flexible office and financial and professional services uses (Class B1/A2), Community uses (Class D1), car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works (Amended description of development). The application is accompanied by an Environmental Impact Assessment. Permitted 04/08/2016.

5. PUBLICITY AND ENGAGEMENT

- 5.1 Under the current pre-application proposals, the Applicant has engaged in 2 pre-application meetings with Officers. At the time of the writing of this report, the Applicant has presented the latest iteration of the proposals to a Community Forum, the Isle of Dogs Community Development Panel and the Quality Review Panel. The written reports from the Community Development Panel and the Quality Review Panel are yet to be released. The Applicant will also be undertaking a 3 day public consultation event due to take place between 27th – 29th September 2023.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 The Development Plan comprises:
- The London Plan 2021 (*hereafter referred to as the London Plan*)
 - Managing Growth and Sharing the Benefits – Tower Hamlets Local Plan 2031 (2020) (*hereafter referred to as the Local Plan*).
 - Isle of Dogs Neighbourhood Plan (2021)
- 6.2 Other policy and guidance documents relevant to the proposal are:
- The National Planning Policy Framework (2023)
 - National Planning Practice Guidance (updated 2021)
 - National Design Guide (2021)
 - Mayor of London: Circular Economy Statements (2022)
 - Mayor of London: Isle of Dogs and South Poplar Opportunity Area Planning Framework (2019)
 - BRE – Site Layout Planning for Daylight and Sunlight (2022)
 - Mayor of London: Energy Assessment Guidance (2018)

- Mayor of London: Housing SPG (updated 2017)
- Mayor of London: Affordable Housing and Viability SPG (2017)
- Mayor of London: Social Infrastructure SPG (2015)
- Mayor of London: Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG (2015)
- Mayor of London: Sustainable Design and Construction SPG (2014)
- Mayor of London: Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- Mayor of London: London View Management Framework SPG (2012)
- LBTH Reuse, Recycle and Waste SPD (2021)
- LBTH High Density Living SPD (2020)
- LBTH Planning Obligations SPD (2021)
- LBTH Development Viability SPD (2017)

7. PLANNING ISSUES

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

Land Use

7.2 The site is located within Sub-area 4: Isle of Dogs and South Poplar as designated by the Local Plan. The Isle of Dogs and South Poplar sub-area is located to the south-east of the borough, bound by the River Thames to the south, River Lea and the London Borough of Newham to the east, and East India Dock Road to the north.

7.3 The sub-area falls within the London Plan Isle of Dogs and South Poplar Opportunity Area. The sub-area is a collection of vibrant and distinctive town centres, employment hubs, transport interchanges and residential areas.

7.4 The Local Plan sets the following strategic objectives for the Isle of Dogs and South Poplar sub-area:

- a. Support the delivery of high quality interconnected places which respond to local heritage assets and the area's distinctive character.
- b. Address severance across the area and to surrounding areas through connectivity enhancements as well as new linkage over the waterways and road network.
- c. Manage development intensification and associated impacts on environmental and existing communities.
- d. Support vibrant and mixed town centres through enhancing the office employment offer in Canary Wharf as well as a range of flexible small-medium enterprises in surrounding areas.
- e. Deliver new and improved open and water spaces, which are accessible and well-integrated into new development.
- f. Improve the transport network and secure the necessary strategic and local infrastructure, such as schools, health and community facilities.

7.5 Policy SD1 (Part A) of the London Plan seeks to ensure that Opportunity Areas fully realise their growth and regeneration potential by, amongst other things, under criterion (5) seeking

to ensure that they maximise the delivery of affordable housing and create mixed and inclusive communities. The Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) identifies that the Opportunity Area has the potential to deliver an indicative capacity of 31,000 new homes and 110,000 jobs.

- 7.6 Objective GG4 of the London Plan emphasises that there is a pressing need for more homes to be delivered in London and promotes the creation of mixed and inclusive communities that offer homes of the highest quality of design and meet identified needs.
- 7.7 Policy H1 of the London Plan seeks to amongst other things, optimise the potential for housing delivery on all suitable and available brownfield sites through Development Plans and planning decisions. The policy sets ten-year targets for net housing completions for each Local Planning Authority. For Tower Hamlets, Table 4.1 sets a ten-year target of 34,730 net housing completions covering the period between 2019/20 – 2028/29.
- 7.8 Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.9 Site Allocation 4.12 (Westferry Printworks) identifies housing and employment (a range of employment space sizes, including small-to-medium enterprises) as being suitable land uses for this site.
- 7.10 The overarching land use principles for this scheme have been established by the existing extant planning permission. The provision of new housing would positively contribute to the Borough's housing stock, noting that there is an acute local and national demand for increased housing. The principle of the comprehensive residential-led redevelopment of the site would be acceptable in land use terms subject to the development demonstrating compliance with relevant Development Plan policies in respect of matters relating to including but not limited to; design and heritage, affordable housing and housing mix, amenity, transport and environment.

Housing

- 7.11 Chapter 4 (Housing) of the London Plan contains the suite of strategic policies that relate specifically to housing.
- 7.12 Policy H4 (Part A) of the London Plan sets a strategic target for 50% of all new homes delivered across London to be genuinely affordable. Part A(1) of Policy H4 goes on to state amongst other things that major developments which trigger affordable housing are required to provide affordable housing through the 'threshold approach' to viability. In this regard the approach to viability information depends on the level of affordable housing being providing. Applications for schemes that meet or exceed 35% or 50% (on public land) affordable housing provision subject to a number of criteria are deemed to be eligible for the 'Fast Track' route.
- 7.13 Policy S.H1(2) of the 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.
- 7.14 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. Policy D.H2 also sets locally specific targets for unit mix and sizes.
- 7.15 The scheme currently proposes to provide 1358 homes (3794 habitable rooms) of which 979 units (2466 habitable rooms) would be for private sale, 112 units (370 habitable rooms) in the intermediate tenure and 267 units (958 habitable rooms) as affordable rent. Details of the intermediate product have not been provided thus far in pre-application discussions. The

Applicant has advised that the scheme is *targeting* 35% affordable housing based on habitable rooms (379 units).

- 7.16 The proposed indicative unit mix against policy D.H2 to achieve 35% affordable housing is set out below in the table below:

		Market Housing			Intermediate			Affordable Rented		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	93	93	9.5%	/	0	0%	/	0		
1-bed	420	342	34.9%	30%	15	13.4%	15%	63	23.6%	25%
2-bed	615	487	49.7%	50%	48	42.9%	40%	80	30%	30%
3-bed	187	57	5.8%	20%	49	43.8%	45%	81	30.3%	30%
4-bed	43	0	0		/	0		43	15%	15%
Total	1358	979		100%	112		100%	267		100%
Hab Rooms	3794	2466			370			958		

Table 1 – Unit and tenure mix against Policy D.H2

- 7.17 Based on the above, the scheme does not propose a policy compliant unit mix across the Market and Intermediate tenures. Within the unit mix, 9.5% of the total units will comprise studio flats for which there is no policy requirement.
- 7.18 In the market housing tenure there would be an over provision of 1-bed units, a marginal under-provision of 2-bed units and a substantial under provision of family housing with only 5.8% comprising 3-bed units against a policy target of 20% for market family housing. No 4-bed market units are proposed.
- 7.19 In the intermediate tenure, there would be a marginal under-provision of 1-bed and family housing and a marginal over-provision of 2-bed units. No 4-bed family units are proposed in the intermediate tenure.
- 7.20 In the affordable rent tenure, there would be a marginal under provision of 2-bed units proposing 23.6% against a policy target of 25% and policy compliant levels of 2 and 3 and 4-bed units proposing 30%, 30.3% and 15% respectively.
- 7.21 The proposed affordable housing offer is proposed to be split 72%:28% in favour of Affordable Rent and therefore marginally deviates from the policy requirement of a 70:30 split.
- 7.22 Site Allocation 4.12 requires that that development will be expected to maximise the provision of family homes. The scheme proposes to deliver 230 family homes across all tenures. In the affordable tenure 45% of affordable homes would be family homes based on the number of units (173 units). As highlighted above the scheme does not propose policy compliant levels of family housing however the Applicant will need to demonstrate that the provision of family housing has been maximised.

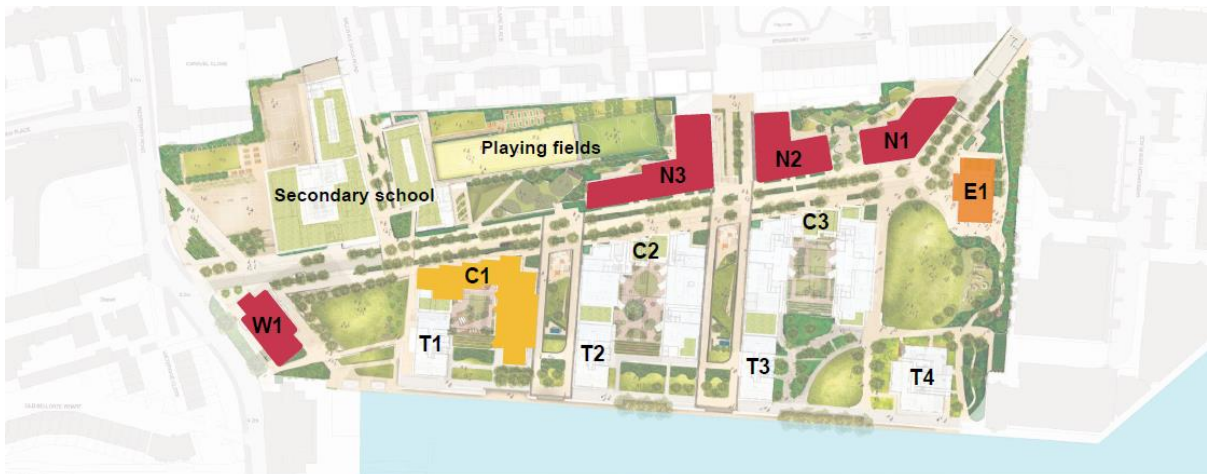


Figure 4 – Location of Affordable Units

- 7.23 In terms of housing standards and quality, details of internal space standards and private amenity space for each dwelling type have not been provided in the pre-application discussions. The development would be required to accord with the space standards set out in Policy D6 of the London Plan which amongst other things sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights.
- 7.24 Enhancements have been proposed to the internal layout of buildings to address fire safety requirements, increase the opportunity for dual aspect units and increase efficiency and useable space. Officers would be seeking to ensure that provision of dual-aspect units are maximised.

Design and Heritage

- 7.25 Objective GG2 (Making the Best Use of Land) of the London Plan refers to the need to create successful, sustainable mixed-use places that make the best use of land by ensuring that those involved in planning and development apply a design-led approach to determine the optimum development capacity of a sites.
- 7.26 Chapter 3 (Design) of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces whilst Chapter 7 (Heritage and Culture) contains the suite of policies that are concerned with the protection of heritage assets.
- 7.27 Policies S.DH1, D.DH2 and D.DH6 of the Local Plan deal with good design and the assessment of tall buildings. Policy S.DH1 notably 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.
- 7.28 Policy S.DH3 of the Local Plan seeks to protect heritage assets and their settings and emphasises proposals would only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity.
- 7.29 Policy D.DH4 of the Tower Hamlets Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets.

Development will be required to demonstrate how amongst other things it preserves or enhances the prominence of borough-designated landmarks and the skyline of strategic importance in the borough-designated views.

7.30 Policy D.DH6, Part 1 of the Local Plan sets out a number of criteria with which developments comprising tall buildings must comply. Part 2 of Policy D.DH6 directs tall buildings towards Tall Building Zones (TBZ). The site falls within the Millwall Inner Dock Cluster Tall Building Zone which incorporates the following design principles:

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

7.31 The proposal presented to Officers under this pre-application notably increases the density of the development from both the consented scheme and the pre-application scheme presented under pre-application reference PF/22/00085 (scheme 1/Nov 2022). The 'Nov 2022' scheme sought to only initially increase the height of the courtyard blocks which evolved to some increase in height to the towers as pre-application discussions progressed. The current proposal proposes widespread increase in height across most of the buildings within the consented masterplan with the exception of T4 which is proposed to be retained at the height of the consented extant planning permission.

7.32 The table below sets out the changes in height of buildings within the masterplan compared to the consented scheme as presented to Officers within the pre-application documents for the current scheme.

Block/Tower	Consented Storey Height	Consented AOD Height	Proposed Storey Height	Proposed AOD
T1	9-Storeys	43.25m	19-Storeys	72.69m
T2	13-Storeys	56.05m	23-Storeys	85.49m
T3	17-Storeys	68.85m	27-Storeys	98.29m
T4	30-Storeys	110.90m	31-Storeys	110.90m
T5	N/A	N/A	27-Storeys	98.29m
W1/B1	8-Storeys	32.21m	11-Storeys	44.08m
C1/B2	4-Storeys	25.65m	9-Storeys	41.02m
C2/B3	5-Storeys	28.85m	10-storeys	44.22m
C3/B4	7-Storeys	35.25m	11-storeys	47.62m
N1 and N2/B6	4-5-Storeys	18.76m – 21.96m	Not provided in pre-application document.	Not provided in pre-application document.
N3/B7	6-7-Storeys	25.16m – 28.51m	Not Provided in pre-application document.	Not provided in pre-application document.

Table 2 – Consented and Proposed Height Comparison

7.33 The pre-application discussions to date for the current proposals have centred around the scheme's increase in height, scale, massing and the introduction (or re-introduction from the Appeal scheme) of T5. Whilst Officers noted that T4 was proposed to remain at the consented height and T5 was proposed at a reduced height and refined footprint from the Appeal Scheme

(31-storeys/114.60m AOD proposed at Appeal), concerns have been expressed that the increase in height and scale of the scheme combined with the re-introduction of T5 would result in townscape and heritage impacts which were considered to be exacerbated by the inclusion of T5.

- 7.34 Officers particularly expressed significant concerns with regards to the inclusion of T5 and the increase in height of the development towards Marsh Wall to the north as a result of T5's inclusion. This is considered to conflict with the design principles of the Millwall Inner Dock Cluster Tall building Zone. Officers have advised the Applicant that T5 should be significantly reduced in height to demonstrate an appropriate contextual design response at this location.
- 7.35 Whilst Officers have not undertaken any further pre-application meetings with the Applicant subsequent to the above concerns being raised, the Applicant has subsequently undertaken a number of community engagement events including a Community Forum and Community Development Panel whereby the presentations delivered by the Applicant at these forums indicated that T5 will now be reduced to 15-storeys and the building has been renamed to E1. Officers will be seeking to ensure that the latest iteration of the proposal (as indicated in the image below) does not result in any material townscape and heritage impacts.



Figure 5 – CGI of Proposed Scheme

Architecture

- 7.36 The scheme proposes materials changes to the architectural expression and language from the consented scheme and seeks to take inspiration from the character of the Docklands and the surrounding area. A variety of architectural expression is proposed across the masterplan intended to provide distinctive materiality and character to the four building types across the masterplan.
- 7.37 The Gateway Buildings (E1 and W1) will mark the eastern and western entrances of the site. They are proposed to share a material language of masonry as the Northern buildings however their colouration will vary with the use of different shades of earthy tones. The massing of the buildings are intended to be softened by curved corners.

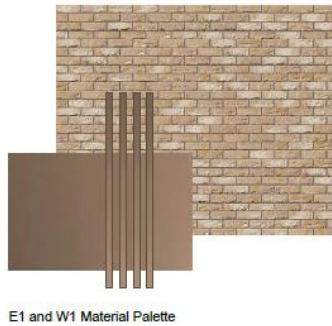


Figure 6 – Architectural treatment of Gateway Buildings.

7.38 The Northern buildings (N1/N2/N3) like the Gateway buildings will similarly comprise masonry material with different shades of earthy tones. As per the Gateway buildings, the building mass will be softened by curved corners and the building mass will be broken down by setbacks at upper levels.

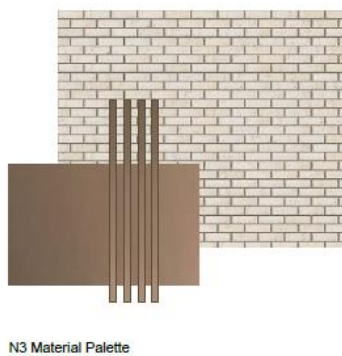
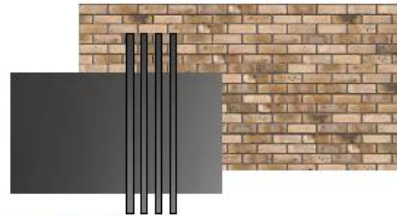
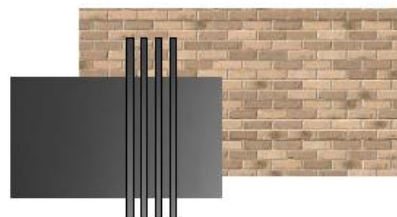


Figure 7 – Architectural treatment of Northern Buildings.

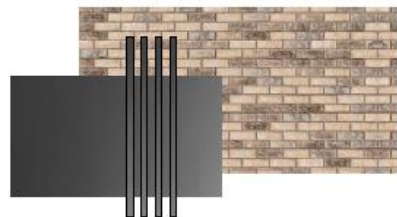
7.39 The Courtyard buildings (C1/C2/C3) will consist of an articulated group of midrise, masonry buildings with an articulated roofscape profile with a variety of scales and colour tones.



C1 Material Palette



C2 Material Palette



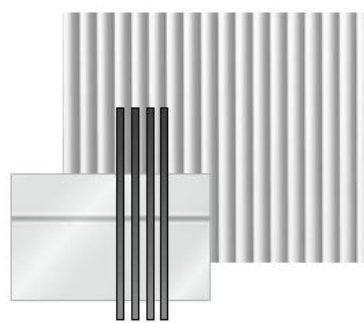
C3 Material Palette



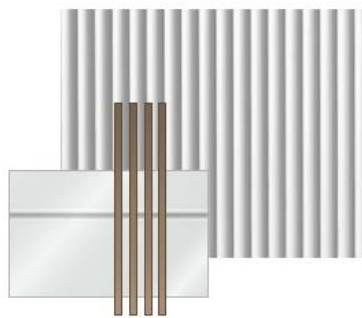
Courtyard Buildings

Figure 8 – Architectural treatment of Courtyard Buildings.

7.40 Finally, the waterfront towers will appear distinctively different from the Gateway, Courtyard and Northern buildings taking inspiration from Art Deco references with light colours and curved edges. Towers T1-T3 will read as a group buildings reading as a group and T4 composed of two vertical volumes intending to differ slightly from Towers T1-T3 so that it serves to ‘mark’ the edge of the dock and the development from Millharbour.



T1 to T3 Material Palette



T4 Material Palette



Waterfront Towers

Figure 9 – Architectural treatment of waterfront towers.

Open Space, Communal Amenity Space and Children’s Play Space

7.41 Policy S.OWS1 of the Local Plan requires proposals to provide or contribute to the delivery of an improved accessible, well-connected and sustainable network of open spaces through amongst other things:

- Protecting all existing open spaces to ensure that there is no net loss (except where it meets the criteria set out in Policy D.OWS3).
- Improving the quality, value and accessibility of existing publicly accessible open space across the borough and neighbouring boroughs, in line with the Green Grid Strategy, Open Space Strategy, Local Biodiversity Action Plan and Sport England’s Active Design Guidance.
- Maximising the opportunities to create/increase publicly accessible open space (including playing pitches and ancillary sporting facilities) with a range of sizes and for a range of users.

7.42 Site Allocation 4.12 requires that developments should deliver a minimum of 1 hectare of strategic open space. The consented planning permission secured 1.95 hectares of public open space the pre-application scheme proposes 1.79 hectares of public open space. Officers have highlighted that this would be a reduced provision from the consented scheme largely due to the introduction of an additional building (E1). Notwithstanding this however, the provision of public open space would be policy compliant. The scheme has also sought to introduce greater degree of urban greening compared to the consented scheme. Officers have particularly requested that the Applicant considers how key areas such as the boulevard could be further softened and enhanced and the amount of hard surfacing be reduced.

7.43 In terms of children's play provision, the scheme would generate a child yield of 563 children and based on the current unit mix the scheme would be required to provide 5634m² of children's play provision comprising of the following:

PLAY SPACE REQUIRED:

2,166	sq m for 0-4 year olds
1,767	sq m for 5-11 year olds
1,700	sq m for 12-18 year olds
5,634	total sq m for all children

7.44 Whilst Officers have been provided with indicative locations of the play space areas, the detailed element of these areas have not been presented to Officers to date. The Applicant has been advised that the dedicated children's play provision should be distinguishable from areas of public realm, public open space and landscaping.

7.45 In terms of communal amenity space, based on the current proposal the scheme would be required to provide 1398m² of communal amenity space. Officers would be seeking to ensure that communal amenity space is not double counted with areas of public realm, children's play space and public open space.

Neighbouring Amenity

7.46 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.

7.47 No preliminary daylight/sunlight assessments have been submitted to Officers for review during the course of the pre-application discussions to fully inform Officers of the likely impact of the proposals on potential occupiers of the development and neighbouring buildings.

Transport and Servicing

7.48 Local Plan policies S.TR1, D.TR2 and D.TR3 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. These policies also seek to secure safe and appropriate servicing arrangements.

7.49 Policy D.MW3 of the Local Plan requires that new major residential developments must incorporate high quality on-site waste collection systems that do not include traditional methods of storage and collection.

7.50 Policy D.TR3 of the Local Plan requires that car parking provision should be provided in accordance with the London Plan. Policy T6 (Part B) of the London Plan of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments

elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development should still ensure that for new major new residential developments, that as a minimum, that for 3% of dwellings, at least 1 designated disabled persons parking bay per dwelling is available from the outset.

- 7.51 The site has a PTAL (Public Transport Accessibility Level) of 1b-2 which is poor on a scale of 0-6b where 6b is the best.
- 7.52 The extant planning permission secured a total of 253 residential car parking spaces of which 73 spaces were secured as disabled parking spaces. The scheme now proposes to provide 144 accessible parking spaces at basement level.
- 7.53 There has been limited information submitted to date during pre-application meetings in respect of matters relating to delivery and servicing and cycle parking provision. However, the Applicant is expected to undertake a pre-application meeting to consider the waste servicing strategy Council officers. It would also be expected that cycle parking is provided in accordance with the standards set out in the London Plan.
- 7.54 The vehicular ingress/egress to and from the site will be from Westferry Road and Millharbour, with the Boulevard providing the main vehicular route through the site. Access is proposed to be controlled by bollards at either end thus restricting vehicular access to vehicles associated with the site only. Dedicated pedestrian and cycling routes will also be provided within the site.
- 7.55 The Applicant is also proposing some realignment of Westferry Road to improve driver visibility and bus stop enhancements to facilitate the development. The Applicant is due to undertake a pre-application meeting with the Council's Transport Officers and Transport for London (TfL) in October 2023. Officers will continue to discuss the transport, servicing and waste related matters with the Applicant, LBTH Transport Officers and TfL.

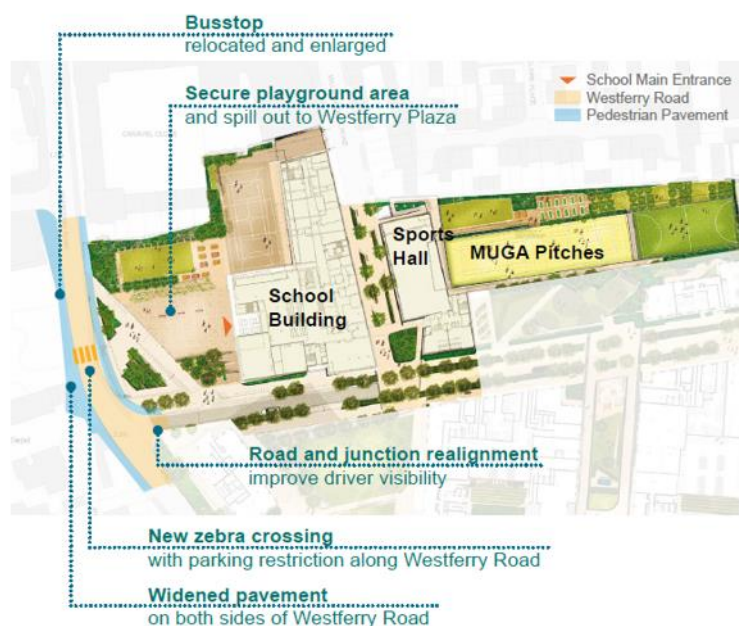


Figure 10 - Proposed Westferry Road realignment

Environment

- 7.56 National planning policy and guidance sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate.
- 7.57 Policy D.ES7 of the Local Plan 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.
- 7.58 Detailed discussions with regard to the proposed energy and sustainability strategy have not been undertaken during pre-application meetings thus far however, it would be expected that the scheme that comes forward demonstrates compliance with the above through an appropriate Energy Strategy.
- 7.59 Development plan policies also seek to secure a range of sustainable development outcomes including net biodiversity gains; the implementation of efficient energy systems which seek to minimise carbon emissions and to secure effective strategies for addressing matters relating to contaminated land and sustainable urban drainage.
- 7.60 The scheme would need to demonstrate that the development does not adversely impact on the microclimate of the application site and the surrounding area and in particular on sailing conditions on Millwall Inner and Outer Dock.
- 7.61 The proposed development would constitute an EIA development as such the accompanying Environmental Statement submitted with any subsequent planning application would need to include the relevant impact assessments.

Infrastructure Delivery

- 7.62 In addition to the strategic open space referred to earlier in this report, site allocation 4.12 requires the delivery of a secondary school. The secondary school was consented as part of the extant planning permission and will have provision for 1200 places. In terms of the current position of the secondary school, the Applicant is currently in discussions with the Department for Education (DfE) and have signed Heads of Terms. The school site will be included within the proposed application red-line boundary to ensure that the design of the school is adapted (not expected to be substantial) in line with current DfE requirements. The Applicant proposes to enter into a lease with the DfE to bring the delivery of the school forward in the event that planning permission is granted for the current proposal. It is anticipated that the secondary school would open in September 2026 (subject to planning permission being granted).

Infrastructure Impact

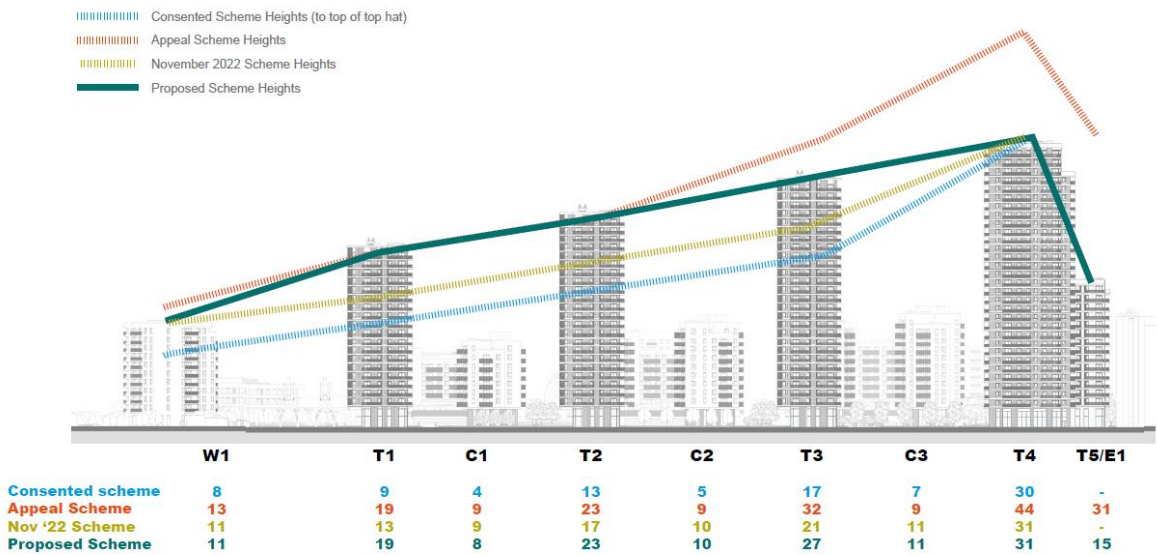
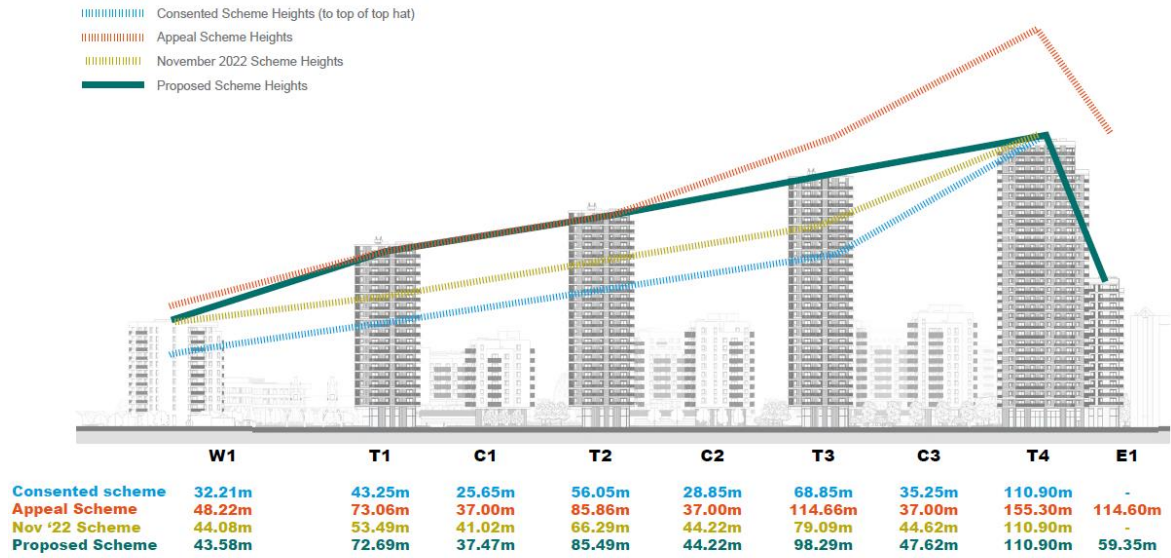
- 7.63 The proposed development will be liable to the Council's and the Mayor of London Community Infrastructure Levies (CIL) and planning obligations to be secured under Section 106 of the Town and Country Planning Act 1990 (as amended).

8. RECOMMENDATION

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

APPENDICES – IMAGES

Appendix 1 – Comparison in height strategy between consented, appeal, Pre-app Scheme 1 ('Nov 22' Scheme) and current scheme.



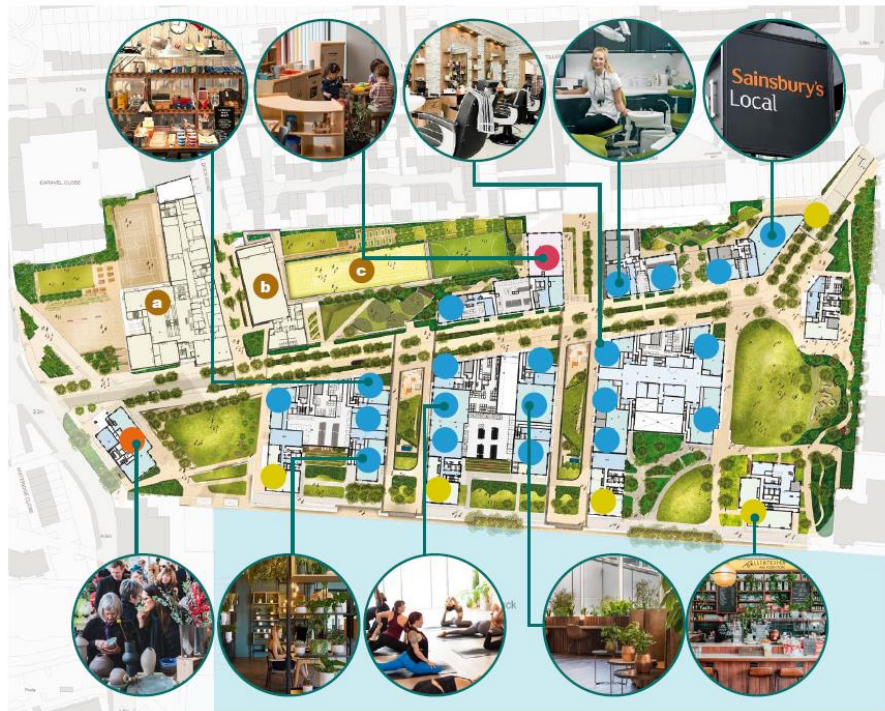
Appendix 2 – Proposed indicative potential ground floor uses.

POTENTIAL USES SUPPORTING EVERYDAY LIFE AND PROVIDING LOCAL EMPLOYMENT OPPORTUNITIES

- Dentist
- Chemist
- Post Office
- Convenience Store
- Flexible Workplace
- Bike Store/Repairs
- Independent Retail
- Community Centre
- Creche
- Food and Beverage

SCHOOL

- a** Secondary School
- b** School's Sport Hall
- c** School's Outdoor Pitches



Appendix 3 – Public realm character areas.

- Westferry Plaza
- The Boulevard
- Promenade Place
- Dockside Gardens
- Spines
- Park East
- Boulevard Green
- Promenade



Appendix 4 – Waterfront Towers



Appendix 5 – Millharbour Approach



Appendix 6 – Park East



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