

Strategic Development Committee

Agenda

Tuesday, 16 July 2024 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:

TBC

Members:

Councillor Saied Ahmed, Councillor Gulam Kibria Choudhury, Councillor Iqbal Hossain, Councillor Kamrul Hussain, Councillor Asma Begum, Councillor Shahaveer Shubo Hussain, Councillor James King and Councillor Sabina Khan

Substitute Members:

Councillor Suluk Ahmed, Councillor Maium Talukdar, Councillor Ahmodur Khan, Councillor Mufeedah Bustin, Councillor Mohammad Chowdhury and Councillor Amy Lee

(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Friday, 12 July 2024**

The deadline for submitting information for the update report is Noon
Monday, 15 July 2024

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

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TOWER HAMLETS

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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

Tuesday, 16 July 2024

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

Further Advice contact: Linda Walker, Interim Director of Legal and Monitoring Officer,
Tel: 0207 364 4348

2. APPOINTMENT OF VICE CHAIR

3. STRATEGIC DEVELOPMENT COMMITTEE TERMS OF REFERENCE, MEMBERSHIP, QUORUM AND DATES OF MEETING

4. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 19 - 28)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 14 May 2024.

5. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 29 - 32)

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 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 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.

6. DEFERRED ITEMS

7. PLANNING APPLICATIONS FOR DECISION

7 .1 PA/24/00657: Plot 1 at the former Bishopsgate Goods Yard site, Braithwaite Street, London, E1 (Pages 41 - 82)

7 .2 PA/22/00731: 4 & 5 Harbour Exchange Square, London, E14 9TQ (Pages 83 - 164)

7 .3 PA/24/00184: London Chest Hospital (Pages 165 - 340)

Next Meeting of the Strategic Development Committee

Wednesday, 28 August 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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.

Non-Executive Report of the: Strategic Development Committee 16 th July 2024	 TOWER HAMLETS
Report of: Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Strategic Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings 2024/25	

Originating Officer(s)	Justina Bridgeman, Committee Services Officer
Wards affected	All wards

Executive Summary

This report sets out the Terms of Reference, Quorum, Membership and Dates of Meetings of the Strategic Development Committee for the Municipal Year 2024-25 for the information of the Strategic Development Committee members.

Recommendations:

The Strategic Development Committee is recommended to:

1. Approve the proposed revised Terms of Reference as set out in Appendix 1 via the appropriate governance route.
2. Note the Quorum, Membership and Dates of future meetings as set out in Appendices 2 and 3 to this report.
3. Determine the preferred time at which the scheduled meetings will start.

1. REASONS FOR THE DECISIONS

- 1.1 The report is brought annually to assist new and returning Members by informing them of the framework of the Committee set out in the Council's Constitution.
- 1.2 Some minor amendments are proposed to the Committee's terms of reference for its consideration. These are set out in Appendix 1 via track modifications. These changes have been proposed by the Head of Development Management to:
 - Clarify terms to match custom and practice.
 - Update the wording to align it with legislation.
 - Update the correct title of the relevant Corporate Director.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee could decide not to recommend updating its Terms of Reference and continue with the previous version.

3. DETAILS OF THE REPORT

- 3.1 At the Annual General Meeting of the full Council held on 15th May 2024, the Authority approved proportionality, establishment of the Committees and Panels of the Council and appointment of Members.
- 3.2 As per tradition, following the Annual General Meeting of the Council at the start of the Municipal Year, various committees are established and those committees note their Terms of Reference, Dates of meetings, Quorum and Membership for the forthcoming Municipal Year. These are set out in **Appendix 1 and 2** of the report.
- 3.3 Meetings are scheduled to take place at 6.30pm **See Appendix 3.**

4. EQUALITIES IMPLICATIONS

- 4.1 When drawing up the schedule of dates, consideration was given to avoiding school holiday dates and known dates of religious holidays and other important dates where at all possible.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment

- 5.2 No statutory implications have been identified.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 This is a noting report for the committee. There are no direct legal implications arising from this report
-

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Proposed revised Terms of Reference of the Committee.
- Appendix 2 – Membership for the Committee.
- Appendix 3 – Dates of Committee Meetings 2024/25

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- None.

Officer contact details for documents:

N/A

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Terms of Reference of Committee

Strategic Development Committee

Summary Description: The Strategic Development Committee considers major planning matters within and exceeding the remit of the Development Committee, in terms of size and scale amongst other issues.

Membership: 98 Councillors

Functions	Delegation of Functions
<p>1. To consider any matter listed within the terms of reference of the Development Committee (including minor material amendments <u>applications to vary or delete planning conditions</u> and observations to neighbouring authorities and the Mayor of London) where any one of the following <u>criteria</u> applies:</p> <p>(a) <u>Applications</u> The proposed development includes one or more for buildings exceeding 30 metres in height (25 metres on sites adjacent to the River Thames);</p> <p>(b) <u>Applications for</u> residential development with more than 500 residential units (<u>of any use class including shared accommodation</u>), or on sites exceeding 10 hectares in area;</p> <p>(c) Applications for <u>employment non-residential</u> floor space on sites of more than 4 hectares;</p> <p>(d) Major infrastructure development;s</p> <p>(e) Applications <u>for development that would</u> not <u>be</u> in accordance with the development plan involving more than 150 residential units or a gross floor space exceeding 2,500 square metres;</p> <p>(f) Applications on Metropolitan Open Land involving buildings with a gross floor space exceeding 1000 square metres;</p> <p>(g) Applications for developments including 200 or more car parking spaces;</p> <p>(h) Legal proceedings in relation to the matter are in existence or in contemplation;i</p> <p>(i) Three or more members of the Development Committee are disqualified in some way from participating in the decision;i</p> <p>(j) On an exceptional basis, the Development Committee has decided that a particular application should stand referred to the Strategic Development Committee;i</p>	None

<p>(2.k) To consider any application or other planning matter, including pre-application presentations (subject to the agreed protocol) referred to the Committee by the Corporate Director, Housing and Regeneration where they consider it appropriate to do so <u>and where</u> (for example, if especially significant strategic <u>planning</u> issues are raised.)</p>	
<p>Note: It shall be for the Corporate Director, Housing and Regeneration to determine whether a matter meets any of the above criteria</p>	

Quorum: Three voting Members of the Committee.

Additional Information: Is contained in:

- Constitution Part C Section 35 (Planning Code of Conduct)

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STRATEGIC DEVELOPMENT COMMITTEE MEMBERS 2024-2025

<i>Aspire Group (4)</i>	<i>Labour Group (3)</i>	<i>Ungrouped (1)</i>
<p>Councillor Saied Ahmed Councillor Gulam Kibria Choudhury Councillor Iqbal Hossain Councillor Amin Rahman Councillor Kamrul Hussain</p> <p>Substitutes Councillor Maium Talukdar Councillor Suluk Ahmed Councillor Ahmodur Rahman Khan</p>	<p>Councillor Asma Begum Councillor Shahaveer Shubo Hussain Councillor James King Councillor Sabina Khan</p> <p>Substitutes Councillor Mufeedah Bustin, Councillor Mohammad Chowdhury Councillor Amy Lee</p>	

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DATES OF STRATEGIC DEVELOPMENT COMMITTEE MEETINGS 2024/25 MUNICIPAL YEAR

COMMITTEE	MAY 2024	JULY 2024	AUGUST 2024	OCTOBER 2024	NOVEMBER 2024	JANUARY 2025	MARCH 2025	APRIL 2025	JUNE 2025
Strategic Development Committee <i>(every 5/6 weeks)</i>	14	3**	28	9	13	15	12*	23	11
Usual Day/Time	6.30pm Wednesday	6.30pm Wednesday	6.30pm Wednesday	6.30pm Wednesday	6.30pm Wednesday	6.30pm Wednesday	See below	6.30pm Wednesday	Provisional Date

* - Takes place during Ramadan Meeting start time may be amended

** - Moved from 3rd to 16th July due to General Election

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.38 P.M. ON TUESDAY, 14 MAY 2024

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present:

Councillor Amin Rahman (Chair)

Councillor Gulam Kibria Choudhury

Councillor Iqbal Hossain

Councillor Kamrul Hussain

Councillor Asma Begum

Councillor Mufeedah Bustin

Councillor Shahaveer Shubo Hussain

Councillor Nathalie Bienfait

Councillor Suluk Ahmed

Apologies:

Councillor Saied Ahmed

Officers Present:

Paul Buckenham	– (Head of Development Management, Planning and Building Control, Place)
Jerry Bell	– (Area Planning Manager (East), Planning and Building Control, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning and Building Control, Place)
Rikki Weir	– (Principal Planning Officer, Planning and Building Control, Place)
Simon Westmorland	– (West Area Team Leader, Planning Services, Place)

Justina Bridgeman – (Democratic Services Officer
(Committees))

Daniel Jefferies – (Principal Planning Officer)

Officers Present Remotely:

Oliver Cassidy-Bulter – (Principal Planning Officer)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of pecuniary interests, however; Councillor Asma Begum, Councillor Nathalie Bienfait and Councillor Shahaveer Hussain declared for transparency that they are Bow residents and the application for item 5.2 falls in both Councillor Begum and Councillor Bienfait's ward.

2. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Sub Committee meeting held on 03 April 2024 were approved as a correct record of proceedings.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that;

1. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director 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.

4. DEFERRED ITEMS

There were no deferred items for consideration.

5. PLANNING APPLICATIONS FOR DECISION

5.1 (PA/23/01679): Land forming part of Ailsa Wharf, Lochnagar Street. E1 OLE

Update Report noted.

Paul Buckenham introduced the application to grant planning permission with conditions for a new pedestrian and cycle bridge across the River Lea at Ailsa Wharf.

Oliver Cassidy-Butler provided a presentation to accompany the application, which highlighted the proposal's site and surroundings. The Committee were informed that as the proposed bridgeway would connect the London Borough Tower Hamlets and London Borough Newham, spanning the River Lea. The neighbouring borough intends to determine this application under delegated powers, following the outcome of this committee meeting.

Mr. Cassidy-Butler provided details on the consultation feedback, proposed design and dimensions and noted that if approved, an application to determine the materials will be submitted.

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

- Confirmed that the proposed head height clearance for the bridge from the two paths will be 2.2 metres, which is the recommended minimum safe height due to the sites limitations.
- Clarified that the Council will apply a condition for an operational management plan to raise and lower the bridge will be secured with the proposal. Comments from consultees will be appropriately written into the specific conditions, such as lighting not disrupting biodiversity and life rings being made available.
- Confirmed that conditions will also be applied to secure further details on traffic calming measures and the operation of the plinth, as well as lighting and 'secure by design' features for the demarcation area, which allows seating.
- Noted the traffic calming measures include coloured demarcation areas, extra signage and 'rumble strips' to slow down cyclists. These strips will not cause issues for wheelchair users. Additionally, consideration will be given to the use of removable bollards, although this may cause issues for residents with mobility issues.

- Explained that this proposal and site has been identified as a necessary requirement within the local plan, to provide the residential expansion of both Tower Hamlets and Newham boroughs.
- Confirmed that the bridge will be adopted as a highway and as such will be a publicly maintained National Highways.

Members requested a drainage strategy which optimises permeable paving materials be added as a condition around the tow path to mitigate flooding.

Upon a unanimous vote, the Officers recommendations as set out in the main report to grant conditional planning permission was agreed.

It was therefore **RESOLVED**;

1. That conditional planning permission be **GRANTED** at Land forming part of Ailsa Wharf, Lochnagar Street. E1 OLE for:
 - New pedestrian and cycle bridge across the River Lea at Alisa Wharf.

Subject to:

1. Any direction by the Mayor of London.
2. Section 106 agreement including obligations.
3. Conditions set out in the committee report.
4. A drainage strategy which optimises permeable materials.
5. A secure by design review for the seating area.

5.2 (PA/24/00164/A1): Caxton Hall Community Centre & Adjoining Land, Caxton Grove, E3 2EE

Paul Buckenham introduced the application to grant planning permission for the demolition of existing building and ballcourt and construction of a part-7 and part-9 storey building, with part-basement, containing 36 in number dwellings (Class C3) and replacement community centre (Class E (e-f), Class F1 (e-f), Class F2 (b)) with associated amenity areas, accessible car parking, cycle parking, refuse/recycling stores and landscaping works, including formation of a raised crossover on Malmesbury Road/Caxton Grove intersection, associated public realm alterations, and alterations to retained public open space (Four Seasons Green).

Daniel Jeffries provided a presentation to accompany the application, which highlighted the proposal's site, height and surroundings. The details included the proposed sites proximity to the Four Seasons Green, the multi-unit games

area (MUGA) and proposed designs for the 36 self-contained residential units, which would be classified as affordable housing and social rent tenure.

The Chair invited the registered speakers to address the meeting.

Jack Dunmore, a resident of Morville Street, addressed the Committee and raised objections to the application, on behalf of himself and 32 neighbours;

- Residents provided consultation feedback on the scheme which was excluded from the final document.
- The applicant did not engage with residents of properties most affected by the proposed development.
- The proposal is located outside of the school building areas and causes harm to heritage areas and a negative impact to neighbouring properties.
- Further requests for information on the consultation were not made available to residents from Council Planning and Capital Delivery departments, which caused distrust around the process.
- Environmental considerations have not been adequately addressed, particularly the loss of daylight / sunlight for Morville Street properties and increased noise levels.

Jack Leaming, a resident of Fairfield Road, addressed the Committee and raised objections to the application;

- The 9 storey scheme is too high and not in keeping with the neighbourhood.
- The proposed development will cause loss of daylight / sunlight and privacy for neighbouring residents.
- The area is too small for a social housing scheme of this size.

Camilla Lecznar, a resident of Ambrose Walk, addressed the Committee and raised objections to the application;

- The proposed scheme does not comply with the Local Plan policy (reference: DHC 6).
- The Council's Urban Design and Conservation departments have expressed concerns regarding the proposed height which is out of proportion to the Four Seasons Green.
- Requested the applicant submit a revised proposal, more in keeping with the area.

Tim Waters, Stockwool Architects / RENEW Planning Limited, spoke in support of the scheme and highlighted the following;

- The proposal would provide 36 dwellings, all in the form of affordable housing and for social rent. This will comply with both the National and Local Planning policies objectives to utilise brownfield land and provide affordable homes in London.
- Council planning policy does not specify that tall buildings outside of the tall building zones should be considered unacceptable. The Mayor of London did not object to the proposal at stage one of the application and the 30 metre height accommodates a rooftop plant screen.
- The second ball court will be upgraded as part of the development to an improved facility for the local community.
- The building has been designed to ensure that there is no loss of daylight or sunlight concerns for neighbouring residents. The BRE assessment states that an overall compliance level of more than 75% for windows is either fully compliant or has minor impact. No windows in the scheme will overlook residents homes, ensuring no loss of privacy.
- The proposed development will provide 100% affordable housing and community infrastructure improvements to the area.

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

- Confirmed that daylight / sunlight impacts were evaluated using the 'Vertical Sky Component' and NSL measurements. These determined the visibility of the development observed through a window and the amount of daylight that was created within a room.
- Acknowledged that two of the 5 properties tested demonstrated minor to major adverse observable daylight impacts, from between 20% to 40% loss for neighbouring properties on Morville Street on the north of the proposal and Fairfield Road on the east.
- Explained that an initial public consultation for a 6 storey scheme was conducted, the building's height was then increased to 7 and 9 storeys and the revised scheme was not submitted for a second public consultation. All consultations stipulate that proposals may alter in dimensions and size and are subject to technical surveys, requirements or policy compliance concerns.
- Clarified that the proposal will improve the available child play space and enhance the Four Seasons Green.

- Confirmed that the proposal would demolish the existing Community Centre during the construction period, although Council departments are considering is the use of the land and are currently engaging with end users.
- Explained that the applicant undertook public consultations with residents groups, relating to a different proposal, which resulted in confusion with this scheme. The proposed development size was expanded to accommodate more social housing. Family sized units have increased to 14 units within the developments, approximately 40% of the total provision.
- Acknowledged that feedback from the Quality Review Panel (QRP) has not been included in the report, although those comments are in line with the Conservation and Design feedback obtained in relation to the height of the building. The proposal constitutes a tall building outside of the tall building zone and fulfil the demand for affordable housing in the borough. The QRP comments will be made available on the planning register.
- Explained that the initial pre application proposal was for a six storey development comprising three 3 bedroom properties and three four bedroom properties. The revised proposal submitted to the Committee is for a part-7 and part-9 storey building, which comprises 10 three bedroom properties and 4 four bedroom properties.
- Confirmed that a sum will be agreed for a scope of works to enhance the MUGA near Boundary Road and will be secured through the planning application.
- Clarified that the Statement of Community involvement was used to conduct a public consultation for the proposed development. 237 letters were sent out as well as a press release.
- Observed that Environmental Health officers examined noise levels from the railway and determined that occupiers would have sufficient noise mitigation.

Upon a vote of six in favour, one against and two abstentions, the Officers recommendations as set out in the main report to grant planning permission was agreed.

It was therefore **RESOLVED**;

1. That conditional planning permission be **GRANTED** at Caxton Hall Community Centre and Adjoining Land, Caxton Grove, E3 2EE for:

- Demolition of existing building and ballcourt and construction of a part-7 and part-9 storey building, with part-basement, containing 36 in number dwellings (Class C3) and replacement community centre (Class E (e-f), Class F1 (e-f), Class F2 (b)) with associated amenity areas, accessible car parking, cycle parking, refuse/recycling stores and landscaping works, including formation of a raised crossover on Malmesbury Road/Caxton Grove intersection, associated public realm alterations, and alterations to retained public open space (Four Seasons Green).

Subject to:

1. Subject any direction by the Mayor of London.
2. Section 106 agreement including obligations.

The Chair adjourned the meeting at 9.12pm and reconvened at 9.25pm. The Committee were asked to vote on hearing the remaining planning matters since the meeting had exceeded 3 hours. Members voted to continue.

6. OTHER PLANNING MATTERS

6.1 Site at the former Bishopsgate Goods Yard, Braithwaite Street E1

Paul Buckenham introduced a scheme which was initially granted hybrid planning permission and listed building consent by Sadiq Khan, the Mayor of London / Greater London Authority (GLA) on 25 March 2022 (PA/14/02011 and PA/14/02096).

Members were requested to agree that reports on Reserved Matters Applications for Bishopsgate Goods Yard be referred to Strategic Development Committee or Development Committee, to formalise Tower Hamlets observations to the Mayor of London, where the scale of the matters to be reported would fall within either Committee's terms of reference.

Ricky Weir presented a presentation to accompany the report.

Further to the presentation, the Committee asked questions to Officers regarding the following points;

- Clarified that reserved matters for this application relate to the proposals appearance, access, landscaping, layout and scale.
- Noted that Officers observations would take place during the summer and sent to the GLA. A response will be brought back to the Committee.

Upon a unanimous vote, the Officers recommendations as set out in the main report to agree that Reserved Matters Applications for Bishopsgate Goods

Yard will be referred to the Strategic Development Committee or the Development Committee for observation was **APPROVED**.

It was therefore **RESOLVED**;

1. That consideration of Tower Hamlets observations to the GLA for Reserved Matters Applications for Bishopsgate Goods Yard will be referred to the Strategic Development Committee or the Development Committee for observation was **APPROVED**

6.2 LLDC Interim Delegation Scheme

Paul Buckenham introduced a report which noted proposals for an interim scheme of delegation of certain planning functions from the London Legacy Development Corporation (LLDC). The Strategic Development Committee were requested to agree to determine applications under the interim delegation scheme (IDS) to be delegated to Tower Hamlets from 1 September 2024, until planning powers are formally transferred through legislation and request that the Council confirms the scheme.

Upon a unanimous vote, the Officers recommendations as set out in the main report were **APPROVED**.

It was therefore **RESOLVED**;

1. That proposals to establish an interim scheme of delegation (IDS) for applications submitted to LLDC to be delegated to Tower Hamlets from 1 September 2024, until planning powers are formally transferred through legislation were **NOTED**.
2. The agreement to determine applications referred to them under the IDS in accordance with the established terms of reference in the Council's constitution were **APPROVED**.
3. Request that the Council confirms the IDS at the meeting on 17 July (*moved from 31 July*) were **APPROVED**.

The meeting ended at 8.44 p.m.

Chair, Councillor Amin Rahman

Strategic Development Committee

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DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

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

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

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

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

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

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

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

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

What can be circulated?

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

How will the applications be considered?

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

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

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

How can I find out about a decision?

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

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

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

Public Information – ‘Accessing and Participating in Remote’ Meetings

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

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

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

Publication of Agenda papers and meeting start time.

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

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

How can I watch the Committee meeting?

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

How can I register to speak?

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

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

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

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

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

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

Microsoft Teams:

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

Procedure at the Committee meeting.

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

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

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

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

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

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

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

Agenda Item 6

Committee: Strategic Development	Date:	Classification: Unrestricted	Agenda Item No: 3
Report of: Corporate Director Housing and Regeneration		Title: Deferred Items	
Originating Officer: Robin Bennett		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
				Officers to negotiate ...
				Further information on ...
				Committee indicated that it was minded to go against officer's recommendation and that decision could be contrary to the development plan. A supplementary report is therefore necessary

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

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 The 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

- 3.2 The following deferred applications are reported on the “Planning Applications for Decision” part of the agenda:

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

- 3.3 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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



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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Application for Observations to a Neighbouring Planning Authority

[click here for case file](#)

Reference	PA/24/00657 (GLA reference 2023/0836)
Site	Plot 1 at the former Bishopsgate Goods Yard site, Braithwaite Street, London, E1
Ward	Weavers (LB Tower Hamlets), Hoxton East and Shoreditch (LB Hackney)
Proposal	Observations requested by the Greater London Authority (GLA) in relation to 'Application for all Reserved Matters Approval (Access, Appearance, Landscaping, Layout and Scale) in respect of Plot 1 (GLA reference 2023/0836), pursuant to LB Tower Hamlets outline planning permission reference PA/14/02011 (GLA reference GLA/1200cd/12); LB Hackney planning permission reference 2014/2427 (GLA reference GLA/1200cd/13) dated 25/03/2022, for the erection of a building comprising 51,309 sq m of office floorspace (Class B1), 831 sq m retail uses (Use Class A1-A5), 6,392 sq m plant and ancillary space, landscaping, public realm, and all associated works.'
Summary Recommendation	Raise objections and detailed comments in response to a request for observations from the Greater London Authority
Applicant	Bishopsgate Goodsyrd Regeneration Limited
Agent/ architects	DP9/ Gensler/ Buckley Gray Yeoman
Case Officer	Rikki Weir
Key dates	<ul style="list-style-type: none">- Application registered as valid on 13/03/2024- Public consultation on 15/04/2024

EXECUTIVE SUMMARY

Plot 1 (RMA Site)

The purpose of this report is to present recommendations to Strategic Development Committee (SDC) on the assessment of the Reserved Matters Application (RMA) for Plot 1 of the consented Bishopsgate Goods Yard development in order to formalise the borough's response to the Greater London Authority (GLA). Reserved matters (appearance, landscaping, layout and scale) are described in detail in section 7 of this report. Approximately 72% of the wider consented site is in London Borough (LB) of Tower Hamlets, with the remainder (to the west) in

London Borough of Hackney. The majority of the Plot 1 site is within LB Hackney. The hybrid consent permitted Plot 1 in outline to provide up to 61,572 sqm total floorspace (GEA), with up to 54,320 sqm office (B1 use class) space, 945 sqm retail (A1, A2, A3, A5 use class) and 7,034 sqm plant/ ancillary space in a building of approximately 12-16 storeys.

The Bishopsgate Goods Yard scheme was granted hybrid planning permission (part outline and part detailed) and listed building consent by Sadiq Khan, the Mayor of London/ Greater London Authority (GLA) on 25 March 2022 after the previous Mayor of London (Boris Johnson) determined that the Mayor would be the Local Planning Authority on the application in accordance with their powers under article 7 of the Mayor of London Order and then powers conferred by Section 2A of the Town and Country Planning Act 1990 (as amended).

On 19 November 2020, Tower Hamlets Strategic Development Committee resolved to raise objections to the GLA in respect of the application. The committee also resolved that in the event of outline planning permission being granted by the Mayor, any future reserved matters applications should be determined by the Committee. In granting hybrid planning permission, the Mayor of London formally resolved that the GLA would continue to be the Local Planning Authority to determine any RMAs. On 18 May 2024, Strategic Development Committee resolved that borough observations shall be reported to committee only when the scale of development would fall within the committee terms of reference. The current RMA would meet the terms of reference for presentation to Strategic Development Committee.

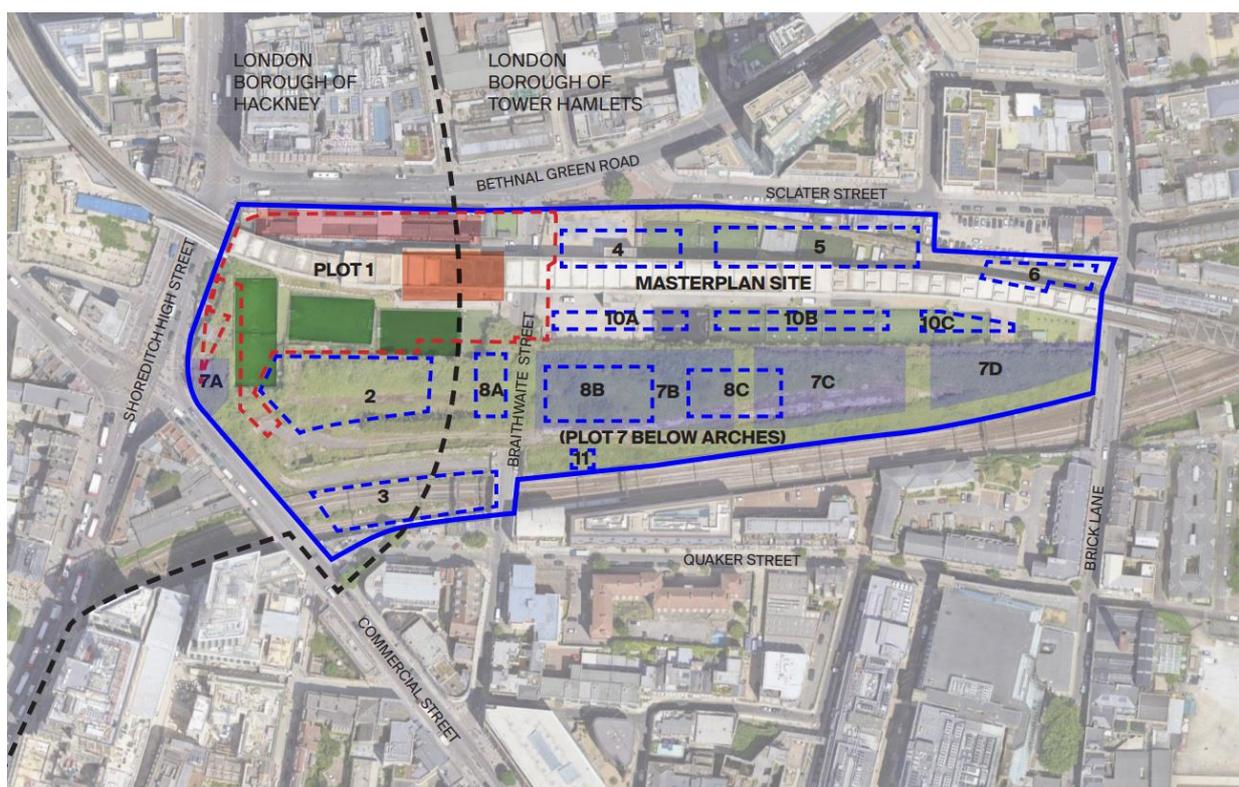


Figure 1: Site Plan (including black-dotted borough boundary line)

Plot 1 (shown in figure 1 in red outline) is predominantly within LB Hackney (also shown in appendices 1.3 and 1.8). It is bounded by Bethnal Green Road to the north, Shoreditch High Street to the west and includes Braithwaite Street to the east. To the south would be Plot 2 and Plot 10A. The raised and concrete-encased London Overground line runs east-west through the centre of this plot. Maximum and minimum parameters of building footprints, height and massing

were also consented along with a Design Guide to govern the form and design of the development coming forwards.

Officers have assessed the Plot 1 RMA proposals and consider that they broadly align with control documents and plans of the parent consent apart from in relation to 'Station Square,' the area around Shoreditch High Street station within LB Tower Hamlets. Officers recommend that objections are raised to the GLA for the following reasons:

- The 'Station Square' is not in accordance with the Design Guide and Site Allocation aspirations for additional public realm and a public square in the key, busy pedestrian approach to Shoreditch High Street station. The building massing/ footprint should be reduced to the minimum parameter extent at this location in order to provide the necessary additional public realm promised by the Design Guide
- The close proximity of the eastern end of the proposed Plot 1 building to future residential Plot 4, Plot 8A and Plot 10 would result in unacceptable mutual overlooking and poor levels of privacy to the new housing on the wider site. Taken into consideration with the concerns raised with the excessive visual impact of proposed built massing on Bethnal Green Road, Plot 1 should be reduced to the minimum parameter extent at the eastern end of the building

Further to the above, officers recommend that a number of comments (fully listed in 'Recommendation' section) are provided to the GLA in relation to design, highways, servicing and biodiversity suggestions, clarifications and requests. These points will need to be taken into consideration by the GLA in their assessment of the application.

Wider Consented Development Site

The wider consented development is arranged as a series of building plots (see figure 1 and figure 2 below), fronting existing streets (Bethnal Green Road and Sclater Street to the north, Commercial Street and Shoreditch High Street to the west, Brick Lane to the east and railway to the south) and linked with new internal routes. Plot 2 in LB Hackney has been consented in detail and would comprise office and retail space in a building of 17/29 storeys. Plot 7 (within both boroughs) is consented in detail and comprises the listed parts of the Braithwaite Viaduct, Oriel Gateway and associated structures, such as the spaces within refurbished railway arches. Plots 1 and 3 straddle the boundary of LB Tower Hamlets and LB Hackney and would provide office and commercial floorspace in buildings of up to 16 storeys (Plot 1) and 7 storeys (Plot 3). Plots 4, 5 and 10 in LB Tower Hamlets would provide residential development in a series of buildings situated on both sides of the Overground viaduct, along Bethnal Green Road and Sclater Street ranging from 6 storeys up to a maximum of 19 storeys. The scheme includes a 150 bed hotel in Plot 10.

Plot 6 would be purpose built for community/ cultural uses fronting onto Brick Lane and be up to 4 storeys in height. Plot 8 would provide residential and hotel floorspace in a building situated on top of the viaduct and up to 25 storeys in height, with two linked "pavilion" buildings of four storeys. Public open space is proposed above the Braithwaite Viaduct with access from different parts of the site. Retail, leisure and food and drink uses are proposed for the listed and un-listed Braithwaite Viaduct arches with access from 'London Road' (a new west/ east route from Wheler Street to Brick Lane) and 'Middle Road,' (a new parallel route from Shoreditch High Street to Brick Lane). New pedestrian routes from Sclater Street to 'Middle Road' would be provided in the form of 'Farthing Lane' and 'Cygnet Lane.' 'Kings Square' would be a new public square/ interface with Brick Lane and 'Webb Square' would be near to Shoreditch High Street. Plots

consented in outline (Plots 1, 3, 4, 5, 6, 10 and 11) are subject to maximum and minimum development parameters plans (building footprint and massing) as well as a Design Guide.

In policy terms, Bishopsgate Goods Yard is a site allocation in the Tower Hamlets Local Plan identified for redevelopment including housing, employment uses, strategic open space (minimum of 1 hectare), community/ local presence facility and a leisure facility. The consented development broadly addresses the requirements of the site allocation by providing a mixed use, employment-led scheme with an open space of 1.26ha, a community facility and space for cultural uses. Within the three B1 office buildings consented for the western end of the site, substantial areas of affordable workspace would be provided, discounted to up to 60% below local market rates. Heritage assets on the site include the Grade II listed Braithwaite Viaduct and Oriel Gateway on Historic England's Building's at Risk Register, which would be restored and brought back into use.

New retail space would be created across the site, but particularly in the restored historic arches (Plot 7). At least 10% of the retail floorspace is secured for independent retailers, including 2% for micro-entities and start up retailers. As well as the new open space, which would be provided at 'platform' level on top of the Braithwaite Viaduct, 1.3ha of new public realm would be created at ground floor level, including a new east/west pedestrian route ('Middle Road') linking Brick Lane with Commercial Street.

Affordable housing would be provided for 50% of habitable rooms, meaning that a viability assessment was not required. The affordable tenure split would be 49/51 affordable rent/intermediate, a departure from the usual 70/30 split, as policy allows flexibility of tenure for additional affordable units provided above 35%. Affordable rented units would be split 50/50 between London Affordable Rent and Tower Hamlets Living Rent. At least 50% of the intermediate units would be London Living Rent, including all of the three-bedroom units in this tenure, with the remainder as Discount Market Rent (DMR) and Shared Ownership. Income criteria secured through the S106 legal agreement for the DMR units ensures that this will be genuinely affordable. The mix of unit sizes for both intermediate and affordable rent housing is broadly in accordance with policy, with an emphasis on family-sized housing. The market sale housing is heavily skewed towards one bed units, although a condition is appended to the decision notice to ensure final submission of details and seeking to maximise family homes in the market sale tenure.

From a transport perspective, the consented development would provide a high density scheme in a highly accessible locating, providing additional pedestrian permeability and a contribution totalling £6,470,000 towards highways, pedestrian and cycling improvements in the vicinity of the site. The servicing of the site will be constrained due to the position of retained historic structures. There would be very significant additional vehicular movements on Wheeler Street which would provide access to servicing yards, along with some out-of-hours servicing taking place from Braithwaite Street. At present Braithwaite Street is virtually traffic free and is a well-used north/ south connection for pedestrians and cyclists. There would also be servicing yards off Bethnal Green Road and Sclater Street. The applicant provided a commitment to cap and target the reduction of servicing trips, secured through the S106 legal agreement, along with robust measures for its monitoring and enforcement. On balance, the proposed servicing arrangements were adjudged to be acceptable.

In daylight/ sunlight terms, there would be major impacts on a number of neighbouring properties under the maximum parameter scheme. The greatest impact would be to flats within the Avant Garde development to the north of the site, to a cluster of buildings at the eastern end of Sclater

Street and to flats above 154 Commercial Street facing Plot 3 in the south-west corner of the site – the impacts on a small number of flats within the latter would be particularly severe. A scheme built below maximum parameters would reduce harm to the amenities of Avant Garde building residents, though even the minimum parameter scheme would only result in a limited improvement for homes within 154 Commercial Street compared to the maximum.

With regard to the design, Plot 2 would be particularly bulky and imposing and have an impact, amounting to 'less than substantial harm' to the settings of surrounding conservation areas and associated listed buildings in the vicinity of the Goods Yard site. Plots 1 and 3 would have more localised impacts on the street scape. It is acknowledged that there would necessarily be some degree of adverse impact on heritage if a development of any substantive scale were to come forward on the site, based on its current underutilised condition. For the remainder of the site, the parameter plans and Design Guide are an acceptable basis for reserved matters applications.

In respect of the planning balance, the consented development would have significant townscape impacts on the surrounding area on account of the height and scale of the buildings. These include harm to the setting of heritage assets, to which the NPPF ascribes great weight and to the amenities of neighbours through loss of daylight and sunlight. The servicing needs of the development would detract from a key existing pedestrian and cycling route.

Against these harms and deficiencies are weighed the public benefits of the scheme. These include bringing the site into beneficial use in a manner consistent with the Local Plan site allocation, delivery of 50% affordable housing; the employment and business opportunities generated by the B1 offices, which include substantial areas of affordable workspace; the restoration of historic buildings at risk; the new pedestrian routes across the site; the retail floorspace, with a proportion for independent and start-up businesses; a fully fitted out community facility available at peppercorn rent; two locations for cultural uses; the financing of wider transport improvements; a new public park and public toilets. On balance, these public benefits were considered to outweigh the concerns set out above, including the 'less than substantial' harms to heritage assets identified to which great weight was given in the assessment.

1. SITE AND SURROUNDINGS

Plot 1 (RMA site)

- 1.1 Plot 1 is located to the north-west of the wider consented development site predominantly within LB Hackney though also falling across the borough boundary into LB Tower Hamlets. It is bound by Bethnal Green Road to the north and Shoreditch High Street to the west. The raised and concrete-encased London Overground line runs east-west through the centre of this plot. The Plot 1 site currently houses temporary uses such as the BOXPARK food and retail outlets to the north, the Powerleague sports pitches in the north-west quadrant of the site and Shoreditch High Street station.
- 1.2 The proposed building is planned to straddle the Overground box with a taller element to the east towards Shoreditch High Street station within the Tower Hamlets portion. The Design Guide provides further control over the approach to scale, form, composition and materiality. The building is subject to a number of restrictions in terms of its relationship with Overground infrastructure, being subject to a 2 metre exclusion zone to allow for full access to the Overground box and also subject to restrictions to allow for exit/entrance to the station, including escape routes.

Wider Consented Development Site

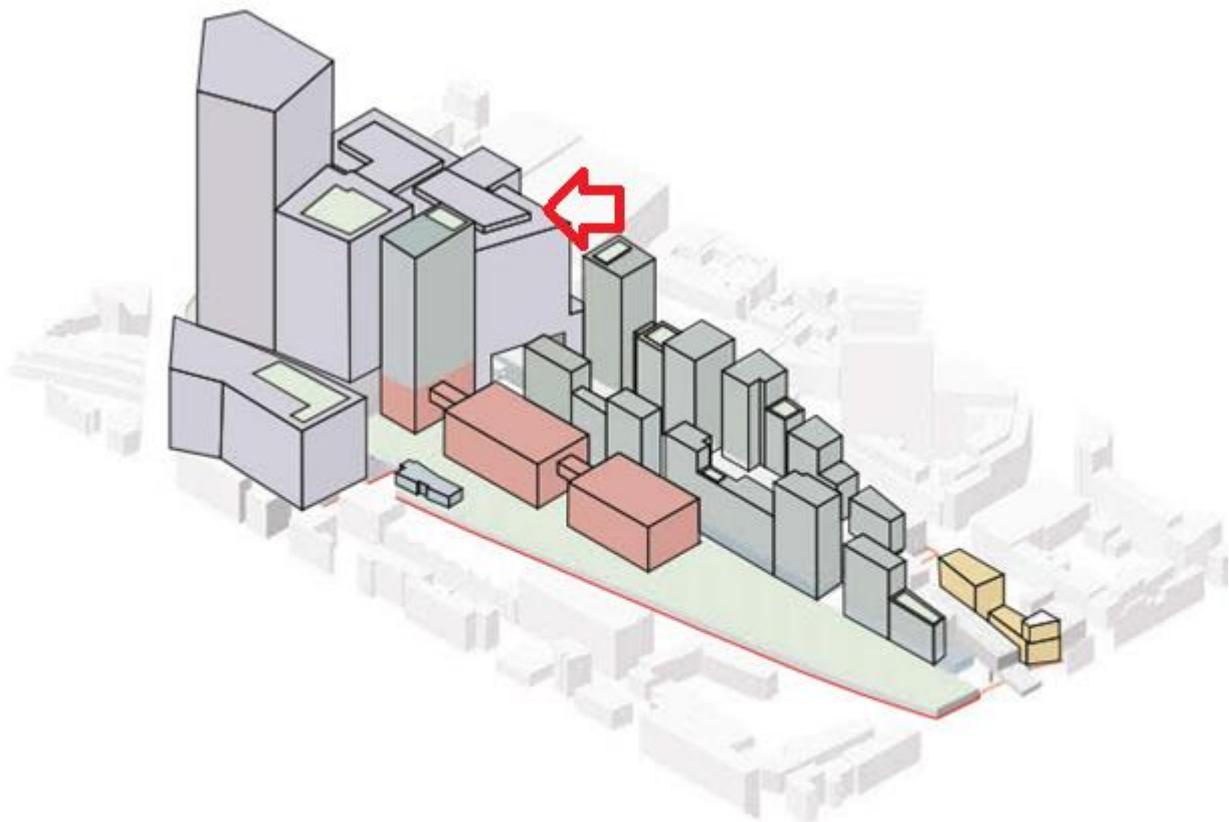


Fig 3.2.47: Mix of Uses



Figure 2: Maximum parameter massing of wider consented development showing land uses (Plot 1 shown with red arrow)

- 1.3 The site (shown in figure 3) is 4.4 hectares in size and straddles the boundary between the LB Tower Hamlets and the LB Hackney, with approximately 28% of the western end of the site in the neighbouring borough. The site is bounded by Bethnal Green Road/ Sclater Street to the north, Brick Lane to the east, Commercial Road to the west and open-cut railway lines serving Liverpool Street station to the south. Braithwaite Street/ Wheler Street passes north-south through the application site itself. The London Overground (Windrush line) railway with its elevated viaduct runs west-east through the site close to the northern edge and includes Shoreditch High Street station.
- 1.4 The most significant heritage structures remaining from the historical goods station and suburban line passenger station use are the Braithwaite Viaduct that formerly led into the goods terminus, an oriel window and associated gateway and forecourt wall (that face onto Shoreditch High Street), all of which are Grade II listed and are on Historic England's Heritage at Risk Register as they are in poor repair.
- 1.5 Parts of the site currently host two temporary uses. The northwest corner between the Overground viaduct and Bethnal Green Road is occupied by BOXPARK Shoreditch; shops, café and restaurants in repurposed shipping containers, whilst the centre of the site between the Overground and Braithwaite Viaduct is used for Powerleague Shoreditch football pitches.
- 1.6 A small area on the northern edge of the site, including the historic buildings fronting onto Sclater Street, is within the Brick Lane and Fournier Street Conservation Area. To the north-west of the site in the London Borough of Hackney, is the South Shoreditch Conservation Area. To the south-west is the Elder Street Conservation Area.
- 1.7 The majority of the site has the highest possible Transport for London (TfL) Public Transport Accessibility Level (PTAL) rating at 6b 'Excellent' with the remainder (to the east) having a PTAL of 6a, due to the quantity and range of bus services close by, as well as the presence on-site of Shoreditch High Street station.
- 1.8 Relevant Local Plan site designations:
- Site Allocation: Bishopsgate Goods Yard
 - Preferred Office Location
 - Tier 2 Archaeological Priority Area (Tier 2: Spitalfields and Brick Lane)
 - Green Grid Buffer Zone
 - London View Management Framework 8.1A
 - NO₂ Annual Mean concentration greater than 40 (µg^m-3)
 - City Fringe Sub-area
- 1.9 Relevant London Plan site designations:
- City Fringe Opportunity Area
 - Central Activities Zone

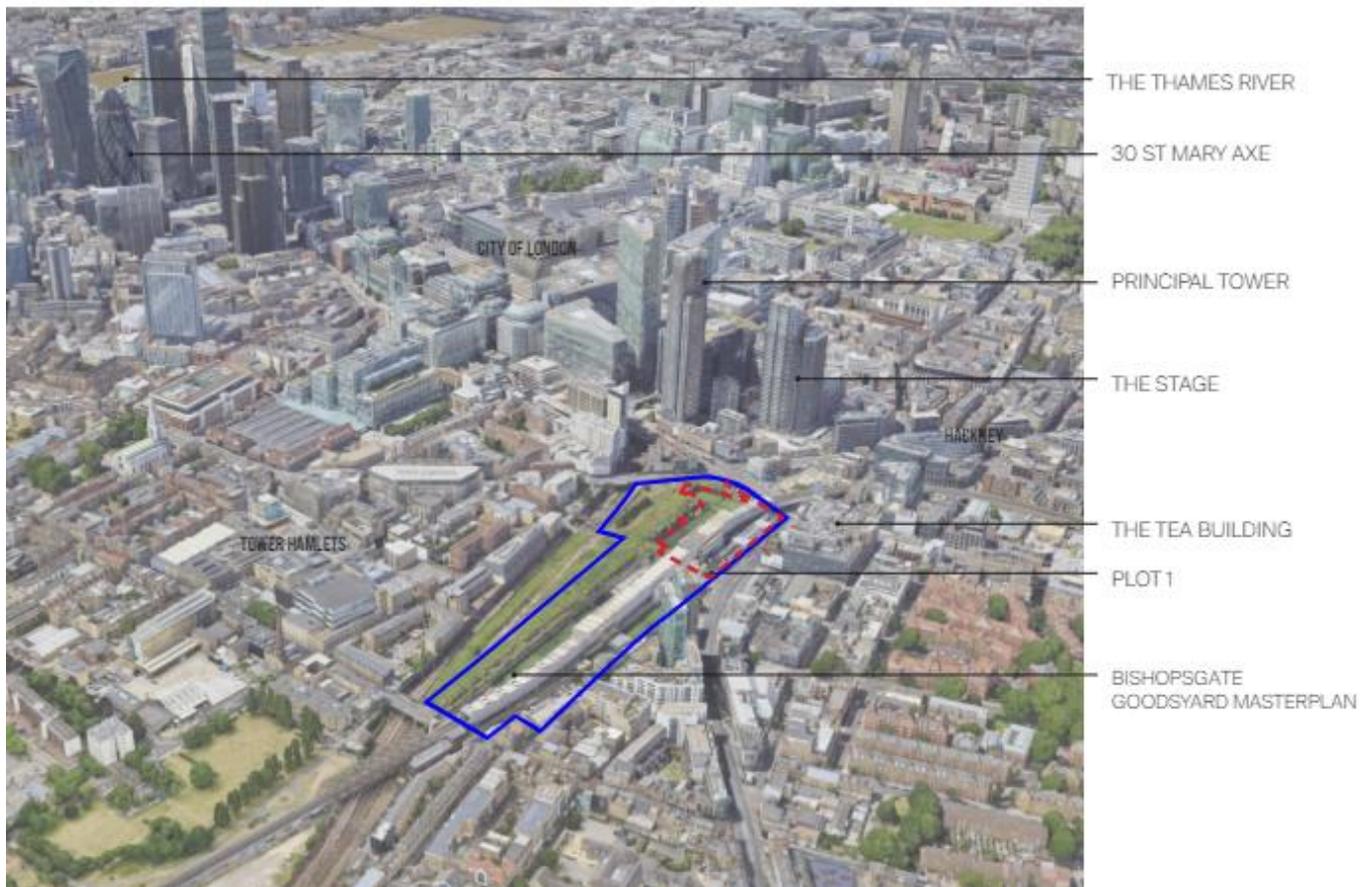


Figure 3: Aerial photograph of site

2. RMA PROPOSAL

- 2.1 Plot 1 was consented in outline and is subject to extensive controls within the Design Guide, approved parameter plans (see figure 5) and Development Specification. Plot 1 is proposed (see figure 4) to provide 51,820 m² (GEA) of commercial floor space (including 51,032 m² GEA office space and 788 m² GEA retail space) over 12-16 storeys in a building of up to 89.2m AOD in height. These figures are all within the maximum and minimum parameters.



Figure 4: Aerial visual of Plot 1

- 2.2 Entrances to Plot 1 are located on Bethnal Green Road, Shoreditch High Street and at ground level from Middle Road running along the southern edge of Plot 1. An internal lobby for the would interface with the entrance to Shoreditch High Street Overground Station.

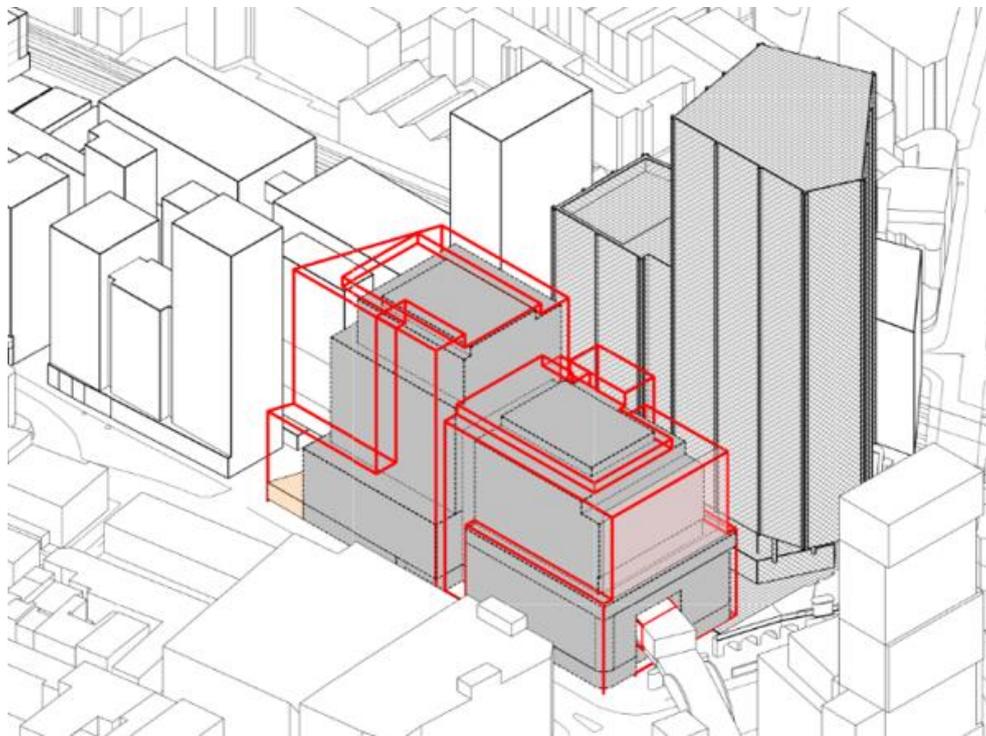


Figure 5: Maximum (red outline) and minimum (grey massing within red outlines) parameter massing for Plot 1

- 2.3 Street trees for Plot 1 would be located on Shoreditch High Street to the west of Plot 1 and the newly created Middle Street to the south of Plot 1. Plot 1 would include a substantial proportion of biodiverse green roof above the 11 storey elements of the scheme on the outer edge of the

building. Plot 1 would achieve an urban greening score of 0.15 (with a site-wide urban greening factor of 0.3 anticipated) and a Biodiversity Net Gain of 261.82%

3.0 RELEVANT PLANNING HISTORY

3.1 PA/23/02025 permitted on 30/01/2024 for:

Application for non-material amendment to planning permission ref: PA/14/02011, dated 25/03/2022

Non-Material Amendment(s) sought:

Amendment to the approved maximum parameter plan drawings to allow the following design changes: 1) Lobby extension at ground floor brought outwards to the east, closer to the London Overground Station; 2) Changes to the façade, services, structure and floorplate around the station and railway infrastructure; 3) Amendment to the northern façade to align the plinth and upper structure

Amendment to the approved minimum parameter plan drawings to allow the following design changes: 1) Curved corners onto Shoreditch High Street; 2) Recessed façade on the southern side of the Plot 1 building at ground; 3) Additional space made for the loading bay at ground level. 4) Recess on the west elevation, level 6 and 7

3.2 PA/14/02011 & PA/14/02096 (Listed Building Consent) permitted on 25/03/2022 for:

An OUTLINE application for the comprehensive mixed use redevelopment of the site comprising (floorspace in Gross Internal Area): Residential (Class C3) comprising up to 500 residential units; Business Use (Class B1) up to 130,940 sq.m.; Hotel (Class C1) up to 11,013 sq.m.; Retail, financial & professional services, restaurants, cafes & hot food takeaways (Class A1, A2, A3, A5) up to 18,390 sq.m. of which only 3,678 sq.m. can be used as Class A5; Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) up to 6,363 sq.m.; Public conveniences (sui generis) up to 298 m²; Basement, ancillary and plant up to 21,216 sq.m.

Formation of new pedestrian and vehicular access; means of access, circulation and car parking within the site and provision of new public open space and landscaping. The application proposes a total of 10 buildings that range in height, with the highest being 142.4m AOD and the lowest being 29.2m AOD.

With all matters reserved save that FULL DETAILS for Plot 2 are submitted for alterations to, and the partial removal of, existing structures on site and the erection of a building for office (Class B1) and retail use (Class A1, A2, A3, A5) comprising a part 17/ part 29 storey building; and Plot 7 comprising the use of the ground level of the Braithwaite Viaduct for retail and food & drink uses (A1, A2, A3, A5) and works to and use of the Oriel and adjoining structures for retail and food & drink uses (A1, A2, A3, A5). (Amended Description).

For that part of the site within the London Borough of Tower Hamlets, the proposed development comprises the following: Up to 44,067 sq.m. of residential use (Class C3); up to 21,341 sq.m. of Business Use (Class B1); up to 11,013 sq.m. of Hotel Use (Class C1); up to 13,881 sq.m. of Retail Use (Class A1, A2, A3, A5) of which only 2,776 sq.m. can be used for hot food takeaways (A5); Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) – up to 4,109 sq.m.; up to 298 sq.m. of sui generis use; up to 8,464 sq.m. of ancillary and plant space.

Neighbouring Sites

- 3.3 The relevant planning history that relates to sites in close proximity to the application site is set out below:

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

- 3.4 PA/20/00557 permitted on 24/08/2022 for:

Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14393 sq.m of B1(a)) floorspace, up to 1444 sq.m flexible commercial floorspace (B1(a)/B1(c)), and up to 1181 sq.m flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works.

201-207 Shoreditch High Street and 1 Fairchild Street (London Borough of Hackney)

- 3.5 2023/2925 – Under consideration:

Erection of part 27 storey (125m), part 8 and part 7 storey building plus two levels of basement, to provide office floorspace (Use Class E) with retail floorspace (Use Class E) at ground floor level; landscaping to include market stalls and roof terraces; ancillary floorspace to include cycle parking, refuse/recycling storage and plant, with a loading bay and servicing access from Holywell Lane.

- 3.6 2015/2403 permitted on 12/04/2016 for:

Demolition of existing buildings and structures and erection of a part 7, part 10 and part 30 storey building (plus 2 levels of basement) comprising office (Class B1) and hotel (Class C1) accommodation with ancillary retail, restaurant, event space, lounge and amenity areas; roof terraces; refuse and recycling facilities; cycle parking; servicing and plant; and landscaping.

7-11 Hearn Street and 24 Curtain Road (London Borough of Hackney)

- 3.7 2017/0864 permitted on 23/03/2018 for:

Application to vary (under 73 of the Town and Country Planning Act 1990) conditions 1 and 55 of planning permission 2015/3453 dated 1/11/16 in order to provide 3,575 sqm floorspace as flexible D2 and/or B1 floorspace; 1,054sqm floorspace as flexible A1-A4/B1/D2 floorspace and 744 sqm floorspace as flexible A1-A4/D2 floorspace. Alterations to the façade and layout of Buildings 2 and 3

- 3.8 2015/3453 permitted on 01/11/2016 for:

Minor material amendment (under Section 73 of the Town and County Planning Act 1990) to planning permission 2012/3871, dated 07/10/2015. The amendment is to vary conditions 1 (approved plans), 55 (floorspace) and 56 (unit mix) in order to provide 27 additional units in Building one (412 residential units in total); the relocation of plant and uses ancillary to the residential building; alterations to the basement of the development; alterations to the floorplans, the cladding material and the elevations of Building one; and, minor increases in A1 - A4, B1 and C3 floorspace.

3.9 2012/3871 permitted on 07/10/2014 for:

Demolition of existing buildings and the excavation and exhibition of the remains of the Curtain Theatre (Class D1). Excavation of a basement structure containing flexible commercial floorspace, plant, car & motorbike parking & cycle storage.

Erection of 4 buildings around an area of new landscaped open space to comprise: a 40-storey tower to provide 385 residential units (Class C3), shared space and flexible retail/restaurant/bar floorspace at ground floor; a 9 storey building with office floorspace (Class B1) and flexible office/retail/professional services/restaurant/bar (B1/A1/A2/A3/A4) floorspace; a 13 storey building with office floorspace (Class B1) and flexible office/retail/professional services/restaurant/bar (B1/A1/A2/A3/A4) floorspace and loading bay; & 2 storey education & events building (Mixed Use Class D1 and D2).

Erection of a 4-storey temporary structure to provide flexible retail/professional services/restaurant/bar floorspace units (A1/A2/A3/A4) and office units (Class B1). Works of demolition, alteration, extension to the railway viaduct and change of use to provide flexible retail/professional services/restaurant/bar floorspace (Class A1/A2/A3/A4) within the refurbished arches, open space and a single storey extension to the top of the viaduct to provide retail floorspace (class A1).

New open space to provide a link between Great Eastern Street, Hewett Street & Plough Yard. Associated works including the protection and treatment of buildings to be retained, temporary removal & reinstatement of 3 Grade II listed bollards on Curtain Road, surfaces, landscaping, lighting & cycle storage.

4. STAKEHOLDER ENGAGEMENT AND PUBLICITY

4.1 The applicant undertook extensive pre-application engagement with officers of LB Tower Hamlets, LB Hackney and the GLA on this RMA. The applicant also undertook some consultation with local residents, ward councillors and other relevant stakeholders, as well as presentation at the Greater London Authority's Design Review Panel (DRP). The Statement of Community Involvement submitted with the RMA provides a more detailed summary of the consultation to date and ongoing engagement. The applicant's pre-application consultation consisted of letters sent out to properties, local press adverts, a project website, emails, public exhibitions and meetings with ward councillors.

4.2 As the GLA are the Local Planning Authority for this application, they are required to undertake the statutory public consultation process (sending neighbour letters, erecting site notices, advertising in the local newspaper and consulting statutory bodies) not the Council. Notwithstanding the above, the Council have still received 3 letters of representation in objection. The concerns that were raised are outlined below. It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full public comments.

Issues raised by public in objection

- Profound and irreversible impact on local community quality of life
- Overshadowing, obstruction of natural light, infringing on privacy and contravention of Right to Light Act
- Lack of community involvement, taken aback to learn of this proposal without prior consultation

- Extensive construction period with associated noise and heavy traffic
- Uncertainty around the project has caused anxiety. How will negative effects of this development be mitigated?

Officer response: The Rights of Light Act is not a planning consideration. Other issues raised are covered in section 7 of this report.

5. CONSULTATION RESPONSES

5.1 Below is a summary of the consultation responses received from internal consultees from initial consultation stage. The GLA, as the Local Planning Authority for this application, will have to consult statutory consultees and will have its own internal consultees.

5.2 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Internal responses

LBTH Arboriculture:

5.3 Comments incorporated in section 7 of this report.

LBTH Local Flood Authority:

5.4 They are a statutory consultee and the GLA are required to consult them.

LBTH Growth and Economic Development:

5.5 In the absence of a Joint Borough Employment Officer (as stipulated by the parent consent s106), any obligations concerning LBTH are to be sent through to LBTH officers for approval, administration and monitoring towards meaningful implementation in Tower Hamlets.

LBTH Local Highways Authority

5.6 Comments incorporated in section 7 of this report.

LBTH Place Shaping (Design and Heritage)

5.7 Comments incorporated in section 7 of this report.

LBTH Waste:

5.8 Comments incorporated in section 7 of this report.

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 November 2023, the Tower Hamlets Draft New Local Plan (Regulation 18 Consultation Version) was published, and public consultation ran from 6 November 2023 to 18 December 2023. This is currently considered to carry minimal weight in the decision-making process.

6.3 The Development Plan comprises:

- London Plan (2021)
- Tower Hamlets Local Plan 2031 (2020)

6.4 The key Development Plan policies relevant to the proposal are:

6.5 Land Use (*residential, employment, retail, restaurant, cultural*)

- London Plan policies: H1, E1, E2, E3, E4, E7, E9, HC5, HC6
- Local Plan policies: S.H1, S.EMP1, D.EMP2, D.TC3, D.TC4, D.TC5, S.CF1, D.CF2, D.CF3

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

- London Plan policies: D1, D3, D4, D5, D8, D9, D11, D12, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7

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

- London Plan policies: D3, D6, D9
- Local Plan policies: D.DH8, D.ES9

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

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

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

- London Plan policies: G5, G6, G7, 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.MW3

Other policies and guidance

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

- National Planning Policy Framework (2023)
- Planning Practice Guidance (2024)
- National Design Guide (2021)

Greater London Authority

- Development Viability LPG (Draft)
- Digital Connectivity Infrastructure LPG (Draft)
- Fire Safety LPG (Draft)
- Air Quality Positive LPG (2023)
- Air Quality Neutral LPG (2023)
- Characterisation and Growth Strategy LPG (2023)
- Optimising Site Capacity LPG (2023)
- Urban Greening Factor LPG (2023)
- Circular Economy Statements LPG (2022)
- Sustainable Transport, Walking and Cycling LPG (2022)

- Whole Life Carbon LPG (2022)
- Be Seen Energy Monitoring LPG (2021)
- Public London Charter LPG (2021)
- Housing SPG (2016)
- City Fringe Opportunity Area Planning Framework (2015)
- Social Infrastructure SPG (2015)
- Accessible London: Achieving an Inclusive Environment SPG (2014)
- The Control of Dust Emissions during Construction and Demolition SPG (2014)
- Play and Informal Recreation SPG (2012)
- All London Green Grid SPG (2012)
- Planning for Equality and Diversity in London SPG (2007)

Tower Hamlets

- Planning Obligations SPD (2021)
- Reuse, Recycling and Waste SPD (2021)
- High Density Living SPD (2020)
- Development Viability SPD (2017)

Other

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)

7. PLANNING ASSESSMENT

7.1 The base planning permission is a hybrid permission for development as per paragraph 3.2. Development on Plot 1 was consented in outline. The form of the outline development is controlled through conditions of the hybrid planning permission and the associated section 106 legal agreement. The three principal control documents for the outline component are as follows:

- Parameter Plans – these define where buildings, roads and open space may arrive on the site, the distribution of uses across the site and maximum heights and maximum footprints (length and width) of each development plot.
- Development Specification – this document sets out a written account of the parameter plans and details, the floorspace specifications for the proposed land uses, minimum and maximum vehicle parking and minimum cycle parking and open space, and the range of dwelling mix for each tenure.
- Design Guide – The purpose of this document is to determine a design language for the Masterplan and to establish a robust framework for its development that encourages high quality and draws influence from the historic nature of the site. Any future reserved matters applications for the development of any of the Plots defined in the Parameter Plans or open spaces between them will be required to accord with the Design Guidelines, unless there is a good and justified reason to depart from them.

7.2 The matters reserved for determination are as follows (as set out and defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015)

- Access – meaning the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network;
- Appearance – meaning the aspects of a building or place within the development which determines the visual impression the building or place makes, including the

external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

- Landscaping – meaning the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and including: screening by fences, walls or other means; the planting of trees, hedges, shrubs or grass; the formation of banks, terraces or other earthworks; the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and the provision of other amenity features
- Layout – meaning the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;
- Scale – meaning the height, width and length of each building proposed within the development in relation to its surroundings;

7.3 The reserved matters application subject of this report relates to Development Plot 1. Plot 1 is located at the north-west of the Bishopsgate Goods Yard site. The principle of the development has been established by the outline planning permission and, as described above, certain requirements as to the detailed design and form of the development have been set by the associated parameter plans, development specification and design guide documents secured by conditions of the outline planning permission. Some other aspects of the development which fall outside the scope of the reserved matters have also been reserved by the s106 planning obligations and separate compliance conditions requiring submission of particular details together with the application for approval of reserved matters.

7.4 It is important to note that the application is only for approval of the five reserved matters set out above. Considerations which do not relate to the reserved matters are not material to determination of the application other than as specifically brought-in by relevant compliance conditions or where the matter in question would directly prejudice implementation of the remainder of the masterplan in accordance with the permission. Any material submitted by the applicant which does not relate to the reserved matters or the relevant compliance conditions is for illustrative purposes only and, if applicable, would be formally discharged under separate approval of detail applications.

7.5 The Planning Policy Guidance specifies that conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters.

Environmental Impact Assessment

7.6 An Environmental Compliance Report (ECR) has been submitted with the current application. The ECR assesses the extent to which the reserved matters application is compliant with the likely significant environmental effects as presented in the 2019 Environmental Statement Addendum (ESA) and remains valid. The ECR concludes that there are no changes to the findings of the 2019 ESA as a result of the confirmed details of Plot 1 and the changes in the scheme, notably in the construction programme. GLA officers will be required to further scrutinise this element.

7.7 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design and Heritage
- iii. Neighbour Amenity
- iv. Highways and Servicing

LAND USE

Site Allocation

- 7.8 The Plot 1 site falls within the wider Bishopsgate Goods Yard Site Allocation in the Local Plan (illustrated in figure 6). Land use requirements specified for the site allocation are for housing and employment (a range of floorspace sizes, including small and medium enterprises). The Plot 1 proposal is office-led and includes ground floor retail units, therefore the land uses proposed would be in accordance with site allocation requirements for Plot 1. Plots 4, 5, 8 and 10 provide housing.
- 7.9 Infrastructure requirements for the site allocation are for a strategic open space (minimum 1 hectare), community/ local presence facility and leisure facility. These elements are consented to be provided on the wider site, rather than Plot 1.

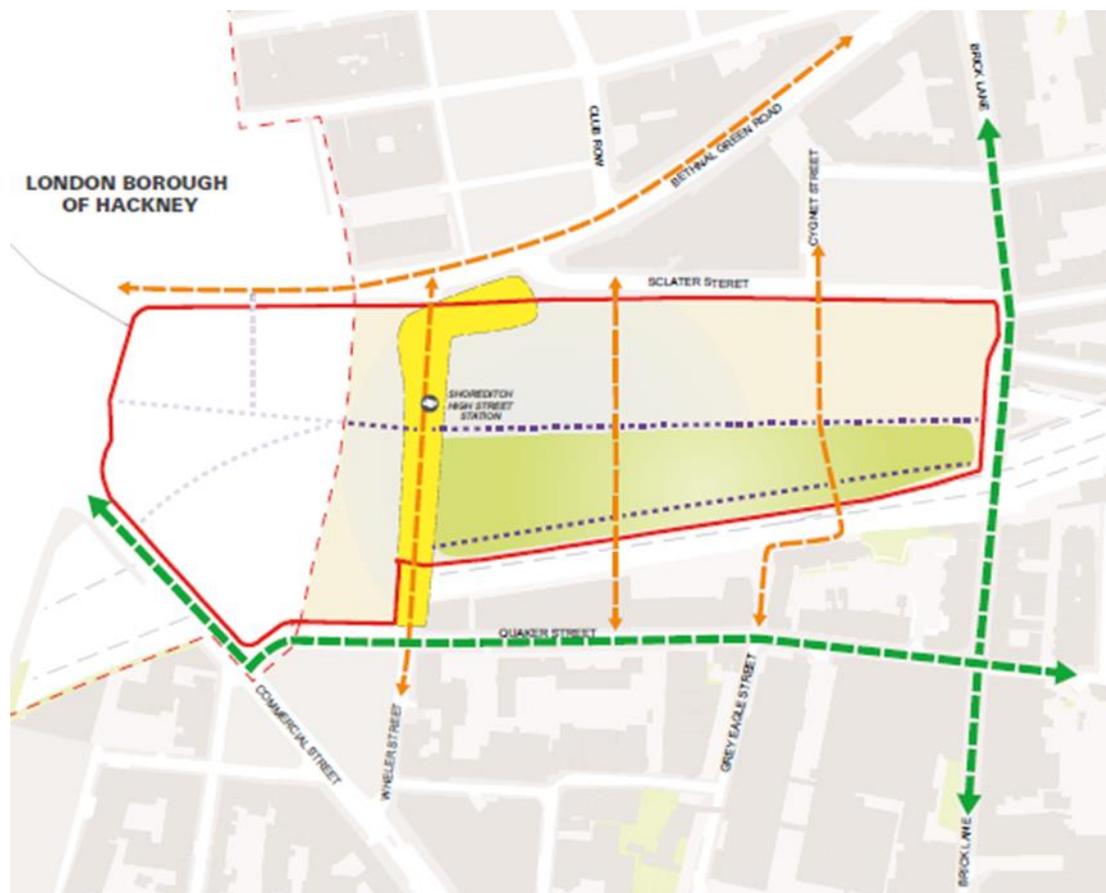


Figure 6: Local Plan Bishopsgate Goods Yard Site Allocation (Site Allocation boundary in red; public square in yellow; strategic pedestrian/ cycling routes in orange; green grid in green)

- 7.10 Design principles for the site allocation are that development will be expected to:
- respond positively to the existing scale, height, massing and fine urban grain of the surrounding built environment
 - protect or enhance heritage assets on site including the existing Grade II-listed Braithwaite Viaduct, Oriol gate and the forecourt wall fronting Shoreditch High Street and sensitively consider its impacts on the conservation areas, strategic and local views. Development should also protect or enhance heritage assets in the surrounding areas (including within the London Borough of Hackney)
 - focus larger-scale buildings around Shoreditch High Street Overground station

- d) integrate development with the surrounding area and improve the street frontage and public realm on key routes, particularly along Wheler Street and ensure it is well integrated into the public squares to the east and south of the station
- e) maximise the provision of family homes
- f) improve walking and cycling routes to, from and within the site to establish connections to Shoreditch High Street Overground station, Brick Lane District Centre, Shoreditch Triangle and the new open space. These should align with the existing urban grain to support permeability and legibility
- g) provide open space with a minimum size of one hectare, consolidated and integrated with the green grid along Quaker Street and Brick Lane in the form of a multi-functional local park located above the Braithwaite Viaduct
- h) improve biodiversity and ecology within the open space and green infrastructure, and
- i) improve movement through the area and repair fragmented urban form (e.g. locate a community/local presence facility on key routes).

7.11 Delivery considerations for the site allocation are as follows:

- a) Community infrastructure requirements should be delivered in the early stage of the development to ensure the provision of new homes and jobs are supported by infrastructure.
- b) The community/local presence facility should be delivered within or adjacent to the Brick Lane district centre.
- c) Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.
- d) Development should coordinate consultation across planning authorities and address cross-boundary issues.

7.12 An assessment against Local Plan site allocation design principles and design considerations will be made in the 'Design and Heritage' section of this report.

Proposed Office Uses

7.13 The approved Development Specification states that the principle land use of Plot 1 shall be business (B1 use class). The Development Specification and Design Guide state that the maximum area (sqm GEA) of office space for Plot 1 is 54,320 sqm and the minimum is 36,504 sqm.

7.14 As shown by figure 1 and figure 7, the majority of the proposed Plot 1 building falls within LB Hackney rather than LB Tower Hamlets. Within LB Tower Hamlets, 9,973 sqm office space is proposed, whilst in LB Hackney, 41,059 sqm office space is proposed. Overall, this would equate to 51,039 sqm office space (illustrated in appendix 1.9), which is under the maximum and over the minimum stated in the Development Specification.

7.15 Affordable workspace provisions have been secured by the hybrid planning permission for the office space. For the reasons above, the proposed office space would be acceptable and in accordance with Development Plan policies.

Proposed Retail Uses

7.16 The approved Development Specification states that other land uses of Plot 1 apart from office shall be retail (A1, A2, A3, A5 use class). The Development Specification and Design Guide state that the maximum area (sqm GEA) of retail space for Plot 1 is 945 sqm and the minimum is 631 sqm.

7.17 Although the Development Specification states that Plot 1 could be 100% office, it is positive that ground floor retail uses have been proposed. As shown by figure 1 and figure 7, the majority of the proposed Plot 1 building falls within LB Hackney rather than LB Tower Hamlets. Within

LB Tower Hamlets, there would be 149 sqm retail space proposed, whilst in LB Hackney there would be 639 sqm retail space proposed. Overall, this would equate to 831 sqm retail space, which is under the maximum and over the minimum stated in the Development Specification.

- 7.18 The 19/11/2020 Tower Hamlets Strategic Development Committee resolved to raise objections to the hybrid consent in relation to *'the retail offer and business strategy.'* Affordable retail and local, independent business provisions were subsequently secured by the hybrid planning permission s106 legal agreement. For the reasons above, the proposed ground floor retail space would be acceptable and in accordance with Development Plan policies.

Proposed Plant/ Ancillary Space

- 7.19 The approved Development Specification and Design Guide state that the maximum area (sqm GEA) of plant/ ancillary space for Plot 1 is 7,038 sqm and the minimum is 4,637 sqm. The split of plant/ ancillary floor area between the boroughs is unclear within the Planning Compliance Statement, however the proposed overall 6,392 sqm in Plot 1 is under the maximum and over the minimum stated in the Development Specification.

Land Use Conclusion

- 7.20 For the reasons above, the proposed land uses (office-led development with retail space at ground level and ancillary plant) would be acceptable in principle, subject to all other policy considerations.

DESIGN AND HERITAGE

Background

- 7.21 The proposed development on Plot 1 is subject to consented footprint, scale and massing ranges within approved parameter plans. The approved Design Guide outlines extensive guidance for the design of the Plot 1 building under the following headings:

- Use and Quantum
- Quantum of Uses
- The Ground Level
- Plinth Levels
- Upper Levels
- Area Flexibility
- Scale and Massing
- Constraints and Influences
- Heritage Interfaces
- Building Maximum and Minimum Parameters
- Station Square
- Set backs
- Articulated form
- Composition and Materiality

- 7.22 The submitted 'Design Overview Statement – RMA' includes a checklist of all relevant Design Guide points for Plot 1 (see Appendix 2). This checklist outlines how the proposed development has complied with all relevant Design Guide guidance for Plot 1 and is supported by justification within the wider Design Overview Statement. The submission also includes an Environmental Compliance Report (Townscape and Visual Impact Addendum).

- 7.23 The proposed development falls within the approved parameters in respect of building footprints (see appendix 1.8), heights, scale and massing (see figure 7 and appendix 1.6). The height of

the building is proposed to be 12-16 storeys and currently envisaged to be a maximum 89.2m AOD. Visuals of the proposed development are shown in figure 8 and appendix 1.1. An NMA (PA/23/02025) was recently approved with minor amendments to parameter plans.

Design (General)

- 7.24 In general, the building is felt to be more successful at the western end of the proposals – the face of the building, within LB Hackney. Less consideration appears to have been given to the details of the eastern end of the building within LB Tower Hamlets and the relationship of the building with Shoreditch High Street station/ 'Station Square.' This may be as a result of the lack of clarity surrounding the adjoining uses, both in terms of the way in which the station will be detailed in the future and uncertainty with adjoining future residential uses (Plot 4) and their internal layouts.
- 7.25 The middle and base of the eastern end of the building (see figure 7 and figure 8) seem unrelated, and a design detail that introduces a familial language would help integrate them and improve the building's cohesion. On the northern (see figure 8) and southern (see appendix 1.3) elevations, the impact of the glazed ribbon detail, a striking transitional feature of the proposals, has been reduced because rather than being recessed (as it is on the western and eastern ends), it is in the same plane as the upper parts of the building.

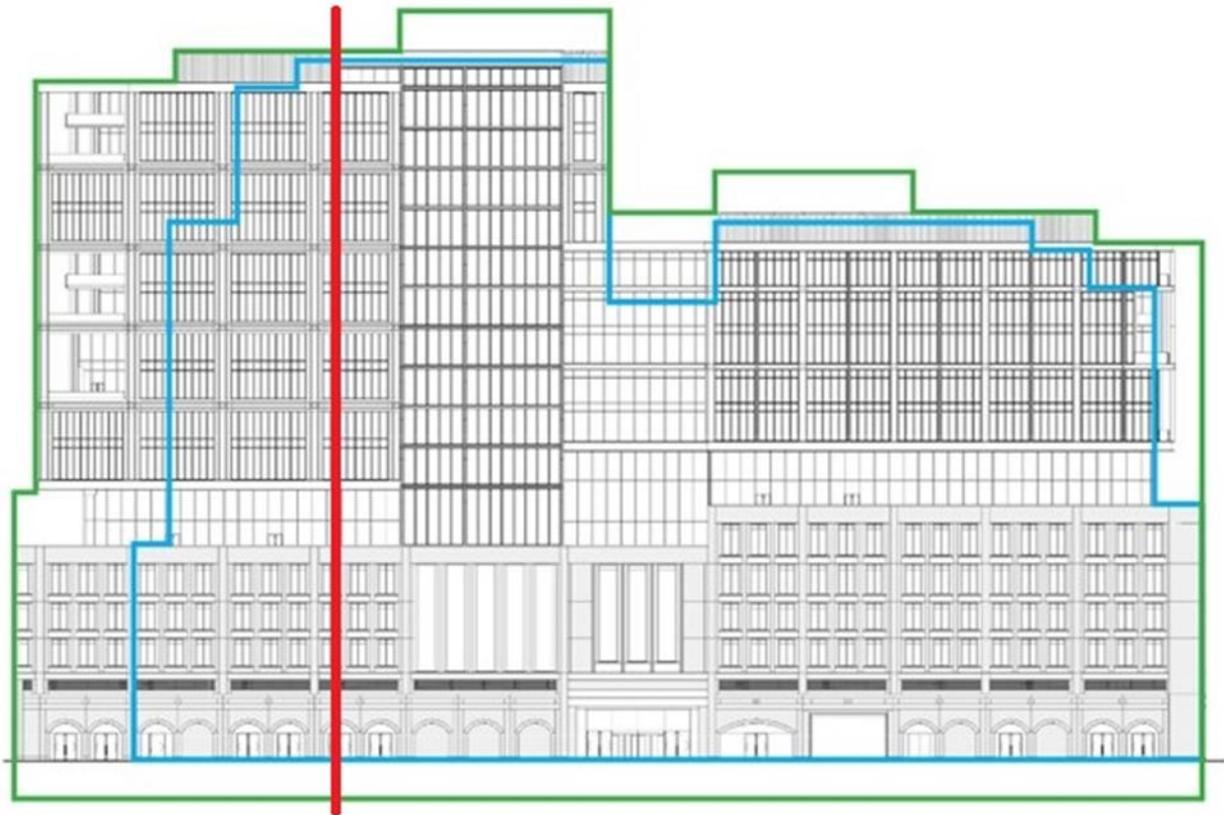


Figure 7: Proposed north elevation (on Bethnal Green Road) with LB Tower Hamlets to left (east) of red line. Blue outline is minimum parameter massing; green outline is maximum parameter massing

- 7.26 The proposals have been the subject of considerable pre-application discussions with the GLA, LB Tower Hamlets and LB Hackney and have been revised many times. This has resulted in some discrepancies between the plans and visualisations in the submission, which makes it difficult to assess what will be delivered. Examples include:
- Some of the ground floor plans show the internal north/ south link within Plot 1 as having revolving doors, whilst others show swing doors. Revolving doors change the perception of this space, from public walkway to office lobby, so these need to

be clarified. In addition, some CGIs show revolving doors whilst other CGIs and elevations show double leaf swing doors. The door type will alter the façade's appearance, therefore updated elevations and CGIs should be provided.

- The CGIs and plans show the entrance to the station differently – some have the gantry over Braithwaite Street while CGIs in the DAS omit it all together.
- The keys on a number of the plans do not clarify which material No.10 refers to. It appears that it might be a solid section around the windows – the elevations look like it is to be glass but for technical reasons it may need to be solid. The material chosen for this section will have a large impact on the overall feel of the scheme, therefore further details should be provided at this stage.
- Paragraph 5.23 (page 54), of the Design Overview Statement contains a visualisation (03) of the view along 'Middle Road' looking east. This CGI looks like an earlier visualisation showing the stair arrangement before it was amended. The applicant should confirm whether this CGI reflects the updated stair design or update accordingly.

7.27 Officers are satisfied that the north-west and south-west edges of the plinth (shown in appendix 1.1) now have mirroring curved corners. This change creates a more balanced form and improves the building's symmetry. However, at the top of the building at the north-west and south-west, the corner above the recessed glazed ribbon is square. The lack of curved corners on the upper parts of the building creates a somewhat discordant and jarring juxtaposition between the curved corners on the base.

7.28 Paragraph 4.4.21 of the Design Guide requires that the service access into Plot 1 from Bethnal Green Road will be visually integrated into the proposed architecture – officers are not convinced that it is. In the proposed north elevation (see figure 7), the entrance to the service yard seems out of proportion with adjoining arches, being both higher and wider. It is also extremely utilitarian in appearance. Consideration should be given to introducing an arch to the top of this service yard access. Assuming that gates are required, it should be ensured that these are sufficiently decorative, bespoke and attractive.

7.29 The quality of the materials and the detailing will be key to the success of the scheme. The choice of brick, mortar colour, the colour and finish applied to the structural steel, the spandrel panels, and the curtain wall system design will all be key to the success of the building. Final details are already secured as part of the hybrid consent conditions.

7.30 Elements such as the soffits to the balconies and terraces would benefit from refinement, particularly on the overhang over the terrace on the eastern side of the building, which would be visible from the surrounding streets. Officers suggest that the opportunity to add public art to this undercroft rather than visible structural steel beams, should be explored. The balustrades to the terraces also need to be carefully considered to ensure that they reflect what will be delivered. For example, the balustrades appear to be 1100mm high on the visualisations, but due to health and safety, office balustrades on roof terraces are often higher than this – these elements should be clarified.

Design (Eastern End of Plot 1)

7.31 This part of the proposed building is within LB Tower Hamlets (shown in figure 8 and appendix 1.6). Officers would have liked an opportunity to review and discuss the design and layout of this section of the building in greater detail at pre-application stage. The structural piers whilst reflected between the upper and lower sections of the building, are top heavy, with the width of the structure at the top of the building extending beyond the dimensions of the lower brick piers. Ideally the structure to the top half of the building would be lighter in appearance.

- 7.32 Reference is made in the Design Guide (page 42) to the intention for spandrels to have a red hue to tie in with the western section of the building, but this is not shown in the visualisations (see figure 8). Officers question whether the combination of a black metal structure combined with red spandrel panels would make this section of the building appear overly fussy and draw additional attention to the top heaviness of the upper parts of the building. Officer preference is for the spandrels to have a grey or black hue as depicted in the current CGIs. If red spandrels are proposed, it would be helpful to see its appearance in a CGI and assess its visual impact on the façade. The CGI could also show the visual impact of using a dark unitised metal curtain wall panel.
- 7.33 An extensive section of the plinth below the link building to both north and south elevations is windowless. Whilst nicely detailed, it would nonetheless be an improvement to include windows within these elevations. On the southern façade (see appendix 1.3), it is also worth noting that much of the plinth façade adjoining the railway box is a series of louvres, making this a fairly forbidding elevation. A strategy of how this will be enlivened should be provided, possibly including the use of decorative grilles.



Figure 8: View from Bethnal Green Road from the east towards proposed development. Plot 4 is to the left/east

- 7.34 The 19/11/2020 Tower Hamlets Strategic Development Committee resolved to raise objections to the hybrid consent application in relation to *'the height and massing of the development, particularly in terms of the impact on Bethnal Green Road.'* The related committee report further

stated that: *'To be successful, the development of Plot 1 would likely need to be limited to little more than the minimum parameters set out in the Design Guide. Any proposals coming forward will also need to be very carefully articulated and detailed to help minimise the apparent scale to the eye.'*

- 7.35 *'Plots 1 and 4 would form a new street frontage along the far western end of Bethnal Green Road, incorporating the retained single storey historic wall and replacing the temporary Box Park retail units. It is evident from the information submitted in support of the application that the buildings that could come forward on these plots could form a dominant and imposing wall of development as there is a very limited amount of proposed modulation in the principal building line or variation in the overall height of the individual buildings.'*
- 7.36 After the above representations were provide from LB Tower Hamlets, the proposals were subsequently approved by the GLA who concluded that they would result in a *'successful design with an acceptable visual impact.'* Figure 8 and appendix 1.10 show the proposed development in relation to Bethnal Green Road. **Officers remain concerned and raise objection with the visual impacts to Bethnal Green Road and retain the view that the bulk and massing should be reduced within LB Tower Hamlets towards the minimum parameters (as illustrated on figure 5) – this would also aid in response to related issues raised later in regard to 'Station Square' and amenity of future homes.**

Design (Western End of Plot 1)

- 7.37 This part of the proposed building (shown in appendix 1.1) is within LB Hackney, although it helps to form a gateway (along with the Tea Building) to Bethnal Green Road and LB Tower Hamlets. The proposals include a top to the building with two sets of horizontal steelworks spaced a floor apart rather than the double storey grid on the middle section of the building, this is insufficiently distinguished if the intention is that it should be read as a crown. It appears cluttered and confused, with terrace balustrades appearing to extend beyond the structure at one end which fail to reach the structure at the other end. The possibility that balustrades will also need to be higher exists and the impact of this upon the appearance needs to be considered.

Public Realm/ 'Station Square'

- 7.38 The Landscape and Public Realm Strategy includes high level information about the applicant's approach to lighting around the site and refers to the Hoard Lea Stage 2 report for more detailed information – the Hoard Lee report and a lighting plan were not included in the proposal; therefore officers are unable to fully assess. This information should be provided at this stage for officer comment. The ground floor proposed landscaping for Plot 1 is shown in appendix 1.7.
- 7.39 Across the proposals, consideration needs to be given to passive surveillance, and the illumination of corners in relation to potential anti-social behaviour. In particular, the diagonal building footprint around Braithwaite Street creates an odd corner which could attract anti-social behaviour. On the western end within LB Hackney, it appears that it would be beneficial to have more passive surveillance from windows around this space.
- 7.40 Figure 9 shows the proposed 'Station Square,' within LB Tower Hamlets on Braithwaite Street. Three sets of bollards are proposed around the eastern end of the building on Braithwaite Street – on both sides of Middle Road (the west-east route) and to the south just before the Overground viaduct. It is assumed that these are hostile vehicle mitigation measures – pedestrian desire lines should be considered in the final HVM strategy. Officers would need to see the final HVM strategy at this stage in order to be able to fully assess public realm proposals and ensure minimal clutter along with necessary security measures. If the HVM strategy cannot be provided at this stage then it should be secured by condition.

- 7.41 Appendix 1.4 illustrates the Design Guide section relating to 'Station Square' which states that *'increased public space will be provided at the north-east corner of the plot (between Bethnal Green Road and Shoreditch High Street. This will ensure adequate and appropriate public realm is delivered in this potentially busy location.'* The Design Guide further describes that this *'will be achieved'* by either building to the minimum parameter extents (shown in blue outline on appendix 1.8), introducing a cantilevered recess or introducing a colonnade when building to the maximum parameter.
- 7.42 As shown in figure 7 and figure 9, the proposal involves extending to the maximum parameter of both building footprint and massing. The proposal would not introduce a cantilevered recess. As shown in figure 9, no additional public realm would be provided although it appears that pedestrians could potentially cut through/ past the corner retail unit (marked as number 2) – this would not constitute an adequate colonnade space. It is understood that this space would be shuttered at night to prevent anti-social behaviour – the principle of closing such a space at night is supported, however the space itself is wholly unacceptable. Any cantilevered or colonnade space would require full details of management strategy, process of activation (through elements such as lighting, public art and incorporating retail frontages) and the use of decorative and bespoke detailing to be secured by condition.

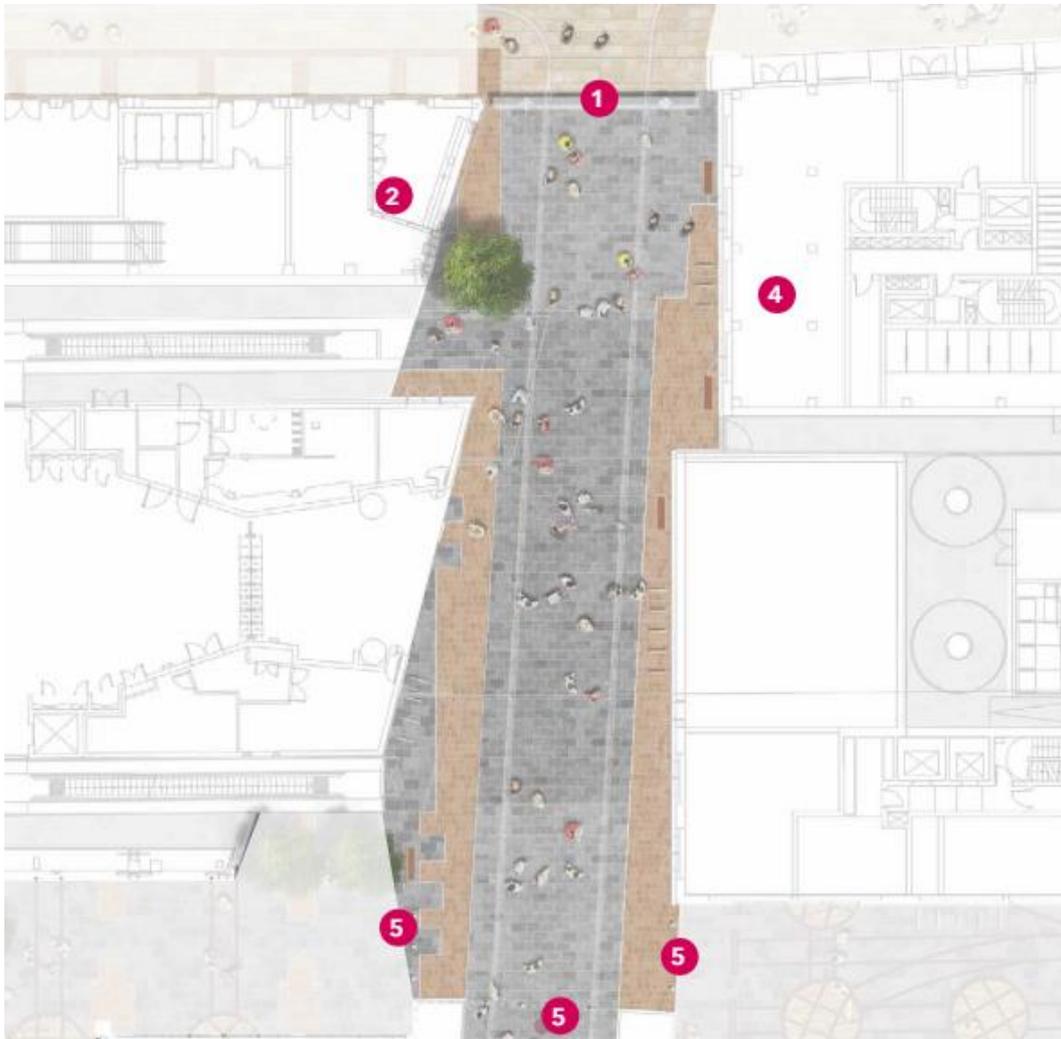


Figure 9: Proposed 'Station Square.' 1 is the overhanging gantry; 2 is retail frontage within an enclosed area; 4 is retail frontage to Plot 4; 5 is bollards;

- 7.43 The proposed 'Station Square,' with no additional public realm would not practically constitute a 'square' and figure 8 and figure 10 show that it would appear 'hemmed-in' by Plot 1 and Plot 4 tall building development on each side. The proposal also goes against the Site Allocation

aspirations (shown in figure 6) for a public square and increased public realm at this location. The proposal would be contrary to the Design Guide, as shown in appendix 1.4.

- 7.44 Appendix 1.2 shows the existing situation around Shoreditch High Street, whereby BOXPARK is setback to allow some public realm, open space and relief towards the station approach. This layout also allows the Shoreditch High Street station totem and signage on the viaduct to be clearly visible to passers-by on Bethnal Green Road. Building out to the maximum parameter massing at the eastern end has obscured the presence of the Overground station and fails to provide any meaningful public realm to improve the situation.
- 7.45 Further to above, bollards on Braithwaite Street (shown as number 5 on figure 9) should be minimalised and rationalised. Folding or lowerable bollards should be moved to the northern threshold, underneath where the gantry is shown (number 1), which would create an improved, relaxed pedestrian zone on the approach to Shoreditch High Street station, whilst still allowing emergency vehicle access.
- 7.46 **Officers raise objection to the proposed 'Station Square' and recommend that the building footprint and massing is reduced to the minimum parameter extent at this location in order to ensure that adequate public realm is provided at this key, busy pedestrian junction within LB Tower Hamlets, allowing relief to the approach which does not feel that it is overborne by development.**

Shopfronts

- 7.47 Page 46 of the Design Overview Statement indicates that the north elevation retail facades will have a signage zone in the fanlight and an additional externally mounted signage zone on the brickwork above the arches. To reduce visual clutter and create a consistent signage zone, the applicant should decide whether the signage will be in the arched fanlight or on the brickwork above the arches. If mounted on the brickwork, the applicant should clearly define the signage zone. Signage needs to be consistently located; consequently, a decision must be made about where the signs should be placed at this stage. Officer preference is for signage to be in the fanlight on the north elevation.
- 7.48 On the south façade, the shopfront frameworks work well. The framework provides a modern interpretation of an historic shopfront, which helps to define the rhythm, break up the elevation and create clearly defined well-proportioned units. They have an industrial appearance which reflects the Goods Yard's history, and ventilation requirements are masked with a decorative mesh. The opportunity exists for awnings with the boxes concealed within the structure. However, the signage zone needs to be marked consistently rather than varying in location between the top of the beam and the bottom. On the ground floor, signage is also shown to the side of the door, this is not desirable. Overall, the shopfront strategy should be rationalised in line with the above at this stage.
- 7.49 Pop-up uses with PPC framed glazing located beneath the station are referred to, but it is unclear where these are located. The key on the south elevation plan shows retractable louvred gates to the adaptable retail areas. A bespoke, decorative approach should be taken to these areas.



Figure 10: Image showing proposed access to Braithwaite Street/ Shoreditch High Street station from Bethnal Green Road. Plot 1 is to the right/ west. Plot 4 is to the left/ east

Signage

- 7.50 Figure 10 shows the proposed approach to Braithwaite Street ('Station Square'). This image shows an overhanging gantry announcing 'Bishopsgate Goodsyard.' As the proposed buildings obscure the station entrance, they make the station less legible and harder to find. Officers consider that if such a gantry is proposed then it needs to announce the Overground station appropriately, potentially including specific Overground signage, to aid legibility satisfactorily. Earlier CGIs of signage in this location showed a more integrated industrial form of signage which was preferable to the standalone signage that is now proposed.

Impact on Heritage Assets

- 7.51 The hybrid planning permission tested the maximum parameter massing of Plot 1 and the wider site against surrounding heritage assets, local and strategic views and was found to be acceptable and in accordance with Development Plan policies. The submitted Environmental Compliance Report has included a Townscape and Visual Impact Addendum, as well as a Built Heritage chapter – the conclusions at the time of the hybrid planning consent have not significantly altered and the impact on heritage assets is still acceptable. Conditions related to on-site above and below ground heritage assets were secured in the hybrid planning consent.

Fire Safety

- 7.52 The hybrid planning permission included a pre-commencement condition to secure submission of a fire strategy for each relevant phase.

Designing-out Crime

- 7.53 The hybrid planning permission included a condition to secure submission of Secured by Design details prior to completion of superstructure for each relevant phase or building.

Design and Heritage Conclusion

- 7.54 In conclusion, officers recommend a number of clarifications are provided and specifically object to the massing of the development at the eastern end and the proposals for 'Station Square.'

NEIGHBOUR AMENITY

- 7.55 The hybrid planning permission tested the maximum parameter massing of Plot 1 and the wider site in relation to its impact on neighbour amenity in relation to Development Plan policies and was found to be acceptable on balance.

Outlook, Overbearingness, Sense of Enclosure and Privacy

- 7.56 Within the SDC report dated 19/11/2020 and the GLA representation hearing report dated 03/12/2020, no specific concerns were raised in regard to the impacts of the Plot 1 building in particular. The nearest residential units to Plot 1 would appear to be those marked on figure 11 on Shoreditch High Street (number 1), Chance Street (number 2) and Bethnal Green Road (number 3) in relation to the site (marked with a red asterix). The separation distance across public roads, to nearby residential buildings is significantly in excess of the 18m guideline, therefore the impact on overlooking and privacy would be acceptable. The height of the proposed buildings would result in an increased sense of enclosure, some loss of outlook and overbearingness, however this is considered to be acceptable, taking into consideration the limited residential presence nearby and separation distances.
- 7.57 In regard to future residential buildings on the wider consented development site (Plot 4, Plot 8 and Plot 10), when RMAs come forward involving these plots, special attention will need to be given to ensuring that there would no unacceptable mutual overlooking, privacy, sense of enclosure, outlook or overbearingness. These future residential plots are within LB Tower Hamlets. At its nearest point, Plot 4 (residential) would be only 13.6m from the Plot 1 office building. Plot 8A (residential) would be only 11.9m from the Plot 1 office building (relationship shown in appendix 1.5). Plot 4 and Plot 8A are limited in being able to move further away from Plot 1 in parameter building footprint terms, however Plot 1 is able to reduce its building footprint more towards the minimum parameters in order to increase separation distances to Plot 4 and Plot 8A. Officers consider that the limited separations distances from eastern elevation massing of Plot 1 towards the residential Plot 4 and Plot 8A, with the presence of the office terraces and substantial glazed facades would lead to unacceptable mutual overlooking, lack of adequate privacy, sense of enclosure, outlook and overbearingness. Officers therefore consider that the massing of the Plot 1 building needs to be pulled inwards at the east in order to provide acceptable conditions for future residential occupants.

Daylight, Sunlight & Overshadowing

- 7.58 An Environmental Compliance Report (Daylight, Sunlight and Overshadowing) was submitted with the RMA, which will be reviewed by GLA officers. The hybrid planning permission application contained extensive daylight, sunlight and overshadowing assessments and review within the Environmental Statement. Within the SDC report dated 19/11/2020 and the GLA representation hearing report dated 03/12/2020, no specific concerns were raised in regard to the impacts of the Plot 1 building in particular.
- 7.59 As mentioned above, the nearest residential units to Plot 1 appear to be those shown on figure 11. Major adverse impacts to daylight and sunlight were attributed to these existing homes. For 28-30 Bethnal Green Road, it would appear that impacts would mainly arise from the interaction with Plot 4 and Plot 5 rather than Plot 1 which is further away. For 2-4 Chance Street, it was factored in that this second floor property had low existing levels and was self-restricted by its

overhanging roof. For properties on Shoreditch High Street, the retained levels were found to be appropriate even though the losses were significant.

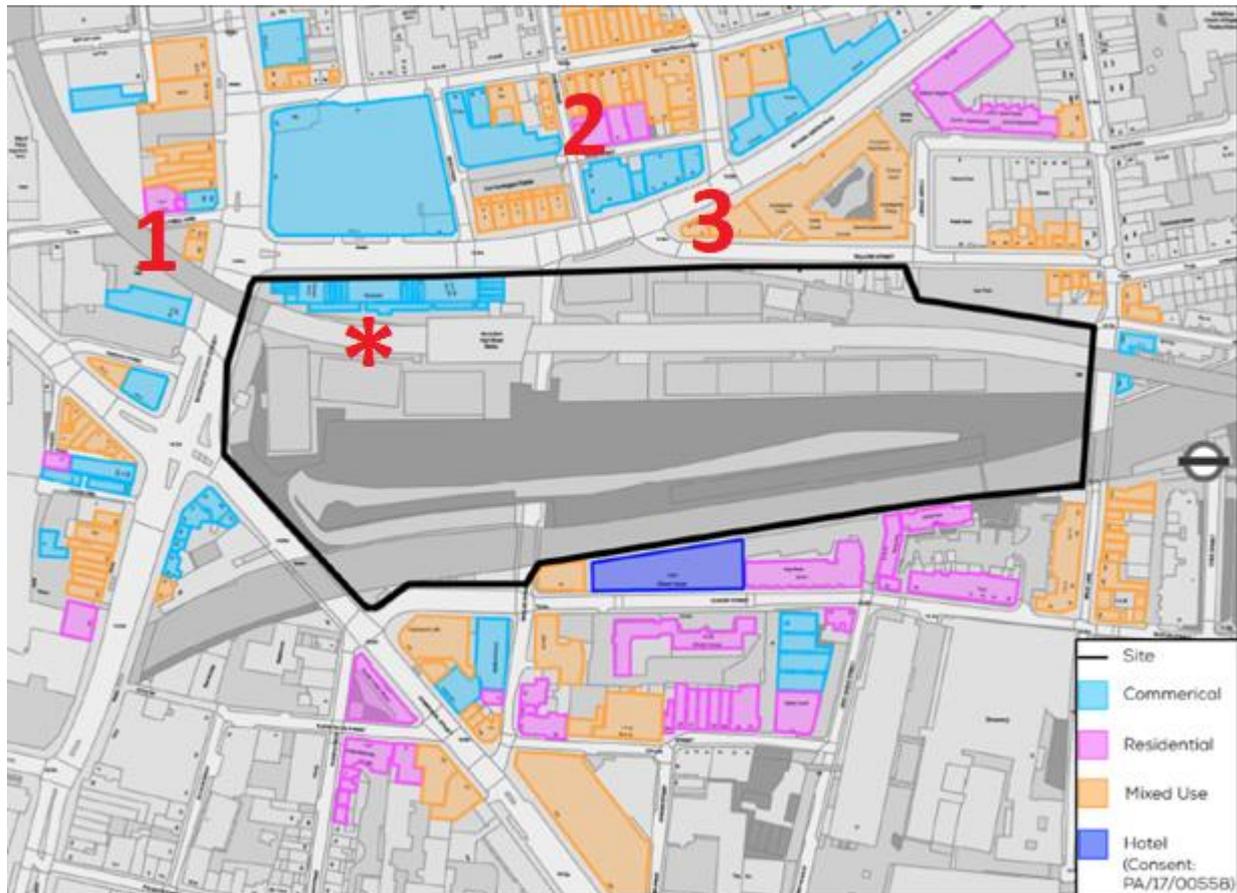


Figure 11: Image showing surrounding land uses (residential in pink)

- 7.60 In terms of overshadowing, the main impact of Plot 1 would be on the Shoreditch House rooftop swimming pool and adjoining terrace to the north. These areas would experience significant impacts on sunlight; however it was concluded that as these are not residential spaces, and they would still be well lit in summer months, the impacts would be acceptable.
- 7.61 Overall, there would be limited significant impacts on daylight, sunlight and overshadowing to nearby existing residential properties. Taking into consideration the officer recommendation to scale back the eastern massing of Plot 1 above, this would also help in improving internal daylight and sunlight levels to future residential units in Plot 4, Plot 8A and Plot 10.

Light Pollution

- 7.62 The hybrid planning permission application contained a condition for full details of internal lighting to be provided and controlled for the Plot 3 office building in relation to nearby residential units. Officers consider that such a condition should be imposed on the Plot 1 building in relation to the close proximity of future residential units of Plot 4, Plot 8A and Plot 10.

Noise

- 7.63 An Environmental Compliance Report (Noise and Vibration) was submitted with the RMA, which will be reviewed by GLA officers. The hybrid planning permission application contained appropriate noise testing and review within the Environmental Statement and a number of conditions controlling noise and ensuring sound insulation to residential properties have been imposed in accordance with Development Plan policies.

Amenity Conclusion

- 7.64 Officers consider that the impact of the proposed development on existing surrounding uses would generally be acceptable. **In regard to the impact on future residential Plot 4, Plot 8A and Plot 10 of the hybrid planning permission, officers consider that the combination of Plot 1 massing, bulk, close proximity, as well as office lighting to these buildings would result in significant adverse impacts. Officers therefore raise objections in relation to the impact on future residential properties and recommend reduction of building footprint and massing towards the minimum parameter around the east of Plot 1.**

HIGHWAYS AND SERVICING

- 7.65 An Environmental Compliance Report (Traffic and Movement) and Transport Assessment was submitted with the RMA, which will be reviewed by GLA officers, who are required to consult TfL. LBTH Highways team have also provided comments on the submission. The hybrid planning permission application contained appropriate testing and review within the Environmental Statement and a number of conditions and legal obligations controlling servicing, car parking (including accessible), cycle parking, cycle hire docking stations, electric vehicle charging, highways improvements, construction management, Shoreditch High Street station improvements and safeguarding, infrastructure protection, travel plans, waste collection and management have been imposed in accordance with Development Plan policies.

Car and Cycle Parking

- 7.66 No accessible car parking bays are proposed on the Plot 1 site, which could lead to Sclater Street being over-utilised to provide the requirement, which is not sustainable. Sclater Street is a fairly narrow two-way street with car parking on the south side and, according to the applicant, servicing on the north side. It is not reasonable, given the size of this development to put so much reliance on the public highway for its impacts. Cycle parking generally accords with the hybrid planning permission; however the cycle stores appear to be overly large and from a security viewpoint would be better split into small units.

Servicing

- 7.67 It is proposed to lower the headroom on vehicles using the Bethnal Green Road service yard within Plot 1 (see appendix 1.8) from 4.5m to 4.2m – the GLA should ensure that this is reflected in the service management plan (secured by s106 legal agreement) or otherwise by condition, with restrictions put on the type of service vehicles to ensure no over-height vehicles attend the site and then need to either reverse out to the public highway.
- 7.68 Emergency vehicle access appears to have changed from the hybrid planning permission and it is now proposed to use Braithwaite Street on Plot 1. Braithwaite Street is closed to through traffic and during pre-application/ hybrid application discussions it was made clear that LB Tower Hamlets do not wish to open this up to traffic again, creating a rat run into other borough roads – it is now a well-established safe pedestrian and cycling route. Further clarification should be provided on this change – if London Fire Brigade (LFB) has requested this change then officers would need to see that advice, otherwise this is not supported. If LFB have requested this then the applicant needs to formulate a mechanism for allowing **only** emergency service vehicles whilst prohibiting all other vehicles – signage alone would not work.
- 7.69 A proposed entry 'arch' is proposed over Braithwaite Street (see figure 10), which is public highway. In terms of wayfinding towards the site, officers consider this unnecessary. Should the applicant wish to provide such signage it should be provided within their own land – the Local Highways Authority does not approve this element. Any wayfinding around this area should be directed towards Shoreditch High Street station.

Waste

- 7.70 The RMA provides a mix of non-residential use classes. These use classes have been spread throughout the plot and are located within both the LB Hackney and LB Tower Hamlets parts of the site. Due to the clear restriction in height for the Plot 1 servicing yard, waste management solutions such as portable compactors could not be explored hence the option of waste storage in a dedicated bin store. The waste storage area within the Plot 1 servicing yard has been designed to accommodate the number of bins required for a daily collection, and a worst-case approach provided across all non-residential units – this is acceptable.
- 7.71 Operationally, the applicant has stated that the waste arising from the office uses will be brought to the central waste store via the service lifts daily with the support of internal management team. The submission states that Plot 1 waste will be collected directly from the waste store daily. Whilst LB Tower Hamlets does not have a responsibility to collect commercial waste, the proposed daily collection is acceptable as increased frequency of collections can be arranged. Whilst it is stated that waste will be collected from within the Plot 1 service yard by a private waste contractor, as an informative it is required that the applicant explores waste services providers that can support the available and restrictive space within the service yard to manoeuvre. Officers will not support any servicing or waste collections from the main road – Bethnal Green Road/ Shoreditch High Street.

ENVIRONMENT

- 7.72 An Environmental Compliance Report (including chapters on Climate Change, Air Quality, Wind Microclimate, Preliminary Ecological Appraisal, Bat Survey, Contaminated Land), Energy Strategy Addendum, Sustainability Statement, Circular Economy Statement and Air Quality Positive Statement, was submitted with the RMA, which will be reviewed by GLA officers, who have their own specialist consultees.
- 7.73 The hybrid planning permission application contained appropriate testing and review within the Environmental Statement and a number of conditions controlling air quality positivity, air quality monitoring, air source heat pumps, bat and bird boxes, sustainability strategy, BREEAM certification, green/brown roofs and green walls, landscape and ecological management plan, urban greening factor, land contamination, circular economy statement, whole life carbon, water efficiency, photovoltaics, sustainable drainage, water capacity, energy strategy, mechanical ventilation were imposed in accordance with Development Plan policies.

Biodiversity and Arboriculture

- 7.74 A Biodiversity Gain Plan has been provided which states that the proposed development will provide a 261% increase in biodiversity on the Plot 1 site, through the introduction of biodiverse roofs and trees. A condition was imposed to ensure that a site-wide Urban Greening Factor score of 0.3 is achieved. London Plan policy G5 states that predominantly commercial developments should meet the Urban Greening Factor target score of 0.3 in regard to the quality and proportion of urban greening proposed. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.21 for Plot 1. Officers consider that a review of Plot 1 site greening should be requested in order to maximise trees around the perimeter of the building within the public realm and to integrate biodiverse roofs with proposed roof plant/ photovoltaics in order increase the UGF.
- 7.75 The proposals do not impact on or require the removal of any trees. Officers are generally satisfied with the tree species choices proposed in the Landscape and Public Realm Strategy, except Quercus Robur. The Council do not plant Quercus species in Tower Hamlets, as this is an Oak Processionary Moth (OPM) control zone. An alternative species which is native to the UK and with similar proportions would be preferable.

7.76 Planting locations appropriately consider post-development pressures, such as shade and litter once fully established, which should see them reach their intended proportions without the need for regular, heavy pruning and pressure from future residents and businesses to remove them. If the Quercus species is replaced with another species native to the UK, an important Local Biodiversity Action Plan (LBAP) target of planting a minimum of 3 tree species native to the UK will have been met – this is encouraged. The Council require submission of a tree planting methodology in line with BS 8545 describing the process for planting and maintaining young trees that will result in them successfully establishing in the landscape – this should be secured by condition.

8. RECOMMENDATION

8.1 Officers recommend that the following objections to the RMA are raised with the GLA:

- The 'Station Square' is not in accordance with the Design Guide and Site Allocation aspirations for additional public realm and a public square in the key, busy pedestrian approach to Shoreditch High Street station. The building massing/ footprint should be reduced to the minimum parameter extent at this location in order to provide the necessary additional public realm promised by the Design Guide
- The close proximity of the eastern end of the proposed Plot 1 building to future residential Plot 4, Plot 8A and Plot 10 would result in unacceptable mutual overlooking and poor levels of privacy to the new housing on the wider site. Taken into consideration with the concerns raised with the excessive visual impact of proposed built massing on Bethnal Green Road, Plot 1 should be reduced to the minimum parameter extent at the eastern end of the building

8.2 Officers recommend that the following comments on the RMA are raised with the GLA:

- Rationalisation between plans and visualisations to confirm design intentions particularly in respect of doors to internal Plot 1 walkway, balustrades to terraces, western stairs off 'Middle Road,' gantry over Braithwaite Street, clarification of material number 10
- Servicing yard entrance off Bethnal Green should be better visually integrated into the proposed building in line with Design Guide and clarification on gate treatment
- Review of soffits to balconies and terraces including potential integration of public art
- Review of design of the eastern elevation to look at lightening the top part of the building with clarification on colours of structure in relation to spandrel panels
- Review of north and south elevations windowless parts of the building to look at better activation of facades including strategy of enlivening southern louvres to be secured
- Provision of further lighting details, including Hoard Lee report
- Review of gantry over Braithwaite Street to ensure that Shoreditch High Street station is well-signposted and that this space is not cluttered
- Provision of HVM strategy for site including rationalisation and minimisation of bollards around Braithwaite Street with bollards on threshold with Bethnal Green Road to provide a better pedestrian environment in the approach to Shoreditch High Street station
- Provision of consistent shopfront signage strategy to be secured, minimising visual clutter
- Clarification on pop-up uses and that these will be treated with sufficient high quality detailing
- Condition to be imposed, securing full details of how internal lighting of Plot 1 offices will be controlled in relation to future residential units of Plot 4, Plot 8A and Plot 10.
- Review of accessible car parking provision on-site to ensure that Sclater Street is not over-utilised

- Clarification on servicing strategy in relation to Bethnal Green Road servicing yard height restriction and emergency vehicle access on Braithwaite Street
- Review of proposed trees (including removal of Quercus Robur) around the site to maximise provision around the public realm and around an increased 'Station Square.'
Review of roof plant area to incorporate biodiverse roofs to increase UGF to 0.3

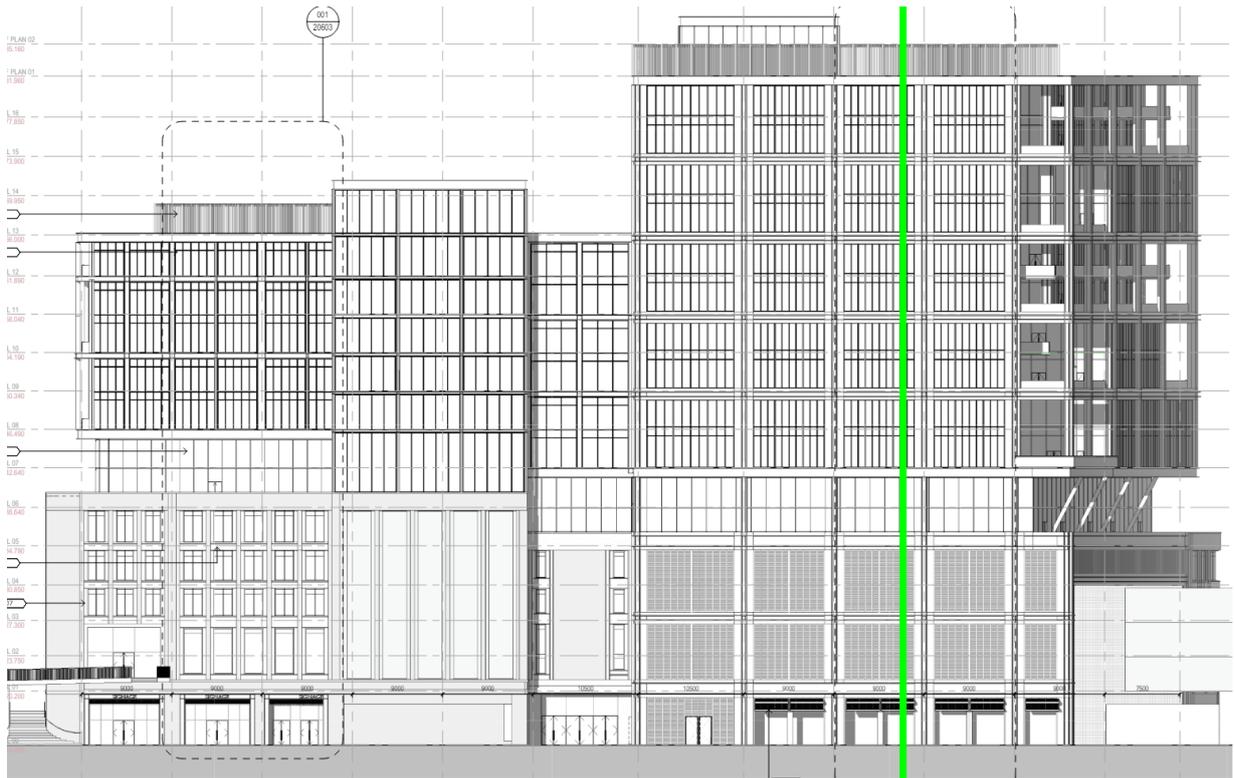
APPENDIX 1: Selection of Plans and Images



Appendix 1.1: Visual of Plot 1 (marked with red arrow) to left/ north of Plot 2 (consented in detail)



Appendix 1.2: Existing view of approach to Shoreditch High Street station from Bethnal Green Road



Appendix 1.3: Proposed south elevation of Plot 1 (facing 'Middle Road') with LB Tower Hamlets to the right/ east of green line

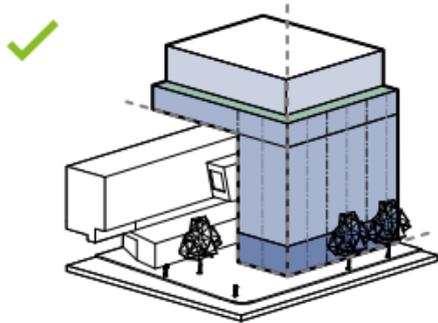


Fig 4.4.19: Acceptable: Northeast corner achieving public space through the minimum parameter

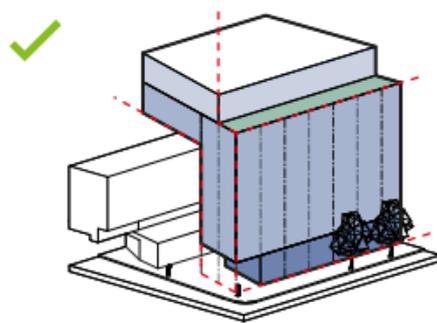


Fig 4.4.20: Acceptable: Northeast corner achieving public space through the maximum parameter (cantilevered recess)

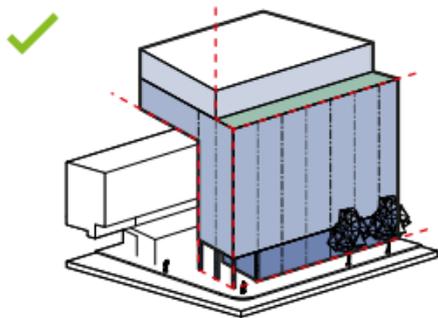


Fig 4.4.21: Acceptable: Northeast corner achieving public space through the maximum parameter (colonnade)

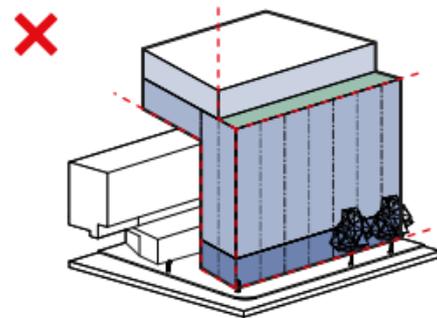
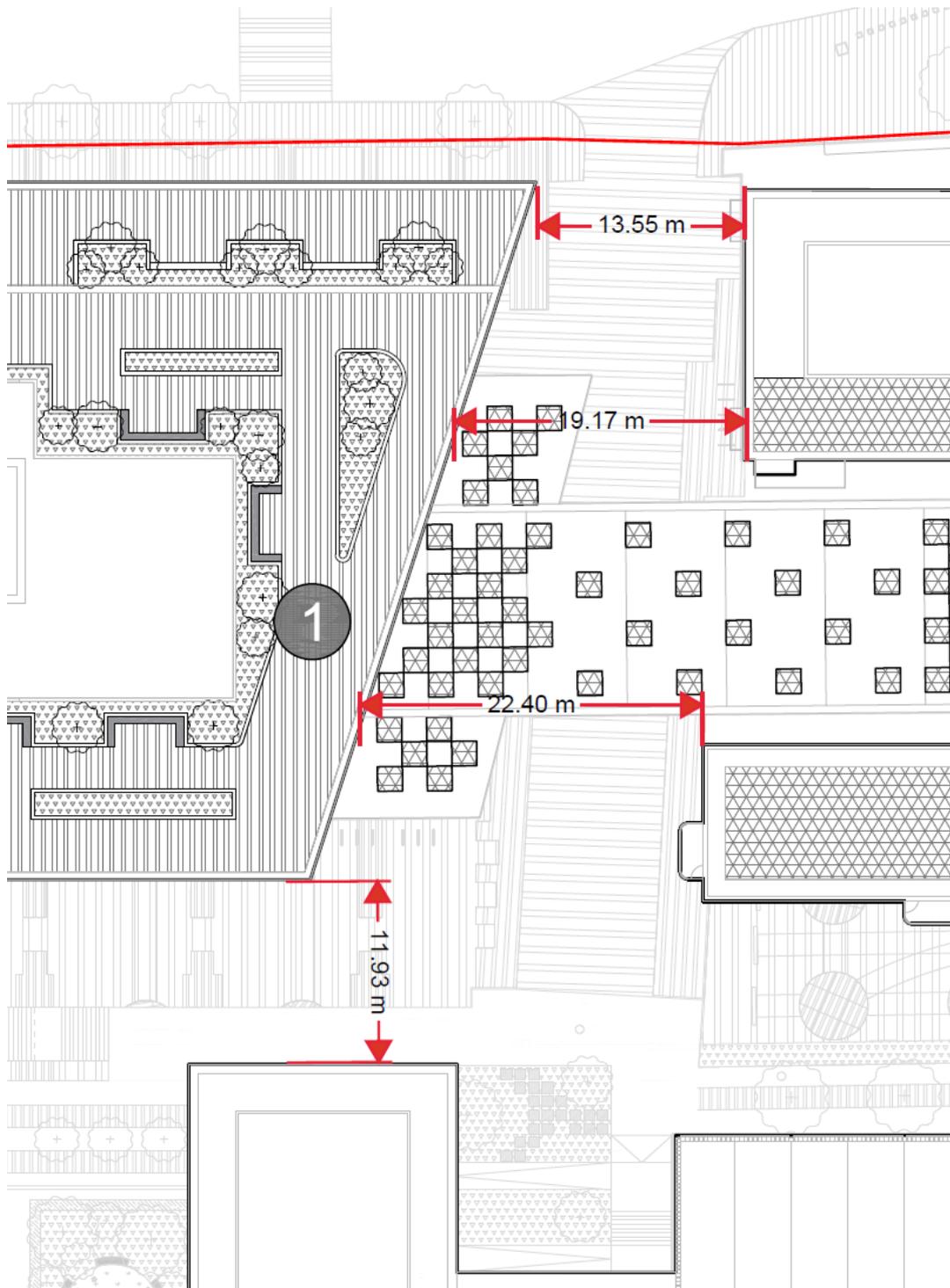
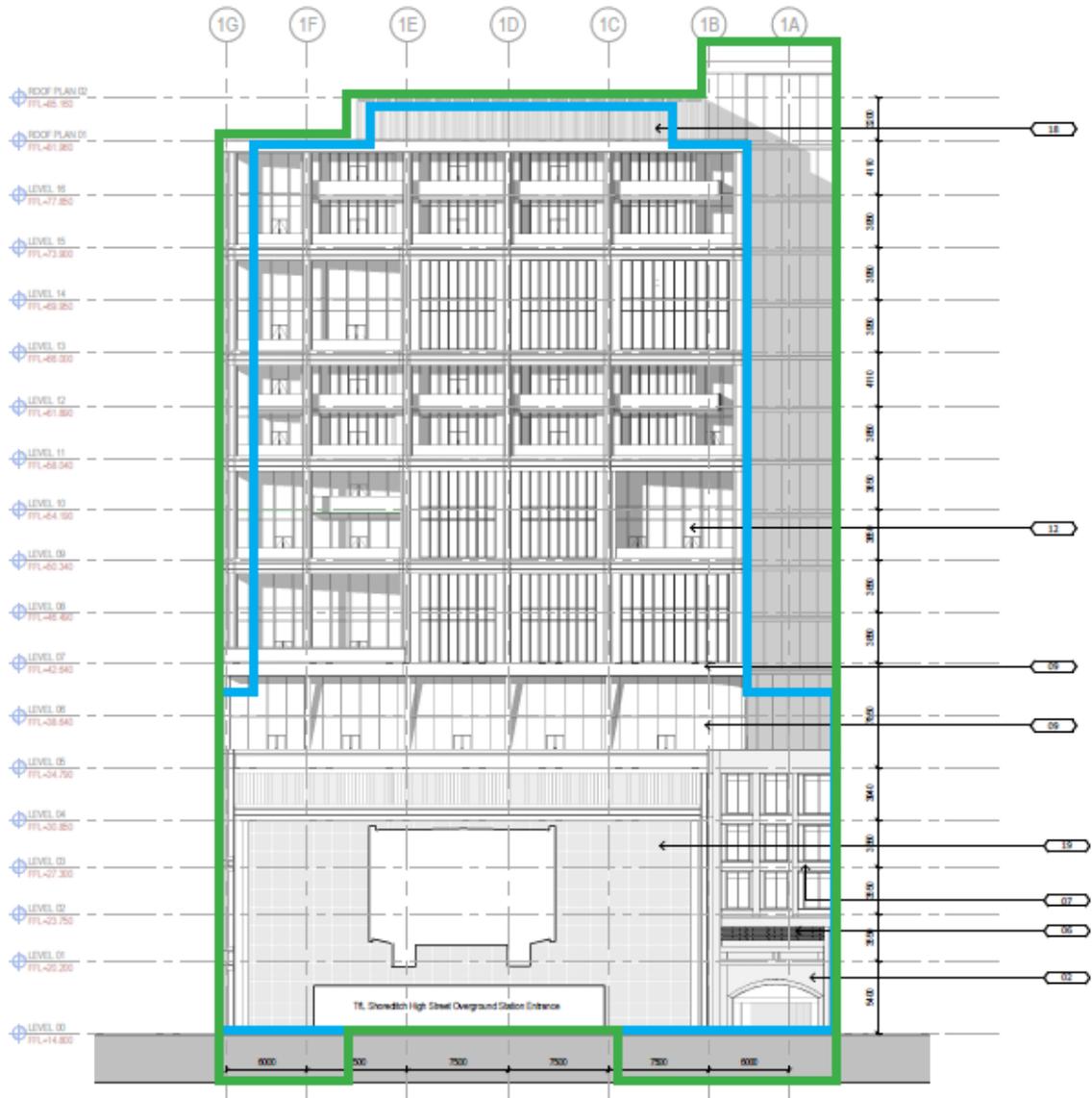


Fig 4.4.23: Unacceptable: Northeast corner building to the maximum parameter, no increased public space at grade.

Appendix 1.4: Guidance for 'Station Square' in Design Guide



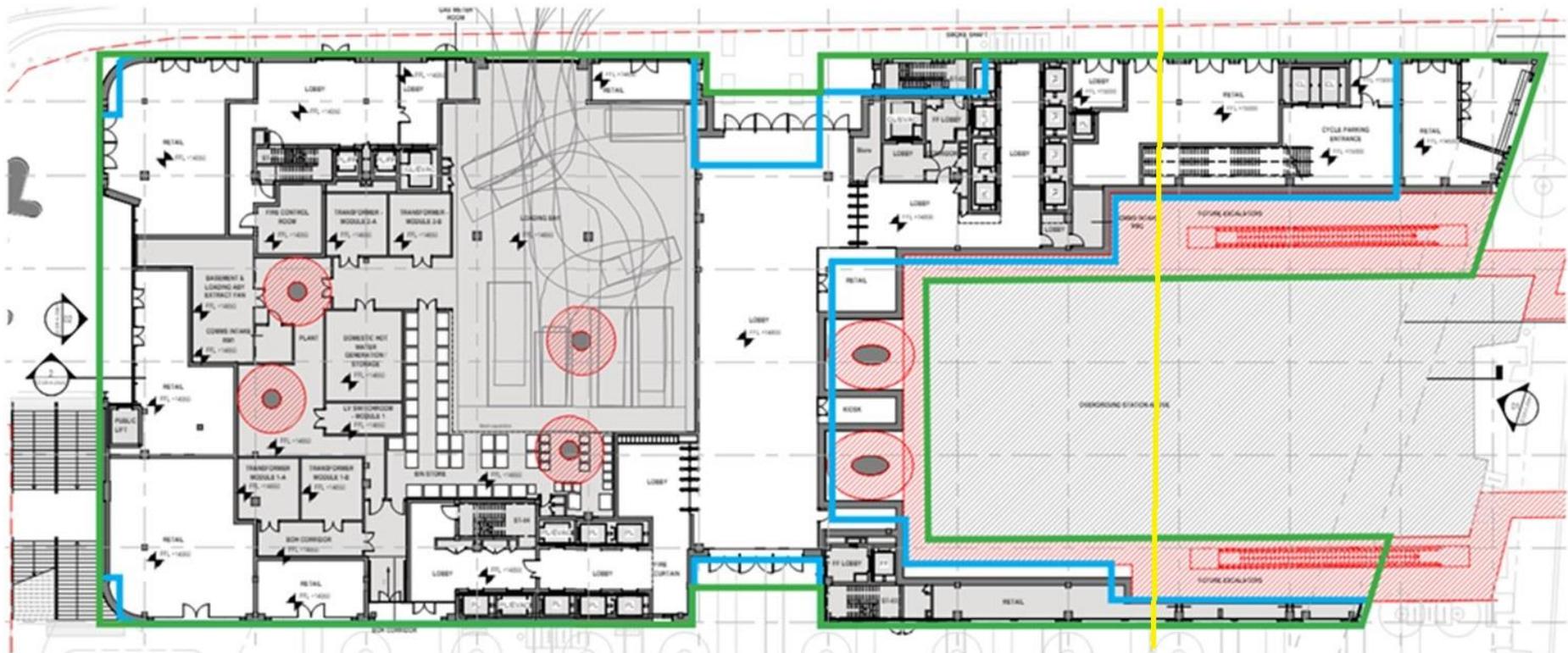
Appendix 1.5: Proposed roof plan showing separation distances between Plot 1 and future Plot 4, Plot 8A and Plot 10



Appendix 1.6: Proposed east elevation (within LB Tower Hamlets) showing minimum parameter massing in blue outline and maximum parameter massing in green outline

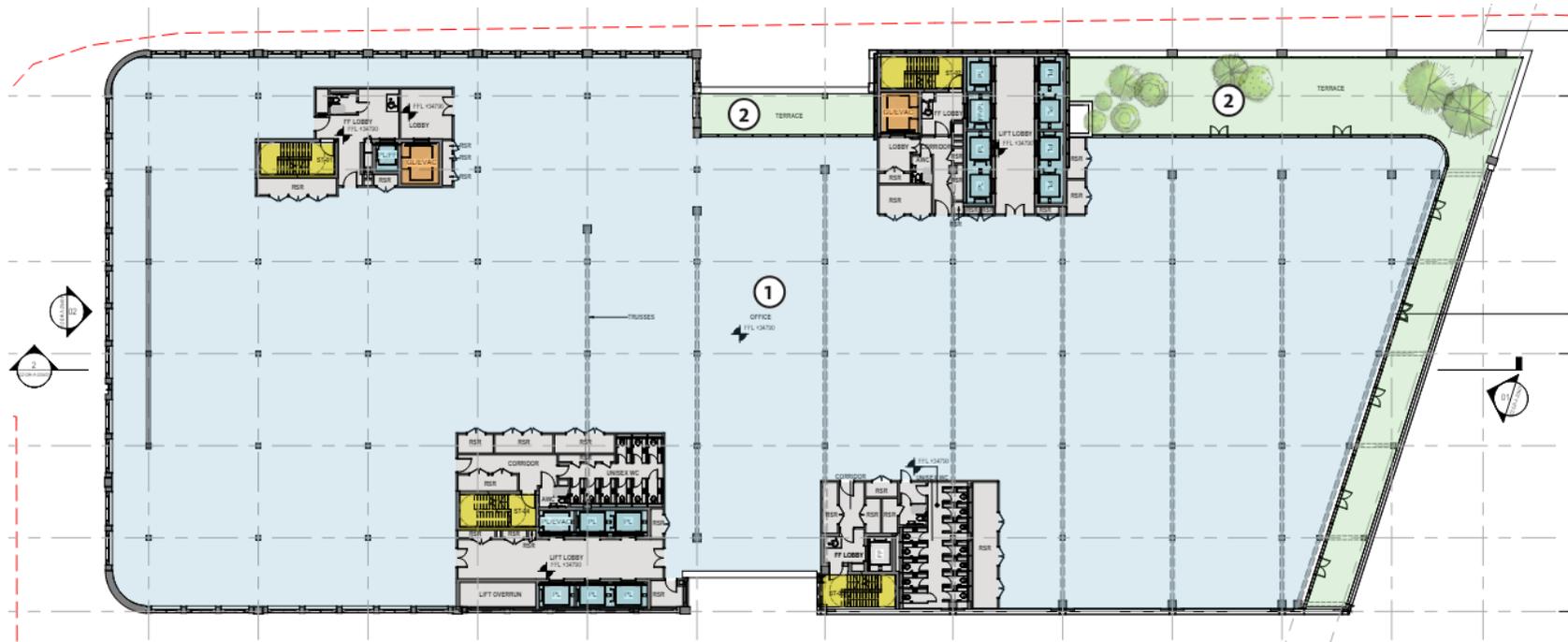


Appendix 1.7: Proposed ground floor landscaping plan for Plot 1



Appendix 1.8: Proposed ground floor plan with minimum parameter building footprint in blue outline and maximum parameter building footprint in green outline. LB Tower Hamlets is to the right/ east of yellow line

BETHNAL GREEN ROAD



MIDDLE ROAD

- ① Office
- ② Terrace

- Passenger Lift
- Goods Lift
- Stair

Appendix 1.9: Typical upper level office floor within Plot 1



Appendix 1.10: View along Bethnal Green Road from the east

APPENDIX 2: DESIGN GUIDE CHECKLIST FOR PLOT 1

Clause	Description	design guide	compliant
4.4.1	Use and Quantum : Plot 1 will be a multi-layered, mixed use building made up of retail and office uses	page 14	✓
4.4.2	Quantum of Uses : The maximum and minimum areas by use class as identified on page 78.	page 78	✓
4.4.3	The Ground Level : The Ground floor level will be predominantly Retail (A uses), with servicing / ancillary, and Office (B1 use). An internal service yard is to be provided to support the building activities.	page 52	✓
4.4.4	Plinth Levels : Smaller scale, single aspect office space shall straddle either side of the London Overground.	page 54	✓
4.4.5	Upper Levels : The typical upper office plans should be double aspect and designed to be as open and flexible as possible. The design should allow the opportunity for atria spaces within the plan and particularly in the 'link' section between the east and west blocks.	page 56	✓
4.4.5	Scale and Massing : The building should respond to the influences of the Tea Building, in particular the parapet level at the junction with Shoreditch High Street. The top of the plinth level should not be at a lower level to the Tea Building parapet on the western block.	page 22, 80	✓
4.4.8	Scale and Massing : The building must have an urban design relationship with the Tea Building and not detract from the prominent corner of the Tea Building on the approach from the south.	page 80	✓
4.4.8	Scale and Massing : The building should not appear as continuous in length along the street. The 'link' between the blocks should not be solid at street level and should not appear in the same building line.	page 82	✓
4.4.9	Constraints and Influences : The building has to respect TFL constraints - The 2m exclusion zone in plan/section; Allow for exit/entrance to the station; Avoid the restriction zones associated with the structural footings; An additional zone will be left either side of the station entrance to allow further expansion of the station capacity with external escalators.	page 20, 21	✓

Clause	Description	design guide	compliant
4.4.14	Articulated Form : The building shall consist of 3 key elements, namely, a plinth with a defined base relating to the existing Boundary Wall on Sclater Street, a body and a link.	page 32	✓
4.4.10	Heritage Interfaces : The Plot parameter is set back from the identified heritage features (minimum 7.3m) to the west of the Plot. The building will address the increased public realm and provide animation to the street edge whilst respecting the adjacent listed structures.	page 26	✓
4.4.11	Maximum and Minimums : The building shall not exceed the maximum and minimum parameter extents in both vertical and horizontal direction.	page 81	✓
4.4.12	Station Square : Increased public space will be provided at the north east corner of the Plot. This will be achieved by either: Building to the minimum parameter extents; a cantilevered recess; or a colonnade		✓
4.4.13	Set-Backs : Setbacks shall be the following minimum sizes and accord to the parameter extents (North-3m;South-1m;East-3m;West-3m).	page 81	✓
4.4.14	Articulated Form : Both blocks should have dissimilar elements of their composition, namely plinth, body and crown.	page 32	✓
4.4.14	Articulated Form : The building must articulate a set back between plinth and body on all sides of the block and should not align the two elements, revealing break out space from the office use and defining the shoulder height of the plinth. A set back must be included on the western facade.	page 32, 81	✓
4.4.14	Articulated Form : If the building vertical circulation core is located at the perimeter of the plan it should not be solid in appearance.	page 69	✓
4.4.14	Articulated Form : If a crown is utilised, it shall be achieved by a shift in the fenestration arrangement and/or by a compositional shift in massing within the parameters, such that the top of the building has a lighter architectural expression than the main body.		N/A
4.4.14	Articulated Form : Any proposal that restricts the opportunity for roof terraces at upper levels shall not be supported.		✓
4.4.16	Plinth Base : The plinth shall incorporate a base and shall not be solid in appearance at street level, contributing to the animation of the ground plane on all sides.	page 77	✓
4.4.16	Plinth Base : The base of the plinth should touch the ground with consideration of the scale of the existing boundary wall to Sclater Street.	page 33, 36, 37	✓

Clause	Description	design guide	compliant
4.4.16	Plinth Base : Shop frontages will be fully glazed, within a masonry surround, with a consistent head detail where signage can be mounted.	page 35	✓
4.4.16	Plinth Base : Signage should be located in a consistent position on each shop front, but allow for a variety of designs on a common background. It should be visible from short and long distance and respond to unit use.	page 35	✓
4.4.17	Plinth : The plinth expression will be of robust masonry material in keeping with the historic wall and context.	page 33, 34, 38	✓
4.4.18	Body : The body element shall not be articulated as heavy in appearance and should have a clear fenestration distinction from the plinth upon which it sits. The body element shall integrate circulation cores where appropriate.	page 69, 71	✓
4.4.18	Body : Any external circulation core should not be expressed as a vertical solid but should be integrated into the architecture of its relevant block to minimise its impact from the street.	page 58, 71	✓
4.4.18	Body : The body element shall not appear flat or offer no depth or shading within its fenestration layout.	page 44, 45	✓
4.4.19	Link : Any link design that doe's not ensure a compositional split between the east and west blocks shall not be supported.	page 82	✓
4.4.19	Link : Any link design that doe's not ensure a compositional split between the east and west blocks shall not be supported.	page 82	✓
4.4.20	Crown : Should a crown be utilised, it shall not appear heavy in appearance. Any crown design that is not integrated into the building composition shall not be supported.		✓
4.4.20	Crown : Areas of roof mounted plant should be set well back and wrapped in a screen to limit visibility of the equipment.	page 80	N/A
4.4.21	Service Access : The service access into Plot 01 from Bethnal Green Road will be visually integrated into the proposed architecture.	page 35	✓
4.4.21	Service Access : The service access will be coordinated with the buildings structural grid and composition.	page 35, 52	✓
4.4.22	Materiality : The building will utilise a hierarchy of materials supporting the building composition.	page 38, 47	✓
4.4.22	Materiality : Changes in material must relate to building composition and/or architectural elements.	page 65, 66, 67, 68	✓

Clause	Description	design guide	compliant
4.4.22	Materiality - Plinth : The plinth and base of the building should be clad in masonry or high quality pre-cast concrete and portray a sense of solidity. Additional details, such as horizontal banding between ground and first floor, should be deployed to further emphasise links between the building and its context.	page 35, 36, 38	✓
4.4.22	Materiality - Plinth : Glazed openings shall be set back at an appropriate depth from the outer face to ensure a layered and visually interesting high quality facade.	page 43, 44, 67, 69	✓
4.4.22	Materiality - Body : The materiality of the body should have a visual commonality with the plinth. If a change in material is promoted it should have a similar colour palette	page 47	✓
4.4.22	Materiality - Crown : Should a crown be utilised the materiality should reduce the impact of the massing at the top of the building and appear lighter against the sky utilising visually lightweight materials and glazing.		N/A
4.4.24	Pedestrian Access : The primary building entrance should be integrated within the link between the building blocks and should be highly visible.	page 34, 35	✓
4.4.24	Pedestrian Access : The primary building entrance should not detract from retail opportunity along Bethnal Green Road.	page 35	✓
4.4.24	Pedestrian Access : The design should not preclude the opportunity for individual entrances to smaller office spaces within the plinth.	page 35	✓
4.4.25	Service Access : Plot 1 will be serviced at grade from within a dedicated service yard accessed via Bethnal Green Road.	page 52	✓
4.4.26	Plant Strategy : Roof mounted plant should be set well back and wrapped in a screen to limit visibility of the equipment.	page 57	✓
4.4.27	MEP : The building shall align with the SUDS attenuation strategy, which allows for the site to come forward in phases and supports a specific catchment area.		✓
4.4.27	MEP : Substations and LV rooms will be located at ground level with suitable access.	page 52	✓
4.4.28	Maintenance Access : Plot 1 is to support a roof mounted Building Maintenance Unit (BMU) access strategy and ensure that a 1.5m suspended access emergency landing zone is provided at grade.		✓
4.4.29	Cycle Storage : Plot 1 is to provide short stay and long stay spaces as defined by the Traffic Assessment. Long stay cycle storage is to be located within the building.	page 53	✓
4.4.29	Cycle Storage : Visitor cycle storage will be positioned externally within the public realm.	page 53	✓



Application for Planning Permission

[click here for case file](#)

Reference	PA/22/00731
Site	4 & 5 Harbour Exchange Square, London, E14 9TQ
Ward	Blackwall and Cubitt Town
Proposal	<p>Demolition of existing building and erection of a mixed-use residential led building containing 450 residential units (Class C3) and new podium level to accommodate flexible retail, community, creative, and amenity uses (Class E and F2) as well as basement level blue-badge parking, new public realm and landscaping, and all associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	GAW Capital and City & Docklands
Architect/agent	Make Architects and DP9
Case Officer	Katie Cooke
Key dates	<ul style="list-style-type: none">- Application registered as valid on 16/05/2022- Revised plans received on 19/10/2022- Amended fire statement received on 25/10/2022- Based on additional environmental information received, officers carried out Reg 25 on 13/04/2023 which finished on 20/05/2023

EXECUTIVE SUMMARY

The application site falls within the Limeharbour Site Allocation, the Millwall Inner Dock Tall Building Zone and the Tower Hamlets Activity Area and is identified for housing and a range of employment floorspace. The application seeks demolition of the existing building and erection of a mixed-use residential led building containing 450 residential units and new podium level to accommodate flexible retail, community, creative, and amenity uses as well as basement level blue-badge parking, new public realm and landscaping, and all associated works. The scheme would provide 120 affordable homes, amounting to 35% by habitable room.

The development would provide a good standard of living accommodation, in terms of minimum floor space and floor to ceiling heights, outlook, aspect, access to natural light and private outdoor amenity space.

The Proposed Development would be 'car free' in accordance with local and strategic planning policy with no general car parking proposed for residents with additional only

disabled parking spaces delivered at basement level. The development would provide improved pedestrian connections across the site and deliver enhancements to the public realm.

The proposed development responds positively to its local context and has been designed in accordance with the principles of the Millwall Inner Dock Tall Building Zone. The height would respect the requirement for heights to step down from One Canada Square. The proposed tower would be well proportioned and would be of appropriately high architectural quality. The ground floor flexible retail, community and creative spaces would help to activate the public realm.

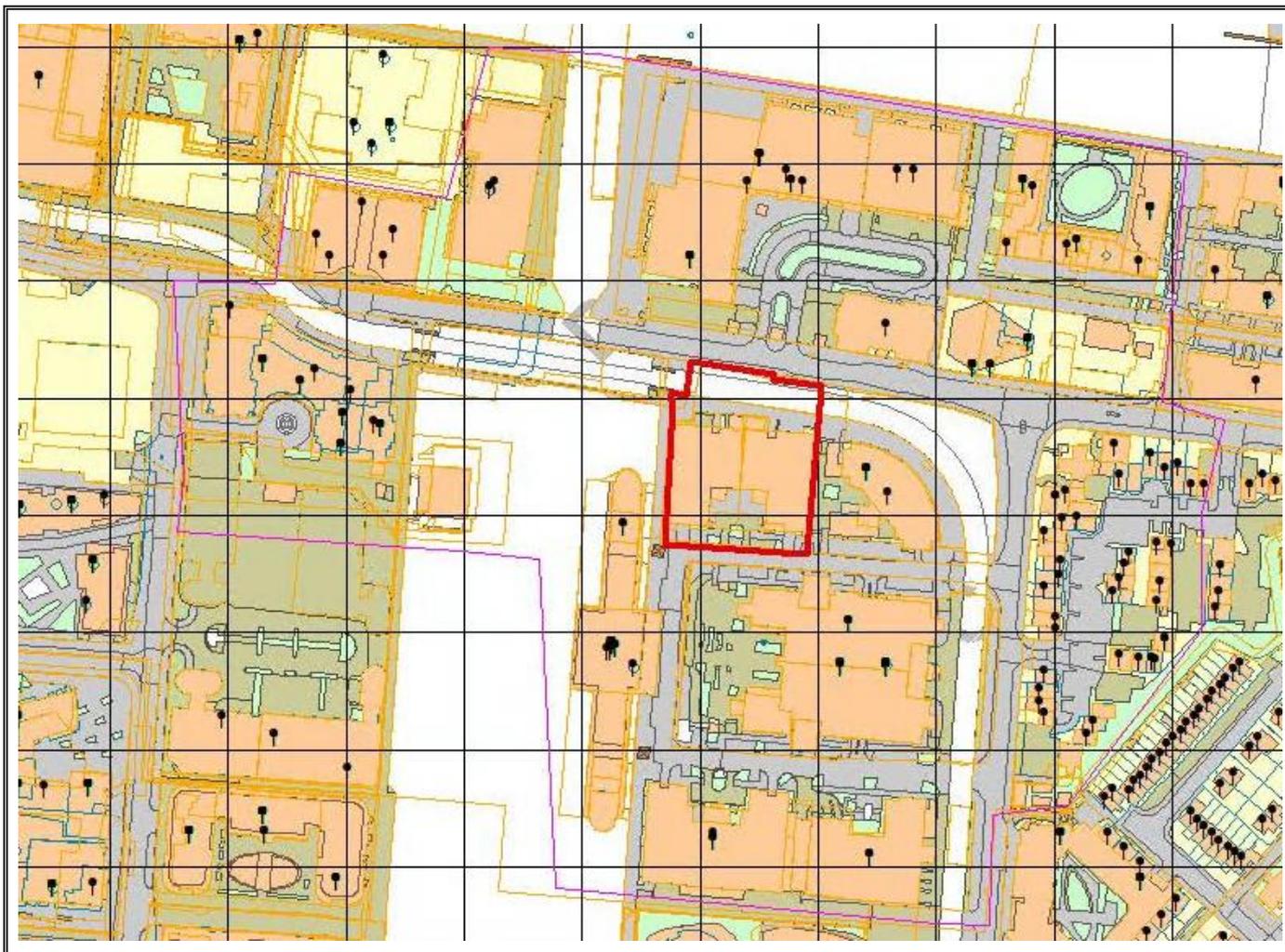
In terms of energy efficiency and climate change the development has been designed to minimise carbon dioxide emissions on site, with an additional carbon offsetting payment that would be secured as a planning obligation. The environmental impacts associated with the proposed development, as set out in detail in the Environmental Statement, have been fully considered in the recommendation. Any potential impacts that may arise from the construction or operation of the development can be sufficiently controlled and mitigated through the various recommended planning conditions and obligations.

In terms of fire safety, the application includes a Fire Statement which has been amended to address the concerns raised by HSE as part of the consultation process of this application.

The daylight, sunlight, and overshadowing assessment has considered existing residential properties and areas of amenity spaces in proximity to the Site. There is only one residential receptor within sufficient proximity of the Proposed Development – The Madison – and this is the focus of the assessment. The effect is considered Negligible to Minor Adverse (Not Significant) in terms of daylight and sunlight. Officers are satisfied that the scale and massing of the built form has been designed to minimise such impacts. Given its position, the application site mainly benefits from limited constraints in terms of privacy, outlook and sense of enclosure due to the dock to the west, and the DLR tracks and Marsh Wall to the north. It is not considered that there would be issues in terms of privacy and outlook as a result of the proposed development. Amenity impacts that arise would be proportionate and consistent with a tall building and high-density development in a location where such development is supported by planning policies.

Considered as a whole, the proposed development delivers the requirements of the Site Allocation and accords with the Development Plan. It would make a significant contribution to the delivery of the Council's housing targets and address the borough's identified housing need. The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, several planning obligations would be secured relating to employment and skills training, carbon offsetting, and transport network improvements.

Overall, the proposal is considered to be well designed and generally complies with relevant development plan policies. It is on this basis that the grant of planning permission, subject to conditions and obligations 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/22/00731

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: 05 July 2024

1. SITE AND SURROUNDINGS

- 1.1 The application site is situated in the Isle of Dogs area and is bounded by Marsh Wall to the north, 3 Harbour Exchange Square to the east, and car parking and 1 Harbour Exchange Square to the south. To the east of the site is a public footway adjoining the Millwall Inner Dock, in which 10 Harbour Exchange Square is situated as a floating structure.
- 1.2 The site forms part of the wider Harbour Exchange Estate which are office buildings of the same character and with dark curtain wall office appearance. The wider surrounding area is mixed in use, with sites along Marsh Wall undergoing a significant redevelopment.
- 1.3 The existing application site contains two office buildings, 4 and 5 Harbour Exchange Square. Within the redline boundary is the adjacent DLR underline on Marsh Wall, immediately to the north of the existing office building.

- 1.4 In terms of planning designations, the application site sits within the Limeharbour Site Allocation, the Millwall Inner Dock Tall Building Zone and the Tower Hamlets Activity Area. To the north-west of the application site is the South Quay neighbourhood centre.
- 1.5 There are no significant heritage constraints. The site is not situated within a conservation area nor does it contain any listed structures. There are no listed buildings in the close proximity to the site. The site is within the Strategically Important Skyline Canary Wharf and forms part of a number of views within the London View Management Framework, including the one from the UNESCO's Maritime Greenwich World Heritage Site.
- 1.6 In terms of transport, 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 1 (low) to 6 (high). The adjacent dock's edge includes an extension to the Council's Green Grid network. Accordingly, the site is included within the New Green Grid Buffer Zone.
- 1.7 With regards to environmental designations, the site is situated within the flood risk area, and the whole of the borough is within the Air Quality Management Area. Limeharbour and eastern parts of Marsh Wall are situated within an area of poor air quality. The adjacent Millwall Inner Dock is the Site of Importance for Nature Conservation.
- 1.8 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.

2. PROPOSAL

- 2.1 The proposed development includes the demolition of the existing office building and construction of a single tall building of 52 storeys (ground plus 51 storeys), as well as two basement levels. The proposed building would reach an AOD height of 175.75m.
- 2.2 The proposed development would include the following Use Classes:
 - Residential (Use Class C3): 44,590 sqm
 - Ancillary residential – amenity and play space: 2,588 sqm
 - Retail (Class E): 124 sqm
 - Restaurant (Class E): 627 sqm
 - Creative (Class F): 536 sqm
 - Community (Class E/F2): 284 sqm
 - Ancillary – plant, refuse, parking: 4,081 sqm.
- 2.3 The proposed building would be situated centrally within the application site, allowing for publicly accessible open spaces to be formed along the southern and western edges of the site, as well as along the northern edge on Marsh Wall. Along the eastern edge of the site would be a servicing and waste collection route, also serving as access to the cycle and car parking.

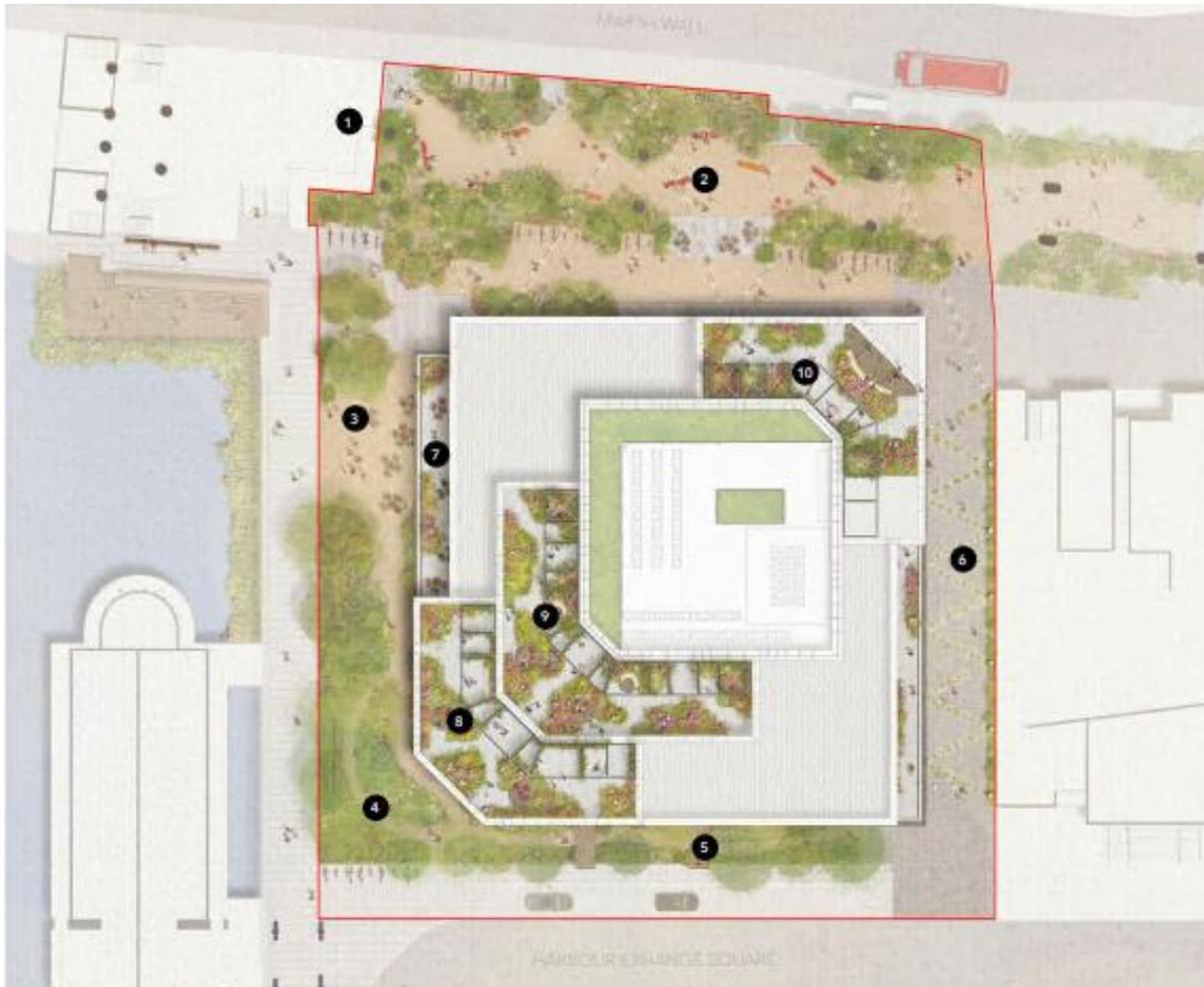


Figure 1- Proposed site layout.

- 2.4 On ground and first floor, the proposed would include a variety of uses. The proposed retail unit is situated on the ground floor of the proposed building in the north-western corner on Marsh Wall. The proposed restaurant would be located on the ground and first floors along the eastern part of the proposed building.
- 2.5 The proposed creative space would be mainly situated on the first floor with a separate access point on Marsh Wall. The proposed community space is also proposed on the first floor with a separate access and additional space on the ground floor level in the south-eastern corner of the building.
- 2.6 The proposed uses on the ground and first floors would be accessible to the public via the publicly accessible stairs along the northern part of the building and south-eastern corner, as well as the publicly accessible lift on Marsh Wall. The proposed outdoor amenity on the first floor would serve the uses on this floor and as such would be accessible to the wider public.
- 2.7 Level 02 would be dedicated to the provision of the proposed child play space in the form of internal and external space for residents.
- 2.8 The proposed residential units would be situated on the upper levels, starting from Level 03. The proposed access to residential units is on the southern edge of the proposed buildings with affordable and market entrances separated one next to the other.
- 2.9 The proposal would provide a total of 450 residential units, with the affordable housing provision of 35%. Due to the split of the cores throughout the building, the southern part of the building would provide affordable units whilst the northern part would provide market units. On Levels 3-24 a mixture of affordable and market homes would be provided whilst from Level 25 above there would be only market homes, as shown on the image below.

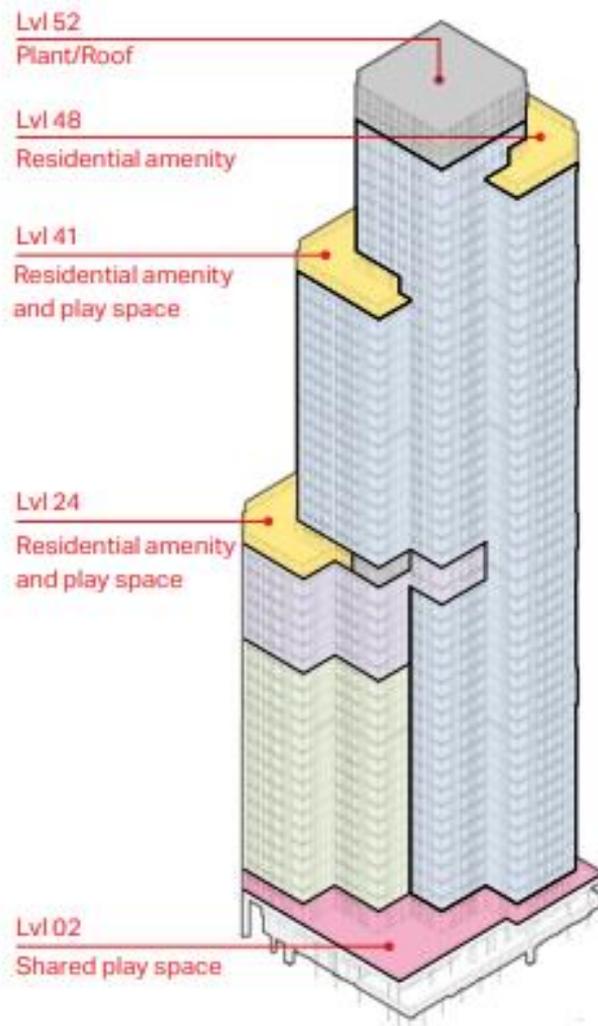


Figure 2- Proposed tenures and amenity spaces.

Key: grey – affordable rented tenure; Purple – intermediate tenure; Blue – market tenure.

- 2.10 The communal amenity spaces are proposed on Levels 24, 41 and 48. The majority of child play space is proposed on Level 02 with additional space provided within publicly accessible landscaped space in the south-eastern corner of the building and within the DLR underline.
- 2.11 The proposed housing mix would provide a 70% affordable rented and 30% intermediate affordable housing units. The proposed affordable rented units would be equally split between London Affordable Rent and Tower Hamlets Living Rent whilst the proposed intermediate units would be shared ownership.
- 2.12 The proposed tall building would sit on top of a three-storey podium structure and would have the stepped massing to the south. The stepping mass tiers would also be reflected in the width of the building, leaving the most northern tier the tallest.



Figure 3. Proposed form and massing.

- 2.13 The architectural treatment of the proposed building would create a modern industrial appearance. The podium structure would have a strict horizontal appearance whilst the building itself would have vertical and horizontal façade elements breaking down the building form and reflecting the old industrial warehouses. The form of the building would additionally be vertically articulated by the winter gardens situated in corners of the stepping tiers.
- 2.14 The proposed landscaping within the site's boundary would have different character areas reflecting the proposal's aim to provide a variety of different activities within the public open space.



Figure 4. Proposed landscaping character areas.

- 2.15 The proposal includes changes to the DLR underline area to provide additional landscaping and child play space. Outside of the red line boundary is the proposed floating timber deck pontoon with seating however this element is subject to agreement with the Canal and River Trust.
- 2.16 The proposed development would provide a total of 14 blue badge spaces on the first basement level, which would be accessed via a car lift proposed in the north-eastern corner of the building. A total of 822 cycle parking spaces are proposed on the same basement level, which would be accessed via a dedicated cycle entrance and cycle lift in the south-eastern part of the proposed building.
- 2.17 With respect to the short-stay and visitor cycle parking, 72 spaces are proposed within the landscaped area closer to the building entrances, some of which are situated closer to the DLR station and the rest adjacent to the open space in the south-western corner of the site.
- 2.18 Servicing, including waste collection, and deliveries would all take place along the Eastern Street which forms part of the site's boundary and would be privately managed.

3. RELEVANT PLANNING HISTORY

- 3.1 The existing curtain wall office buildings on the wider Harbour Exchange Square were erected in the late 1980s, under planning permission FP/97/86333.
- 3.2 Various minor planning applications for changes of use within certain parts of the building, minor external changes, and advertisement consent were granted for 4 and 5 Harbour Exchange Square.

- 3.3 A planning application for EIA Scoping Opinion was issued for the development under reference PA/21/02373.
- 3.4 Planning history has been provided for the adjacent and neighbouring sites.

The Madison (Meridian Gate), Marsh Wall

PA/14/01428 – Full Planning Permission granted on 06/03/2015. Construction completed in 2021.

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

Innovation Centre, 225 Marsh Wall

PA/21/00900 – Full Planning Permission refused on 18/08/2022. Appeal currently under consideration.

Erection of a ground plus 55-storey residential building (Use Class C3), ground floor flexible commercial space (Use Class E), basement cycle storage, resident amenities, public realm improvements and other associated works.

PA/16/02808 – Full Planning Permission refused on 10/11/2017. Appeal allowed on 10/10/2018. Permission implemented.

Demolition of all existing structures and the redevelopment of the site to provide a building of ground plus 48 storeys (maximum AOD height 163.08m) comprising 332 residential units (Use Class C3); 810 sqm of community floorspace (Use Class D1); 79 sqm of flexible retail/ restaurant/ community (Use Class A1/A3/D1); basement cycle parking; resident amenities; public realm improvements; and other associated works.

Skylines Village, Limeharbour

PA/17/01597 – Resolution to grant Full Planning Permission obtained on 28/03/2019.

Demolition of all existing structures and construction of a new mixed use development consisting of five buildings ranging from ground plus 3 to ground plus 48 storeys in height comprising 579 residential units (Use Class C3); a two-form entry primary school with nursery facilities (Use Class D1); a 10,272 sqm GIA small and medium enterprise (SME) Business Centre (Use Class B1); 2,228 sqm GIA of flexible commercial floorspace (Use Class A1/A2/A3/B1/D1 and D2); single level basement car parking and servicing; and landscaped open space including a new public piazza with future pedestrian connection to Chipka Street, and ground and podium level communal amenity space.

South Quay Plaza 1-3

PA/14/00944 – Full Planning Permission granted on 30/03/2015.

Demolition of all existing buildings and structures on the site (except for the building known as South Quay Plaza 3) and erection of two residential-led mixed use buildings of up to 68 storeys and up to 36 storeys comprising up to 888 residential (Class C3) units in total, retail (Class A1-A4) space and crèche (Class D1) space together with basement, ancillary residential facilities, access, servicing, car parking, cycle storage, plant, open space and landscaping, plus alterations to the retained office building (South Quay Plaza 3) to provide retail (Class A1-A4) space at ground floor level, an altered ramp to basement level and a building of up to 6 storeys to the north of South Quay Plaza 3 to provide retail (Class A1-A4) space and office (Class B1) space.

PA/15/03074 – Minor material amendments granted on 22/03/2019.

Application for variation of condition 4 (Approved drawings) of planning permission PA/14/00944 dated 30/03/2015 with regards to revised residential unit mix with 6x additional residential units (Class C3), amendments to internal layouts, elevations, landscaping and access arrangements, and incidental works.

South Quay Plaza 4

PA/15/03073 – Full Planning Permission granted on 14/03/2017.

Erection of a 56 storey building comprising of 396 residential (Class C3) Units, Retail (Class A1-A4) Space, together with basement, ancillary residential facilities, access servicing, car parking, cycle storage, plant, open space and landscaping and other associated works.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant carried out the pre-application non-statutory consultation, which is detailed in the submitted Statement of Community Involvement (SCI), prepared by Four Communications.
- 4.2 As evidenced in the SCI, the pre-application engagement consisted of sending letters to key stakeholders in the area and carrying out one-to-one briefings, sending direct newsletter to residents and businesses in the area, issues a newspaper advert, hosting a public webinar and having a dedicated telephone number, email and website for the emerging scheme. As summarised in the SCI, the level of interest has been low, with queries and comments mainly focusing on the scheme's height and massing, car parking provision, amenity for future residents and timeline of the development.
- 4.3 During the pre-application stage, the scheme was presented to the Council's Conservation and Design Advisory Panel which ensure that the proposed design has been reviewed by the experts, as well as to the Isle of Dogs and South Poplar Community Development Panel which is made up of local people living and working in the area.
- 4.4 Upon validation, the Council carried out statutory consultation for the subject application which consisted of putting up planning notices along the western boundary of the site where one is closer to the South Quay DLR Station, as well as a site notice on Marsh Wall, a press notice in the local press, and sending 1,426 neighbour letters.
- 4.5 As part of the planning application process, the applicant amended the scheme to address the HSE concerns with regards to the proposed building being served by a single staircase on Levels 41-51 and installed a second staircase. As such, an EIA Regulation 25 consultation was also undertaken which ended on 20.05.23.
- 4.6 A total of 3 representations were received, one objection and two stating their views on the scheme, as well as supporting the principle of redevelopment, but also raising objection to certain elements of the scheme.
- 4.7 The key points of objection are listed below:

- Loss of light to East facing apartments of the Pan Peninsula scheme;

(Officer comment: Daylight and Sunlight matters are addressed in the amenity section of this report)

- Unsustainable density of the scheme which will unsustainably load the local infrastructure from GPs to transport;

(Officer comment: Density of the scheme is assessed in the Housing section of this report).

- Proposal not compliant with requirements set out in the Neighbourhood Plan;

(Officer comment: A policy review is set out in the Policy section of this report).

- Infrastructure requirements of the Limeharbour Site Allocation 4.4 (primary school and open space). Should the planning permission for Skylines (PA.17.1597) not be issued, the site of building 3 would not be able to accommodate a new school due to the constrained nature and size of the plot.

In terms of open space, the proposed development could inhibit the ability of any future redevelopment of 3 Harbour Exchange and the provision of any open space.

(Officer comment: It is not possible to predict what will come forward on neighbouring sites in the future. As such, it is only possible to follow best planning practice and work within the existing sites restraints/opportunities and follow planning policy. Each application is dealt with on its own merits).

- Separation distance between 4 and 5 Harbour Exchange and 3 Harbour Exchange

(Officer comment: The proposed building would respect the 18m separation distance with building 3).

- Building has potential if appropriate mitigation is not put in place to impact on nearby data centre in terms of air quality

(Officer comment: Air quality is assessed in the Environment section of this report. Appropriate conditions shall be attached should planning permission be granted).

- Confirmation that potential noise from 8+9 Harbour Exchange have been considered.

(Officer comment: This is examined in the Noise section of the report)

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 proposed development would be amongst the tallest alongside Millwall Inner Dock and the height and mass of the proposal could be problematic in terms of views to the dockside cranes, however, the set back of the proposal on the ground floor will reduce this harm. Provision should be made for bat and bird boxes.
- 5.3 There would be potential for surface water discharge into the dock and an informative is recommended for the applicant to contact C&RT. In the submitted Energy Statement, the applicant has not considered the use of (surface) Water Source Heat Pump (WSHP) instead of Air Source Heat Pumps (ASHP). An informative is recommended about this.
- 5.4 A condition is recommended requiring a feasibility study of the use of the docks for waterborne transport during the construction and operation. A contribution should be sought towards improvements of the open space within the docklands area to help mitigate the impact of the additional occupants and visitors to the development.
- 5.5 Additional two informatives are proposed with regards to access to and oversailing of the C&RT land, as well as to refer to the C&RT's Code of Practice for Works affecting the Canal & River Trust.

Docklands Light Railway

- 5.6 No objection subject to conditions for each stage of the development having been submitted to and approved in writing by the local planning authority which:
- a) provide detailed design and Risk Assessment Method Statements (RAMS) for demolition, foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent).
 - b) prior to the commencement of the development, a base-line radio impact survey shall be undertaken and submitted to LU/DLR. This is to assess the impact of the development on the DLR Radio System signal levels. No development shall take place until a scheme of mitigation has been agreed in writing with LU/DLR and implemented. During development, regular radio impact survey reports shall be undertaken to assess the potential impact. Should the development be found to have caused degradation to the radio signal levels, the developer must fund for the changes required known as “infills”. A radio survey shall also be undertaken once the development is completed. The developer shall use DLR’s Radio Maintainer (as directed by LU/DLR), for undertaking and generating the radio impact survey reports.
 - c) tower Crane base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational procedure (including any radio communications), jacking up, derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius. No cranes should be erected or dismantled until LU/DLR Engineer’s approval has been obtained in writing
 - d) accommodate the location of the existing DLR structures 2
 - e) there should be no opening windows or balconies facing the DLR elevation
 - f) demonstrate access to elevations of the building adjacent to the property boundary with DLR can be undertaken without recourse to entering our land
 - g) demonstrate that there will at no time be any potential security risk to our railway, property or structures
 - h) A Ground Movement & Impact Assessment setting out predicted ground and structure movement should be undertaken and submitted to LU/DLR
 - i) A Movement Monitoring Action Plan should be developed and submitted to LU/DLR
 - j) accommodate ground movement arising from the proposed construction
 - k) mitigate the effects of noise and vibration arising from the adjoining railway operations within the structures.

Environment Agency

- 5.7 The application site is located within Flood Zone 3a and is protected by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. Our most recent breach hazard modelling study shows the site to be outside of the areas impacted by flooding if there was to be a breach in the defences or they were to be overtopped. We therefore consider this development to be at a low risk of tidal and fluvial flooding.

Greater London Authority

- 5.8 The principle of the loss of office space is accepted within this context based on the submitted marketing evidence report. The principle of the redevelopment of the site for a mixed-use residential-led tall building is supported. The proposed retail floorspace is acceptable and the proposed creative industries and community facilities are strongly supported subject to securing public access and a management plan.
- 5.9 The proposal would provide 35% with 70% London Affordable Rent and 30% London Shared Ownership, which would be eligible for a fast track route. The housing mix raises no strategic concerns. Rental levels and an early-stage review should be secured in the s106 agreement. The proposed child play space would be accessible to all residents which is supported.
- 5.10 The site is appropriate for a tall building due to its inclusion in the tall building zone. Additional information should be provided in relation to the indicated height contours, as well as the immediate and mid-range scale views where the full length of the floorplate will be most prevalent. The cumulative and environmental impacts will be considered at Stage 2.

- 5.11 Further information should be provided on the design and management of the open space fronting the water, The Underline and public realm in front of the building's entrances, as well as the first floor terrace. The principles of the Public London Charter LPG should be secured for the management of the public realm on the site. The use of and access to the first floor terrace should be secured through conditions and obligations
- 5.12 There are two single aspect dwellings on each from Level 25-40, further information should be provided on their residential quality. Further information should be provided on cores, accessibility to communal amenity spaces, mitigation measures for potential overlooking between apartments, increase of sunlighting conditions for the northern roof terrace, and privacy between the host and adjacent building to the east.
- 5.13 Compliance with the fire statement must be secured by condition and wheelchair dwellings should be secured by either condition or condition.
- 5.14 In terms of sustainable development, further information is required on the implementation of energy principles, overheating and carbon savings. Further details should be provided on Whole Life-cycle Carbon and Circular Economy to ensure compliance with the relevant policies.
- 5.15 The proposed development presents a well-considered approach to integrating green infrastructure and urban greening which is strongly supported. Green walls are not supported and should be removed, which may have an impact on the UGF score. The impact on SINC should be clarified with any mitigation measures secured. Details of proposed tree retention and removal should be provided.
- 5.16 In terms of flood risk management, emergency planning measures should be put in place, to be detailed in a Flood Warning and Evacuation Plan secured by condition. The surface water drainage strategy generally complies with the planning policies, however, the drainage strategy plan should be updated to show all proposed suds, attenuation features and dimensions, as well as consideration to water harvesting and reuse to reduce water consumption.
- 5.17 In terms of air quality, further information should be provided on the approach taken for construction traffic assessment, and mitigation measures from emergency diesel generator and construction activities, including controls on non-road mobile machinery.
- 5.18 Further details should be provided on public transport impact and the impact on the proposed development from the DLR railway in accordance with the Agent of Change principle. Improvements set out in the Active Travel Zone assessment should be secured, including a contribution towards the DLR Underline and Legible London wayfinding.
- 5.19 The removal of surface car parking and provision of car free development is welcomed. The proposed amount of car parking and provision of active electric charging points is welcomed. A revised Car Parking Management Plan should set out where the remaining 7% of future disabled parking space. The exceedance of policy requirements for cycle parking space is strongly supported, however the proposed long stay cycle parking mix should be revised and be in accordance with the London Cycling Design Standards.
- 5.20 The construction should be coordinated, and sustainable freight delivers by cargo bikes should be explored. Further consideration should be given to promoting active travel. A Travel Plan should be secured, implemented, and monitored in the s106 agreement.

Greater London Archaeological Advisory Service

- 5.21 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

- 5.22 No comments to make on the application.

Historic Royal Palaces

5.23 No comments received.

Health and Safety Executive – Planning Gateway One

5.24 The initial response raised concerns to the external wall system, a single staircase serving floors above Level 40, the strategy for the Level 02 play space, and access to outdoor amenity areas on Levels 24, 41 and 48.

5.25 Following the review of the additional information provided by the applicant to respond to the raised queries, HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

Isle of Dogs Neighbourhood Planning Forum

5.26 No comments received.

London Borough of Greenwich

5.27 The receipt of the application has been acknowledged.

London Borough of Southwark

5.28 No comments received.

London Bus Services

5.29 No comments received.

London Underground Ltd.

5.30 No comments received.

London City Airport

5.31 No objection subject to securing the condition for construction methodology and diagrams.

London Fire & Emergency Planning Authority

5.32 The applicant should refer to the HSE substantive response which raise significant questions as to how policy D5 and D12 have been met.

Marine Management Organisation

5.33 No comments received.

Maritime Greenwich World Heritage Co-ordinator

5.34 No comments received.

Metropolitan Police – Crime Prevention

5.35 No objections to the proposed development of this site, subject to a condition to ensure Secured by Design guidance is fully carried out.

National Air Traffic Service

5.36 No safeguarding objection to the proposal.

National Amenities Society

5.37 No comments received.

National Grid

5.38 No comments received.

Natural England

5.39 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.

Port of London Authority

5.40 There are no concerns, as a result of this development, in terms on the workings of navigation equipment along the River Thames.

5.41 The submitted Construction Environmental Management Plan states that there is a considerable potential for river transport of construction which is welcomed. The detailed CEMP condition should include reference to potential river and dock use through an appropriate wording.

5.42 Within the submitted Transport Assessment, a reference is given to river bus services which is welcomed. Information on nearby river bus services should be included in the Travel Information Pack to be provided as part of the sale of each home.

Thames Water Authority

5.43 No objections on the ground of surface water and foul water sewerage network infrastructure capacity.

5.44 The proposed development is located within 15 metres of the TWA's underground waste water assets and an informative should be included with regards to this. The applicant should read the relevant guides as well on working near or diverting our pipes.

5.45 As required by Building Regulations, the applicant should incorporate within their proposal protection to the property to prevent sewage flooding by installing a positive pumped device. This could require a Groundwater Risk Management Permit. A Trade Effluent Consent will be also required. The applicant should consider including a grease separator for kitchen in commercial hot food premises.

5.46 Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs to this development proposal. A condition should be imposed to provide confirmation on water network upgrades prior to the occupation of the residential units.

5.47 The proposed development is located within 15m of a strategic water main and a condition requiring a piling method statement should be secured to provide details prior to any piling taking place.

The Gardens Trust

5.48 No comments on these proposals.

The Greenwich Society

5.49 No comments received.

Transport for London

5.50 Included within the GLA Stage 1

Internal consultees

LBTH Biodiversity Officer

- 5.51 Ecology was correctly scoped out of the EIA as there will be no significant adverse impacts. Biodiversity was a significant driver of the landscape proposals which includes a biodiverse roof at the top level, innovative ornamental open mosaic habitat planting on the roof terraced, bug hotels, inclusion of nectar-rich species in all the indicative planting palettes, and several native tree species.
- 5.52 The proposed seating pontoon would have a minor adverse impact by shading some of the dock, the floating vegetated islands will more than compensate for this. Pontaderia cordata should be excluded from the indicative planting palette as it is a non-native species.
- 5.53 Full details of biodiversity enhancements should be secured through a condition, with water's edge proposals potentially needed to form part of the s106 agreement given they are outside the application site.

LBTH Building Control

- 5.54 No comments received.

LBTH CIL team

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

LBTH Energy Efficiency and Sustainability Officer

- 5.56 No objection subject to conditions and carbon offset financial payment

LBTH Environmental Health Team

- 5.57 The LBTH air quality officer has no objections to the proposal, subject to conditions to prevent dust nuisance and air pollution during the construction and operation works.
- 5.58 The LBTH contaminated land officer states that the Ground Condition chapter within the Environmental Statement and Geo-Environmental Preliminary Risk Assessment report provide sufficient information. A pre-commencement condition should be secured for further information to be provided.
- 5.59 LBTH noise officer has no adverse comments to the proposed development subject to securing the planning conditions relating to noise insulation verification report for new residential units, restriction on demolition and construction activities, and details on compliance with standards for noise from plant.

LBTH Growth and Economic Development Team

- 5.60 No objection

LBTH Housing Officer

- 5.61 With regards to intermediate homes, the applicant should confirm the product type and affordability criteria. A better balance would be required within the private sector to be more aligned with the policy.
- 5.62 The applicant should confirm the numbers of wheelchair units within the affordable rented element. The family units should be lower within the tower and not situated on the higher floors. The applicant should ensure that this is addressed. Car parking should be made available to the affordable rented units.

- 5.63 A separate kitchen should be incorporated into the layouts of larger family sizes affordable rented units.
- 5.64 Further details should be provided on access to the Level 24 amenity area and Level 02 play space.

LBTH Place Shaping Team

- 5.65 Overall, the proposals represent a high-quality development delivering a building appropriate to its location and context. Place Shaping have no objections to the proposals.
- 5.66 The proposals have been subject to extensive pre-application discussions including numerous design focused workshops between Place Shaping and the applicant's design team. The proposals were presented to Conservation and Design Advisory Panel in October 2021. The panel were very supportive of the proposals, and particularly complimentary about the landscape presentation and were keen to stress the importance of delivering the ambitious for the underline.
- 5.67 The proposed building respects the hierarchy of townscape which would ensure the prominence of the Canary Wharf Tall Building Zeon and protect the Skyline of Strategic Importance. The proposed development represents an appropriate and welcome townscape response, ensuring that variation in heights remains.
- 5.68 There have been concerns about the form of the building as the building is set of 4 interlinking, stepped towers which has the potential to create a building of significant bulk and form. However, the proposed building would be read in most views as a series of slender towers due to the stepped approach and architectural detailing. The orientation and layout of the proposed building means that true form of the building is rarely seen.
- 5.69 The building's references to heritage, the architectural expression of the building creating a strong vertical emphasis and the proposed materiality approach are all considered to be successful, however, further details should be provided on the detailing via conditions.
- 5.70 The site affords a real opportunity to deliver high quality public realm next to the dock edge. There are some concerns with regards to the use of the dock edge area for seating for commercial uses and inactive frontage to the east used for servicing, although other improvement to the movement through a north-south route is welcomed.
- 5.71 The approach to the proposed communal amenity and child play space is welcomed, reflecting the High Density Living SPD. The separate access points for different tenures are not supported. All units would have good aspect, and particularly the provision of affordable housing units within southern and western aspects is welcomed. There are concerns about winter gardens not being usable, however, there are no objections to this element.

LBTH Senior Arboricultural Officer

- 5.72 No comments received

LBTH Suds Officer

- 5.73 No comments received.

LBTH Transportation & Highways

- 5.74 The applicant entered into good pre-application discussions with the highways team. As a result, the main highways matters were agreed prior to the submission of the application, which is welcomed.
- 5.75 The proposed development would be car free which should be secured through a legal agreement. The exception would be the provision of 3% accessible parking which would be accessed via a lift, however, it is unclear how these spaces would be accessed to residential units. Further details for the potential for a remaining 7% would need to be included in a Car Parking Management Plan.

- 5.76 The proposed cycle parking quantity is welcomed and there would be a mix of stands. Details of the breakdown of stands, access to cycle parking and the use of cycle parking by non-residential staff should be provided. Spaces for cargo bikes should be provided for residents and servicing.
- 5.77 All servicing would take place within the redline boundary which is welcomed. The applicant will be required to manage the dedicated servicing bays. A Service Management Plan should be conditioned. It is a shame that the whole estate is not being put forward for development so that public realm and servicing can be masterplanned.
- 5.78 A new north-south route is proposed to the west of the building which would be shared, and adequate separate between pedestrians and moving vehicles should be ensured. There would be a potential increase in the use of the local pedestrian and cycle infrastructure in the area and as such a financial contribution is sought.
- 5.79 In addition to the outlined conditions, a full demolition and construction management plan following the format of the pro-forma available on the Council's website, as well as a section 278 agreement should be secured.

LBTH Waste Officer

- 5.80 Further details were requested during the course of the application which were received and accepted.
- 5.81 The applicant has committed to provide in bin compaction at a ratio of 2:1 for the residential units and a weekly collection service which will be operated by the Council. Any additional collections will be arranged and funded by the applicant. These will be secured through a waste management condition.

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)
 - Isle of Dogs Neighbourhood Plan 2019-2031 (2021)
- 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
- Isle of Dogs Neighbourhood Plan: D1

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

- Isle of Dogs Neighbourhood Plan: D2, 3D1

Neighbour Amenity

- London Plan: D14
- Tower Hamlets Local Plan: D.SG4, D.DH8
- Isle of Dogs Neighbourhood Plan: CC1, CC2

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
- Isle of Dogs Neighbourhood Plan: D1, CC3, SD1

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2019)
- GLA Isle of Dogs and South Poplar Opportunity Area Planning Framework (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' (2011).

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Transport
- vi. Environment

- vii. Infrastructure
- viii. Local Finance Considerations
- ix. Equalities and Human Rights.

Land Use

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

- The loss of employment (office) space and
- The provision of proposed residential, commercial and community uses.

Designations

7.3 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 Isle of Dogs OA which has the capacity to deliver an additional 29,000 homes and 110,000 jobs.

7.4 The site forms part of the Limeharbour site allocation which stretches further to the south and east across Limeharbour. The site allocation policy sets out land use requirements which include housing and a range of employment floorspace.

Loss of office space

7.5 Policy E1 of the London Plan states that the redevelopment, intensification and change of use of surplus office space to other uses including housing could be supported, subject to existing office space being surplus of large office spaces.

7.6 Policy S.EMP1 of the Tower Hamlets Local Plan 2031 sets out the approach to employment provision and defines the borough's designated employment locations.

7.7 Policy D.EMP3 of the Tower Hamlets Local Plan 2031 states that there should be no net loss of viable employment space outside of the designated employment locations unless developments can provide evidence of active marketing over a continuous period of at least 24 months, or provide robust demonstration that the site is genuinely unsuitable for continued employment use due to its condition, reasonable options for restoring the site to employment use are unviable, and that the benefits of alternative use would outweigh the benefits of employment use.

7.8 The purpose of this policy is to prevent the unnecessary loss of existing employment space which would put pressure on the ability of the borough to meet projected need.

7.9 The application site is not located in any of the designated employment locations. Nonetheless, the loss of office space should demonstrate compliance with the criteria set out in Local Plan policy D.EMP3. The applicant has submitted the Office Report which provides analysis of office occupancy tenancies for 4-5 Harbour Exchange Square, as well as reviewing the supply, demand and vacancy of the wider Docklands market mainly focus to the north and south of the Canary Wharf estate.

7.10 Building 4 and 5 are the smallest in terms of floorspace within the Harbour Exchange Estate, where No.4 consists of 5,235sqm and No.5 consists of 3,565sqm. On each of the floors within the buildings, the office units range from 267sqm to 974sqm. The report shows that there have been various vacancies within 4 Harbour Exchange Square for longer than 2 years, whilst half of the No.5 building has been under a management tenancy which is likely to terminate soon due to the loss that the management company has been experiencing.

7.11 The applicant has confirmed that the building is approximately 15% occupied with all tenants on short term tenancies. They have taken steps to improve occupancy and continue to market the floorspace, however with limited results.

- 7.12 The submitted information further provides details on additional supply in the future which would result from new developments, as well as the rising vacancy rates from existing developments.

Proposed residential use

- 7.13 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.
- 7.14 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.
- 7.15 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.
- 7.16 The site's inclusion within the Limeharbour Site Allocation and the Millwall Inner Dock Tall Building Zone earmark the site for significant housing delivery which would contribute to the borough's housing stock. As such, the principle of the residential is supported.

Proposed commercial and retail uses

- 7.17 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.
- 7.18 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. The policy defines Tower Hamlets Activity Areas as areas that provide a transition between the scale, activity and character of the Canary Wharf Major Centre and their surrounding areas. The Activity Areas should support a mix of uses which make a positive contribution to health and well-being and promote active uses at ground floor level.
- 7.19 Part 2 of policy S.TC1 states that new development within the Tower Hamlets Activity Area will be expected to support the delivery of new retail and leisure floorspace to meet identified needs.
- 7.20 Policy D.TC5 of the Tower Hamlets Local Plan 2031 supports the provision of restaurants within Tower Hamlets Activity Area where it can be demonstrated that the overall vitality and viability of the town centre would be enhanced.
- 7.21 The proposed non-residential uses within the proposed development include retail and restaurant spaces which fall within the Use Class E and creative and community falling mainly within Use Class F. It is considered that the provision in general and proposed floorspace of these units is appropriate to the catchment area of the size, role and function of the Tower Hamlets Activity Area.
- 7.22 Furthermore, the proposed uses would diversify the area and support the Canary Wharf Major Centre, from which the proposed development would be easily and quickly accessible either by foot or on the DLR.

Proposed community use

- 7.23 Policy S1 of the London Plan supports development proposals that provide a high quality, inclusive social infrastructure that addresses a local or strategic need and support service delivery strategies. Part D of the policy encourages the co-location and rationalisation and sharing of community facilities while part E of the policy states that new facilities should be easily accessible by public transport, cycling and walking.

- 7.24 The Isle of Dogs OAPF identifies the need for various social infrastructure facilities to support the growth within the area.
- 7.25 Policy S.CF1 of the Tower Hamlets Local Plan states that development should maximise opportunities for the provision of high-quality community facilities to serve a wide range of users. Part 4 of the policy seeks to direct new community facilities to town centres, in accordance with policy S.TC1.
- 7.26 Policy D.TC3 of the Tower Hamlets Local Plan 2031 states that community facilities within larger developments should be easily accessible to people who live and work outside of the host development.
- 7.27 The proposed development includes a community use (Use Class E) on the first floor with its separate entrance on the ground floor. The proposed use is proposed as a flexible health and wellbeing space, with uses such as a community health centre, spaces for exercise, yoga studio, etc.
- 7.28 Whilst it is acknowledged that at present there is no end user for this space, it is considered that further details should be detailed at a further date. The delivery of the community space will be secured through a planning obligation with s106 agreement, along with additional details on the final use and management of the space.

Conclusion

- 7.29 Overall, the submitted scheme would provide a number of public benefits. The loss of the existing office floorspace has been justified and the scheme would deliver a significant amount of residential units whilst reactivating the site. The provision of retail and community units on the site would also be an acceptable use. The provision of active ground floor retail and restaurant floorspace is also supported in addition to the public realm enhancements and will all assist in the revitalisation of the area.

Housing

- 7.30 Development Plan policies set out a number of requirements which guide residential development in the borough.

Housing Supply

- 7.31 London Plan Policy H1 sets Tower Hamlets a housing completion target of 34,730 units between 2019/20 and 2028/29. The proposed development would result in an additional 421 homes, which would make an important contribution towards meeting this target and is strongly supported.
- 7.32 Policy S.H1 refers to the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year. Provision is to be focussed in Opportunity Areas. The Isle of Dogs and South Poplar Sub-area is expected to deliver at least 31,209 new homes.
- 7.33 Therefore, taking into consideration the local and strategic policy designations as well as the NPPF, the provision of housing in this location carries substantial weight in favour of the proposal.

Housing Mix and Tenure

- 7.34 The table below sets out the scheme's housing mix against the policy requirements set out in policy D.H2.

Unit Size	Total Units	Affordable Housing						Market Housing		
		Social Rent			Intermediate			Units	As a % (by units)	Policy Target %
		Units	As a % (by units)	Policy Target %	Units	As a % (by units)	Policy Target %			
1 Bed	276	21	25.3%	25%	6	16.2%	15%	249	75.5%	30%
2 Bed	108	25	30.1%	30%	16	43.2%	40%	67	20.3%	50%
3 Bed	51	25	30.1%	30%	12	40.5%	45%	14	4.2%	20%
4 Bed	15	12	14.5%	15%	3			0	0	
Total units	450	83	100%	-	37	100%	-	330	100%	-
Total HR	1142	277	-	-	123	-	-	742	-	-
		120units/400hr (35% HR)						330units/742hr (65% HR)		

Table 1. Proposed housing mix assessed against the requirements of policy D.H2.

- 7.35 Within the affordable rented tenure, the units are very close to matching policy requirements. There would be a policy compliant proportion of 1, 2 and 3 bed units with the 4 beds being slightly under. However, overall, there would be a good range of unit sizes within this tenure.
- 7.36 Within the Intermediate tenure, again, the focus has been on delivering smaller 1 and 2 bed units rather than larger family sized units which can be less affordable for prospective owners.
- 7.37 Within the Market homes there is an over provision of 1bed homes with an under provision of 2, 3 and 4 bed units. However, given that Tower Hamlets faces an acute housing need – in particular affordable family housing and that Tower Hamlets faces considerable challenges in delivering homes which are affordable to local people on average-to-medium incomes, who are unable to access social housing or afford market housing, a degree of flexibility can be applied to the market housing mix.
- 7.38 Part 3 of policy D.H2 requires proposals to provide a range of unit sizes. Where a development proposes to deliver at least 35% affordable housing (to use the fast track approach) and in exceptional circumstances (e.g. where applications propose to deliver a significantly higher quantum of affordable housing than 35%, whilst meeting the required affordable housing tenure mix, and/or propose to deliver significant social infrastructure on-site), officers will accept a market unit mix which departs from policy.
- 7.39 In this instance, the proposal meets the tenure split requirements of Part 1 of policy D.H2 which is 70% rented and 30% intermediate. In addition, the proposals meet the requirements of supporting paragraph 9.30 of the Local Plan which stipulates that affordable housing should be comprised of:
- 70% rented element, of which 50% should be London affordable rents and 50% should be Tower Hamlets living rent, and
 - 30% intermediate element, which includes London living rent shared ownership and other intermediate products..
- 7.40 In addition to the above, the scheme would still provide a proportion of family housing in the market tenure (albeit not significant) and the proposal would largely meet the unit mix requirements to deliver family housing in the affordable tenures.
- 7.41 To summarise whilst there are some conflicts with the policy targets across the tenures, particularly the market units, overall the development would deliver a significant proportion of family sized units across the scheme, especially within the affordable rented tenure where

demand and housing need is highest. Furthermore, the development would deliver a mixed and balanced development with a range of tenures and unit sizes.

Affordable Housing

- 7.42 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.
- 7.43 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.
- 7.44 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 grant to increase the level of affordable housing.
- 7.45 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.
- 7.46 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.
- 7.47 Of the total proposed 450 units, the scheme would provide 120 affordable homes, amounting to 35% by habitable room. The proposed tenure split is 83 Affordable Rent homes and 37 Intermediate homes, which equates to 70:30 Social Rent: Intermediate by habitable room. This meets the Council's policy requirement of 70:30 and is welcome.
- 7.48 Given that the affordable housing provision is meeting the 35% affordable housing policy requirement, it is not necessary to undertake a viability review as the proposal meets the requirements for the fast track route. The fast track route enables developments to progress without the need to submit detailed viability information and without late viability review mechanisms which re-assess viability at an advanced stage of the development process.
- 7.49 Overall, the proposed affordable housing mix and offer is supported by officers.

Integration of different tenure types

- 7.50 Both the affordable and private homes would be delivered within the single tower building. There will be a separate entrance for the affordable units and the private units along the southern elevation. Whilst officers would prefer to see a shared entrance for the affordable and private units to create social cohesion and social integration within buildings, it is acknowledged that this is not always possible. During the course of the pre-application discussions and post submission of the application, the applicant was asked to revisit this. However, the applicant has confirmed that the scheme was designed following discussions with Registered Providers (RPs) who were adamant that the increased service charge associated with a shared entrance would be unaffordable for the RPs and tenants and that the current design was more appropriate.

- 7.51 Officers acknowledge this financial predicament and understand the implications this could have on the deliverability of affordable housing. As such, given that the entrances are located next to each other; have the same prominence; quality of design; outlook and are similarly sized, officers on balance accept this as it results in a scheme which can ultimately be delivered.
- 7.52 Inside the building there would be two cores allowing the management of these spaces to be separated more easily and ensure that any service charges are also controlled appropriately for the different tenures.
- 7.53 The residential section of the building starts at level 03. The south-west section of the building from levels 03-24 contains the affordable units which benefit from unobstructed view and significant daylight. These affordable homes are broken-down into two sections, with levels 03-17 housing the socially rented flats, and levels 18-24 housing the intermediate homes. The remaining section of the building is allocated for the market tenure. In addition to the private amenity space provided by the wintergardens in each of the apartments, the building has three levels of shared residential amenity. The three levels of residential amenity are split between indoor and outdoor amenity usage. The level 02 podium amenity is allocated for child play catering for ages 0-17 years. This can be access by all residents within the building regardless of the tenure.
- 7.54 There would be no discernible difference in the quality of the external appearance of the homes in the different tenures. The ground floor amenity space and underline would be open and accessible to all residents as well as the public. Officers consider these arrangements to be acceptable.

Quality of Residential Accommodation

- 7.55 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.
- 7.56 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.
- 7.57 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.
- 7.58 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor.
- 7.59 The proposed residential building has been designed with a very high level of dual aspect homes, where 96% of proposed units would be dual aspect. There would be no single-aspect north-facing units. This has been achieved due to the specifics of the proposed building layout, as discussed further in the design section of this report.
- 7.60 All of the proposed units would meet the minimum internal space standards. Similarly, the proposed winter gardens would be provided as private amenity space for all proposed units, meeting all of the minimum standards for larger units and exceeding them for smaller units. The applicant's rationale for the provision of winter gardens for all units to ensure their use throughout the year, as well as to allow the flexible use of it.
- 7.61 Whilst the proposed design allows for more than 8 units per floor, there would be no more than 8 units per each of the cores. Up to Level 24, there would be 6 units using the southern core and 5 units using the northern core. Above Level 24, all of the units would be private, but utilising both core so that there would be no more than 8 units per any of the two cores.

Wheelchair units

- 7.62 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.
- 7.63 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.
- 7.64 The proposal would feature wide and clearly legible areas of public realm, which would be accessible by disabled people. The proposal would provide in excess of 10% of homes as wheelchair accessible, which is supported. The Council should secure M4(2) and M4(3) requirements by condition or obligation.
- 7.65 All homes have been designed to comply with the Building Regulations Part M4(2) ('accessible and adaptable) and 60 (13%) would comply with Building Regulations Part M4(3)(a) and (b) (easily adaptable or fitted out). These homes would comprise the following:
- Market – 36 units (10.9%) (18x1bed and 18x2bed)
 - Affordable Rent – 18 units (21.7%) (13x1 bed and 5x4 bed); and
 - Shared Ownership – 6 units (16.2%) (3x1 bed and 3x4bed)
- 7.66 A large proportion of wheelchair units would be delivered within the affordable tenure which is welcome. Officers recommend that the delivery of wheelchair accessible homes is secured by condition and that this reserves details of proposed 18 x Social Rent wheelchair accessible homes (which are to be 'fitted out' and comply with Building Regulation M4 (3)(2)(b) standard).

Privacy, Outlook & Sense of Enclosure

- 7.67 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.
- 7.68 Given its position, the application site mainly benefits from limited constraints in terms of privacy, outlook and sense of enclosure due to the dock to the west, and the DLR tracks and Marsh Wall to the north stretching over 20m to the opposite side of the road where the closest building is situated. As such, the distance to other properties would limit the impact on the amenity of future occupiers.
- 7.69 The proposed building is the first one to come along for redevelopment within the wider Harbour Exchange Estate. The existing buildings to the east and south have an established office and the future proofing of their redevelopment is further discussed in the neighbouring amenity section of the report.
- 7.70 The existing office building to the south-east of the application site, 1 and 2 Harbour Exchange, is situated circa 27m from the southern elevation of the proposed building. Given the separation distance from the application site and habitable rooms, it is not considered that there would be a significant impact on future occupiers.
- 7.71 Immediately to the east of the application site sits 3 Harbour Exchange, which is 11 storeys in height and has a rounded shape wrapping around a central core with the northern and eastern elevations being fully curved along the junction of Limeharbour and Marsh Wall. Another core with a staircase and a lift is provided on each of the western and southern elevations. The western elevation of the building would be closest to the proposed building,

placed 18m from its eastern elevation. If the site on which building 3 is redeveloped in the future, this could be increased to 20m or more.

- 7.72 Given that the majority of usable office fenestration within 3 Harbour Exchange would be situated further away from the proposed building, it is not considered that there would be issues in terms of privacy and outlook. It is considered that there would be some minor impact on the lower-level residential units in terms of sense of enclosure, however, the level of the impact is not considered to be unacceptable.

Daylight, Sunlight & Overshadowing

- 7.73 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'.
- 7.74 The new BRE's guidance was published in June 2022, superseding the older version of the guidance from 2011. Given that the application was registered as valid well before the new guidance came into place and as such the submitted information is assessed against the old guidance, this is considered acceptable. As such, the assessment in this report also refers to the BRE's 2011 guidance.
- 7.75 In the guidance, 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. For shared living spaces which include living/kitchen/dining areas, ideally 2% should be achieved given that is the minimum ADF for kitchen areas.
- 7.76 The No Sky Line assessment is a test that establishes where within the proposed room at working place height the sky will be visible through the windows, taking into account obstructions.
- 7.77 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 reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.
- 7.78 An Internal Daylight, Sunlight and Overshadowing Report produced by GIA, which provides an assessment of the quality of accommodation and amenity of the proposed development, has been submitted in support of the application. The Council's external consultants, Delva Patman Redler (DPR), have reviewed the submitted information.

Daylight

- 7.79 The assessment analysed daylight provision in the proposed development by calculating the Average Daylight Factor (ADF) and No Sky Line (NSL) inside each of the proposed rooms.
- 7.80 A total of 1144 habitable rooms were tested for the daylight assessment. 1106 of the windows would meet the minimum ADF recommendations whilst 1114 of these would achieve the sky visibility measured through NSL. This amounts to a 97% daylight compliance with the BRE guidance.
- 7.81 With regards to the ADF calculations, 38 would fall short of the minimum ADF levels. Of these, 7 rooms would be a large living/kitchen/dining space which would meet the minimum 1.5% for living areas, but not the 2% standard for kitchens. Another 10 rooms would be living areas with ADF levels ranging between 1.2%-1.4%.
- 7.82 Of the remaining rooms not meeting the minimum ADF levels, 20 would be on the lower levels facing south-east. 15 of these rooms would have ADF levels between 0.7-1.4% and

would be dual aspect with winter gardens. The final room not meeting the ADF level would be a bedroom with ADF of 0.9% which is slightly under the 1% recommendation for bedrooms.

- 7.83 Overall, the proposed development would ensure a very good level of adherence to daylight guidelines, as confirmed by the Council's consultants.

Sunlight

- 7.84 The assessment analysed sunlight provision to living areas in the proposed development. This includes the assessment of annual probable sunlight hours (APSH) and winter probable sunlight hours (WPSH).
- 7.85 A total of 243 living areas with a window facing 90 degrees due south was analysed, where 231 rooms would meet both APSH and WPSH achieving compliance levels of 95%, and 237 the rooms would meet the APSH recommendations.
- 7.86 The 6 rooms that would not meet the minimum sunlight recommendations for either APSH and WPSH would have the figures between 14%-22%. Whilst these rooms would all be dual aspect, their location within the proposed building would result to the lower levels of sunlight when compared against the recommendations in the BRE guidance.
- 7.87 Overall, it is considered that the proposed residential development would perform very well with regards to the sunlighting hours that future occupiers would receive.

Overshadowing

- 7.88 A total of 7 amenity areas within the proposed developments have been analysed. These include the ground floor areas wrapping around the proposed building, including the DLR underline space; dockside seating area; outdoor child play space on Level 02, and communal amenity spaces on Levels 24, 41 and 48.
- 7.89 The Eastern Street public realm and the northern part of the site consisting of the DLR would fail to have at least two hours of direct sunlight across at least half of the area. The other space not meeting the minimum recommendations would be the northern child play space on Level 02.
- 7.90 Both of the spaces experiencing lower than recommended sunlight on ground hours would be due to their position within the proposed development being to the north of the massing of the proposed building. Nonetheless, it is considered that the proposed development would provide an adequate level of amenity with regard to the sunlighting levels of the proposed amenity spaces.

Conclusion on Daylight, Sunlight and Overshadowing

- 7.91 As a result of the above assessment, it is considered that the proposed development would receive a very good amount of daylight and sunlight given the high level of analysed rooms meeting the minimum BRE guidelines. The proposed amenity spaces would also receive appropriate levels of sunlight on ground.

Fire safety

- 7.92 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.
- 7.93 The application is supported by a Fire Safety Statement by Hoare Lea, and a fire statement form completed on 03/05/2022 as per the requirements of the Planning Gateway One process under the Health and Safety Executive (HSE).
- 7.94 In the initial response, the HSE raised concerns with regards to the proposed building being served by a single staircase on Levels 41, 51 and the use of staircases for different uses and

areas including the basement and ancillary uses, the use of external wall systems with an insufficient fire performance.

- 7.95 The applicant has made further changes to address these comments including extending the staircase on Levels above 41 to Level 49 where only access is provided to duplex flats. Other additional clarifications have responded to the HSE's raised concerns, following which this was formally confirmed by the HSE who are content with the submitted information.

Communal Amenity Space & Play Space

Communal amenity space

- 7.96 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.
- 7.97 The proposed development would deliver a total of 907 sqm of communal amenity space against the minimum requirement of 490 sqm. Overall, 73% of the proposed communal amenity space would be external provided through terraces and 27% would be internal.
- 7.98 Of the total space, 322 sqm of the space would be provided on Level 24 and it would be accessible to the affordable tenure units whilst the remainder of the communal amenity space, consisting of 366 sqm on Level 41 and on 219 sqm Level 48, would cater for private tenure units.
- 7.99 When considered separately in terms of minimum requirements, the proposed development would still overprovide the communal amenity space for the affordable and private units. In terms of tenure accessibility, it has been noted that the affordable lifts run up to Level 24 where the affordable communal amenity space is proposed.
- 7.100 Due to the changes of the layout on the upper floors, the affordable units have not been provided with access to the Level 41 and 48 spaces. Whilst this does not seek to promote positive social cohesion, the challenges associated with the management of these spaces due to the difference in tenures have been acknowledged.
- 7.101 In summary, the amount of proposed communal amenity space exceeds the policy requirements and would be of a high-quality design. This is supported by officers.

Child play space

- 7.102 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.
- 7.103 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.
- 7.104 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.
- 7.105 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 space [sqm]	play	Provided space [sqm]	play
0-4	64	638		644	
5-11	52	522		525	
12-18	51	506		512	
Total	167	1,665		1,681	

Table 2. Child yield, child play space requirements and provision for the proposed development.

7.106 The proposed development would provide a total of 1,681 sqm of child play space. The majority of this space would be provided on Level 02 in the form of internal spaces and terraces, whilst a small space amounting to 203 sqm would be provided on the ground level within the landscaped area along the south-western corner of the site.

7.107 Given its location, the proposed child play space within the landscaped area would be publicly accessible which is welcomed. The remainder of the proposed child play space on Level 02 would be tenure blind meaning that all future residents of the proposed development, regardless of their tenure, would be able to access the space.

7.108 The indicative play space arrangement has been provided to indicate how different spaces on Level 02 will be used in order to ensure that there are spaces and equipment for each of age groups, as required by the policy. Whilst limited information has been submitted to detail the proposed child play space, further information would be secured via condition.

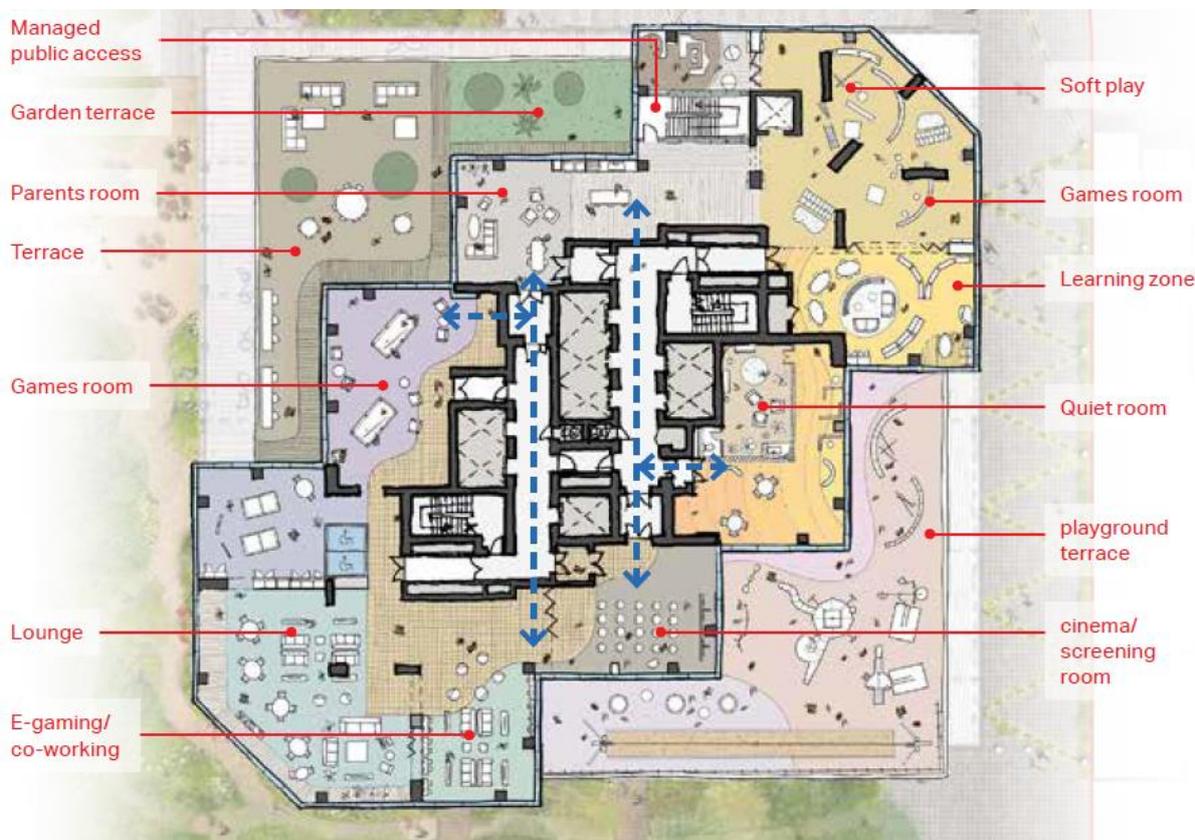


Figure 5. Proposed child play space on Level 02.

7.109 In addition to providing a policy compliant level of child play space, the applicant has also proposed additional incidental play to be provided within the DLR underline and the landscaping area along the southern edge of the proposed building.

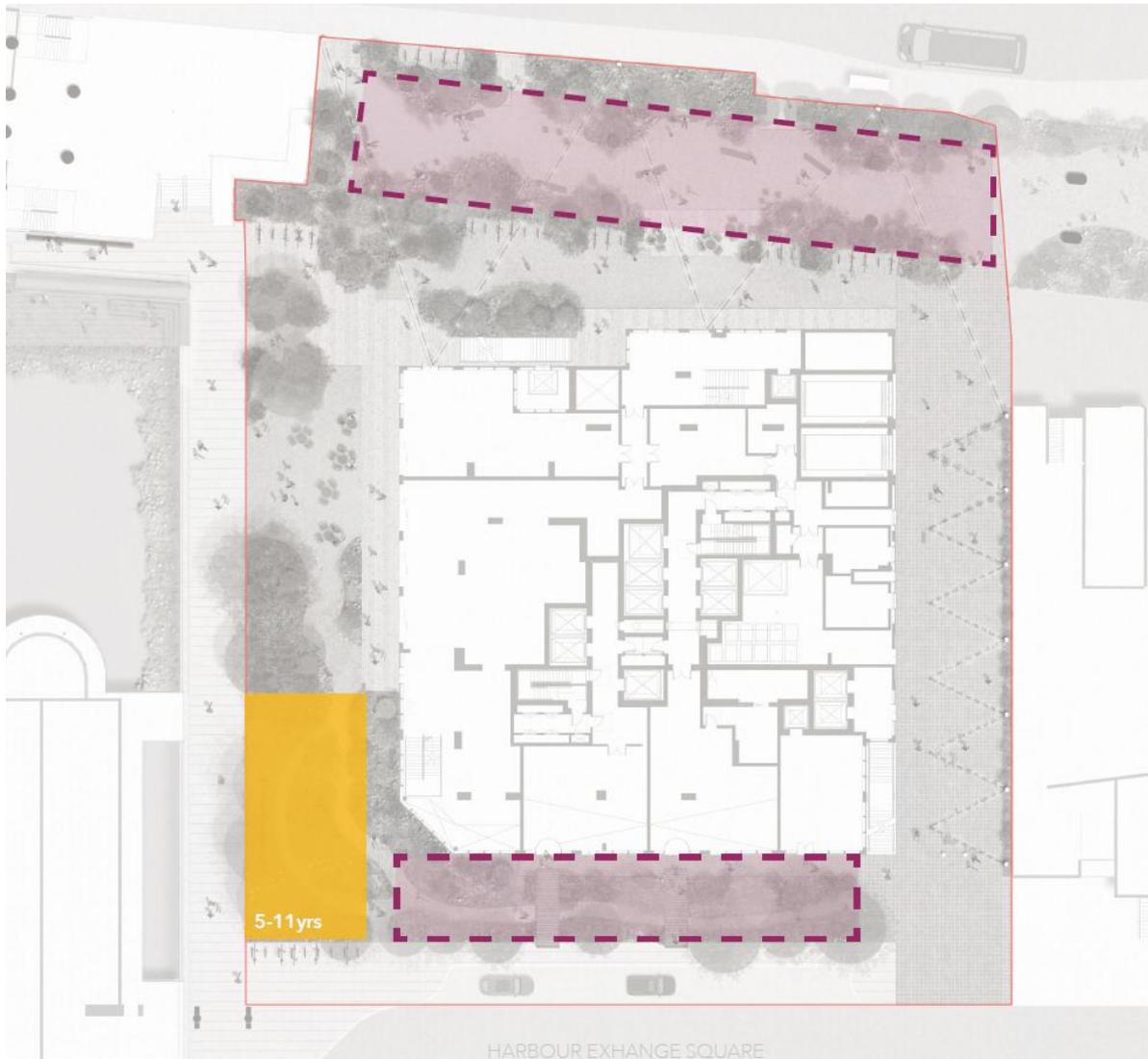


Figure 6. Proposed ground floor child play space with policy required space highlighted in yellow and additional incidental space shaded in purple.

7.110 Overall, the proposed child play space provision is considered acceptable and would contribute to the delivery of high-quality residential accommodation, as well as a wider social cohesion to the area.

Density

7.111 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.

7.112 The proposed development would have a density of 1030 dwellings/ha (2616 hr/ha). London Policy D4 requires that all proposals exceeding 30m high and 350 units per hectare must have undergone a local borough process of design scrutiny. The applicant has engaged extensively with officers through pre-application discussions and the scheme was considered by the Conservation and Design Advisory Panel (CADAP), which has informed the current scheme and design layout. The application scheme generally reflects guidance in the *High-Density Living SPD*, which was in draft at the time that the application was submitted. The London Plan (para. 3.4.9) requires applications for higher density developments (over 350u/ha) to provide details of day-to-day servicing and deliveries, longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers). A condition is recommended with regards density management plan.

- 7.113 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.
- 7.114 Isle of Dogs Neighbourhood Plan Policy D2 expects developments exceeding the 1,100 habitable rooms/hectare density to meet the specific expectations set out in the Mayor of London's Housing SPG for development exceeding the density matrix thresholds in the previous (2016) London Plan. It is noted that the updated London plan 2021 no longer makes reference to the density matrix however the proposal has been considered in relation to the Housing SPG.
- 7.115 The development is considered to contribute positively in terms of placemaking, creating a high quality public realm and amenity space that improve the pedestrian experience. The development would provide a good mix of housing with good quality child playspace accessible to all residents. Servicing and cycle storage has been considered extensively through pre-app and the application. Furthermore given the location of the site, in the Millwall Tall Building Cluster, an Opportunity area as well as a site allocation which requires housing to be delivered a high density housing scheme is considered appropriate.

Design & Heritage

- 7.116 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.
- 7.117 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.
- 7.118 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.
- 7.119 London Plan policy D4 requires development proposals referable to the Mayor 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.
- 7.120 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.
- 7.121 Neighbourhood Plan policy 3D1 requires all strategic developments to be accompanied by a 3D model that is compatible with the model used for assessment as part of the development management process. The applicant has submitted a Vu City model which indicates compliance with the Neighbourhood Pan policy.

Site Layout and Access

- 7.122 The existing office building takes up the majority of the application site, stretching the whole width of the site and leaving some limited breathing space along the south and north edges of the existing site layout.

7.123 Tower Hamlets Local Plan policy S.DH1 requires development to represent good urban design including coherency in building lines, roof lines and setback, complementing streetscape rhythms and associated landscapes.

7.124 The Limeharbour Site Allocation which requires developments to integrate buildings with improved public realm and stepped back layout from the dockside to allow the creation of fully accessible active frontages providing a series of interconnected spaces in accordance with the green grid, as well as to improve biodiversity and ecology along the water edges.



Figure 7. Indicative Limeharbour Site Allocation.

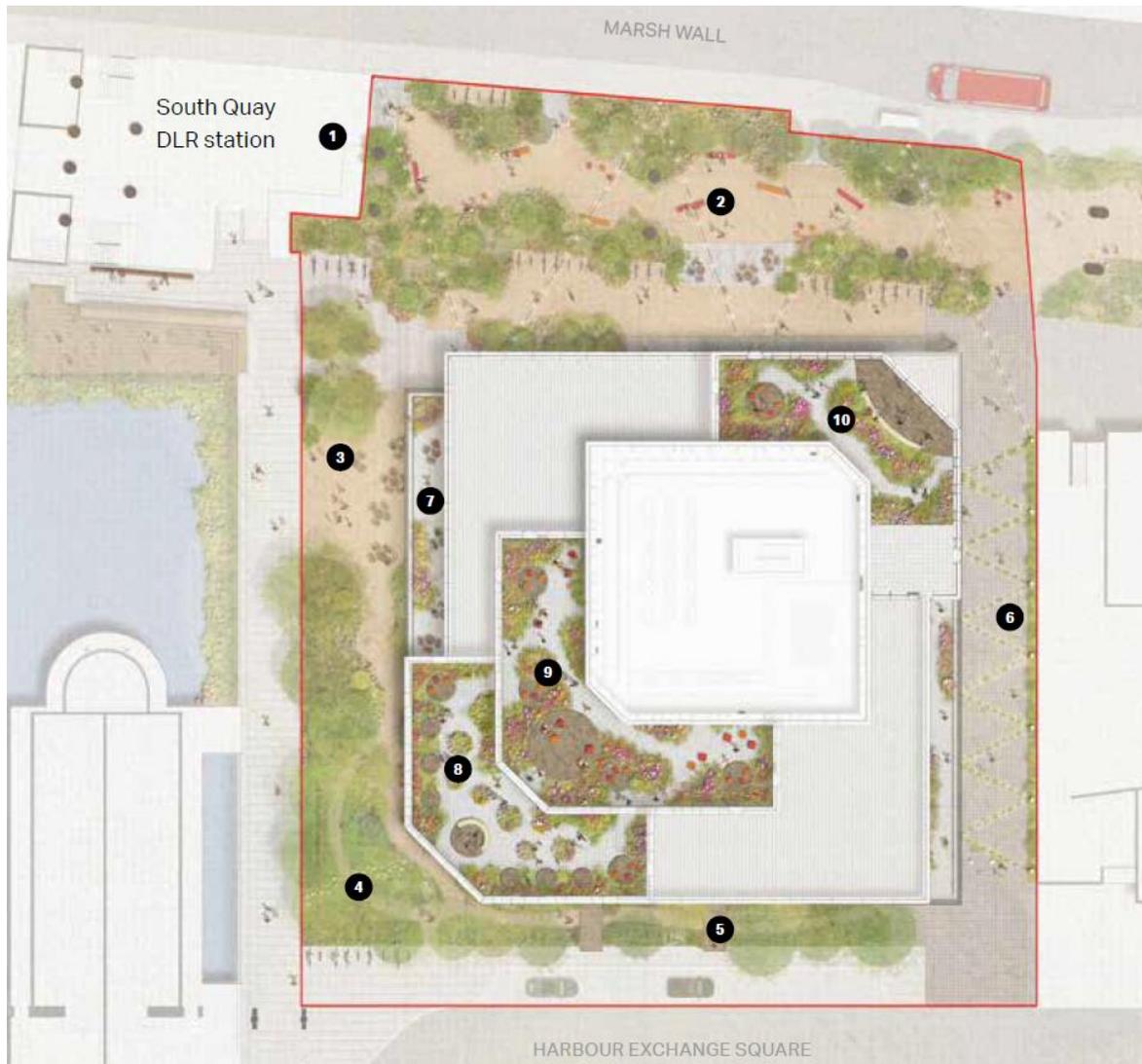
7.125 The proposed development seeks to create a building of a lesser footprint, set back from the dockside allowing more public realm to be created on the site.

7.126 The proposed development represents a landscape-led design response providing interconnected green spaces along the perimeter of the proposed building placed centrally within the site. The proposed building allows for more public spaces along the dockside which would in turn activate these spaces with the proposed ground floor uses, as well as improve the walking and cycling connection in this area.

7.127 The proposed site layout would also create a welcoming arrival point from the South Quay DLR Station due to the proposed set back, as well as a variety of different ground floor uses allowing more activity to take place in this location, which would also extend along Marsh Wall.

7.128 The southern edges of the proposed building would provide residential entrances whilst the proposed street running along the eastern edge of the site would serve as vehicle and cycle access, as well as a servicing space which is accessed from the Harbour Exchange Square as no vehicle access will be provided from Marsh Wall.

7.129 The application site also includes the section below the DLR tracks to the north of the proposed building. This is welcomed as it would significantly contribute to the improvement the appearance and movement in this part of Marsh Wall.



- ❶ South Quay DLR station
- ❷ The underline
- ❸ Waterfront square
- ❹ Garden play area
- ❺ Residents' gardens
- ❻ East Street
- ❼ L01 terrace
- ❽ L24 residents' terrace
- ❾ L41 residents' terrace
- ❿ L48 residents' terrace

Figure 8. Proposed Site Layout.

7.130 Overall, the proposed site layout would provide a successful design response which ensures that a number of principles stipulated in the Site Allocation policy is delivered for this site. As such, the proposed site layout is supported.

Townscape, Massing and Heights

7.131 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.

7.132 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.

- 7.133 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.
- 7.134 For the Millwall Inner Dock Tall Building Zone, in which the application site is situated, policy D.DH6 requires building heights to significantly step down from the Canary Wharf cluster to supports its central emphasis, and particularly for building heights to step down from Marsh Wall.
- 7.135 The site's inclusion within a tall building zone (TBZ) confirms the appropriateness of a principle for delivering a tall building on the site. However, any building coming forward on the site should be subject to a set of requirements set out in the Local Plan policy, as discussed in details below with regards to the design requirements.
- 7.136 The proposed building consists to four interlinking, stepped towers, out of which the tallest one placed more centrally would reach an AOD height of 175.5m. The proportion of each of the building steps would be half the height of the preceding one, where the first step has taken cues from the heights of the buildings in the neighbouring developments.
- 7.137 The site is situated at the key junction within the Millwall Inner Dock TBZ representing the western point of the Marsh Wall East section. With regards to its immediate surroundings, the proposed building would be lower than the Madison building which sits within the Canary Wharf TBZ, on the northern side of Marsh Wall to the north-east at the height of 187m AOD. To the east of the site, the highest point of the Skylines development sits at 167m AOD and would provide a further step down from the proposed building.
- 7.138 As confirmed by the LBTH design officer, the proposed building would represent an appropriate townscape and contextual response which ensures the variation in building height remains, where the highest point within the Marsh Wall East townscape area and within the subject TBZ would be the site itself.
- 7.139 The proposed building with its stepping heights would also allow a more distinctive transition and varying heights to take place within the site itself, responding gradually to the heights of the immediate surrounding. In addition, the positioning of the application site at the north end of the Millwall Inner Dock and close proximity to the DLR station ensure that the proposed tall building would be appropriate to both the function and role of the site within the cluster.
- 7.140 Some concerns have been raised with respect to the bulk and mass being created along the diagonal axis of the building. However, the architectural detailing help to ensure that the building is read a series of slender towers, rather than one large form, as discussed in detail below.

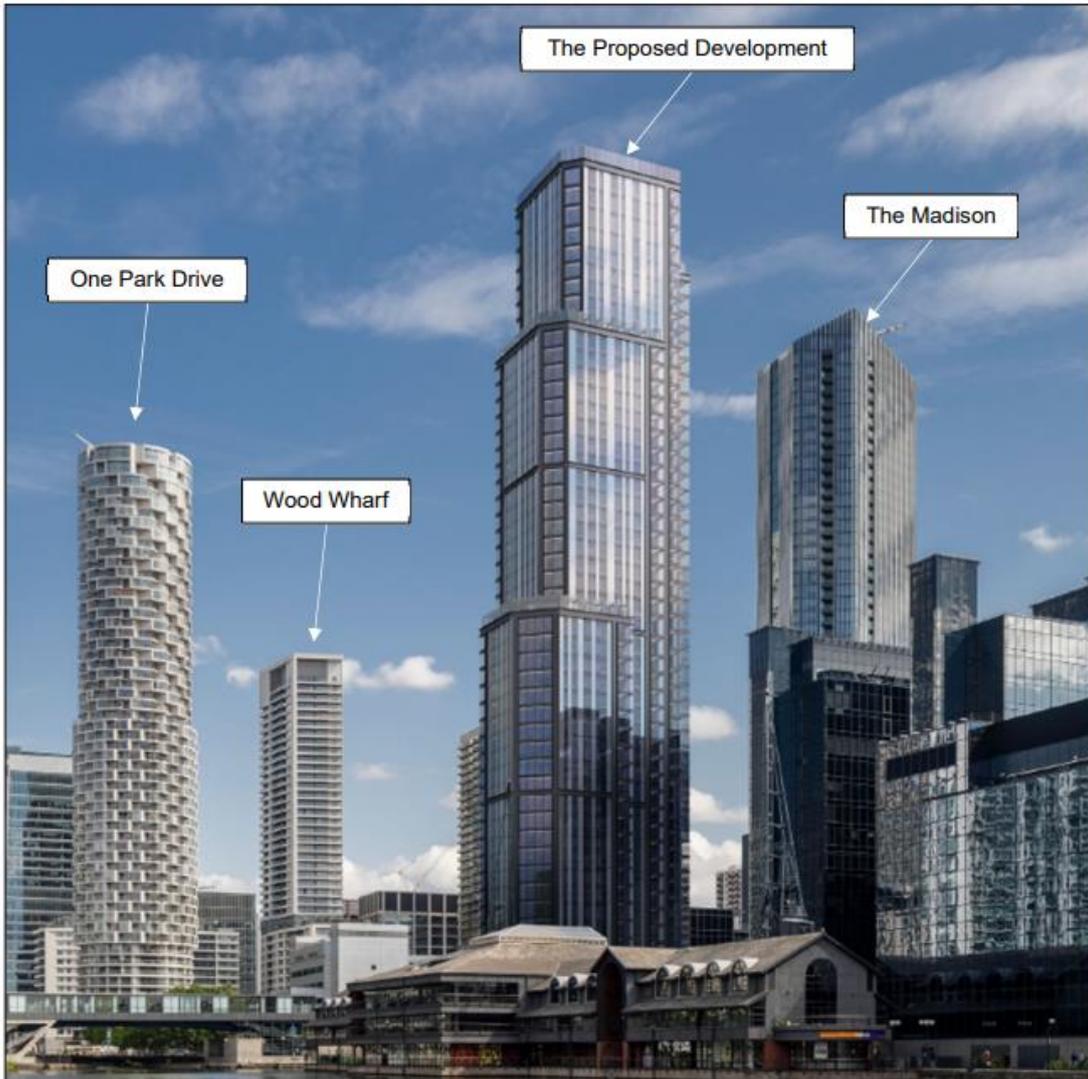


Figure 9. Proposed Development with surrounding existing tall buildings

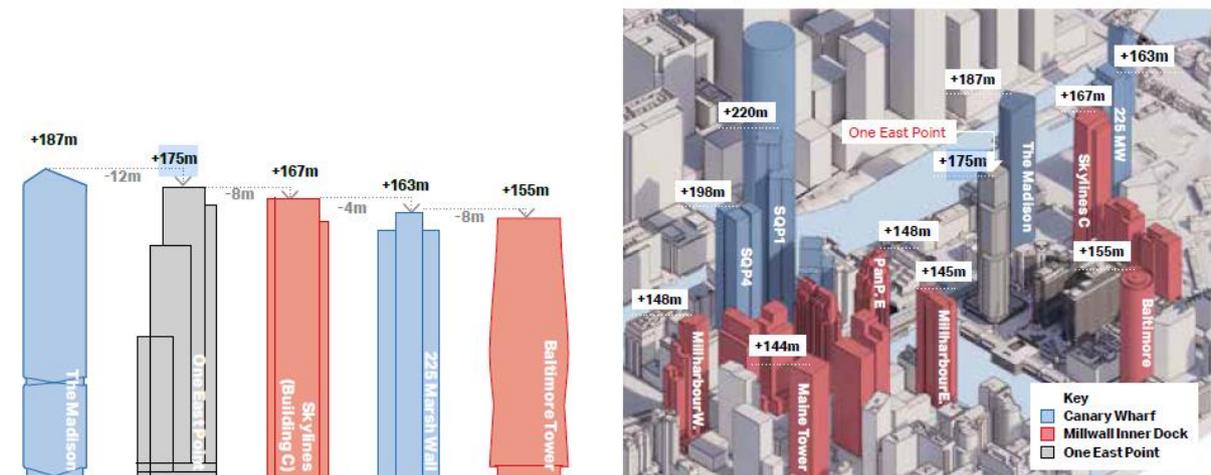


Figure 10. Model of Proposed Development with surrounding tall buildings

Appearance & Ground Floor Frontages

7.141 Tower Hamlets Local Plan policy S.DH1 requires development to ensure that the architectural language completes and enhances their immediate and wider surroundings, and to use high quality design materials and finishes to ensure buildings are robust, efficient and fit for the life of the development.

- 7.142 Tower Hamlets Local Plan policy D.DH6 requires developments with tall buildings to achieve exceptional architectural quality and provide shared facilities at the ground floor level to encourage social cohesion.
- 7.143 The proposed tower has a unitised cladding system comprising of full height dark black painted panels with insulated backing and spandrel panels to match. The metal framing, comprising PPC aluminium panels, has been introduced vertically to highlight the corner winter gardens within the Proposed Development.
- 7.144 In terms of the balustrades and panelling, elements of the façade have been influenced by Frederick Garrad pottery which was manufactured on the Isle of Dogs until 1911. Garrad's tiles were inspired by Spanish Cuenca style tiles and Dutch Delftware tiles and the designs have been used in the design of the Proposed Development's metalwork, including balustrades and wintergarden ventilation panels.
- 7.145 The building has been designed deliberately with a clear podium level, and focuses on delivering active frontages along the dockside and to the north towards the South Quay DLR.
- 7.146 In terms of ground floor frontages, anchoring the north-west corner of the site is a retail unit. As pedestrians leave South Quay station and Marsh Wall, this prominent corner will be activated by an independent retailer that will introduce pedestrians to the site.
- 7.147 The restaurant which is proposed to be located on the west of the ground floor will have high ceilings bringing light deep into the space whilst the bi-fold doors encourage the restaurant to spill out onto the waterfront activating this open space. The terrace level above provides a covered walkway along the elevation and in combined with the doors they create a soft transition between the inside and outside of the building removing any hard building edge and encouraging people into the building.
- 7.148 To the north, a managed, shared entrance is provided to the creative industry space on the first floor and the play space and youth hub on the 2nd floor. These areas can be accessed via an independent lift and stair within the entrance.
- 7.149 The outdoor amenity spaces at Levels 24, 41 and 48 all comprise a full height glazed terrace to protect the space from the local wind microclimate and includes an industrial effect pergola.
- 7.150 The publicly accessible terrace at Level 1 has been designed to support the community uses and provides a dining terrace for the restaurant. This space will benefit from full height glazing with bi-folding doors. The external stairs are a combination of timber and metal. This space will benefit from timber soffits, bringing a rich tone to the façade and refer to the timber shipments that were synonymous with the docks.
- 7.151 Officers consider that the proposed tower would be well proportioned and would be of appropriately high architectural quality. The design and architectural appearance of the proposed building would result in a positive contribution to the built form in the area in both long and medium range views.
- 7.152 In summary, the proposed architectural quality and materiality of the scheme is supported. It is recommended that details of external materials are secured by planning condition.



Figure 11. Ground and first floor level of Proposed Development with a restaurant use

Landscaping & Public Realm

- 7.153 London Plan (2021) policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.
- 7.154 Tower Hamlets Local Plan policy D.DH2 requires developments to positively contribute to the public realm through the provision of active frontages and multi-usable spaces that can cater for social gathering and recreational uses.
- 7.155 The design of the proposed development has been landscape-led, which is welcomed. Consequently, this uses the opportunity to deliver high quality public realm along the dock's edge and improve the pedestrian movement in the area.
- 7.156 The submitted Landscape Strategy sets out a tiered approach to the landscaping of the development, creating six different landscape character areas, as indicated in the image below.

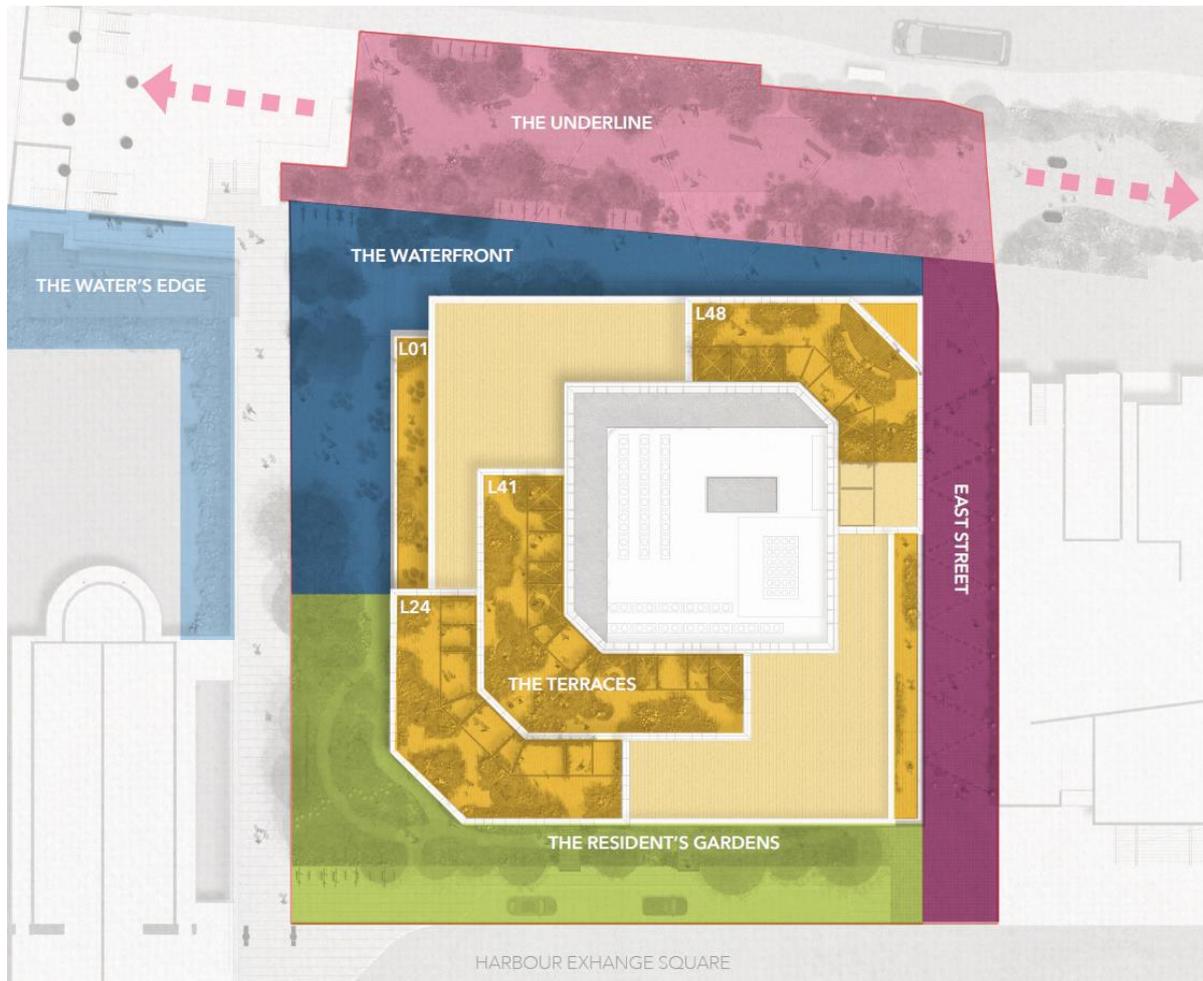


Figure 12. Proposed landscape character areas.

The Underline

- 7.157 The Underline is a new area of public realm beneath the Docklands Light Railway, connecting Marsh Wall to the rest of the site and the Millwall Inner Dock will be transformed from a gloomy tarmac car park into an informal landscaped environment that invites informal play and programmable events such as food markets. This new area of public realm will be supported by the active frontages of the retail and creative industry which are located on the northern elevation of the podium facing it.
- 7.158 Soft landscaping elements include; mixed level low level planting; planting suitable for raingardens and planting suitable for filtering air pollution. Hard landscaping elements include; concrete paving, flexible seating and cycle stands.
- 7.159 The planting palette for the underline has been designed for both environmental function and aesthetic value. The palette contains a high percentage of flowering perennials which will provide nectar for pollinating insects such as bees and butterflies. A mixture of plants that can withstand extended periods of waterlogging and drought resistant species will be prominent in this area.
- 7.160 An east west rain garden is to be provided at the southern extent of 'The Underline' which will help to increase the biodiversity of the site and allow on site water attenuation to reduce the risk of onsite flooding.
- 7.161 The space, which is protected from the road by soft landscaping and the retained existing tree line, creates an attractive alternative pedestrian route to the existing pavement to Marsh Wall and a significant new area of public realm which can be used during both the night and day.

The Waterfront

- 7.162 The waterfront square is an area of public realm with retail frontage and spill out space, which responds directly to the site's dockland setting. Proposed seating will provide opportunities for resting and looking out onto Millwall Inner Dock.
- 7.163 A palette of self-binding aggregate wraps around the north and west of the building creating a gardenesque feel to the open spaces next to the water. Soft landscaping elements include mixed species low level planting and tree planting.
- 7.164 The submitted Landscape Strategy indicated the Water's Edge character area which relates to the dockside floating timber deck pontoon with seating. Whilst the provision of such public realm is welcomed and supported, it should be noted that this area is excluded from the application boundary given that it sits outside of the redline boundary. These details have been included for illustrative purposes and are subject to the applicant's agreement and licensing arrangement with the Canal and River Trust.

East Street

- 7.165 Located to the east of the Proposed Development, East Street is a north-south route connecting pedestrians from Marsh Wall to resident entrances for the Proposed Development and Harbour Exchange Square.

Residents Garden

- 7.166 The resident's gardens are located to the south of the Proposed Development and comprise densely planted gardens with natural timber play area and boardwalk paths, which lead to the resident entrances. The planting palette for the resident's garden comprises of ferns, grasses and shrubs which thrive in shady conditions. The mix will include a large selection of evergreen species.
- 7.167 Clear sight lines beneath the trees and above any planting will be maintained and lighting used at night to ensure the landscape design meets the criteria set out in the Secured by Design standards.

The Terraces

- 7.168 The terraces provide elevated garden spaces for visitors and residents to enjoy. Level 01 terrace provides a large spill-out area for restaurant seating, with pockets of planting and waterfront views framing the space.
- 7.169 Level 24, Level 41 and Level 48 are amenity gardens for residents use. Each upper terrace comprises seating areas amongst areas of open mosaic habitat style planting. Climbing plants are proposed to grow up and along the steel pergolas which run adjacent to the parapet edges. Breaks in the planting create spots for users to enjoy panoramic views of the city.
- 7.170 Overall, it is considered that the Proposed Development delivers significant placemaking benefits, with the creation of new routes through the Site, enhancing the permeability of the area and improving the connection to Marsh Wall and beyond through high quality, dynamic public realm, which provides a network of outdoor spaces which can be used by both residents and commercial occupiers.

Hard Landscaping Strategy

- 7.171 The aim of the hard landscape is to provide a quality environment that is durable and provides a visually interesting and stimulating setting. There will be a range of hard landscape treatments across the site that will contribute to each of the landscape character areas. Self-binding aggregate and timber boardwalks are proposed, with harder connecting paths of clay, natural stone and concrete pavers.

Soft Landscaping Strategy

7.172 The soft landscape strategy will provide a broad range of planting and green spaces across the site that will help to enhance wildlife, improve local biodiversity and integrate into the built environment. The soft landscape will provide a long-term structure of predominantly native species that support a wide range of habitats, characters and amenity.

Tree Planting Strategy

7.173 The landscape design proposes 20 new trees on the ground level of the Proposed Development. A palette of riparian species has been selected to respond to their waterside location as well as for their form, biodiversity benefits and seasonal interest. The trees give height to the planting design and help to form the character of the resident's gardens, to the south of the site.

Lighting Strategy

7.174 The lighting strategy will ensure that the landscape and public realm is a welcoming, safe and attractive environment after dark, whilst aiding way-finding and enhancing visitor comfort. The lighting proposed within planted areas will be wildlife friendly: LED low heat, and emitting only light in the yellow to orange spectrum as nocturnal wildlife would be more affected by UV light and light in the blue spectrum.

7.175 The key lighting strategy for the Proposed Development comprises; catenary lighting, LED footbridge lighting, spike lights and 4m high lighting columns with 2x spotlights.

Conclusion

7.176 Overall, it is considered that the architectural and landscaping design of the proposal is of a high quality and that complies with the requirements of the Local Plan and London Plan. It represents high quality design that responds well to its context in terms of height and its materiality and form is fitting for this part of the Millwall Inner Dock.

Safety & Security

7.177 Local Plan policy D.DH2 requires developments to incorporate the principles of Secured by Design to improve safety and perception of safety for pedestrians and other users, as well as to create opportunity for natural surveillance, particular at ground floor level.

7.178 The proposed development would provide more natural surveillance across the application site and to its immediate surroundings through the provision of active ground floor frontages, as well as the provision and improvements to the lighting which would ensure the increase of perception of safety.

7.179 The Metropolitan Police Designing Out Crime Officer has been consulted and stated no objections to the proposed development, subject to a condition providing details of a Secured by Design strategy.

Built Heritage

7.180 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.

7.181 The application is supported by a Townscape, Visual and Built Heritage Impact Assessment (TVBHA) which has been included as Volume 3 of the Environmental Statement and provides an assessment of the proposed development on heritage, townscape and visual receptors. The assessments include a study radius of 600m for the built heritage, a 750m radius of the site to understand the townscape impact, and a visual assessment supported by 22 accurate visual representations.

Heritage assets

- 7.182 The south-east edge of the Coldharbour conservation area sits about 250m to the north-east of the application site. The conservation area has a historic shipbuilding interest with 18th and 19th century building along the Thames waterfront and a couple of entrance docks. Several buildings within the conservation area grade II listed.
- 7.183 Along the western edge of the Coldharbour conservation area sits the grade I listed Blackwall basin, with other main docks further to the west, North and South docks, being also listed as grade I listed structures. Outside of the Coldharbour conservation area, but close to the east of its southern edge sits the grade II* listed Isle of Dogs Pumping Station along the Thames waterfront, situated about 440m from the application site.
- 7.184 The locally listed public house The George at 114-114a Glengall Grove is situated about 350m to the south-east from the application site. Further to the east from the George is the grade II listed Carnegie Library.
- 7.185 The submitted TVBHA identified in the assessment that the proposed building would have negligible to minor beneficial impact on the four of the assessed heritage receptors whilst there would be no impact on other heritage receptors due to their positioning. As such, whilst it is likely that there would be a visual connection to the heritage assets, the impact on them would be acceptable.

Strategic views

- 7.186 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.
- 7.187 Tower Hamlets Local Plan 2031 policy D.DH4 reiterates the requirement to comply with the LVMF requirements and the WHS Management Plans. Furthermore, the policy requires development to positively contribute to the skyline of strategic importance, forming from the silhouettes of tall building clusters around Canary Wharf; and preservation or enhancement of the skyline of strategic importance in the borough-designated views. 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.
- 7.188 Tower Hamlets Local Plan 2031 policy D.DH5 particularly requires proposals affecting the wider setting of the Maritime Greenwich WHS or those impinging upon strategic or other significant views to or from these sites should conserve and enhance the outstanding universal value of the world heritage sites.
- 7.189 Local Plan policy D.DH4 defines Canary Wharf as Skyline of Strategic Importance (SSI), as shown in the figure below. The Canary Wharf SSI has become a globally recognised silhouette and is a prominent and recognisable feature in views from the surrounding areas, including from a number of designated views, including local ones identified in policy D.DH4, as well as strategic ones set out in the LVMF.
- 7.190 Furthermore, policy D.DH4 requires building heights to positively contribute to the skyline of strategic importance, forming from the silhouettes of tall building clusters around Canary Wharf, which include Canary Wharf cluster and Millwall Inner Dock cluster.
- 7.191 As noted in the Townscape, Height and Massing section above, the proposed building responds appropriately to the height transition in the immediate area providing a contextual design response. As a result, the proposed development would protect the Canary Wharf Skyline of Strategic Importance and how it is viewed from various local and strategic designated views.

7.192 It is considered that the proposed development would meet a number of policies which stipulate the importance of the Canary Wharf townscape area and its designation as Skyline of Strategic Importance.

Archaeology

7.193 The application site lies within the Archaeological Priority Area and the proposed development would include significant excavation to make space for the basement levels of the proposed building. As such, the application has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

7.194 The proposed development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. As requested by GLAAS, a pre-demolition condition has been included to provide further archaeological information.

Neighbour Amenity

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

7.196 It is noted that within the Scoping Opinion LBTH requested that the following residential receptors were to be scoped into the ES Chapter for assessment and/or within a cumulative scenario:

- Pan Peninsula
- Skylines
- 225 Marsh Wall
- 3 Millharbour
- South Quay Plaza
- Arena Tower
- Residential Moorings

7.197 Given the tall slender nature of the scheme and the distance to these receptors, it was agreed that from the façade assessments undertaken as contained within ES Volume 3, Appendix EIA Methodology – Annex 6 that any impacts from the scheme to the daylight and sunlight available to these properties is considered negligible and has been scoped out. In addition, considering the distance that these properties are from the development site, it is agreed again that given the orientation of the windows considered within the residential receptors that there is no requirement to conduct a cumulative assessment and again this has been scoped out.

7.198 In addition, the Applicant has further supplied the information with regards to the assessment for Pan Peninsula with and without balconies to ensure that the worst case scenario has been considered. This has confirmed that the existence of balconies at Pan Peninsula would be the primary restriction of sunlight whilst for daylight considerations the six windows not meeting the BRE guidelines would light rooms also lit by other windows and as such the rooms as a whole would meet the BRE guidelines.

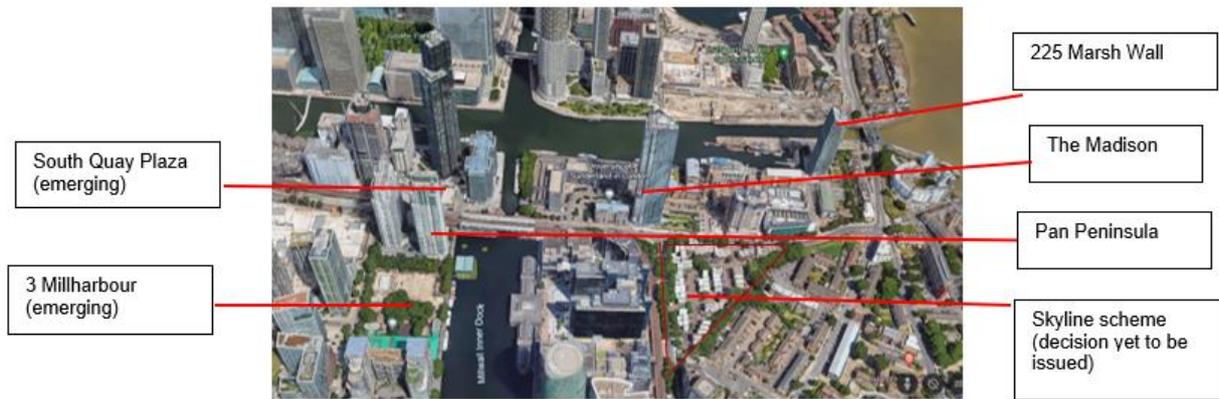


Figure 13. Image showing surrounding cumulative properties

Daylight, Sunlight & Overshadowing

- 7.199 As mentioned above, the relevant guidance for assessing the impact to daylight and sunlight to the neighbouring properties refers to the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011) given the timing of the submission of the application.
- 7.200 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.
- 7.201 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.202 A window is considered to be noticeably affected in terms of sunlight if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH), including at least 5% of the APSH during the winter months (21st September to 21st March) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90 degrees (o) of due south.
- 7.203 The BRE guidelines state that if the room has multiple windows on the same or on adjacent walks, the highest value of APSH should be taken.
- 7.204 The table below shows the LBTH numerical classifications that are required to be applied for Negligible, Minor Adverse, Moderate Adverse and Major Adverse bandings for daylight (VSC and NSL) and sunlight (APSH and WPSH).

Reduction to daylight (VSC & NSL) and Sunlight (APSH & WPSH)	Effect classification
0 – 20% reduction	Negligible effect
20.1% - 30% reduction	Minor adverse effect
30.1% - 40% reduction	Moderate adverse effect
Above 40% reduction	Major adverse effect

Table 3. Daylight and sunlight effect classification.

7.205 The submitted Daylight, Sunlight and Overshadowing Assessment in support of the application, prepared by GIA, has been included in the Environmental Statement under Chapter 10.

Daylight

7.206 The Madison apartment building is located to the northeast of the site. Only the west, southwest and north west facing windows and rooms face towards the Proposed Development are relevant for assessment and have therefore been tested.

7.207 For VSC, 1,174 of the 1,355 (86.6%) windows assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

7.208 For NSL, 429 of the 432 (99.3%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

7.209 In terms of ADF compliance, there are no rooms which do not meet the ADF recommendation in the Proposed Development scenario, which are not already below the recommended levels in the baseline scenario. Those 63 bedrooms which do not meet criteria in the baseline scenario see losses of only 0.1-0.2% ADF with the Proposed Development in situ, which is not considered to be a noticeable reduction.

7.210 Therefore, the effect is considered Negligible to Minor Adverse (Not Significant) in terms of daylight.

7.211 Overall, there is a high level of compliance and only five rooms affected, each of which remain well sunlit falling only marginally short of BRE Guidelines recommendation. One instance of a moderate adverse APSH effect occurs, however, continues to see good levels of sunlight and is not affected during winter. Therefore, the effect to this building is considered Negligible to Minor Adverse (Not Significant) in terms of sunlight.

Sunlight

7.212 A total of 166 rooms (bedrooms and living rooms) were assessed for sunlight within the Madison building of which 161 (97%) would meet the BRE's criteria for both Annual and Winter Probable Sunlight Hours (PSH).

7.213 For Annual PSH, 161 of the 166 (97%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.

7.214 For Winter PSH, 164 of the 166 (98.8%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect. The remaining two see losses between 20-29.9% which is considered a Minor Adverse effect.

7.215 Three bedrooms would see minor adverse alterations to APSH, two of which would also see minor adverse alterations to Winter PSH. However, all three bedrooms would retain 21-24% APSH and 3-4% Winter PSH. The impacts may be considered acceptable, given the retain levels of sunlight and that the primary use is for sleeping.

7.216 The remaining two affected rooms are living rooms, seeing minor and moderate alterations in APSH respectively. Both rooms would retain 23% APSH, which is only 2% below the levels recommended in BRE Guidelines. These living rooms would not be affected beyond recommendation for Winter PSH, each continuing to receive 6%, which is above the level suggested in BRE Guidelines.

7.217 Overall, there is a high level of compliance and only five rooms affected, each of which remain well sunlit falling only marginally short of BRE Guidelines recommendation. One instance of a moderate adverse APSH effect occurs, however, continues to see good levels of sunlight and is not affected during winter. Therefore, the effect to this building is considered Negligible to Minor Adverse (Not Significant) in terms of sunlight.

Overshadowing

7.218 The overshadowing assessment considered the impact on five of the surrounding amenity spaces which would all experience acceptable levels of impact as follows:

- South Dock – negligible to minor adverse impact
- Millwall Inner Dock, Millwall Cutting and the adjacent Quay Walk – negligible impact
- Oakland Quarry – major beneficial impact (This is due to the Proposed Development stepping back from the existing building and allowing additional sun to reach this area).

Cumulative Schemes

7.219 Cumulative schemes considered for the future scenario of daylight, sunlight and overshadowing: Skylines, 225 Marsh Wall, 3 Millharbour, Millharbour West blocks G1, G2 and G3, South Quay Plaza and Wood Wharf. however, these are considered to be at a sufficient distance from the Application Site to not result in cumulative effects. This was considered reasonable both by the EIA consultants and the Daylight and Sunlight consultants appointed by the Council.

Solar Glare

7.220 In terms of solar glare effects, a total of 6 viewpoints along surrounding roads and 6 viewpoints from the Docklands Light Railway were assessed for the potential for adverse solar reflection to occur.

7.221 Solar glare occurs when sunlight is reflected from a glazed surface. This can affect road users or train drivers as instances of solar glare are likely to cause substantial visual impairment or distraction. The duration and significance of any potential solar glare effects can depend on the building orientation, façade details including window size and location, balconies and cladding materials.

7.222 Of the 12 assessed viewpoints assessed by GIA, the Proposed Development is not visible at three viewpoints and therefore no impact would occur (views DLRs1, DLRs2 and Marsh Wall W1), at the remaining viewpoints the Proposed Development could cause negligible or minor adverse (not significant) effects with solar glare instances beyond the driver or road users line of sight occurring for a very short period of time. Although there are viewpoints which may, in a worst-case scenario, experience solar glare effects, the applicants daylight sunlight consultants have confirmed that no additional mitigation is deemed necessary. This is due to the short duration of reflections, and the period throughout the year in which this is likely to occur.

7.223 During the ES review of the ES Volume 1 Chapter 10, DLSSL, overshadowing and solar glare, the Council requested the applicant to, at points where reflections are shown to occur close to the centre of a line of vision, provide more detailed calculations. However, the applicants DLSSL consultant disagreed and that performing a further assessment at this stage without details of the glazing and façade specifications could lead to uncertainties in the results. This was accepted by the Council and Temple, as such, a condition shall be attached should planning permission be granted that at a detailed design stage further assessment to check the potential for reflected glare could be performed, in particular for viewpoint E2.



Fig. 12: Site Plan - Viewpoints

- Building visible from the street viewpoint
- Building visible from the rail viewpoint
- Building NOT visible from the viewpoint

Figure 14. Image showing the solar glare viewpoints

7.224 On balance, and in consideration of the worst case scenario relating to solar glare it is considered that the impacts would be acceptable and consistent with the policies in the LBTH Local Plan.

Conclusion

7.225 Overall, the Proposed Development would achieve a very high level of compliance with respect to daylight, sunlight, and overshadowing, and thus accord with the relevant of policies and the BRE Guidelines.

Overlooking, Outlook and Sense of Enclosure

7.226 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.

- 7.227 Whilst the surrounding area is mixed in use with a significant portion of residential use, the existing buildings closest to the application site have established office and educational uses. In addition, the distance between the proposed building and neighbouring ones limits the impact.
- 7.228 Nonetheless, it has been noted that neighbouring sites have been included in the Site Allocations which identify sites for future redevelopment to accommodate new housing and employment uses. The Limeharbour Site Allocation includes the remainder to the Harbour Exchange Estate to the east and south, and the Marsh Wall East Site Allocation is situated to the north of the application site on the opposite side of Marsh Wall. As such, it is important to ensure future proofing of these sites.
- 7.229 For the majority of the neighbouring sites, it is considered that the proposed development is sufficiently distanced to allow for the future redevelopment of the neighbouring sites.
- 7.230 The closest site is 3 Harbour Exchange to the east of the application site. The existing building, 4 Harbour Exchange stretches to the eastern edge of the application site along its boundary with 3 Harbour Exchange. The proposed building has been setback by 9m from its eastern boundary to allow for Eastern Street to be created as a separation distance to allow for future redevelopment of the neighbouring site.
- 7.231 Overall, it is considered that the proposed site layout has been designed in such a way to ensure the current and future impact on the neighbouring buildings.

Noise & Vibration

- 7.232 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.
- 7.233 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.
- 7.234 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.
- 7.235 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.
- 7.236 Part 2 uses the agent of change principle to seek to reduce this phenomenon. This principle may also apply to other noise-generating uses, such as industrial uses. Applicants must submit detailed noise assessments and demonstrate that noise levels within the proposed development emitted from nearby uses would be acceptable.
- 7.237 Chapter 9 of the Environmental Statement has been prepared to address noise and vibration impacts. Noise and vibration monitoring have been carried out across the Site to determine the existing noise environment and aid the assessment of potential noise and vibration impacts from on the proposed development.

Impact on surrounding properties

- 7.238 The Applicant considered the impact on the surrounding properties during the three stages of the demolition and construction works, however, this would be temporary given that it would be associated with construction activities. The effects reported are the following:
- Minor adverse impact during site establishment and demolition: 191 Marsh Wall, 3 Harbour Exchange Square, Exchange Tower, The Madison, South Quay Plaza 4

- Minor adverse impact during excavation and substructure: 11-30 Harbour Exchange Square and 3 Harbour Exchange Square.

7.239 All assessed properties would experience negligible impact during the superstructure works, and from construction traffic. The Madison would also experience minor adverse effects from construction vibration, with other receptors experiencing negligible effects. The impact would be managed by several mitigation measures which would ensure that construction activities follow good practice standards and procedures.

7.240 With respect to the operational stage of the development, the overall impact would be negligible. The plant and mechanical services located within the proposed building would be designed to achieve a negligible effect, and details would be secured via a planning condition. The proposed commercial uses would be managed by a planning condition relating to the operating hours and noise levels.

7.241 The Applicant assessed the cumulative scenario for developments in close proximity to the Application Site which could impact the surrounding receptors in combination during the demolition and construction works happening at the site. The cumulative developments in proximity included 225 Marsh Wall, Skylines Village and South Quay Plaza 2 and 4. All effects were found to be minor adverse, with the Madison being potentially experiencing moderate adverse effects with all developments being construction at the same time.

7.242 A condition shall be secured to ensure that the construction safeguards the existing DLR infrastructure.

7.243 It is stated in the submitted documents that the indicative construction is expected to span over 4 years and 3 months. Further details and appropriate mitigation measures would have been secured via planning conditions and obligations to ensure the minimisation of construction impact to the surrounding area.

Proposed development

7.244 The Applicant carried out a site suitability assessment to consider the feasibility of achieving appropriate internal noise levels for future occupiers, noise levels in external amenity areas, and groundborne vibration.

7.245 For the internal areas, it was found that appropriate glazing specification can meet the indoor ambient noise level criteria as set out in BS 8233:2014, which is acceptable. Similarly, this would be the case for winter gardens. For façades overlooking the DLR railway, façade performance requirements would be based on the maximum night-time noise events.

7.246 For the shared amenity spaces, including child play space on Level 2, ground floor residential amenity, and communal amenity spaces on Levels 24, 41 and 48, the majority of spaces would meet the guidance in BS 8233:2014 which requires the noise levels not to exceed 55 db. However, it has been noted that some areas on Level 2 and ground floor would exceed 55 db. These would be areas closer to the edge of the building due to the proximity of the DLR railway. Additional details would be requested via condition to provide additional screening which could lower the noise levels in these areas.

7.247 It has been noted that some residential units would have fixed windows in order to mitigate any adverse noise levels. The Applicant has considered overheating requirements in such cases and mechanical ventilated and comfort cooled rooms would be secured. This would be the case on north and east facades and on the upper levels of all facades; however, it has been noted that further information would be requested at the condition stage once the detailed design has been further developed.

7.248 From the representation received, it has been noted that the Applicant's noise assessment has not identified the data centre at 8-9 Harbour Exchange Square as a particular noise source. The applicant has confirmed that given that 8-9 Harbour Exchange is an existing building, in accordance with the Agent of Change principle the façade strategy and overheating control strategy for the Harbour Exchange tower proposal takes their existing operations into account.

- 7.249 The application has been reviewed by the council's noise officer who is satisfied that the proposed development overall would be acceptable. Furthermore, council's EIA consultants Temple have advised that the data centre is not in close proximity and partly screened (approximately 160m) as such would need to be very loud to have any affect at the receptor. In terms of noise at the receptor and glazing etc, with windows closed the internal noise level will need to meet levels in BS8233, the detailed design stage will go into more detail and specify actual façade make up and overheating controls.
- 7.250 Notwithstanding this, a condition shall be attached should planning permission be granted requiring the applicant to submit an updated noise assessment to include the recent planning consents which were granted at 8-9 Harbour Exchange (references: PA.23.1021 and PA.23.1022) since this application was submitted and to ensure the internal noise levels of the proposed residential units meet criteria in BS8233 and overheating mitigation measures are in line with approved documents. Such condition would also represent an opportunity to secure additional mitigation (such as better performing glazing etc.) if this is deemed necessary at the time of review.
- 7.251 In summary, the proposed residential units would not be subjected to unacceptable noise conditions. Conditions would be secured to ensure that residential units were protected from noise generating plant equipment and to ensure new accommodation is constructed to appropriate standards with regard to acoustic insulation.
- 7.252 Subject to the planning conditions, officers consider that the proposed new homes would have an acceptable noise environment and that the proposed development does not cause unacceptable noise impacts on existing surrounding homes.

Transport

- 7.253 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.
- 7.254 The submitted information relating to transport considerations and impact has been included within Chapter 7 of the Environmental Statement. A standalone Transport Assessment has also been submitted in support of the application.

Vehicular, pedestrian and cycle access and movement

- 7.255 The existing vehicle access into the Harbour Exchange Estate is provided from Limeharbour, immediately to the south of buildings 1 and 2. The vehicle movement arrangement associated with the proposed development would utilise the existing vehicle access along Harbour Exchange Square from south to north.
- 7.256 Situated along the eastern edge of the application site, Eastern Street which would be a one-way northbound route and would provide further vehicle movement to service the proposed building and provide access to the car park lifts, from which the vehicle movement would follow the road around 3 Harbour Exchange exiting on Limeharbour to the north of buildings 1 and 2.
- 7.257 In addition, the proposed Eastern Street would limit the vehicle movement along the northern edge of application site which at present is allowed as a two-way route within this part of the estate. The proposed one-way route allowing movement to the east would ensure the improvement to the pedestrian movement along this part of Marsh Wall and towards the DLR station, also allowing the proposed building to have a better interaction with the activated DLR space also forming part of the proposals.
- 7.258 In terms of cycle access, the submitted information shows that the main cycling routes would be along the dockside and along Eastern Street. The proposed cycle parking entrance would be on Eastern Street where the two cycle lifts are proposed to the basement area.
- 7.259 In general, the proposed access arrangement for pedestrians is allowed along all perimeters of the proposed building. The improvement to pedestrian movement along the dockside with the

creation of a more generous north-south route and a more pleasant environment along Marsh Wall are of particular importance for pedestrian movement in the wider area.

- 7.260 The dockside route would be shared between pedestrians and cyclists whilst Eastern Street would be shared amongst different movement modes, including pedestrians, cyclists and vehicles, including servicing and waste collection vehicles. As such, adequate separation would be of the most importance to ensure safety of all users of all spaces, which would be secured via condition.
- 7.261 Overall, the proposed access and movement arrangements are considered acceptable and would contribute to the improvement in movement which would benefit the wider area.

Deliveries & Servicing

- 7.262 The proposed deliveries and servicing associated with the development would take place within the dedicated servicing bays along Eastern Street forming part of the site, accessing and exiting the site through the Harbour Exchange Estate as detailed above.
- 7.263 No objections were raised by Transport for London and LBTH highways team to the proposed arrangement. A Deliveries and Servicing Management Plan will be secured via condition to provide further detailed information prior to the occupation of the development.

Car Parking

- 7.264 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.
- 7.265 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.
- 7.266 The existing buildings have 57 car parking spaces available, out of which the majority is provided within the basement areas, and 5 spaces are provided in front of the building. The proposed development would result in the overall reduction in car parking which is supported.
- 7.267 The proposed development would be car free and would be secured through a planning obligation. The exception would be the proposed wheelchair accessible parking space catering for the wheelchair units within the proposed development.
- 7.268 The applicant has indicated the provision of 14 blue badge parking spaces, all fitted with active electric charging points, which equates 3% of the residential units. This is considered acceptable with regards to an initial allocation and the provision of these spaces with the infrastructure for electric charging is welcomed.
- 7.269 The remaining 7% of car parking spaces would be secured via condition for a Car Parking Management Plan. All of the proposed parking spaces within the development would be fitted with the infrastructure passive electric charging points, with 20% including active charging facilities, which is welcomed.

Cycle Parking and Facilities

- 7.270 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, as summarised in the table below.

Unit size	Long-stay	Short-stay
Studio and 1-bedroom 1-person unit	1 space	2 spaces for the first 40 units thereafter: 1 spaces per 40 units
1-bedroom 2-person unit	1.5 spaces	
2+bedroom unit	2 spaces	

Table 4. Minimum cycle parking requirements for residential use.

7.271 London Plan policy T5 also sets out the minimum cycle parking requirements for other non-residential uses. It should be noted that the requirements in the London Plan do not refer to the new Use Class E, but its predecessor use class. Given that the proposed development would have a mix of uses under the Use Class E, the table below summarises the minimum cycle parking standards for each of the uses as set out in the London Plan.

Use Class	Long-stay spaces [per Gross External Area]	Short-stay spaces [per Gross External Area]
Class E (formerly A1)	1 space per 175 sqm	first 750 sqm: 1 space per 20 sqm thereafter: 1 space per 150 sqm
Class E (formerly A2-A5)	1 space per 175 sqm	1 space per 20 sqm
Class E (formerly D2)	1 space per 8 full-time staff	1 space per 100 sqm
Class F (formerly D1)	1 space per 8 full-time staff	1 space per 100 sqm

Table 5. Minimum cycle parking standards for non-residential uses.

7.272 The proposed development would provide 822 long-stay residential spaces against the minimum requirement of 760 spaces. All of the spaces would be provided within the basement level, access via the cycle lifts from Eastern Street. The residential element of the proposed scheme would result in a requirement of 13 short-stay spaces.

7.273 With regards to the non-residential spaces, the proposed development would generate a minimum requirement of 6 long-stay and 42 short-stay spaces. 36 Sheffield stands providing 72 spaces would cater for all non-residential spaces and residential short-stay spaces. These spaces would be provided within the public realm around the building, mainly in the south-western corner of the site near the residential entrances, and to the north of the building within the DLR public realm.

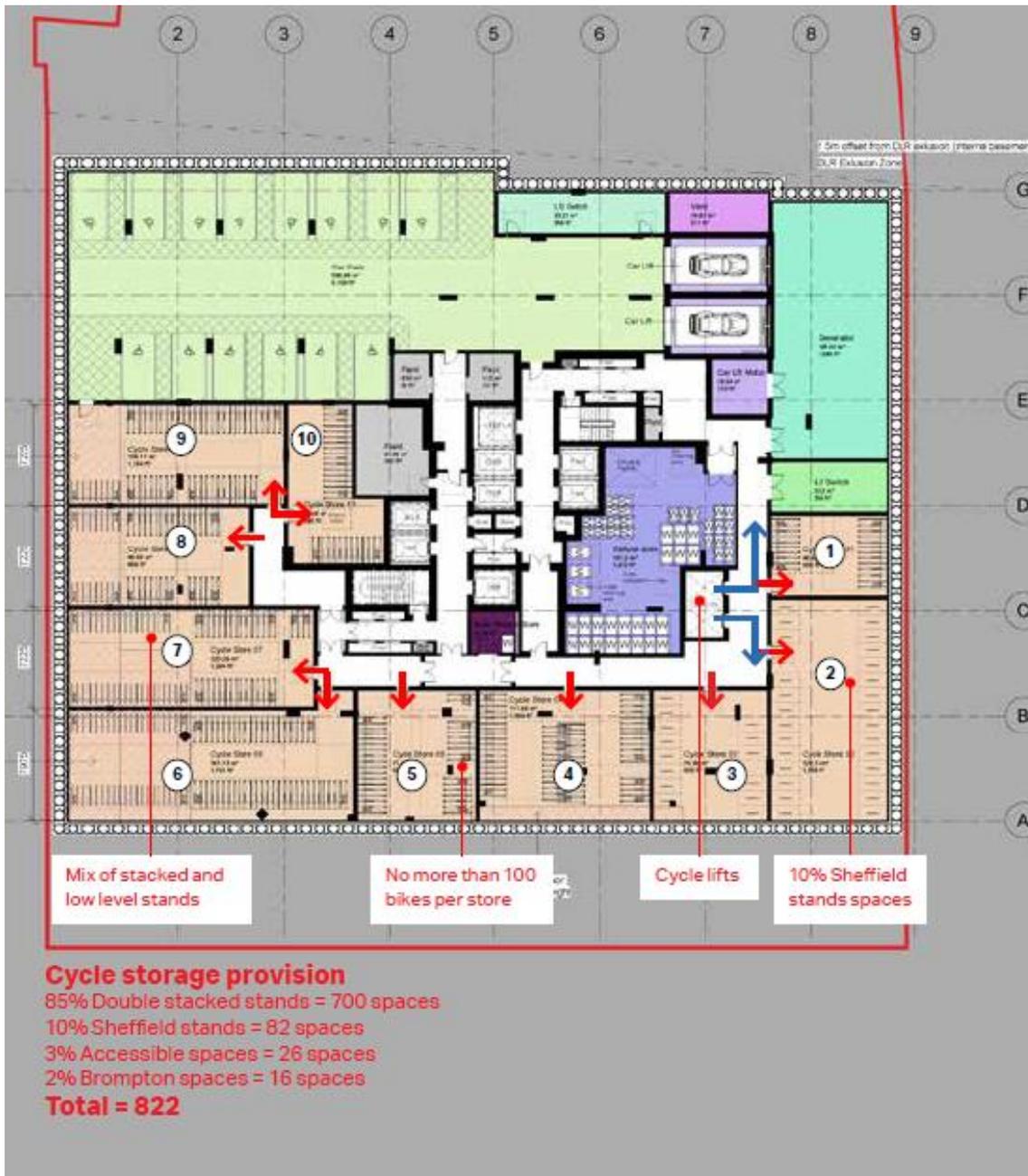


Figure 15: Basement cycle parking

7.274 The overprovision of the cycle spaces for the proposed development is welcomed. The proposed long-stay spaces would be provided as a mix of spaces, in order to cater for a variety of different bikes, including non-standard and adapted bikes. Details would be secured via condition to ensure the compliance with the London Cycling Design Standards.

Trip generation and Public Transport

7.275 The application site has a Public Transport Accessibility Level of 4, indicating good access to the public transport network.

7.276 The applicant has provided details on the estimated trips associated with the proposed development. Whilst the applicant has not provided details on the public transport line capacity assessment, it has been confirmed by TfL that it is not expected that the proposed scheme will require specific mitigation measures. However, further details were requested as part of the stage 1 in relation to the impact on the adjacent bus stop during construction period.

7.277 The applicant has confirmed that during the construction phase of the project all construction vehicles are anticipated to route to/from the east, thus no construction vehicles are

anticipated to route past this bus stop. Construction vehicles, as per the submitted Environmental Impact Assessment (EIA) are anticipated to account for a change in daily traffic along Marsh Wall of 12.5%. The findings of the EIA concluded this change in traffic as negligible. Therefore, a negligible impact on bus journey times and thus reliability is anticipated as a consequence of construction vehicles along Marsh Wall.

7.278 A Construction Traffic Management Plan (CTMP) is anticipated to form a condition of consent, in which the anticipated demolition/ construction strategy will be set out including for example location of hoarding / compounds, equipment etc. This CTMP will require to be approved in consultation with the local authority and TfL. Based on the construction strategy to date no impact is anticipated at this bus stop, moreover due to the location of the DLR tracks it is anticipated that exclusion buffers and carefully planned activities will be necessary to mitigate any interaction with the DLR track and by implication this bus stop. No impact is anticipated on the bus stop itself, the immediate footway, or the vehicle carriageway thus no impact is anticipated on journey times.

7.279 As requested by TfL, conditions relating to the safeguarding of the DLR network during construction and the lifetime of the development will be secured.

Travel Planning

7.280 A framework Travel Plan has been submitted in support of the application. TfL have suggested further emphasis to be placed on encouraging active travel. As such, a final Travel Plan 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

7.281 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.

7.282 The proposed development would contribute to the improvement of the pedestrian and cyclist movement within and along the perimeter of the application site, which would benefit the wider area.

7.283 As requested by TfL and LBTH highways officer, particular highways and public realm improvements outside of the application site boundary would be agreed and secured through a section 278 agreement. In addition, a financial contribution towards Legible London wayfinding would be secured as requested by TfL.

Construction

7.284 The surrounding area has experienced a significant volume of construction throughout the years. Conditions will be secured in relation to the Construction Environmental Management and Logistics Plans to ensure that impact on the area is managed prior to any development works taking place.

Summary

7.285 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

7.286 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 Trium.

- 7.287 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.
- 7.288 The submitted ES assesses the environmental impacts of the development under the following topics:
- Socio-Economics;
 - Traffic and Transport;
 - Air Quality;
 - Noise and Vibration;
 - Daylight, Sunlight, Overshadowing and Solar Glare;
 - Wind Microclimate;
 - Archaeology;
 - Ground Conditions;
 - Greenhouse Gases; and
 - Water Resources and Flood Risk.
 - Townscape, Visual and Built Heritage Impact Assessment (separately provided within Volume 2 of the ES).
- 7.289 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.290 The application has been supported by an ES and Updated Non-Technical Summary (November 2022), One East Point ES Clarifications and Potential Regulation 25 Request Responses (2nd November 2022), One East Point Formal Review Report Response (December 2023). The IRR response One East Point ES Clarifications and Potential Regulation 25 Request Responses containing additional environmental information was considered to be 'further information' under Regulation 25 for which the relevant consultation was carried out in accordance with the legislation requirements.
- 7.291 The Council appointed Temple Group to independently examine the ES to confirm whether the ES satisfies the Regulations. This review consists of the Interim Review Report (dated 10/08/2022), Final Review Report 001 (dated 27/09/2023) and Final Review Report 002 (dated 05/02/2024). outlined wind mitigation measures have been incorporated into the landscaping proposals, which ensure that the remaining outstanding point from Final Review Report 002 is acceptable.
- 7.292 During the construction stage of the proposed development, significant moderate adverse effects reported in the ES would relate to archaeology as a result of the proposed ground works, and townscape area TCA 4: London Arena/ Millwall Inner Dock as a result of the visible construction equipment. There would also be significant minor beneficial effects to groundwater and surface water as a result of the proposed remediation works during the early construction.
- 7.293 During the operation of the proposed development, the ES reported that there would be no significant adverse effects. In terms of significant beneficial effects, there would be major beneficial effects with regards to daylight, sunlight, overshadowing and solar glare topic as a result of the reduced overshadowing to Oakland Quay Walk, moderate beneficial effects with regards to visual receptors within the South Quay DLR Station (View 15), and minor beneficial effects to critical drainage area and water supply assessed under the water resources and flood risk topic.

- 7.294 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.
- 7.295 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.
- 7.296 Appropriate mitigation and monitoring measures as proposed in the ES, as well as any additional recommended measures included within the ES review reports, 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

- 7.297 London Plan policy S11 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.
- 7.298 The submitted information relating to air quality has been included in Chapter 8 of the ES. It is important to note that the whole borough designated as the Air Quality Management Area.
- 7.299 The Applicant carried out the local air quality monitoring review from local stations to determine the conditions on the Site. The carried-out assessment is considered to be acceptable, however, additional information has been requested with regards to the impact from construction and operational phase traffic given that the existing occupancy on the Site is low and the Proposed Development would exceed the criteria for a detailed assessment.
- 7.300 In terms of comments made from the GLA within their stage 1, they requested the following points be addressed:
- Justify the approach taken for construction traffic assessment;
 - Use mitigation/redesign to appropriately locate the exhaust from the emergency diesel generator to ensure adequate dispersion of emissions from discharging stacks and vents; and
 - Mitigation measures are required to ensure that the impacts of construction activities on this site are not significant, and controls on NRMM.
- 7.301 In terms of the first point, the construction traffic assessment has been resolved in the final ES response (FRR002). The applicant confirmed that as it was not possible to model the baseline traffic flows for the construction traffic modelling, the absolute changes in concentrations were presented in ES Volume 1, Chapter 8: Air Quality, with no verification applied. This showed that the maximum process contribution from the construction traffic was predicted to be 0.03µg/m³ annual mean NO₂ in 2024. Using the EPUK/IAQM approach to determine impact descriptors, the process contribution would need to exceed 0.2µg/m³ for the construction traffic to have anything other than a negligible impact on air quality, regardless of the baseline concentrations. Therefore, the verification factor would need to be greater than or equal to 6.7 before the process contribution exceeded 0.2µg/m³. Based on verification factors calculated for other modelling studies in the public domain undertaken close to the Proposed Development (Park Place; verification factor 1.9, North Quay; verification factor 2.3), it is considered very unlikely that the construction phase would lead to anything other than a negligible impact on air quality at existing receptor locations. As such, an update to the assessment of construction vehicle emissions was agreed not to be required.
- 7.302 Whilst the impact from construction traffic would be negligible and as such not significant, the impact from construction dust would be considered through the set of standard mitigation measures which would ensure that the effects are not significant. These mitigation measures would be secured via condition.

- 7.303 In terms of site suitability, the LAEI modelled concentrations for 2019 were presented in the ES Volume 1, Chapter 8: Air Quality to indicate that there are no locations within the site boundary where the annual mean objectives are predicted to be exceeded. The site includes one partial grid square in which the predicted annual mean NO₂ concentration is between 36µg/m³ and 38µg/m³.
- 7.304 The proposed new building will be set back from Marsh Wall, on the south side of the DLR line, and will not be included within that grid square. As such, concentrations at the building façade are expected to be below 34µg/m³ and therefore no modelling is required.
- 7.305 In relation to the 2nd concern raised by the GLA, the proposed development would include an emergency diesel generator on the ground floor, discharging at the east façade, approximately 3.5m above the ground floor level.
- 7.306 In terms of the generator emissions, the applicant has stated that specific information on the diesel generator was not available at the time of submission, therefore the assessment is based on the assumptions provided by Meinhardt, the project's Energy Consultant and referenced in ES Volume 3, Appendix: Air Quality – Annex 8. It should be noted that due to the height of the building and the offsets required, this precluded the MEP Strategy from running the flue to roof level. The testing schedule will undergo two service visits per year and the life safety generator will run offload for 10-15 minutes during each visit. Each service visit will be arranged to cause minimal disruption. The generator will not be operational for '18 hours or more during the year' as stated in the IRR unless there is a fire. The generator forms part of the life safety equipment and will only be operating when the site's electrical supply fails during an emergency. Officers consider that the information provided is considered sufficient to address this concern. Furthermore, should planning permission be granted, a condition will be attached restricting the generators use to operate for emergencies, and following testing and servicing, only.
- 7.307 In addition, the LBTH's air quality specialist raised concerns with regards to the location of the proposed generator and its proximity to the residential units on the third floor. It was requested to enclose the end extremity of the flue and include PM_{2.5} and NO_x filters, which will be secured via condition. It has been noted that the impact from the emergency generators as well as the operational traffic from the proposed development would be negligible and as such not significant.
- 7.308 With reference to the final issue raised by the GLA, in terms of the NRMM, a compliance condition shall be attached to any consent should permission be granted.
- 7.309 The proposed development would incorporate non-residential uses which could incorporate a commercial kitchen. The potential odours from the commercial uses would be managed via condition, as recommended by the LBTH air quality officer.
- 7.310 The submitted information confirms that the proposed development would be air quality neutral. The application is also supported by an Air Quality Positive Statement which sets out how air quality considerations have been taken into the design of the scheme.
- 7.311 The Applicant carried out a site suitability assessment to consider the relevant exposure of future occupiers and users to the pollutants.
- 7.312 The proposed development would be set back from Marsh Wall where the traffic emissions would occur. The emissions would be highest on the ground floor and as such, any proposed residential use would occur from Level 2 upwards.
- 7.313 The assessment has concluded that the pollutants concentrations at the proposed development are likely to be below the air quality objective, meaning that the air quality conditions for future occupiers would be acceptable.

Biodiversity and Ecology

- 7.314 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.
- 7.315 The application is supported by a Preliminary Ecological Appraisal and a Landscape and Public Realm Strategy Report, which provide the relevant information on the biodiversity and ecology matters.
- 7.316 The original submission included green roofs on the ground floor along the eastern elevation of the new north/south access route to the east of the building as well as on the steel pergolas to the terraces on levels 24, 41 and 48. However these are not supported by officers due to management and maintenance issues and the GLA requested that green walls be removed as part of the stage 1 comments.
- 7.317 Officers raised specific concerns regarding the proposed green wall on the north eastern corner (level 48) and ground floor along the north/south access route as it is not considered to be suitable locations and would require intense management to keep alive. As such, the applicant agreed to remove these two areas and it was agreed that the green walls on south western elevations levels 24 and 41 can remain. The revised plans were received on 27.03.24.
- 7.318 The revised proposal would achieve an Urban Greening Factor of 0.38 and deliver net gains. Whilst this falls short of the 0.4 aspiration of Policy G5 of the London Plan, officers consider that on balance providing urban greening, which is successful, and works, is better in the long run than providing green walls which will not survive and would fail to provide the calculated UGF.
- 7.319 The habitats present on site comprised an existing building, an area of hardstanding, with urban trees and introduced scrubs. The biodiversity value of the site prior to clearance was calculated as 0.32 biodiversity units. The Proposed Development includes areas of intensive green roof, urban trees, rain gardens and ground level planters. The biodiversity value of the current landscaping proposals is predicted to be 0.96 biodiversity units. The Proposed Development is predicted to result in a potential biodiversity net gain of 0.64 biodiversity units and a net percentage change of +204.41%.
- 7.320 The Council's Biodiversity Officer has no objection subject to the approval of biodiversity enhancement measures. It is recommended that these, together with a Landscape Ecological Management Plan (LEMP) to cover the long-term maintenance of retained and newly created on-site habitats, are secured by condition.

Energy & Environmental Sustainability

- 7.321 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).
- 7.322 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

- 7.323 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.

- 7.324 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 off-set through a cash in lieu contribution. This is applicable to all developments.
- 7.325 The submitted Energy Assessment and Sustainability Strategy (April 2022) sets out how the proposal seeks to reduce energy demand through energy efficiency measures, a low carbon heating and hot water system (communal Air Source Heat Pump system). A communal ASHP high temperature network will provide heat to all residential apartments which will now allow the full residential heat load to be available to a future DHN. The applicant has adjusted the original strategy for the prevention of overheating to the residential apartments and each apartment affected by high external noise levels will be provided with a MVHR cooling module in lieu of the ambient loop/active cooling system. It has been confirmed that all apartments and non-domestic building uses will be connected to the heat network.
- 7.326 Renewable energy generating technologies are noted as 8kWp photovoltaic array. The Council's sustainability officer has reviewed the proposal and notes that the drawings suggests that the PV areas indicated might be more intensively used and generate more renewable energy, for instance, with a closely packed E/W facing low angle arrangement. The Council's sustainability officer also recommended that PV continues to be investigated for further opportunities to integrate PV into amenity areas. The on-site savings from renewable energy technologies should be maximised regardless of the London Plan targets having been met.
- 7.327 The proposed scheme has the following CO2 emission profile:
- Resi Baseline – 413 tonnes CO2 per annum
 - Resi Proposed Scheme – 158.1 tonnes CO2 per annum
 - Non-Resi Baseline – 64.1 tonnes CO2 per annum
 - Non-Resi Proposed Scheme – 26.9 tonnes CO2 per annum
 - Site wide Baseline – 477.1 tonnes CO2 per annum
 - Site wide Proposed Scheme – 185 tonnes CO2 per annum
- 7.328 The carbon offset contribution (to be secured through the s106 agreement subject to approval) is to be based on all residual emissions as per above. The total on-site site wide CO2 emission reduction is anticipated to be 61% against the building regulation baseline. The proposals are for a 292.1 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £527,250 to offset the remaining 185 tonnes CO2 and achieve net zero carbon.

Environmental sustainability

- 7.329 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.
- 7.330 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 and Neighbourhood Plan policy SD1 encourage residential buildings to meet the Home Quality Mark.
- 7.331 Movement and transport, Landscape and ecology, air quality, noise, daylight and sunlight, flood risk and drainage are addressed in detail in other sections of this report.

- 7.332 *Building Performance.* The submitted Sustainability Strategy indicates that the retail and communal spaces will achieve a BREEAM rating of 'Excellent' which is supported by officers. It is recommended that a planning condition secures this.
- 7.333 *Construction waste.* The applicant's Sustainability Statement states that it would put in place waste management systems during the (demolition) and construction phase to minimise waste, including the sorting and recycling of waste. A Site Waste Management Plan will be secured by planning condition.
- 7.334 The applicant also provided a Circular Economy (CE) and Whole Life Carbon Assessment prepared by Meinhardt as part of the submission.

Circular Economy

- 7.335 The application has been accompanied with a detailed Circular Economy Statement that sets out key circular economy commitments for the proposed development which include but not limited to as summarised below:
- 7.336 *Conserve Resources:* The Proposed Development has been designed to ensure that material and resources are effectively used, managed and reduced as far as possible, in accordance with the GLA first principle of the circular economy. The development has also ensured that material quantities and other resources are minimized, responsibly and local sourced throughout the development process.
- 7.337 *Eliminate Waste:* The Proposed Development has also been designed to eliminate waste generation as far as possible, in accordance with the GLA second principle of circular economy. The development has been designed to be flexible and adaptable, therefore increasing the building durability and longevity and thereby reducing construction, demolition, and excavation waste arising.
- 7.338 *Manage Waste Sustainably:* The Proposed Development has been designed to manage waste sustainably, in accordance with the GLA third principle of the circular economy. A demolition and construction audit along with a site-specific Site Waste Management Plan, was carried out to help set a target, manage and divert construction waste from the landfill. Moreover, a Refuse Management Plan was submitted with the application which covers normal waste as well as recycling for the building once occupied. which was developed to help with the operation waste of the building during occupation and how it will be segregated and diverted from the landfilled. A sufficient and compliant bin area and appropriately sized bins have been provided to help maximise recycling and the reuse of municipal waste in accordance with the local and GLA requirements.
- 7.339 Officers consider the above key commitments identified within the submitted Circular Economy Statement to be acceptable and in accordance with Policy SI7 of the London Plan. *Summary and Securing the Proposals*
- 7.340 It is considered that the proposals are in accordance with adopted policies for sustainability and CO2 emission reductions and it is recommended they are secured through appropriate conditions to ensure:
- PV energy generation maximised.
 - The carbon savings are delivered as identified in the Energy Assessment
 - Post completion report (including As Build calculations) is submitted to demonstrate energy / CO2 savings have been delivered.
 - Future district heating connection safeguarded
- 7.341 A carbon off-setting contribution of £527,250 would be required to deliver a policy compliant net zero carbon development and this would be secured via the S106 agreement.

Flood Risk & Drainage

- 7.342 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.
- 7.343 Policy SI13 of the London Plan requires development to manage surface water run-off through the relevant drainage hierarchy.
- 7.344 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.
- 7.345 The Application Site is in Flood Risk Zone 3a and is protected by the Thames Tidal flood defences up to a 1 in 1000 (0.1%). EA's comments confirmed that the Site is at a low risk of tidal and fluvial flooding.
- 7.346 It has been confirmed that the finished flood level would be above the design event including climate change allowance. All residential units would be above the breach levels. The ES concluded that the overall impact from the Proposed Development would be minor beneficial, which is considered to be significant, through reducing overall flood risk in the area.
- 7.347 The drainage strategy would include attenuation-based suds features such as blue roofs and rainwater harvesting. All surface water runoff would be discharged into the Millwall Inner Dock via a new headwall, which is acceptable. An informative will be placed for an approval requirement from the Canal and River Trust, and suds details would be secured via condition with further design detail to be provided at a later stage.
- 7.348 Within the GLA stage 1, they commented that the drainage plan should state the proposed discharge rate into the dock and provide the dimensions and volumes of proposed attenuation features. They also requested that further commitment to the inclusion of rainwater harvesting should be provided at this stage, including further detail on the type and location of rainwater harvesting. However, officers are satisfied that this can be dealt as part of the detailed SuDS measures and Drainage Management Strategy condition.
- 7.349 The GLA requested that consultation from CRT agreeing to the principle of discharge should be provided. The CRT have confirmed that there could be potential for surface water discharge to the Millwall Inner Dock subject to Trust engineering approvals and a commercial agreement, which they noted has been identified within the Flood Risk Assessment and Drainage Strategy.

Health Impact Assessment

- 7.350 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.
- 7.351 The application is supported by a Health Impact Assessment report which assessed the proposed development against the key wider determinants of health to identify potential health impacts.
- 7.352 The report concludes that there would be several positive health impacts, including the provision of affordable homes, various commercial and community uses generating employment and catering for the wider area, provision of new and improved public realm and greenery, as well as improved pedestrian and cycling connection along the dockside promoting active travel.

7.353 The majority of these would be embedded in the proposed development and would be secured via planning conditions and obligations.

Land Contamination

7.354 The assessment of potential impacts on the ground conditions and contamination has been provided as part of Chapter 13 of the ES.

7.355 The Council's contaminated land officer raised no issues with the submitted details and recommended the inclusion of a pre-commencement condition to provide further details. This would ensure that the application accords with Tower Hamlets Local Plan policy D.ES8.

Waste

7.356 Policy D.MW3 of the Local Plan (2020) 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.

7.357 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.

7.358 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.

7.359 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.

7.360 In terms of the residential units, within the kitchen of each property, separation will be provided for practically through the provision of three separate containers, one for each of the material streams (dry recyclates, organic matter and residual waste). There will also be one chute per core for residents to dispose of this waste.

7.361 A separate, communal, space is provided for larger items, to which each resident will have fob-controlled (secure) access.

7.362 The Childs Play Space at Level 02 will have access to this element of the waste management system at The Site, via chute access.

7.363 With regards to the commercial units, the tenants will provide a suitable internal waste storage area within their tenanted areas that encourages their employees to segregate waste. The materials that are segregated and the method of storage (i.e. co-mingled or source segregated) within the tenanted areas will need to reflect the types of waste generated and should include food waste if generated in sufficient quantities.

7.364 A dedicated Commercial Refuse Store for non-residential waste is to be provided at Ground Level, underpinned as per the management sized to enable the safe, secure, management of all material streams. As per the management of residential waste, site FM team will be responsible for the movement of full / empty containers (or larger items / containers) from the dedicated waste room / refuse store to the temporary holding location within the service area. Third party service providers will then assume responsibility for moving the containers to the vehicle located at the eastern façade, via a dedicated access point, for them to be emptied, and returned, as appropriate.

7.365 During the assessment of the applicant, the Council's waste officers have raised concerns regarding the proposed ratio of the in bin compaction proposed for the residential waste. The applicant has confirmed they will adhere to the 2:1 in bin compaction ratio and this will be secured through the operational waste management plan which will be conditioned should planning permission be granted.

7.366 Collections would take place within the private road that serves the building and the vehicles would enter and exit the site in forward gear. It is considered that the arrangements would be safe and ensure safety to the public highway is maintained. Both residential and commercial waste would be collected within the Site and would not rely on the public highway.

Wind/Microclimate

7.367 The relevant information in Chapter 11 of the ES provides details on the wind microclimate assessment. The Applicant has carried out a wind tunnel testing through five scenarios to determine the expected suitability of wind conditions based on the City Lawson criteria for pedestrian comfort and safety, both for on-site and off-site receptors. The Applicant has confirmed that all mitigation measures have been tested in the wind tunnel to ensure that these would be adequate as presented within the results.

7.368 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 spaces containing communal amenity and child play spaces, private amenity spaces of the proposed development.

7.369 The Applicant has considered the wind microclimate effects on the spaces surrounding the proposed development such as DLR station, bus stops and thoroughfares, as well as private, communal and other amenity spaces of the adjacent schemes. This also includes the consideration to cumulative schemes that have not been built out. Overall, there would be a negligible impact on all assessed receptors.

7.370 The mitigation measures would be included within the scheme through the proposed soft landscaping, inclusion of screens on Levels 24, 41 and 48 and placing the pergola structure closer to the building façade on these levels. These details would be secured via condition.

Infrastructure Impact

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

7.372 The supporting text to Policy D1 highlights that the Neighbourhood Plan seeks to identify those developments that are most likely to impact on the infrastructure needs of the Neighbourhood Plan Area and the wellbeing of its residents, with the aim that both the existing infrastructure provision and the likely impact of the development in question are taken into account when such applications are determined.

7.373 In terms of Transport matters the ES includes a detailed assessment of public transport capacity which has concluded that the development would have an acceptable impact on public transport capacity.

7.374 In terms of both surface water and foul water drainage Thames Water have confirmed that there is sufficient capacity within the system accommodate the development. With regards water supply Thames Water have requested a planning condition be imposed which prevents occupation of the development until confirmation has been provided that either: (a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or (b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. This will ensure there is sufficient water supply to serve the proposed development. This condition has been included within the recommended conditions.

- 7.375 In relation to health and education facilities, the development would include a significant CIL payment to commit to improved services. Furthermore there are a number of schools coming forward on nearby developments to accommodate new residents.
- 7.376 With regards public transport and highway infrastructure this is addressed in the ES documents and it is considered that there would be no unacceptable impact on transport infrastructure.
- 7.377 The development would deliver additional open space in and around the site, including the Underline which is welcome and would contribute towards local infrastructure.
- 7.378 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £9,383,223.02 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £2,288,481.15 (inclusive of social housing relief and exclusive of indexation).
- 7.379 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.
- 7.380 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £221,160 towards construction phase employment skills training
 - £23,057.86 towards end-user phase employment skills training
 - £527,250 towards Carbon Offsetting Contribution
 - £25,000 towards Legible London wayfinding (TfL)
 - £46,571 towards Development Co-ordination and Integration
 - 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
- 7.381 Overall the development subject to securing the relevant conditions and planning obligation the development is considered by officers to have an acceptable impact on local Infrastructure and meets the requirements of the IOD Neighbourhood Plan.

Local Finance Considerations

- 7.382 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver.

Human Rights & Equalities

- 7.383 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.
- 7.384 The proposed residential accommodation would meet inclusive design standards and 60 of the new homes would be wheelchair accessible, 18 within the affordable rented tenure, 6 within the intermediate sector and 36 within the private tenure. These standards would benefit future residents, including disabled people, elderly people and parents/ carers with children.
- 7.385 The provision of affordable housing would be of particular benefit to groups that area socially/ economically disadvantaged.
- 7.386 The application has undergone the appropriate level of consultation with the public and Council's consultees. The applicant has also carried out engagement with the residents and businesses in the area prior to the submission of the planning application.

7.387 To conclude, 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) £221,160 towards construction phase employment skills training
- b) £23,057.86 towards end-user phase employment skills training
- c) £527,250 towards Carbon Offsetting Contribution
- d) £25,000 towards Legible London wayfinding (TfL)
- e) £46,571 towards Development Co-ordination and Integration
- f) 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: £843,036 (excluding monitoring fee).

8.3 Non-financial obligations:

- a. Affordable housing provided (35% by habitable room) 450 homes (1,142 habitable rooms) to comprise:
 - 83 units at THLR & LAR
 - 37 units as Shared Ownership
 - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to Building Regulations M4 (3)(2)(b) standard)
- Early-stage review (GLA)
- b. Access to employment:
 - 20% local procurement
 - 20% local labour in construction
 - 38 construction phase apprenticeships
- c. Transport
 - Approval and implementation of Travel Plan (TfL)
 - Implementation and funding of highway works (as covered in s278)
 - Car and permit free development
- d. Compliance with Considerate Constructors Scheme
- e. Architect retention
- f. Management and maintenance plan for public space
 - a. Public access and management plan for the public realm on site
 - b. Underline
- g. Amenity Space management plan (affordable and private)
- h. Post construction monitoring of whole lifecycle carbon cycle
- i. Delivery of the community space (including details on the final use and management of the space)
- j. Operational Management Plan (waste)

- 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. S61 Restriction on demolition and construction activities
4. Air Quality – Generator compliant
5. Noise from plant
6. Fire Statement
7. Noise and Vibration
8. Environmental Statement mitigation measures

Pre-commencement

9. Secure by Design
10. Dust management Plan and PM10 Monitoring
11. Construction Plant and Machinery (NRMM)
12. CEMP
13. Waterborne transport feasibility
14. Contamination
15. Archaeological Investigation
16. Cranes
17. Piling Method Statement
18. DLR details for each phase - impact on DLR's structure/ operation
19. Construction Logistics and Servicing Plan
20. Submission of Site Waste Management Plan
21. Noise - Additional screening level 2 and ground floor units exceeding 55 db
22. Updated Noise Assessment (to include recent planning approvals for the data centre at 8-9 Harbour Exchange)
23. Detailed SuDS measures and Drainage Management Strategy

Pre-ground works

24. Biodiversity enhancement and mitigation
25. Details and submission of samples of external facing materials and architectural detailing.
26. Lighting Strategy
27. Approval of landscaping details
28. Solar Glare assessment
29. Secure by Design
30. Wheelchair units details
31. Flood Warning and Evacuation Plan
32. Density Management Plan

Pre-occupation

33. Kitchen Extract Standards for Commercial Uses
34. Water network upgrades
35. Whole life-cycle carbon post-construction assessment
36. Circular Economy post-construction assessment
37. Car Parking Management Plan
38. Deliveries and Servicing management Plan

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Canal and River Trust – Oversailing must be agreed prior to commencement
4. Applicant to refer to Canal and River Trust Code of Practice
5. Any surface water discharge requires prior consent from Canal and River Trust
6. Applicant encouraged to contact Canal and River Trust to discuss using dock water for heating and cooling
7. Thames Water – Groundwater Risk Management Permit
8. Thames Water – Public sewer
9. Thames Water – proximity to assets.
10. Thames Water – Pipes
11. Air Quality – PM10 monitoring
12. Air Emission – Flue
13. CoCP
14. GLAAS – WSI must be prepared by suitably qualified professionally accredited archaeological practice

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Documents:

- Cover Letter, prepared by DP9, dated 6th April 2022;
- Planning Statement, prepared by DP9, dated April 2022;
- Affordable Housing Statement, prepared by DP9, dated April 2022;
- Design & Access Statement ('DAS'), prepared by Make Architects dated March 2024;
- Landscape Strategy, prepared by Spacehub, dated 8th April 2022;
- Urban Greening Factor Assessment, prepared by Spacehub dated 20th March 2024;
- Preliminary Ecological Appraisal (PEA) and Biodiversity Survey Report, prepared by Schofield Lothian, ref TRI028, dated 10 August 2021;
- Infrastructure Impact Assessment, prepared by Meinhardt, dated April 2022;
- Land Contamination Statement (Preliminary Risk Assessment (PRA)), prepared by WSP;
- Environmental Statement ('ES') including all technical appendices, prepared by Trium;
- ES Formal Review Report Response, prepared by Trium, dated December 2023;
- Transport Assessment ('TA'), prepared by Meinhardt, Rev P02, dated 8th April 2022;
- Framework Travel Plan, prepared by Meinhardt;
- Delivery and Servicing Plan, prepared by Meinhardt;
- Draft Construction Environmental Management Plan -CEMP, prepared by Blue Sky, dated March 2022;
- Energy Assessment and Sustainability Report, prepared by Meinhardt, Rev 03, dated 8th April 2022;
- Response to GLA Energy Memo Stage 1 Consultation, prepared by Meinhardt, dated 16th August 2022 and 22nd April 2024;
- Sustainability Statement, prepared by Meinhardt;
- Whole Life Carbon Assessment, prepared by Meinhardt;
- Circular Economy Statement, prepared by Meinhardt;
- Waste Management Strategy (Operational), prepared by Meinhardt, dated April 2022;
- Fire Statement, prepared by Hoare Lea, rev 00, dated 7th April 2022;
- Draft Fire Statement Form;
- Fire Safety Addendum, prepared by Hoare Lee, dated October 2022;
- Foul Sewage and Utilities Statement, prepared by WSP;
- Flood Risk Assessment, prepared by WSP, dated April 2022;
- Statement of Community Involvement, prepared by Four Communications, dated December 2021;
- Sustainable Urban Drainage Strategy, prepared by WSP;
- Aviation Safeguarding Report, prepared by Kate Grant, dated April 2022;
- Health Impact Assessment (HIA), prepared by Quod, dated April 2022;
- Marketing Evidence Report, prepared by Savills, dated April 2022;
- Internal DSO Report, prepared by GIA, dated April 2022;
- Final Review Report - Daylight, Sunlight, Overshadowing and Solar Glare, prepared by GIA, dated 24 October 1994.
- Reuse, Recycling and Waste Plan, prepared by Castle 15, dated 4 March 2022;
- Applicants response to waste comments, prepared by Castle Fifteen Consulting Ltd, dated 12th August 2022;

Drawings:

Existing

- 1883-MAK-PA0900 Rev 00 – Existing Site Plan
- 1883-MAK-PA0999 Rev 00 – Existing Basement Level -1
- 1883-MAK-PA1000 Rev 00 – Existing Ground Floor Plan

1883-MAK-PA1001 Rev 00 – Existing First Floor Plan
1883-MAK-PA1001 Rev 00 – Existing First Floor Plan
1883-MAK-PA1002 Rev 00 – Existing Second Floor Plan
1883-MAK-PA1003 Rev 00 – Existing Third Floor Plan
1883-MAK-PA1004 Rev 00 – Existing Fourth Floor Plan
1883-MAK-PA1005 Rev 00 – Existing Fifth Floor Plan
1883-MAK-PA1006 Rev 00 – Existing Sixth Floor Plan
1883-MAK-PA1007 Rev 00 – Existing Roof Plan
1883-MAK-PA1200 Rev 00 – Existing Context Elevations
1883-MAK-PA1201 Rev 00 – Existing Context Elevations
1883-MAK-PA1202 Rev 00 – Existing North Elevation
1883-MAK-PA1203 Rev 00 – Existing East Elevation
1883-MAK-PA1204 Rev 00 – Existing South Elevation
1883-MAK-PA1205 Rev 00 – Existing West Elevation

Proposed

1883-MAK-PA0200 Rev 00 - Proposed Site Plan
1883-MAK-PA1599 Rev 00 – Proposed Demolition Basement Level -1
1883-MAK-PA1600 Rev 00 – Proposed Demolition Ground Floor Plan
1883-MAK-PA1601 Rev 00 – Proposed Demolition First Floor Plan
1883-MAK-PA1602 Rev 00 – Proposed Demolition Second Floor Plan
1883-MAK-PA1603 Rev 00 – Proposed Demolition Third Floor Plan
1883-MAK-PA1604 Rev 00 – Proposed Demolition Fourth Floor Plan
1883-MAK-PA1605 Rev 00 – Proposed Demolition Fifth Floor Plan
1883-MAK-PA1606 Rev 00 – Proposed Demolition Sixth Floor Plan
1883-MAK-PA1607 Rev 00 – Proposed Demolition Roof Plan
1883-MAK-PA1700 Rev 00 – Proposed Demolition North Elevation
1883-MAK-PA1701 Rev 00 – Proposed Demolition East Elevation
1883-MAK-PA1702 Rev 00 – Proposed Demolition South Elevation
1883-MAK-PA1703 Rev 00 – Proposed Demolition West Elevation
1883-MAK-PA1998 Rev 00 – Proposed Level B2 Plan
1883-MAK-PA1999 Rev 00 - Proposed Level B1 Plan
1883-MAK-PA2000 Rev 00 - Proposed Level 00 Plan
1883-MAK-PA2001 Rev 00 - Proposed Level 01 Plan
1883-MAK-PA2002 Rev 00 - Proposed Level 02 Plan
1883-MAK-PA2003 Rev 01 - Proposed Level 03-07 Plan
1883-MAK-PA2008 Rev 01 - Proposed Level 08-10 Plan
1883-MAK-PA2011 Rev 01 - Proposed Level 11-15 Plan
1883-MAK-PA2016 Rev 01 - Proposed Level 16-18 Plan
1883-MAK-PA2019 Rev 01 - Proposed Level 19-20 Plan
1883-MAK-PA2021 Rev 02 - Proposed Level 21-23 Plan
1883-MAK-PA2024 Rev 01 - Proposed Level 24 Plan
1883-MAK-PA2025 Rev 01 - Proposed Level 25-26 Plan
1883-MAK-PA2027 Rev 01 - Proposed Level 27-39 Plan
1883-MAK-PA2040 Rev 00 - Proposed Level 40 Plan
1883-MAK-PA2041 Rev 01 - Proposed Level 41 Plan
1883-MAK-PA2042 Rev 01 - Proposed Level 42 Plan
1883-MAK-PA2043 Rev 01 - Proposed Level 43-47 Plan
1883-MAK-PA2048 Rev 01 - Proposed Level 48 Plan
1883-MAK-PA2049 Rev 01 - Proposed Level 49 Plan
1883-MAK-PA2050 Rev 00 - Proposed Level 50 Plan
1883-MAK-PA2051 Rev 00 - Proposed Level 51 Plan
1883-MAK-PA2052 Rev 00 - Proposed Level 52 Plan
1883-MAK-PA2200 Rev 00 – Context Elevations
1883-MAK-PA2201 Rev 00 – Context Elevations
1883-MAK-PA2202 Rev 00 – North Elevation
1883-MAK-PA2203 Rev 00 – East Elevation
1883-MAK-PA2204 Rev 00 – South Elevation
1883-MAK-PA2205 Rev 00 – West Elevation
1883-MAK-PA2250 Rev 00 – Proposed Section AA

Landscaping (proposed)

8365-PL-DL-104 REV 01 – General Arrangement Landscape Masterplan – Levels and Drainage Strategy

8365-PL-DL-101 REV 01 – General Arrangement Landscape Masterplan – Ground Level

8365-PL-DL-102 REV 01 – General Arrangement Landscape Masterplan –Level 01

8365-PL-DL-103 REV 01 - - General Arrangement Landscape Masterplan – Roof Plan

8365-SE-GA-201 REV 01 – Landscape Section Ground Level

8365-SE-GA-202 REV 01 – Landscape Section Upper Levels

Highways

2971-MHT-TR-XX-SK-012 P05 – Vehicle Swept Path Analysis – Phoenix 2 Duo Recycler

2971-MHT-TR-XX-SK-023 P05 – Vehicle Swept Path Analysis – Phoenix 2 Duo Recycler

2971-MHT-TR-XX-SK-024 P05 – Vehicle Swept Path Analysis – Phoenix 2 Duo Recycler

Unit Types

PA2500 Rev 00 – Unit Types 1 Bed

1883-MAK-PA2501 Rev 01 – Unit Types 1 Bed

PA2502 Rev 00 – Unit Types 1 Bed

PA2503 Rev 00 – Unit Types 2 Bed

1883-MAK-PA2504 Rev 01 – Unit Types 2 Bed

PA2505 Rev 00 – Unit Types 3 Bed

1883-MAK-PA2506 Rev 01 – Unit Types 3 Bed

PA2507 Rev 00 – Unit Types 3 Bed

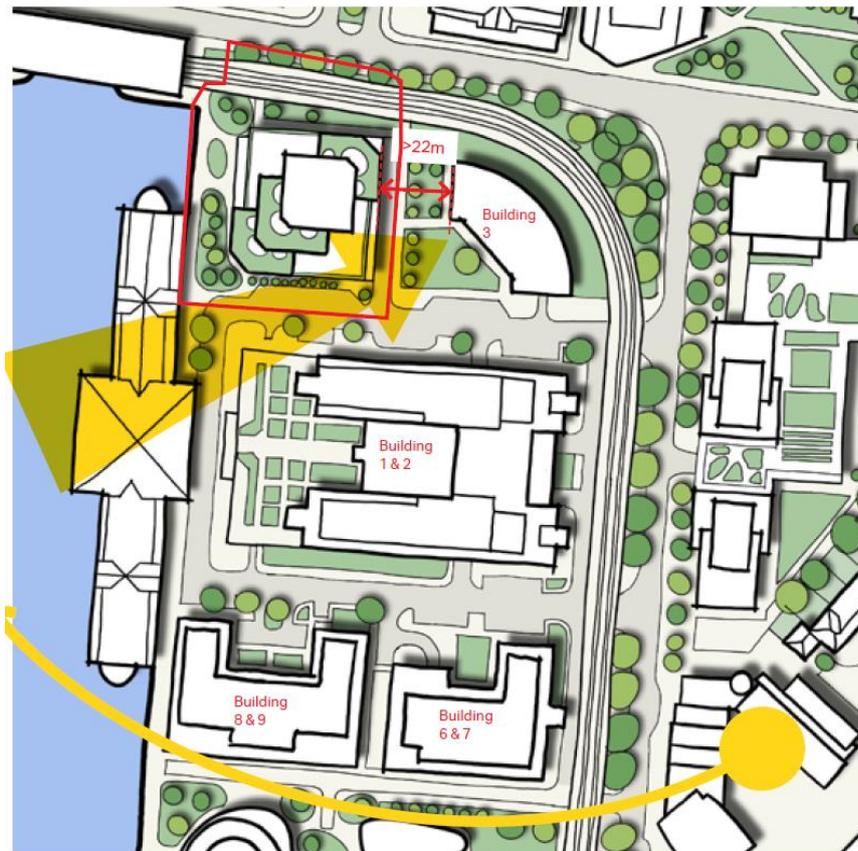
PA2508 Rev 00 – Unit Types 3 Bed

1883-MAK-PA2509 Rev 00 – Unit Types 4 Bed

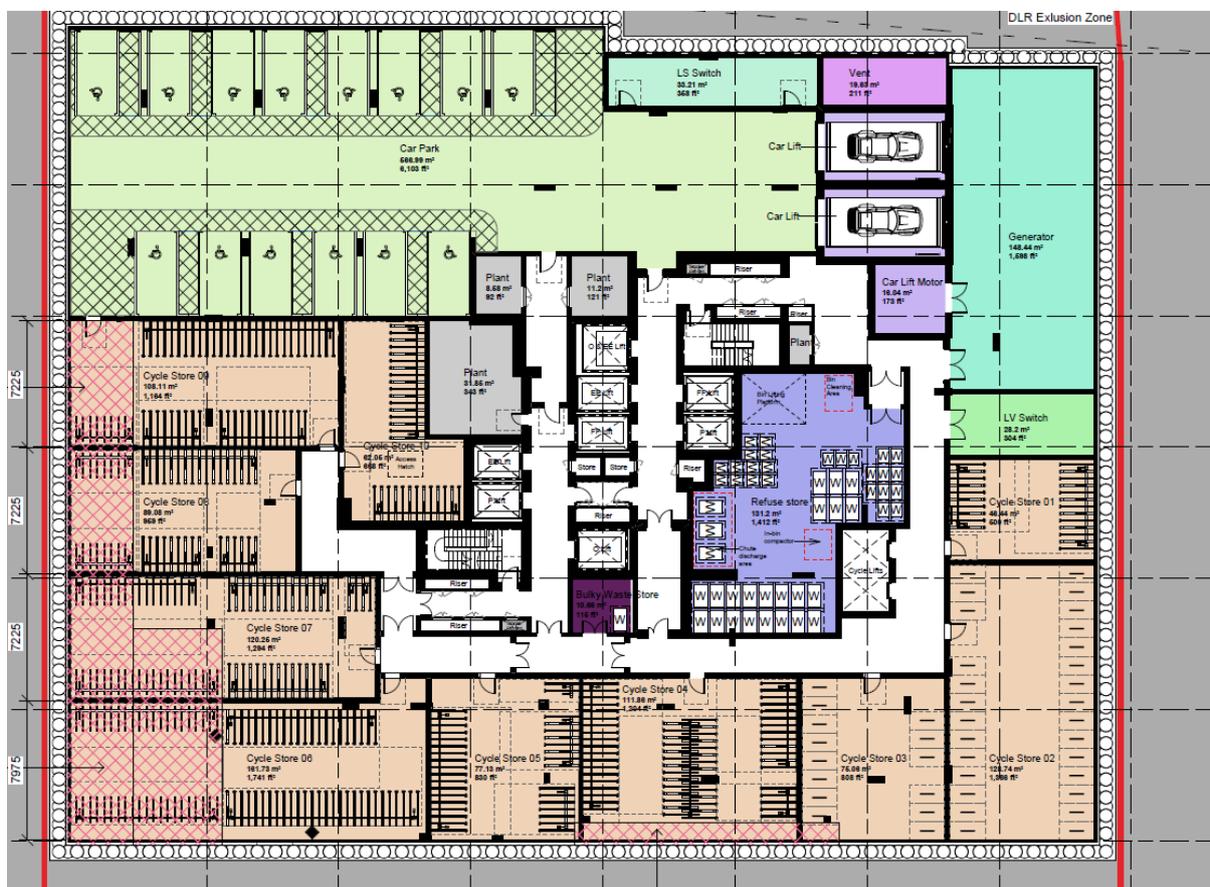
1883-MAK-PA2510 Rev 00 – Unit Types 2 Bed

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES



Harbour Exchange buildings



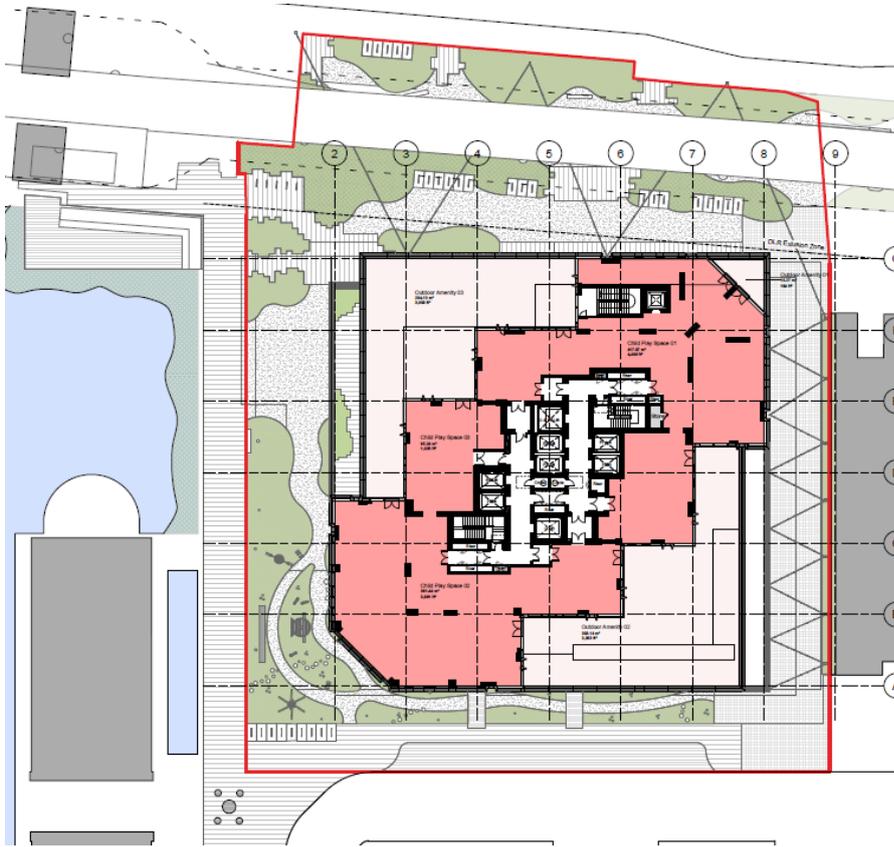
Proposed basement plan



Proposed ground Floor plan



Proposed first floor plan



Proposed second floor plan

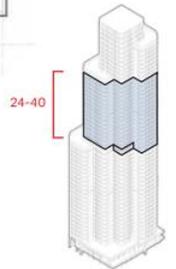
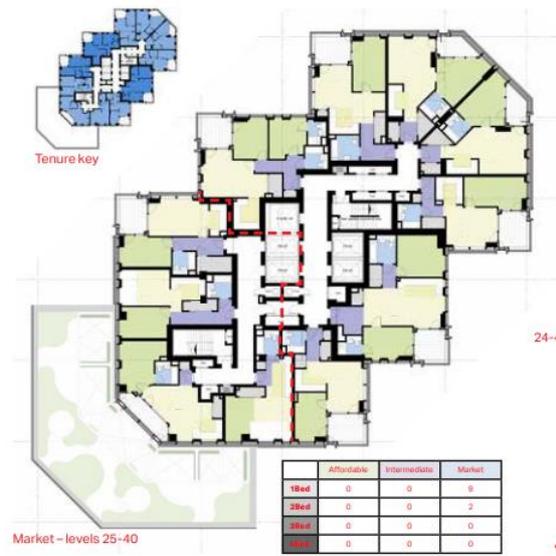
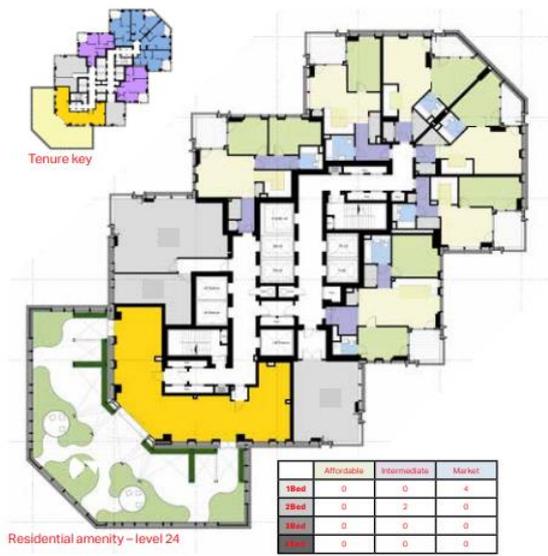
Proposed plans Levels 03-23

Small variations occur at some levels.
These plans are for information only,
please refer to the application drawings.



Proposed 3rd – 23rd floor plan

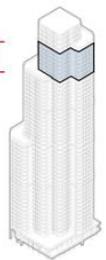
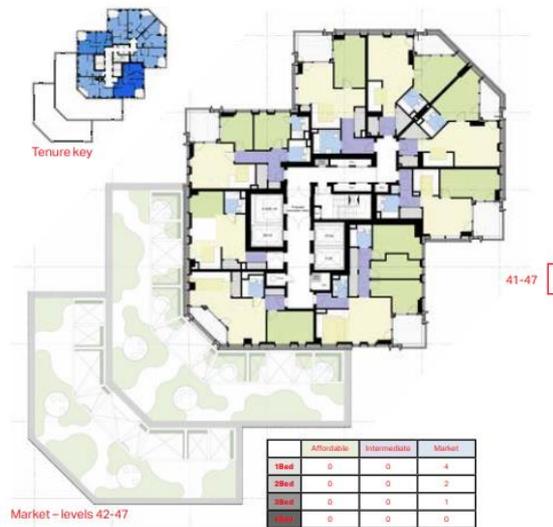
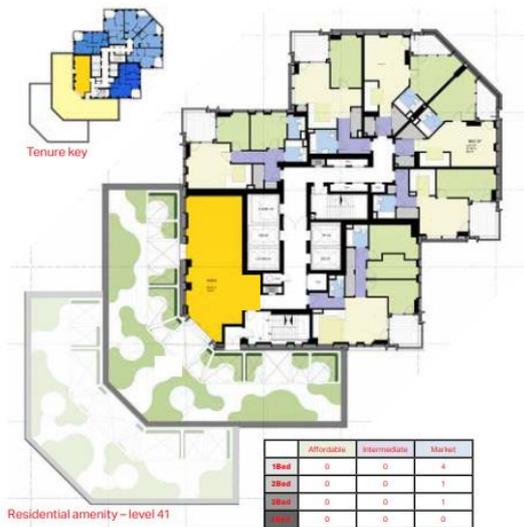
Proposed plans Levels 24-40



88

Proposed 24th-40th floor plan

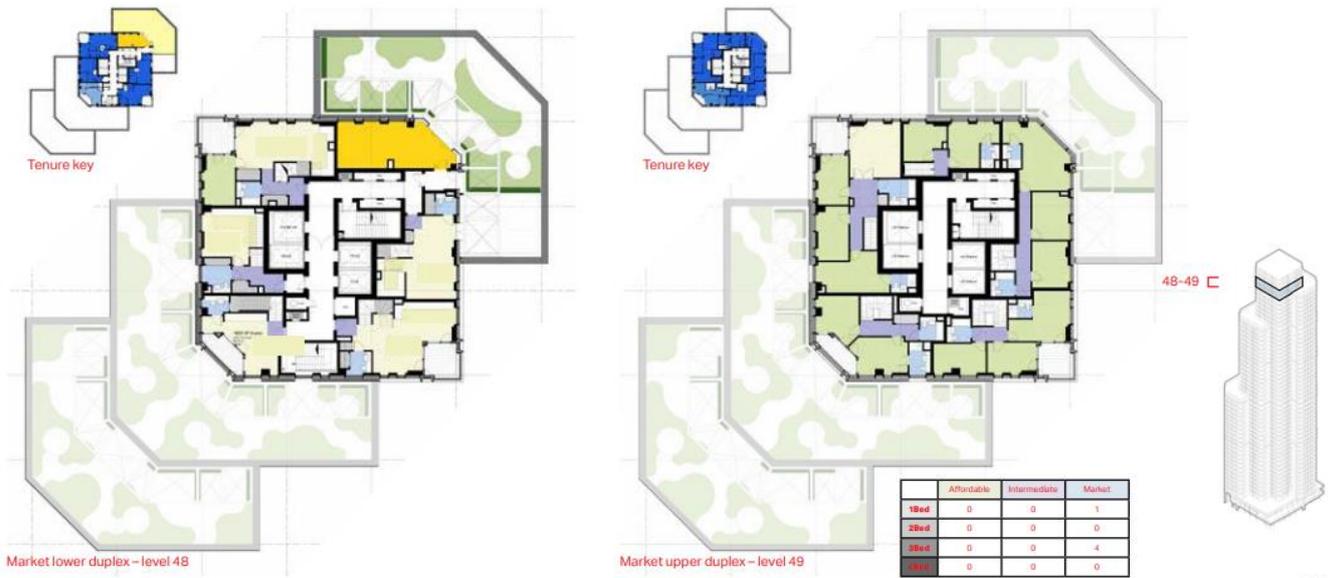
Proposed plans Levels 41-47



89

Proposed 41st – 47th floor plan

Proposed plans Levels 48 and 49



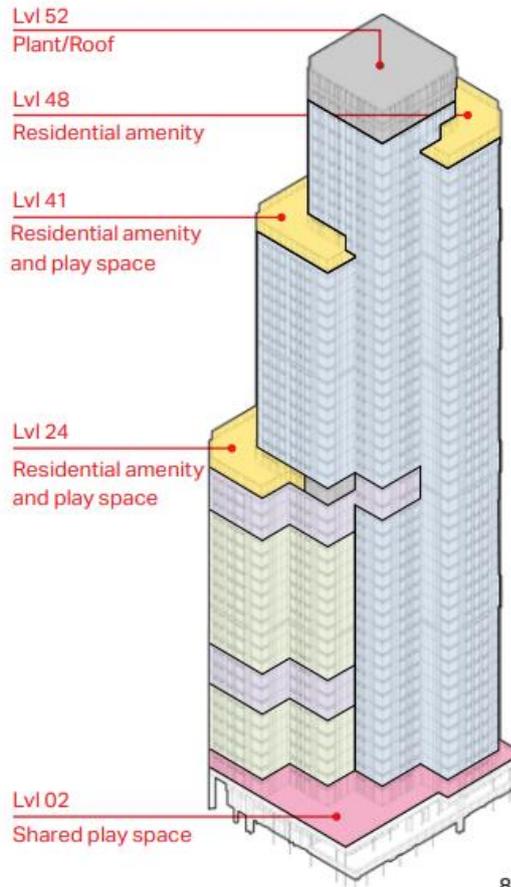
90

Proposed 48th -49th floor plan

Market				
	Units	Hab. Rooms	% (by units)	POLICY
1 Bed	249	485	75.5%	30%
2 Bed	67	201	20.3%	50%
3 Bed	14	56	4.2%	20%
4 Bed	0	0	0.0%	
TOTAL	330	742	100%	100%

Intermediate 30.8% (by hab room)				
	Units	Hab. Rooms	% (by units)	POLICY
1 Bed	6	12	16.2%	15%
2 Bed	16	48	43.2%	40%
3 Bed	12	48	40.6%	45%
4 Bed	3	15		
TOTAL	37	123	100%	100%

Affordable Rented 69.3% (by hab room)				
	Units	Hab. Rooms	% (by units)	POLICY
1 Bed	21	42	25.3%	25%
2 Bed	25	75	30.1%	30%
3 Bed	25	100	30.1%	30%
4 Bed	12	60	14.5%	75%
TOTAL	83	277	100%	100%



86

Internal arrangement



Eastern Elevation



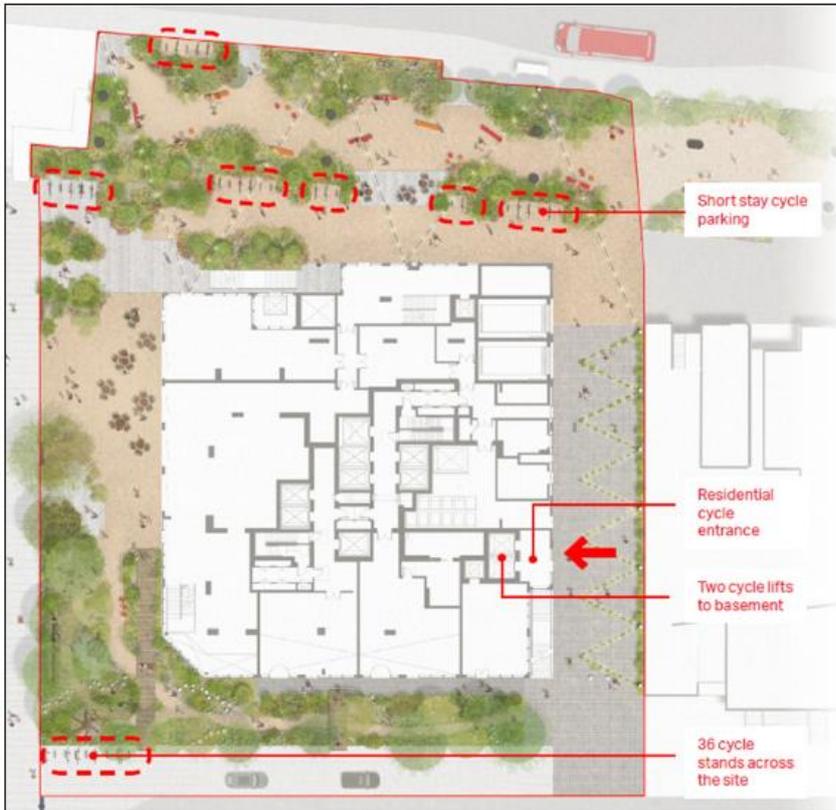
Northern Elevation



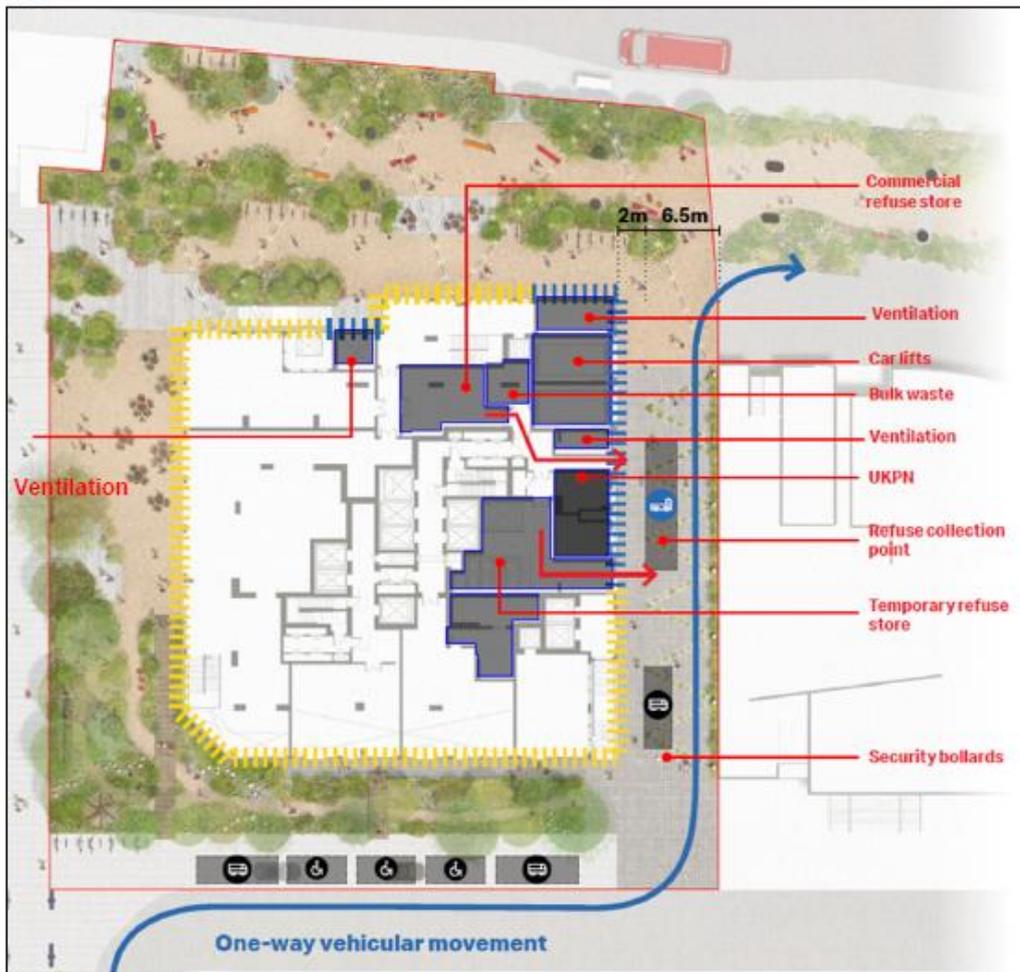
Southern Elevation



Western Elevation



Short stay cycle parking locations



Refuse collection points



Proposed view from the south of the site



View looking across the dock (north east)



View looking across South Dock from Canary Wharf



East Street

Podium design
Residential Southern entrances



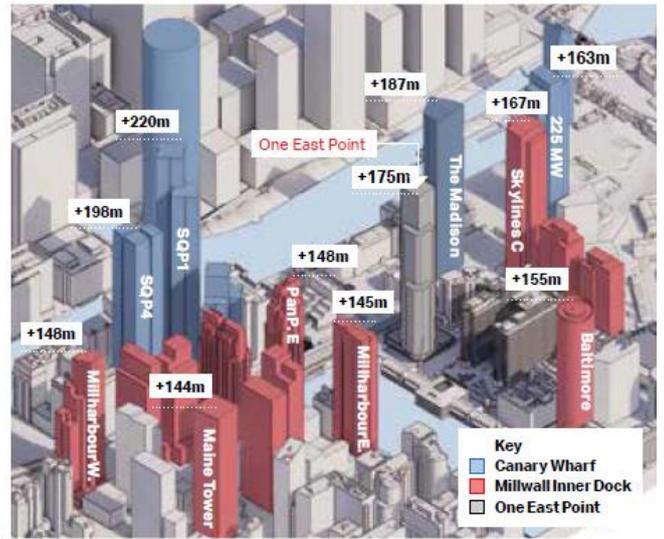
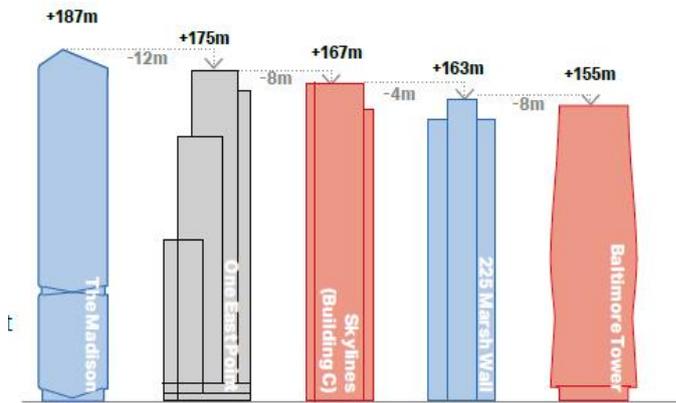
Residential Southern Entrances

Podium design
Waterfront activity



Floating timber deck and wetland islands within the dock are aspirational and fall outside this planning application.

Waterfront activity



Analysis of proposed development (shown in grey) within surrounding context



Application for Planning Permission and [Listed Building Consent](#)

Reference PA/24/00184 – Full Planning Permission
PA/24/00187 – Listed Building Consent

Site Former London Chest Hospital, Bonner Road, London, E2 9JX

Ward Bethnal Green East

Proposal Planning permission for demolition of all existing buildings and structures on site (excluding main hospital building, South Wing and Sanitation Tower) and to redevelop the site to provide residential dwellings (Use Class C3) and flexible commercial and community floorspace (Use Class E(b) / F2(b)) within a converted and extended hospital building and five new buildings ranging from five (5) to nine (9) storeys, with associated works to built heritage, selected removal of TPO trees, plus new tree planting and landscaping works including new shelter surrounding Mulberry Tree (T82), the provision of disabled car parking spaces, cycle parking, refuse storage, mechanical plant and other works incidental to the development, and a Transport for London bus driver facility. The application is accompanied by an Environmental Statement.

and

Listed Building Consent for works to the main hospital building and Sanitary Tower including: demolition of extensions to the rear of the main building, construction of extension across the rear of main building, retention and repair of the front of the main roof, including repairing (or replacing in replica where repair is not feasible) the existing chimneys and roof lanterns, the introduction of new roof dormers, alterations to the building including the removal and replacement of windows, various internal alterations, and associated works of repair across main building; works to the South Wing including the retention and repair of the front of the roof, a comprehensive repair of both roof slopes at the gable end, the removal of the external fire stair from the gable elevation, and various internal alterations, and associated works of repair across the South Wing; the demolition of all other buildings on site; repair and reinstatement of the gas lamp; and works to boundary features.

Summary Recommendation Grant planning permission and listed building consent with conditions and planning obligations

Applicant	Latimer by Clarion Housing Group
Architect/agent	Architect: Allford Hall Monaghan Morris Agent: hgh Consulting
Case Officer	Nicholas Jehan
Key dates	- Application registered as valid on 06 February 2024 - Public consultation (including Environmental Impact Assessment) finished on 22 March 2024

EXECUTIVE SUMMARY

The applications together seek full planning permission and listed building consent for a comprehensive redevelopment of the vacant London Chest Hospital site. The proposals seek to provide 274 new homes 50% of which, by habitable room, will be delivered as affordable housing, resulting in 76 new Social Rented homes. A modest flexible commercial and community facility will also be provided within the South Wing of the retained hospital building.

The redevelopment of the site will involve the demolition of the majority of the existing buildings on the site retaining only the Grade II Listed elements of the main hospital building, being the main hospital range and south wing. The rear of the hospital building will be extended and five new-build Buildings will be constructed to deliver the new homes. The heights of all buildings will range from 5 storeys at their lowest to 9 storeys at their highest. The tallest element of the new-build Buildings is located towards the northern-most corner of the site adjacent to the entrance to Victoria Park.

The proposed architecture is of very high design quality and draws inspiration from various aspects of the site's history and the surrounding area. The layout of the scheme results in the creation of high quality publicly accessible open spaces including a new square on St James's Avenue, reinstatement of the formal lawn in front of the hospital as a public lawn and bringing the Veteran Mulberry Tree into public enjoyment through dedicated landscaping. Two new pedestrian friendly routes through the site running east-west will also be introduced increasing the permeability of the area generally.

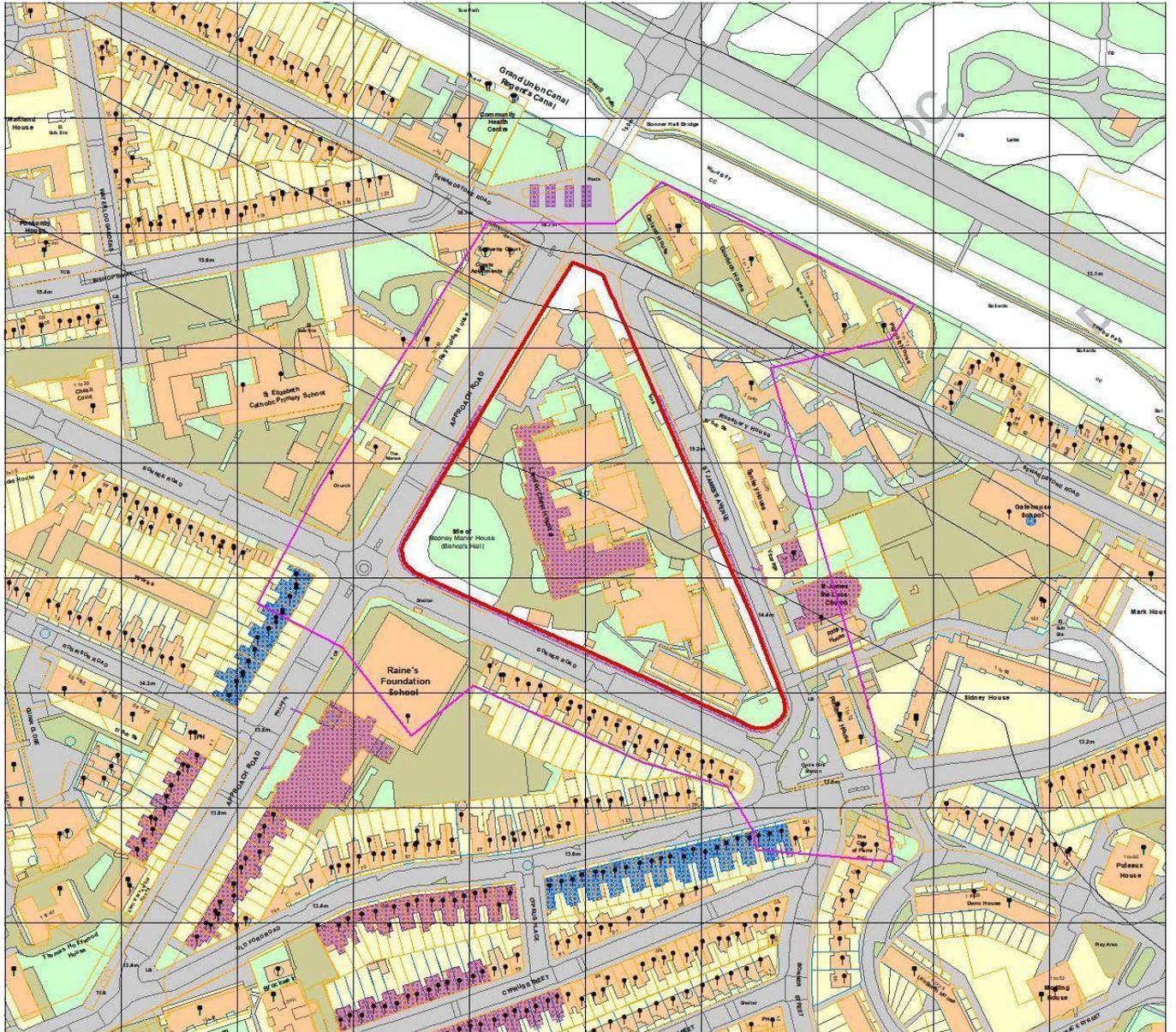
The proposal would have an acceptable impact on neighbouring residential amenity. The development would provide policy compliant cycle storage wheelchair accessible parking; and would meet Council policy on net zero carbon and biodiversity net gain.

The proposed scheme would result in a low-to-mid degree of less than substantial harm to the setting and significance of the Grade II Listed hospital building, given the rebuilding of the roof structure and new-build extension to the rear as well as the proximity and scale of the other new-build Buildings on the site and within the curtilage of the listed building. There will also be similar levels of harm to neighbour heritage assets and the Victoria Park Conservation Area.

Officers are of the opinion that the significant public benefits presented by the scheme would outweigh the harm to heritage assets in line with paragraph 208 of the NPPF.

This application has been considered against the development plan policies within the Tower Hamlets Local Plan 2031 (January 2020) and London Plan (2021); and against the National Planning Policy Framework and all other material considerations.

Officers recommend the proposed development be granted planning permission, subject to conditions and financial and non-financial obligations.



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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/24/00184**

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



Scale : 50m grid squares

Date: 08 July 2024

Figure 1 – Consultation map

1. SITE AND SURROUNDINGS

- 1.1 The application site lies in the north of the Borough just to the southwest of Victoria Park. The site is triangular in shape, bound by Approach Road, St James' Avenue and Bonner Road. The site measures approximately 1.61 hectares.
- 1.2 The site was previously home to the London Chest Hospital until it was vacated by the Barts Health NHS Trust in April 2015 when the services provided by the hospital were transferred to St Bartholomew's Hospital in the City of London.



Figure 2 – Bird's eye view of site

- 1.3 The site comprises the main hospital building, first built in 1855, along with historic additions to this building including the South Wing (1865) and the Sanitation Tower (1892). There are also a number of post-war additions to the site including the existing north wing to the hospital building. This replaced the historic north wing which suffered extensive bomb damage during the blitz. Further twentieth century buildings on the site include a separate building of nurses' accommodation to the east of the site set towards St James's Avenue and various piecemeal buildings which accommodated administrative and ancillary functions of the hospital site whilst it was in operation. The site is contained within Victorian iron railings with ornate entrance gates.

- 1.4 The Main Hospital Building, South Wing and Sanitary Tower, together with the Victorian gas lamp, dwarf wall, iron railings and entrance gate were statutorily listed at Grade II on 18th April 2016.

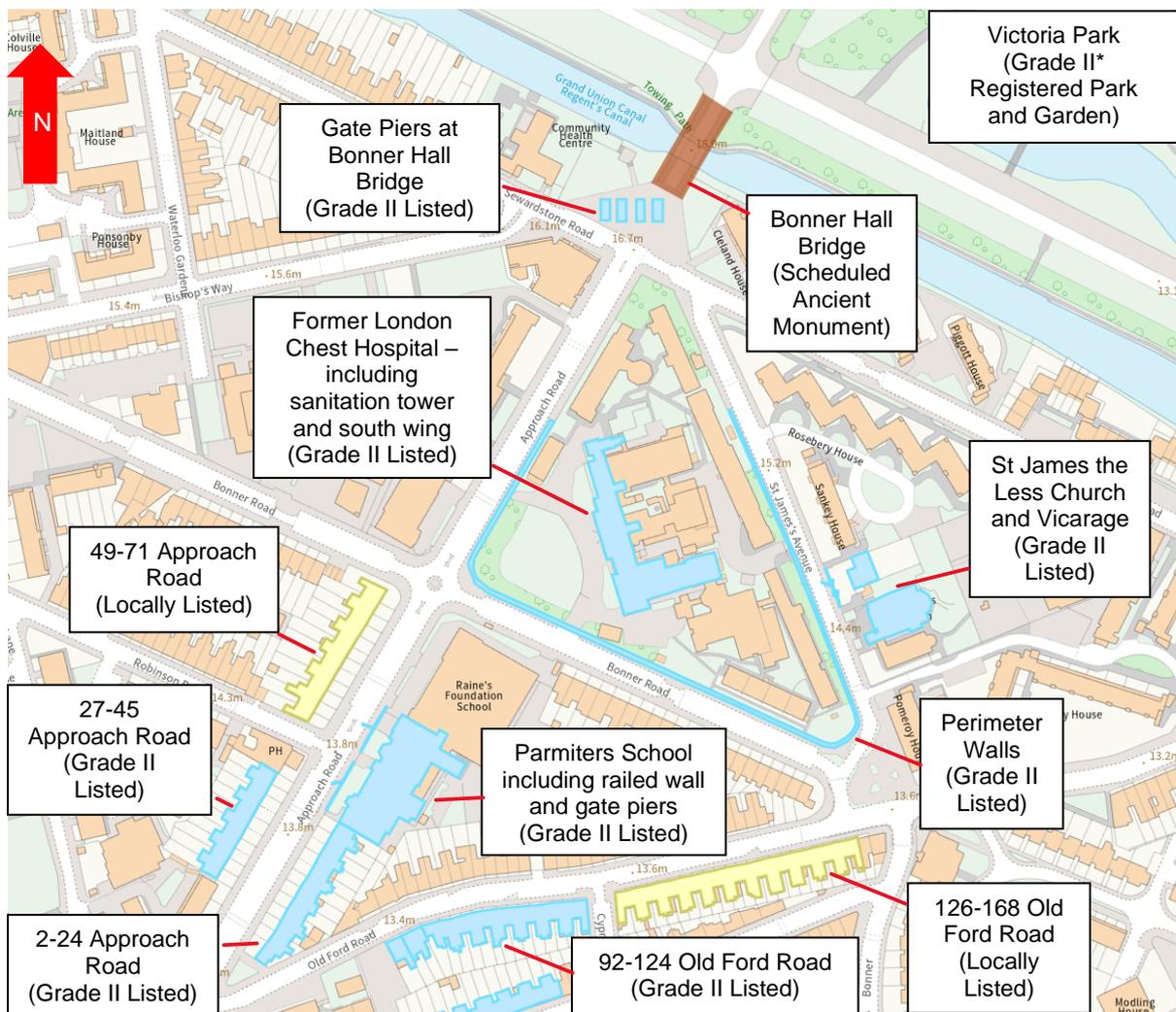


Figure 3 – Map of heritage assets

- 1.5 To the east of the site, on the eastern side of St James' Avenue, lies the Church of St. James the Less and the St James Vicarage, both of which are Grade II listed along with the railings at the street frontage. To the north of the site, the Bonner Bridge which passes over the Regent's Canal is a Scheduled Ancient Monument whilst the Bridge's Gate Piers are Grade II listed. There are also a number of other Statutorily and Locally listed buildings in proximity to the Site. The site and its immediate surrounds lie within the Victoria Park Conservation Area. Victoria Park is, itself, a registered park and garden at Grade II*.
- 1.6 The site has a strong green perimeter with a number of structural trees and large mature trees close to the boundary of the site. A total of 54 trees within the site are subject to a site wide Tree Preservation Order dating back to 1973, but which was recently renewed by an order made on 20 February 2024 and is currently awaiting confirmation by common seal of the Council to correctly reflect the position and species of those trees on site which are suitable for protection via that order.
- 1.7 Vehicle access to the hospital site was previously from Approach Road, Bonner Road and St James's Avenue. The site is highly accessible and with the majority of the site benefiting from a Public Transport Accessibility Level (PTAL) rating of 5 / 6a (6b being the highest accessibility rating) with a small section of land towards the northern end of the site having a PTAL rating of 3.

- 1.8 The surrounding townscape predominantly comprises three to six storey buildings which include the Raines Foundation School, Victorian terraces along Bonner Road, the Park View Estate dating from the 1950's and the Bethnal Green Methodist Church.
- 1.9 The site is located in the St James's Cemetery and Bonner Manor Archaeological Priority Area. Both the Regents Canal and Victoria Park to the north of the site are Sites of Importance for Nature Conservation.
- 1.10 The site has no other relevant policy designations but is located adjacent to the Old Ford Road Neighbourhood Parade at the southern corner of the site and very small areas of the northern and southernmost corners of the site are within designated areas of substandard air quality.

2. PROPOSAL

- 2.1 The application seeks a comprehensive re-development of the site which would see all of the buildings except for the Main Hospital Range, South Wing and Sanitation Tower demolished to make way for a number of new buildings on site providing 274 new homes across the site as well as a modest commercial/community facility at ground floor level of the South Wing.
- 2.2 The main hospital building, and other listed elements would be sensitively restored, repaired and retrofitted to provide 54 new homes within the historic elements of the building, as well as within a new-build extension to the rear of the building overlooking a new courtyard amenity space. New dormers would be installed in the roof, the front section of which would itself be retained and repaired. The historic verandas at the southern end of the main hospital range will be restored and reopened to provide large private amenity spaces for the proposed new homes.
- 2.3 The remaining 220 new homes would be provided across 5 new buildings built throughout the site. These buildings would range in height from 5 to 9 storeys, albeit only one of the 5 buildings would be above 7 storeys in height. 121 new affordable homes will be provided across the site, being 50% of the new homes measured by habitable room. 76 of those affordable homes will be provided as social rented units, representing 70% of the overall affordable housing provision by habitable room, with the other 45 homes being provided as shared ownership. The social rented homes will be located across two buildings at the southern end of the site. The intermediate/shared ownership homes will be located within Buildings C and D which would be the two new buildings which form the other walls of the new internal courtyard behind the main hospital building. The tallest element standing at just over 30m and 9 storeys would be Building E which is located in the northernmost corner of the site adjacent to the entrance to Victoria Park.
- 2.4 The proposals also seek a wide-ranging landscape scheme which will see the site opened up to the general public 24 hours a day, save for the internal courtyard which is proposed to be shut to the public from dusk-dawn each day, but would still be available to all residents of the site during those hours. The development would result in the removal of 21no. individual trees and 2no. groups of trees, 9no. of which trees are protected by the existing Tree Preservation Order. The Veteran Black Mulberry Tree which is present on the site will be retained in situ and would benefit from specific landscaping and protection measures to ensure that the tree can be enjoyed by the general public for years to come. The loss of trees will be mitigated by the planting of 51 new trees around the site.
- 2.5 The proposed development and the evolution of the design are described in detail within the applicant's Design and Access Statement.

3. RELEVANT PLANNING HISTORY

- 3.1 The site is subject to an extensive planning history with the below applications highlighted as being of particular relevance to the present application. Some applications of relevance from neighbouring or nearby sites have also been highlighted. It should be noted that there have been numerous applications submitted to undertake works to trees on the site which are either covered by the TPO or because the site is located within a conservation area. These have not been included in the list as they are of no relevance to the consideration of the present application.

On Site

- 3.2 PA/16/03342/A1

Planning permission for demolition of all existing buildings on-site (excluding main hospital building and sanitation tower) to redevelop the site to provide 291 residential units (Use Class C3) and 428sqm non-residential institution space (Use Class D1) with the new residential units located within an enlarged main hospital building and within the erection of three new buildings rising to a maximum of 8 storeys with associated works to built heritage, selected removal of TPO trees, plus new tree planting and landscaping works, provision of 9 disabled car parking spaces and other works incidental to the development.

Initially Granted Permission on 9 October 2020 but that permission was eventually quashed by the High Court on 21 May 2021 following a judicial review.

- 3.3 PA/16/03343/NC

Listed Building Consent for works to main hospital building including: demolition of south wing and other extensions to the rear of the main building, extension across the rear of main building, removal of existing roof structure to the main building and erection of new roof, including removal and replacement of existing chimneys to roof, removal and replacement of roof dormers, alterations to the building including the removal and replacement of all windows, various internal alterations, and associated works of repair across main building; demolition of all other ancillary buildings on site; and repair and reinstatement placement where necessary of site boundary railings.

Initially Granted Consent on 9 October 2020 but that consent was eventually quashed by the High Court on 21 May 2021 following a judicial review.

- 3.4 PA/23/00669/NC

Works to x1 Mulberry Tree (T82) - replace the existing rudimentary support measures, with three bespoke steel supports.

Granted consent for works related to a Tree Preservation order on 10 May 2023.

Off Site

- 3.5 PA/10/01072, PA/10/01073 and PA/10/01229 – Raines Foundation School

Full Planning Permission, Listed Building Consent and Conservation Area Consent for the demolition of side and rear extensions of existing building and redevelopment by the erection of a 2-4 storey rear with basement and side new build construction to Approach and Bonner Roads comprising educational floorspace, including removal of 4 trees.

Permitted 27 August 2010.

- 3.6 PA/08/00153, PA/11/01592 – Sotherby Lodge

Demolition of the existing 3 storey building. Erection of a part 5, part 6 storey building to provide 40 flats (15 x one bedroom, 16 x two bedroom and 9 x three bedroom).

Initially permitted 18 September 2008 and re-permitted on 30 March 2012.

- 3.7 PA/24/00649 – Sotherby Lodge

Replacement of the combustible timber and composite panel cladding on existing building with non-combustible brick slip system cladding.

Permitted 8 July 2024

3.8 PA/24/00310 – Sotherby Lodge

External re-cladding of the existing building and proposed two storey roof extension providing 9x residential dwellings; including reconfiguration of existing balconies, cycle and bin stores, new landscaping and boundary treatment, and excavation of new basement area for water tanks (accessible only for maintenance via a manhole and ladder).

Refused 8 July 2024

3.9 PA/22/01261 – St James the Less Church

Proposed Change of use of Church Hall (F.1) to mixed use of Class E(c)(ii) (Commercial, Business and Service - professional services) for the provision of Daycare and Training of Dogs and Class F.2 (Local Community)

Refused 3 March 2023. Reason for refusal, amongst others:

The proposal failed to provide compelling justification for the loss of existing community facility proposed with the application. The proposal failed to accord with policy D.CF2 in the Local Plan and was therefore non-compliant in land use terms. This planning policy seeks to protect, maintain and enhance existing community facilities in the borough.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant undertook extensive pre-application engagement with the Council, including consultation with local residents, ward councillors and other relevant stakeholders, as well as presentation at the Council's Quality Review Panel (QRP). The Statement of Community Involvement submitted with the planning application provides a more detailed summary of the consultation to date and ongoing engagement in the future. The engagement was primarily undertaken over two phases, one at a very early stage of the design development and one with more detailed designs prior to submission. Letters were sent out to properties, public exhibitions took place, as well as an online exhibition, social media and other online methods of engagement were used and meetings were held with the ward councillor and lead member for Regeneration, Inclusive Development and Housebuilding.
- 4.2 A total of 310 neighbour notification letters were issued to nearby addresses as identified in the plan in Figure 1 of this report. Site notices were placed on each of the three corners of the site and an advert was placed in the local press.
- 4.3 A total of 176 representations were received, predominantly from residents in nearby estates, particularly the Parkview Estate immediately to the east and north east of the site, residential buildings, notably Sotherby Court to the west of the site in the north corner, and other nearby residential buildings on surrounding streets.
- 4.4 6 representations were in support of the application citing the following reasons:
- *The site has been derelict, unused, and inaccessible for a long period of time, so its redevelopment will improve the area*
 - *The proposal will deliver more homes in the borough, including affordable homes*
 - *The inclusion of market housing in the proposal will bring diversity to the borough*
 - *The development of the site will increase economic activity in the area*
 - *The proposal includes the retention of listed buildings and the protected mulberry tree*
 - *New public spaces will be provided and opening the site will improve connectivity through the area*
 - *The new homes will be energy efficient*
 - *Development of accessible sites like this supports the need for high quality homes*
 - *Right balance of development and provision of affordable housing*
- 4.5 A total of 168 representations in objection to the proposals presented by the two applications were received (85 of which were in the form of an identical letter but signed individually by various residents). These representations were from neighbouring residents including letters directly from the Park View Residents Association. The following material planning issues were raised.
- *The proposal presents an overconcentration of residential units for the site, it would be much more densely populated than neighbouring residential buildings and estates and make the area untenably busy*
 - *The amount of commercial space provided in the development is negligible*
 - *No affordable housing would be provided*
 - *No social housing would be provided*
 - *The 50% affordable housing target would not be met*
 - *The definition of 'affordable housing' (80% of market rate) is not truly affordable for local people*
 - *Inappropriate massing with the tall buildings proposed being out of scale for their local context and would negatively impact the existing townscape, conservation area and overshadow the park entrance*
 - *Building E is too tall, twice the height of its neighbouring buildings.*
 - *The proposals do not comply with the Local Plan's tall building policy*
 - *The trees surrounding the site are not sufficiently tall to obscure the tall buildings and massing of the proposal and in winter, without tree cover, the visibility will be even more prominent*

- *The tall buildings will set a precedent for more tall buildings in the area*
- *The proposal fails to preserve or enhance the conservation area, particularly the low-rise Victorian and open, green character*
- *Views to and from Victoria Park will be negatively affected*
- *The setting of Bonner Gate, Pennethorne Square and Bonner Bridge, all designated heritage assets, will be negatively affected*
- *The dense development of the site diminishes the significance of the listed former Chest Hospital building*
- *The proposed buildings will block light to the main window of St. James the Less Church*
- *The loss of trees proposed disrupts the legibility of St. James Street as a tree-lined avenue which is essential to the character of the conservation area*
- *The proposed buildings have no design reference to Victoria Park*
- *Potential archaeological remains under the site would be lost during the digging of foundations, the site could potentially contain Bishop Bonner's palace or a Roman settlement*
- *Views from existing neighbouring buildings will be blocked*
- *The proposed accommodation will be of a poor quality*
- *38% of proposed homes will have inadequate ventilation and poor light levels*
- *30% of new homes do not meet median luminance target*
- *Window to window distance between new Buildings is less than 12m in many cases (contrary to Mayo's Housing SPG)*
- *35% of Buildings A,C,D,F are more than 30m from a waste store (contrary to LBTH Waste SPD)*
- *Single aspect residential units without adequate ventilation will require active cooling increasing energy demands of building*
- *The proposal involves the loss of 22 trees, including 8 with TPO*
- *Loss of trees will impact look and feel of the area forever*
- *Local microclimate and air quality will be adversely impacted by the loss of trees*
- *Tall buildings on site will block light to surrounding trees and vegetation*
- *Avian flight paths will be impacted by tall buildings*
- *Loss of trees on site will diminish the value of the site as a wildlife travel passage from Victoria Park to Museum Gardens and impact other ecology*
- *Concerns about the methodology for carrying out the daylight and sunlight impact assessment*
- *Many neighbouring buildings will lose daylight and sunlight which will impact the health and wellbeing of residents with some losses over 20% according to the report produced*
- *Loss of light and the following buildings cited: Cleland House, Good Rich House, Rosebery House, Pomeroy House, Vicarage House, Sankey House, Goodrich House, Kemp and Piggot House, Sabi Court, Park View Estate, 327 to 329 Morville Street, basement flats on Bonner Road*
- *Many of the neighbouring properties assessed in the submitted Daylight and Sunlight Report have combined their kitchen and living space, but the assessment doesn't reference this and acknowledge the 'habitable space'*
- *Increased opportunities for overlooking into neighbouring properties resulting in a lack of privacy*
- *Overshadowing of neighbouring properties results in less passive heating from the sun*
- *The demolition and construction phases of the development will be harmful to peace and wellbeing to surrounding residents*
- *The development will put a strain on the local transport network (Sewardstone Road is already heavily trafficked as it is a cut through to A12, presence of Gatehouse School also generates a lot of traffic in peak hours)*
- *In spite of the proposed development being 'car-free' there is nothing to stop new residents buying cars and parking them on-street*
- *Bethnal Green underground station is already at capacity during peak times, and the additional residents from the proposed development will worsen the situation*

- *Delivery, servicing and waste collection trips associated with the development will increase traffic on local surrounding roads*
- *The additional residents from the development will strain the already limited social infrastructure (nurseries, schools, GPs, dentists)*
- *Local residents should have access to any new amenities included in the new development (e.g. gym)*
- *Misleading CGI imagery*
- *Potential to set a precedent for further development*
- *There are potential other uses which would be more appropriate*
- *Increased pollution*
- *Noise disturbance at night*

4.6 Additionally, the following issues were raised which do not constitute material planning considerations.

- *Excavation of foundations for new buildings could cause subsidence of surrounding buildings*
- *Inadequate level of consultation with local residents in area*
- *Late notification of proposals from Clarion*
- *Public consultation by Clarion done within Ramadan*
- *Clarion consultation only done in English and didn't accommodate speakers of other languages*
- *A neighbourhood consultation event could have been held at a community hall close to the site, of which there are 2*
- *Parkview Residents Association were not consulted*
- *Clarion have a track record of neglecting resident welfare evidenced by deficiencies in ventilation, lighting and housing affordability.*
- *Market properties will be used as buy to rent pricing local people out of the area*
- *The development should prompt a reconsideration of policies relating to mansard roof developments on single dwellinghouses and a re-appraisal of conservation area guidelines*
- *Right to light concerns*

4.7 It is also noted that there is a petition on the website change.org which was started by the Parkview Residents Association Secretary and has 799 signatures at the time of publication of this report. The petition has not been presented to the LPA but officers were made aware of it during the course of the application. It is not clear how many of the signatories to the petition are Tower Hamlets residents as only names are included. The petition calls on the council to:

- Reduce the height of the proposed new Buildings to 3-5 storeys
- Require the developer to change the proposal so that the current levels of daylight and sunlight are maintained for the benefit of the surrounding flats and houses.
- Respect the stipulations of the Victoria Park Conservation Area
- Require the standard of new homes to be improved in terms of light levels and ventilation.
- Provide genuinely affordable housing for local people including social housing.

4.8 A link to the petition can be found here:

<https://www.change.org/p/london-chest-hospital-and-sotherby-lodge-development>

4.9 The Parkview Residents Association submitted two documents accompanied by a further objection letter the business day before publication of this report. The first is a letter from a daylight/sunlight consultant addressing concerns with the submitted daylight, sunlight and overshadowing report and the second being an overshadowing study prepared by an architecture firm. Both of these reports have been passed to the applicant and the LPA's appointed daylight/sunlight consultant for further review and comment which will be further addressed in an update report prior to the committee meeting.

5. CONSULTATION RESPONSES

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

5.2 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

External Consultees

Active Travel England

No comments to make.

Canal and Rivers Trust

The C&RT highlighted potential impacts to the Regent's Canal to the north of the site including potential overshadowing and increased usage of the canal by the additional local residents and visitors. Securing of a contribution towards towpath improvements was requested.

City of London

No comments to make.

Environment Agency

No comments to make.

Gardens Trust

No response received

Greater London Authority

Land Use Principles: The relocation and reprovision of the healthcare services was considered acceptable under the previous scheme. However, GLA officers seek reconfirmation from the Council that the proposal meets policy requirements on replacement social infrastructure. The delivery of 274 residential units on a brownfield site positively responds to local and strategic housing targets. The provision of the bus drivers' facility positively responds to strategic transport policies.

Affordable Housing: The proposal delivers 121 affordable housing units (50% by habitable room) with a tenure split of 72.6% social rent / 27.4% shared ownership. This could follow the Fast Track Route, subject to confirmation it will be delivered without public subsidy and meets other relevant policy requirements. The quantum of affordable housing, an early-stage implementation review, suitable affordability and eligibility criteria for affordable housing products must be secured in the legal agreement, for review prior to Stage II.

Heritage: The proposal will result in less than substantial harm to both direct (on-site) and indirect (nearby) heritage assets, between a very low to middle level. GLA officers have recommended conditions and obligations to minimise and mitigate this harm. There are heritage and public benefits associated with the scheme, including the restoration of the Grade II at Risk building for longevity and public realm access. However, a balancing exercise will be undertaken at Stage II once the full benefits package is clear and secured.

Other issues on urban design, fire safety, transport, sustainable development and environmental matters also require resolution prior to the Mayor's decision making stage.

Health and Safety Executive (Gateway One)

The fire safety measures meet the requirements for Gateway One.

Historic England – Archaeology

No objection subject to securing conditions relating archaeological and historic building investigations and public engagement

Historic England

Historic England welcomes these revised plans for the former London Chest Hospital which we consider to be a considerable improvement on the previous scheme for the site and would address the conservation needs of this vulnerable listed building. We are particularly pleased to see the retention of the south wing and more sensitive approach overall. We do still consider that some harm would arise from the scale and massing of the new buildings, and the loss of the former Nurses Accommodation Building which should be taken into account in determining the applications.

We consider that some 'less than substantial' harm would arise from the loss of the Edwardian Nurses Accommodation and from the scale of development within the wider site.

The NPPF requires harm to be weighed against the public benefits of a proposal by decision makers (NPPF Para 208) which can include heritage benefits (PPG, Para 020). We consider there to be many opportunities to deliver heritage benefits through the removal of later accretions, and the revealing of the historic plan form, room proportions, and concealed features.

London Borough of Hackney

No response received

London Fire & Emergency Planning Authority

The London Fire Brigade raised various concerns about various detailed aspects of the construction and layouts.

[OFFICER NOTE: The comments raised by the LFB raised no immediate concerns and primarily relate to building regulations which will be dealt with at the next detailed design stage, and are outside of the remit of fire safety for planning purposes. A response has been provided by the applicant confirming this.]

Marine Management Organisation

No comments to make.

Metropolitan Police – Crime Prevention

No objection. Standard secure by design condition requested.

National Amenities Societies

Victorian Society

The London Chest Hospital was constructed between 1851-5 to address the need for a place of treatment for respiratory disease (at the time these were thought to be particularly contagious and patients were often turned away from other hospitals). An architectural competition was held for the design of the hospital, which was envisaged to be 'as far as possible a model of its kind'. The competition was awarded to F. W. Ordish, who unusually took the 17th century as his inspiration, and the finished building displays a debt to the hospital buildings of Robert Hooke and Sir Christopher Wren, as well as the domestic architecture of Sir Roger Pratt. This makes the historic hospital building almost unique for the period in terms of its architectural style, particularly in use for a hospital building.

During the 20th century the building was extended, a nurse's accommodation building was constructed east of the main building, and the central tower was altered from its original form, yet evidence shows that this was not the result of bomb damage during WW2.

The Victorian Society raised serious concerns when consulted on previous applications for this site. Yet we recognise the improvements that have been made in the current proposal.

The greater respect for the historic fabric of the hospital building, and increased amount of open space between the new development is welcomed.

However there is room for further improvement. We welcome the retention and repair of the tower structure, yet there could be further enhancement to the building's significance if the tower was restored to its original form, as can be seen in historic photographs. The original tower was the crowning feature of the hospital and made it a landmark, proclaiming the donors' pride in providing much needed medical provision.

Considering that the original tower is deemed capable of restoration rather than reconstruction, we urge the applicant to pursue the restoration of the original form of the tower in its entirety. The continued proposed demolition of the historic nurse's accommodation building would harm the historic legibility of the hospital site. However, we understand that this building has been significantly altered, and we can accept its demolition.

Yet, the proposed buildings interact poorly with St James Avenue, and unlike the existing buildings do not follow the line of the road, forming a dissatisfactory boundary for the hospital site. If the new development followed the line of the road this would help preserve the character of St James Avenue, and therefore the Victoria Park Conservation Area.

Furthermore, this would in turn create more interesting open spaces within the site. The NPPF makes clear the desirability of sustaining and enhancing the significance of heritage assets, and states: '212. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.' There are opportunities for the applicant to enhance the significance of the heritage asset further and we recommend these are pursued.

National Grid

Cadent Gas

No objection subject to inclusion of informative.

Natural England

No objection.

NHS North East London

No comments received.

Thames Water

No comments received.

[OFFICER NOTE: whilst no comments were received from Thames Water, officers have included a piling method statement condition which is standard for this scale of scheme in order to protect below ground Thames Water assets.

Tower Hamlets Quality Review Panel (QRP)

The QRP were presented the scheme on three occasions, first in April 2023 and again in September 2023 prior to submission of the application where a full panel was presented with the proposals. There was then a third Chair's Workshop QRP in May 2024 following submission of the application in order to obtain the panels support for amendments that had been made following the final pre-application QRP session.

Initial Meeting

Overall, the panel stressed that they were incredibly supportive and excited by what is being proposed. They praised the applicant team for an excellent presentation and high quality scheme. They stressed that they hoped that their comments would help strengthen the proposals moving forward and help to develop improvements with key areas of focus being:

- Further consideration of movement to and across the site;
- The creation of a hierarchy of spaces across the site focusing on where areas of private, semi-public and public spaces are located;
- Further consideration of St James the Less Square and whether commercial space in this location is appropriate;
- Consideration of retaining the Nurses accommodation and then pushing the standard of design in this location to deliver a building that is bold and ambitious both in terms of the environment and heritage response;
- Consideration of reinstating the railings with entry points for the key movement routes only but a more detailed study of wider pedestrian movement to inform this decision is required. In turn, addressing the 3 corners of the site in a more deliberate way to respond to the wider context and routes.

Second QRP session

In general the panel felt that the proposals had moved forward. In particular they felt that the masterplan was very good and that it offered the foundations for a very good scheme to come together.

The Panel felt that Building E was a missed architectural opportunity. This is a great location, opposite to the entrance to Victoria Park, it deserves to be a stunning piece of architecture in views as you come from the park. It also offers the opportunity for flats overlooking the park. At the current time the design does not appear to be making the most of this special location and the views it offers.

The panel suggested that the form and location of the external staircase to Building A needed further consideration. They suggested that the applicants take this matter away and explore alternative solutions, as at the moment the relationships appear problematic.

In addition to the review of the staircase to Building A, and potential alterations to particular units within the main hospital to improve their quality they hoped that they had offered some comments which might prove helpful in terms of accenting of the elevations to try and create a scheme which is more locally distinctive and more bespoke. In particular, they would encourage the architects to try to introduce some strong interest and refined articulation to the proposals to increase the excitement of the elevations.

Chair's Review

Discussions were had around the external staircase to Building A and it was felt that a simpler, calmer treatment to the façade of the staircase may be more appropriate in terms of addressing concerns raised and providing better transparency.

Proposals for Building E were considered to be much improved. The proposals have moved away from the rectangular form, have included more relief in the façade and encompass corner bays with views over the park. The design overall is felt to be more coherent and presents more as a gateway building from the park. However queries were raised regarding brick detailing to the top of the building.

Careful consideration needs to be given to ensure potential for overheating within the scheme is mitigated. This was seen as significant given the open south and west aspects of the scheme.

In general the scheme was felt to have developed very positively since it was last considered by the panel, and is supported. Some further focus on the external staircase is recommended to ensure that the opportunity for anti-social behaviour is reduced as far as possible

[Officer Note: Amended drawings of the staircase to Building A have been provided which are assessed as part of this report. The design and access statement also deals with the brick detailing to Building E. Overheating is dealt with elsewhere in this report.]

Transport for London

No comments received.

Transport for London – Buses

No comments received.

Internal Consultees

LBTH Arboriculture

The tree officer is generally satisfied with the British Standard categories attributed to each tree and the revised, precautionary approach to each tree's Root Protection Area (RPA) measurements and is of the opinion that facilitation pruning on St James Avenue will have negligible effect and ensure healthier trees in the long term.

Satisfied with the retention methodology and construction protection measures, including the wind baffle, proposed for the Mulberry tree which will safeguard the survival of the tree during construction and help safeguard its longevity post development.

The proposals retain 53no. trees and necessitate the loss of 20no. trees and 2no. groups of colonising scrub and defunct hedging. This will result in an initial circa 10% reduction of canopy coverage from the site.

No objection to removal of the Category C trees or T33, T35, T43 or T45 within Category B.

T22 and T58 are provisionally retained, pending further investigation as per condition wording, but the tree officer is confident of their retention.

Objection to the removal of T4, T12, T13 and T52 as mitigation of loss of amenity is unlikely to be achieved due to the significance of impacts on that amenity and no arboricultural reason for removal.

Should permission be granted, conditions will be required to secure: details of protection of trees during construction, including installation and removal of temporary structures such as scaffolding, tree planting methodology, replacement of any tree that dies during construction with a net gain of 2:1, evidence of viability of planting.

LBTH Biodiversity

No objection, if the application was to be approved, conditions would be required to secure a biodiversity mitigation and enhancement plan and protection of birds and bats during site clearance and demolition.

LBTH Energy & Sustainability

No objection, if the application was to be approved, S106 legal agreement to secure: carbon offsetting contribution and the GLA 'Be seen' requirements.

If the application was to be approved, conditions would be required to secure: as-built calculations to demonstrate delivery of anticipated carbon savings and monitoring requirements of the GLA 'Be Seen' policy; maximisation of renewable energy generating technologies on-site; BREEAM 'very good' for all commercial units <500m² at the latest BREEAM methodology relevant to that phase.

LBTH Environmental Health

Air Quality

No objection, if the application was to be approved, conditions would be required to secure; dust management plan; mechanical ventilation details; PM10 monitoring; kitchen extract standards for commercial uses, construction plant and machinery details.

[OFFICER NOTE: The dust management plan and PM10 Monitoring now form part of the new code of construction practice checklist and so will fall under that condition.]

Contaminated Land

No objection, if the application was to be approved, conditions would be required to secure details in order to identify the extent of the contamination and the measures to be taken to avoid risk when the site is developed

Noise & Vibration

No objection, if the application was to be approved, conditions would be required to secure details of noise insulation verification for residential uses, noise from plant, S61 restrictions on demolition and construction activities, limiting amplified music from the commercial/community facility

LBTH Environmental Impact Assessment

The submission has been accompanied by an Environmental Statement which has been assessed along with the Council's external consultant (Temple). Further details are included in section 7 of this report.

LBTH Growth & Economic Development

No objection, if the application was to be approved, S106 legal agreement required to secure provision of financial contributions towards construction phase and end use phase job opportunities, and non-financial obligations towards construction phase apprenticeships, local job opportunities and local procurement.

LBTH Health Impact Assessment

The Health Impact Assessment officer raised various queries regarding consultation, gender and other inclusivity measures in the design of the scheme with particular focus on public realm, the loss of the health facility use and impacts on health during construction. They also suggested various improvements to the public realm design to improve green-grid links and further opportunities for food growing.

LBTH Housing (Including Occupation Therapists)

Housing officers raised concerns regarding the mix of sizes of homes within the private and intermediate tenures, the layout of some of the affordable homes including the decision not to enclose some of the kitchen spaces in larger homes and have bedrooms located directly off living spaces.

However housing officers also supported the number of family sized homes within the affordable rent tenure and the number of wheelchair accessible homes within that tenure.

They also raised various queries relating to the allocation of blue-badge spaces, provision and management of communal amenity spaces as well as the location of some of the intermediate units dispersed throughout Block C.

The occupational therapists provided comments on the layout and fit-out requirements for the wheelchair units.

LBTH Sustainable Urban Drainage

No objections subject to securing SUDS Strategy by condition.

LBTH Transportation & Highways

No objection. The applicant has engaged positively with the Highways team on this development site over a number of years. In general there are no objections to the land use proposed for this location in terms of highways.

If the application was to be approved, conditions would be required to secure: all blue badge parking bays (17) to be retained and maintained for their approved use only for the life of the development, Car Park Management Plan, Travel Plan, Deliveries and Service Management Plan, Construction Management Plan, Cycle Parking Management Plan.

If the application was to be approved, S106 legal agreement would be required to secure: 'Permit Free' agreement which restricts all future residents (other than those that are exempt) from applying for parking permits on the surrounding public highway; s278 legal agreement to secure highways improvement works including ATZ improvements.

LBTH Waste

No objections following clarifications provided, subject to a site waste management plan condition being applied to any permission

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 November 2023, the Tower Hamlets Draft New Local Plan (Regulation 18 Consultation Version) was published and public consultation ran from 6 November 2023 to 18 December 2023. This is currently considered to carry minimal weight in the decision making process.

6.3 In this case the Development Plan comprises:

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

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

Land Use (residential, employment, retail, restaurant, cultural)

- London Plan policies: H1, E9, S1, S2, HC5, HC6
- Local Plan policies: S.H1, S.EMP1, D.EMP2, D.TC3, D.TC5, S.CF1, D.CF2, D.CF3

Housing (affordable housing, housing mix, housing quality)

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

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

- London Plan policies: D1, D3, D4, D5, D8, D9, D11, D12, HC1, HC3
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7

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

- London Plan policies: D3, D6, D14
- Local Plan policies: D.DH8, D.ES9

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

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

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

- London Plan policies: G1, G4, G5, G6, G7, G8, SI1, SI2, SI5, SI7, SI8, SI12, SI13, SI17
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.MW3, S.OWS1, S.OWS2, D.OWS3

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

National

- National Planning Policy Framework (2023)
- Planning Practice Guidance (as updated from time to time)
- National Design Guide (2021)
- National Model Design Code

Greater London Authority

- Affordable Housing LPG (Draft)
- Development Viability LPG (Draft)
- Digital Connectivity Infrastructure (Draft)

- Fire Safety LPG (Draft)
- Air Quality Positive LPG (2023)
- Air Quality Neutral LPG (2023)
- Characterisation and Growth Strategy LPG (2023)
- Housing Design Standards LPG (2023)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Urban Greening Factor LPG (2023)
- Circular Economy Statements LPG (2022)
- Sustainable Transport, Walking and Cycling LPG (2022)
- Whole Life Carbon LPG (2022)
- Be Seen Energy Monitoring LPG (2021)
- Public London Charter LPG (2021)
- Affordable Housing and Viability SPG (2017)
- Housing SPG (2016)
- Social Infrastructure SPG (2015)
- Accessible London: Achieving an Inclusive Environment SPG (2014)
- The Control of Dust Emissions during Construction and Demolition SPG (2014)
- Play and Informal Recreation SPG (2012)
- All London Green Grid SPG (2012)
- Planning for Equality and Diversity in London SPG (2007)
- Accessible London SPG

Tower Hamlets

- Planning Obligations SPD(2021)
- Reuse, Recycling and Waste SPD (2021)
- High Density Living SPD (2020)
- Development Viability SPD (2017)
- Central Area Good Growth SPD (2021)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- Victoria Park Conservation Area Character Appraisal and Management Guidelines (2009) and addendum (2016)
- Tower Hamlets Biodiversity Action Plan 2019-2024

Other

- Managing Significance in Decision Taking in the Historic Environment Historic England Good Practice Planning Advice Note 2 (2015)
- The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017)
- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment, English Heritage (2008)
- Conservation Area Appraisal, Designation and Management – Historic England Advice Note 1 (second Edition) (2019)
- Making Changes to Heritage Assets, Historic England Advice Note 2 (2016)
- 3rd edition of the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight': a good practice guide' (2022).
- Ancient woodland, ancient trees and veteran trees: advice for making planning decisions (2022)
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

7. PLANNING ASSESSMENT

- 7.1 Before progressing to an assessment of the key issues raised by the proposed development, it is important to acknowledge and discuss the role the planning history of the site plays in the assessment of the present proposals. The previous planning and listed building consents which were granted in 2021 (references PA/16/03342 and PA/16/03343) granted permission for an extensive redevelopment of the site to provide 291 new homes, 35% of which would be affordable homes, and a new community facility. That scheme was then successfully challenged by way of Judicial Review on the basis that the Committee Report and the advice at the Committee meeting had misinterpreted (then) paragraph 175c of the NPPF relating to the loss of or deterioration of veteran trees in a number of ways, which had affected its approach to the risk of the tree dying as a result of its proposed relocation. All other grounds within the judicial review were dismissed.
- 7.2 That permission, and associated listed building consent, was therefore quashed and remitted to the LPA for re-consideration. The applicant opted not to pursue the previous application and the present application has instead been submitted by a new applicant, albeit they were involved in the previous joint venture which applied for the quashed permission.
- 7.3 Whilst the previous quashed consent itself is capable of being a material consideration in determining this application, officers advise that it should carry little, if any, weight. However, the assessment made as part of that application, for the most part, remains sound with the High Court concluding that it was the interpretation of policy that was at fault, not the assessment. The primary difference is that the reason why that decision was quashed has fallen away given the Mulberry Tree will be retained in its current location. Therefore, a certain level of consistency needs to be struck between the assessments made under the previous applications and within the present applications.
- 7.4 Notwithstanding this, the present applications still require consideration entirely on their own merits and in line with the development plan unless material considerations require otherwise. Therefore references to assessments made under the previous application are only made where relevant, applicable and appropriate and only to demonstrate a consistent approach to application of relevant policies and where the present scheme offers enhancements above and beyond those presented by the previous (quashed) proposals.
- 7.5 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

Loss of Healthcare Use

- 7.6 The site was historically used to provide health facilities, namely a hospital, operated by the Barts Health Trust of the NHS. The hospital was closed in April 2015 with the healthcare facilities being relocated to both the Royal London Hospital in Whitechapel and the Barts Health Centre at St Bartholomew's Hospital in central London. The site has remained vacant since the hospital closed and no other use has occurred within the site since.

- 7.7 Local Plan Policy D.CF2 requires that existing community facilities must be retained unless it can be demonstrated that either (a) there is no longer a need for the facility or an alternative community use within the local community, or (b) a replacement facility of similar nature that would better meet the needs of existing users is provided. Additionally, London Plan Policies S1 and S2 will also apply to the scheme and state that:
- a. development proposals that seek to make the best use of land, including the public sector estate, should be encouraged and supported
 - b. Where proposals result in a loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment, they will be required to demonstrate a realistically re-provision that continues to serve the needs of the neighbourhood and wider community, or the loss is part of a wider public service transformation plan
 - c. Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered
- 7.8 No replacement health facility will be provided and no community facility of a similar scale will be provided either. Under the previous application, it was confirmed that there was no requirement for the ongoing use of the site to provide health services and that the healthcare need for this part of the borough would be better met by the provision of a new primary care service at the nearby Suttons Wharf development to the south east of the site, which would also include the capacity to accommodate growth in the area negating any need for any additional healthcare facilities. That healthcare facility has since been built out and includes the site within its catchment area. Officers therefore remain satisfied that there is no ongoing need for a healthcare facility on the site.
- 7.9 As for alternative community uses (for example schools, leisure facilities, places of worship), there is no known identified need for any other specific community facility within the area outside of those which are already provided for within site allocations within either the adopted or any emerging local plan. The site being in such close proximity to Victoria Park also provides for a sporting and recreational facilities.
- 7.10 The proposal also includes a small community/commercial space which is intended to be operated as a community café type facility in a similar way to the Beehive Café in Bethnal Green or the Yurt Café in St Katherine's Dock. This will provide an additional, if small, community facility.
- 7.11 It should also be noted that the loss of the community facility was considered to be acceptable to both the LPA and the GLA under the previous scheme. There are no known changes to policy or significant changes in circumstances that would lead to this conclusion being different on this occasion.

Provision of housing

- 7.12 National and regional planning policies all promote the provision of housing. Chapter 11 of the NPPF requires planning policies and decisions to promote an effective use of land (subject to compliance with all other policies within the NPPF) and paragraph 124 (c and d) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and promote and support the development of under-utilised land and buildings.
- 7.13 London Plan Policy H1 sets a strategic expectation that the Borough will need to deliver 34,730 homes as a 10-year housing target between 2019/20 and 2028/29. That policy seeks to optimise the delivery of housing through, amongst other things, developing highly accessible locations and through the redevelopment of surplus utilities and public sector owned sites. Local Plan Policy S.H1 refers to the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year. Whilst new homes are stated to be focused towards the London Plan's designated Opportunity Areas,

and site allocations, there is no designation of the site which would eliminate housing as an acceptable use.

- 7.14 The proposals are seeking to redevelop a surplus facility on ex-public land, which has not been used for any other use since the previous health facility was deemed to be surplus to requirements. The provision of 274 new homes on the site would assist the borough in meeting its housing targets, would contribute to providing mixed and balanced communities and meeting strategic housing needs across London.

Commercial/community facility

- 7.15 A small commercial/community facility of approximately 125sqm will be provided on the site. This will be located within the South Wing and therefore be within the historic part of the site, which is supported. The proposal for this to be run as a community-café has been agreed by the applicant and will be secured by way of planning obligation which will require submission of a strategy detailing the community use that any occupier would be required to employ, with the facility to be let to an occupier who is committed to this type of use whilst also ensuring that the space can be used free of charge by local community groups after hours if finding a suitable community-focussed tenant is not possible within a set time period so that the facility does not remain vacant for a significant period of time. The same requirements would apply whenever the unit is re-let. This type of use is acceptable and would be a positive benefit to the development and the wider community as a whole.

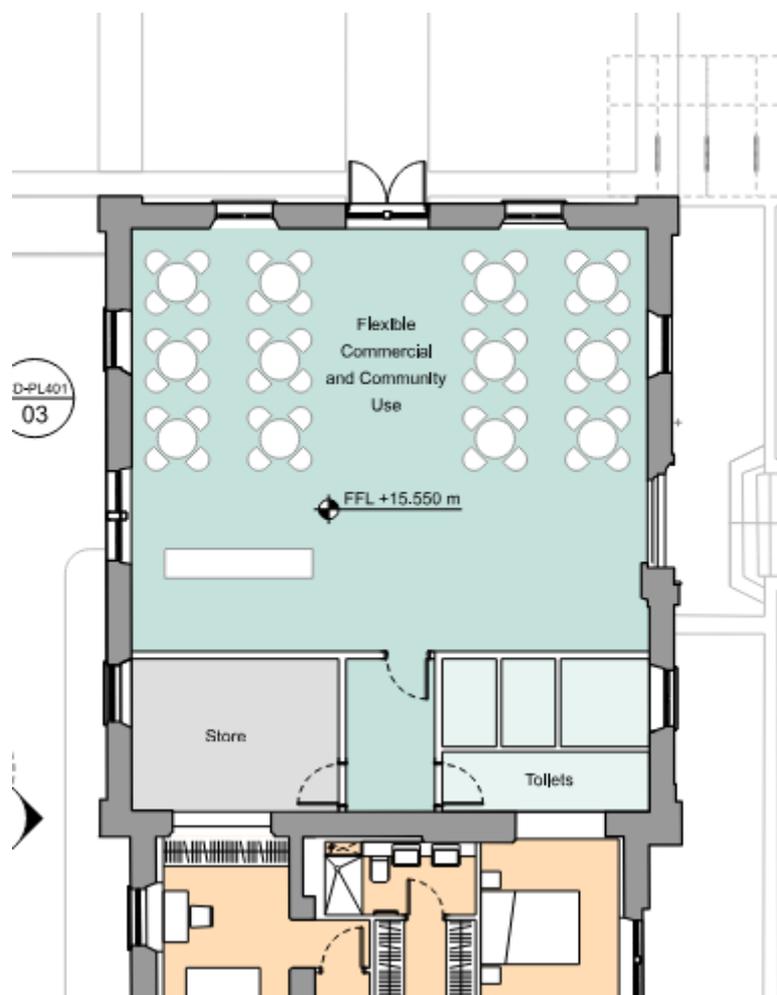


Figure 4 – Floor plan of proposed commercial/community facility

Conclusion on land use

- 7.16 The proposed residential-led development with a small commercial/community facility would be acceptable in principle, subject to all other policy considerations. The previous healthcare facility has not existed on the site for nearly a decade, the need for which is met by other facilities elsewhere in the borough.

Housing

- 7.17 The proposed development will provide 274 new homes representing 838 habitable rooms and equates to 19,052sqm of residential floorspace.

Affordable Housing

- 7.18 Of importance to the level of affordable housing to be provided by the development is that the land was last in use by the Barts Health Trust of the NHS and so should be treated as being “public sector land” for the purposes of the London Plan, being “land that is owned or in use by a public sector organisation, or company or organisation in public ownership, on land that has been release from public ownership on which housing development is proposed” (paragraph 4.5.5).
- 7.19 London Plan Policies H4 and H5 require housing to be delivered on public sector land to provide at least 50% affordable housing (based on numbers of habitable rooms and not the actual number of homes) to follow the fast track route of the threshold approach and avoid any requirement to submit to viability testing. Policy H6 goes on to say that, of that 50% of affordable housing, a minimum of 30% as affordable rent, 30% as intermediate housing products and 40% to be determined by the borough as either affordable rent or intermediate housing, to be applied to the first 35% of homes provided as affordable housing. It is also required that the threshold levels have been met without public subsidy.
- 7.20 Local Plan policies S.H1 and D.H2 set the relevant tenure split at 70% rented and 30% intermediate. In order to maximise the affordability of affordable rented homes for Tower Hamlet’s residents, policy D.H2 stipulates that 50% of the units should be secured as London Affordable Rent (LAR) (as set by the GLA) and 50% as Tower Hamlets Living Rent (THLR). Affordable housing is allocated to those on the Council’s Common Housing Register waiting list based on priority of housing need.
- 7.21 in terms of intermediate housing, London Shared Ownership (LSO) and London Living Rent (LLR) are the preferred recognised products. LSO allows a proportion (25% to 75%) of the value of a property to be purchased with rent paid on the remaining share, along with the ability to staircase up to 100% leasehold ownership (available to households on incomes of up to a maximum of £50,000 for a 1-bedroom property to £90,000 for a 4-bedroom property). The present scheme is proposing LSO homes.
- 7.22 The proposals will provide the below housing tenure split.

Tenure		Number of units	Number of habitable rooms	As a percentage of habitable rooms	As % of affordable
Market		153	419	50%	N/A
Affordable	Affordable Rent	76	419	50%	72.6%
	Intermediate	45			27.4%

Figure 5 – Housing Tenure Mix

- 7.23 London Plan Policy H5 requires the 50% provision of affordable to be without the use of public subsidy in order to follow the Fast Track Route within the London Plan Policies. Whilst this has not been confirmed by the applicant, the GLA have confirmed to the LPA that they will treat the scheme as following the Fast Track Route, irrespective of whether this has been

confirmed or not. The proposals have therefore not been tested for viability and will instead be subject only to an early stage review if required in line with Policy H5 of the London Plan.

7.24 As demonstrated above, the proposals will comply with the requirements to provide both 50% affordable housing in relation to number of habitable rooms across the site, the split of which will be policy compliant with just over 70% of those affordable homes being affordable rent, again by habitable room. Even though the policy requirement is to provide an event split across these homes at LAR and THLR, the applicant is proposing to offer the homes at true Social Rent, which is calculated both on average rental rates and average earnings, and is capped nationally at levels indicated below.

Table 4: Formula rent caps for 2024-25

Number of bedrooms	Rent cap
1 and bedsits	£188.04
2	£199.09
3	£210.15
4	£221.19
5	£232.26
6 or more	£243.31

Figure 6 – Weekly Social Rent caps for the year 2024-2025

7.25 Social Rental levels are cheaper than both LAR and THLR and so ultimately the homes will be more affordable than if the scheme were to be fully compliant with current policy. Officers are therefore satisfied that the provision of all affordable rented homes within the scheme as Social Rented homes to be acceptable.

7.26 This level of affordable housing represents a very high level which is rarely seen in private developments within the Borough. The level of affordable housing to be provided by the scheme is strongly supported and the high level of provision of Affordable Rent, in line with Local Plan Requirements, is also strongly supported.

7.27 The previous scheme would have only provided 35% affordable housing overall, with 73% of those homes being affordable rented. That figure was tested for viability at the time of the previous application and was found to be the maximum reasonable amount of affordable housing that could be viably provided. The current scheme will therefore provide an additional 35 affordable homes, 18 of those being affordable rented homes.

7.28 The affordable housing provision will be secured by obligation in s.106 agreement.

Dwelling Mix

7.29 London Plan Policy H10 requires developments to comprise a range of unit sizes. Tower Hamlets Local Plan Policy D.H2 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).

7.30 The proposed dwelling mix is set out below:

		Market			Affordable Housing					
					Intermediate			Affordable Rent		
Unit Size	Total Unit	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	2	2	1%	-	0	0%	-	0	0%	-
1B	79	46	30%	30%	20	44%	15%	13	17%	25%
2B	145	96	63%	50%	25	56%	40%	24	32%	30%
3B	37	9	6%	20%	0	0%	45%	28	37%	30%
4B	11	0			0			11	14%	15%
Total	274	153	100%	100%	45	100%	100%	76	100%	100%

Figure 7 – Proposed dwelling size mix

- 7.31 Within the market sale tenure, the proposed dwelling mix is broadly in accordance with policy targets, although there will be 2no. studio units within the provision, and there is an under provision of larger family-sized 3 and 4 bed homes with an equivalent overprovision of 2 bed homes. Whilst no provision is made within the local plan for studio units, these are to be located within the historic building and it is acknowledged that the provision of homes within this building has been maximised as far as possible to provide an acceptable tenure mix whilst also ensuring that the number of homes provided overall is optimised whilst also and dealing with heritage issues, including retaining the historic plan form.
- 7.32 There is also an under provision of larger family homes within the intermediate tenure with no homes being provided above 2 beds and the lion's share of the overprovision being provided as 1bed homes. It is noted that larger family sized intermediate homes, particularly when provided as shared ownership as is proposed, tend to be more difficult to sell once they have actually been built out.
- 7.33 The affordable housing provision is generally largely in accordance with policy targets albeit that there is a slight under provision of 1 bed homes. However, there is an overprovision of 3 bed homes, with no 3bed 4person homes provided within the 28 homes of that size. There will also be 11 x 4bed homes within that tenure. This is seen as a very positive mix for the borough, particularly given the significant quantum of affordable homes being provided in general terms by the development.
- 7.34 Overall, Officers are of the opinion that there is sufficient justification for a degree of flexibility in relation to the tenure split, provision of market sale studio units and under provision of large family homes in both intermediate and market tenures, taking into consideration the very favourable proportion of overall affordable housing at 50%, including the high proportion of family-sized affordable rented dwellings at 51% of the affordable rent homes.
- 7.35 It should also be noted that the current scheme provides a much more policy compliant mix of dwelling sizes than the previous scheme. The current scheme provides significantly fewer studio units and

significantly more family sized homes both overall and in the affordable rented tenure. The previous scheme would have only provided 20 family sized affordable rented homes, which would have been below the policy requirements at the time but was considered to be acceptable. There would also have been 36 studio units as part of the previous scheme, all of which were private sale.

Quality of Residential Accommodation

Housing Standards and Guidance

- 7.36 London Plan Policy D6 requires housing developments to be of a high quality and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. That policy goes on to set out various qualitative aspects of the design of housing include space standards, daylighting and sun lighting and aspects. London Plan Policy is supplemented by the Housing Design Standards London Plan Guidance 2023, which sets out various requirements for housing design within London. The GLA state that the extent to which proposed developments depart from the approach set out in the LPF should be taken into account in decision making and so it should not be applied mechanistically and also acknowledge that some deviation from the LPG may actually represent the most appropriate design solution on occasion.
- 7.37 Local Plan Policy D.H3 supplements London Plan policy and guidance by setting out the Borough's own expectations on housing standards, requiring that new dwellings meet up-to-date space and accessibility standards prescribed within the London Plan with particular regard for minimum internal space standards for unit types, minimum floor to ceiling heights and the provision of 10% 'wheelchair accessible and adaptable housing'. The policy also highlights the requirement that affordable housing should not be of a distinguishable difference in quality.
- 7.38 All of the affordable rented homes will be located exclusively in Buildings A and B to the south of the site, closest to the designated play space with the intermediate homes spread amongst Buildings C and D. The location of the intermediate homes throughout the two buildings provides a mix of options for residents who may wish to purchase a Shared Ownership home and are therefore considered to be appropriately located. Ultimately the applicant is part of the structure of the housing association that will be responsible for all of the affordable housing and so they have also accepted the location of the homes.
- 7.39 Generally, the proposed homes on the site are of an exceptional standard, all either meeting or exceeding the minimum internal space standards set out in the London Plan and LPG. Of the 274 homes provided on site, 28 will be wheelchair accessible, representing 10.2% by habitable room, 7 of which will be affordable rent homes in Building B, with the remaining wheelchair accessible homes spread throughout Buildings C, D, E and F. Housing officers have raised queries regarding the number of bedspaces in some of the wheelchair homes and asked if additional bedspaces could be included, however the sizes of the homes have been maximised to provide the optimum level of affordable housing whilst complying with space standards and so this was not possible to achieve. Specific comments raised by the Borough's occupational therapist relating to the final layout of the wheelchair homes will be addressed via planning condition as the design development reaches later stages.
- 7.40 Housing officers also raised concerns about the layouts of some of the affordable homes including whether kitchens could be separated, the arrangement of furniture and why bedrooms were shown opening straight onto living spaces. Officers note that the floorplans demonstrate how the kitchens can be separated by the insertion of an additional internal partition wall. Whilst these concerns are noted, the floorplans provided, in particular the layout of furniture, are indicative only and will be subject to final design as the later design stages of the scheme progress. Officers propose to address these concerns by securing details of the final floorplans for the affordable homes by planning condition pre-commencement of the construction of the relevant building.
- 7.41 In all of the new-build elements on the site each stair core serves no more than 8 homes at each floor which is in line with the LPA's own design guidelines set out in the High Density Living SPD. However, within Building F this has not been possible to achieve due to the historic

nature of the fabric of the building restraining layouts of floors and not allowing the insertion of additional stair cores. However, the corridors of this building are of an appropriate size to provide comfortable circulation within the building and new lifts will also be installed to allow for wheelchair access throughout the building. The deviation from this requirement is therefore acceptable in relation to Building F. Efforts have also been made to introduce deck access where appropriate to avoid lengthy internal corridors with no natural light or ventilation. It is however noted that there will be some internal corridors which will not benefit from natural light or ventilation in some of the new build elements.

Private Amenity Space

- 7.42 With the exception of 29 homes in Building F (being those which are located at ground floor and up within the historic half of the building), all new homes will have access private amenity space in the form of ground and lower ground level terraces and balconies. These have all been sized in line with Policy D6 of the London Plan. The veranda on the main hospital building will also be repurposed to provide very generous private amenity spaces to those homes in the south western corner of the building. In addition 73sqm of internal amenity space will be provided for residents within Building F over ground floor rooms opening into the courtyard and in the former morgue. The homes without private spaces will all be private sale homes and are located in the listed part of the building and so are constrained in terms of the provision of space. All homes will also have access to the courtyard in the centre of the site at all hours which provides semi-private communal amenity space and the significant quantum of public realm being provided within the site. The site is also in close proximity to Victoria Park.
- 7.43 The lack of private amenity space for those 29 homes within Building F is therefore acceptable.

Noise & Vibration

- 7.44 There are no particular noise concerns raised by the proposed development in terms of the impacts on the proposed housing as there are no particularly sensitive noise generating activities within the vicinity of the site. A condition would be secured with any permission to ensure that appropriate noise and vibration insulation levels are achieved within the proposed homes in line with the submitted Noise Impact Assessment.

Air Quality

- 7.45 The vast majority of the site is not within an identified area of low air quality. There are no particular concerns as regards access to good air quality for the new homes. The proposals have been reviewed by the Borough's environmental health team who raised no objections to the scheme subject to the securing of conditions relating to managing air quality through the construction phase of the development and ensuring that any kitchen extraction equipment is appropriate.

Privacy & Outlook

- 7.46 Impacts on privacy relating to neighbouring existing properties is dealt with elsewhere within this report. This section aims to establish the quality of privacy and outlook for the new homes within the site itself.

7.47 Whilst the distances to neighbouring properties are in full compliance with the 18m separation distance guidance contained within both Local Plan Policy D.DH8 and the High Density Living SPD, the separation distances between the buildings within the site are somewhat more constrained. Figure 8 below demonstrates the separation distances between the buildings.

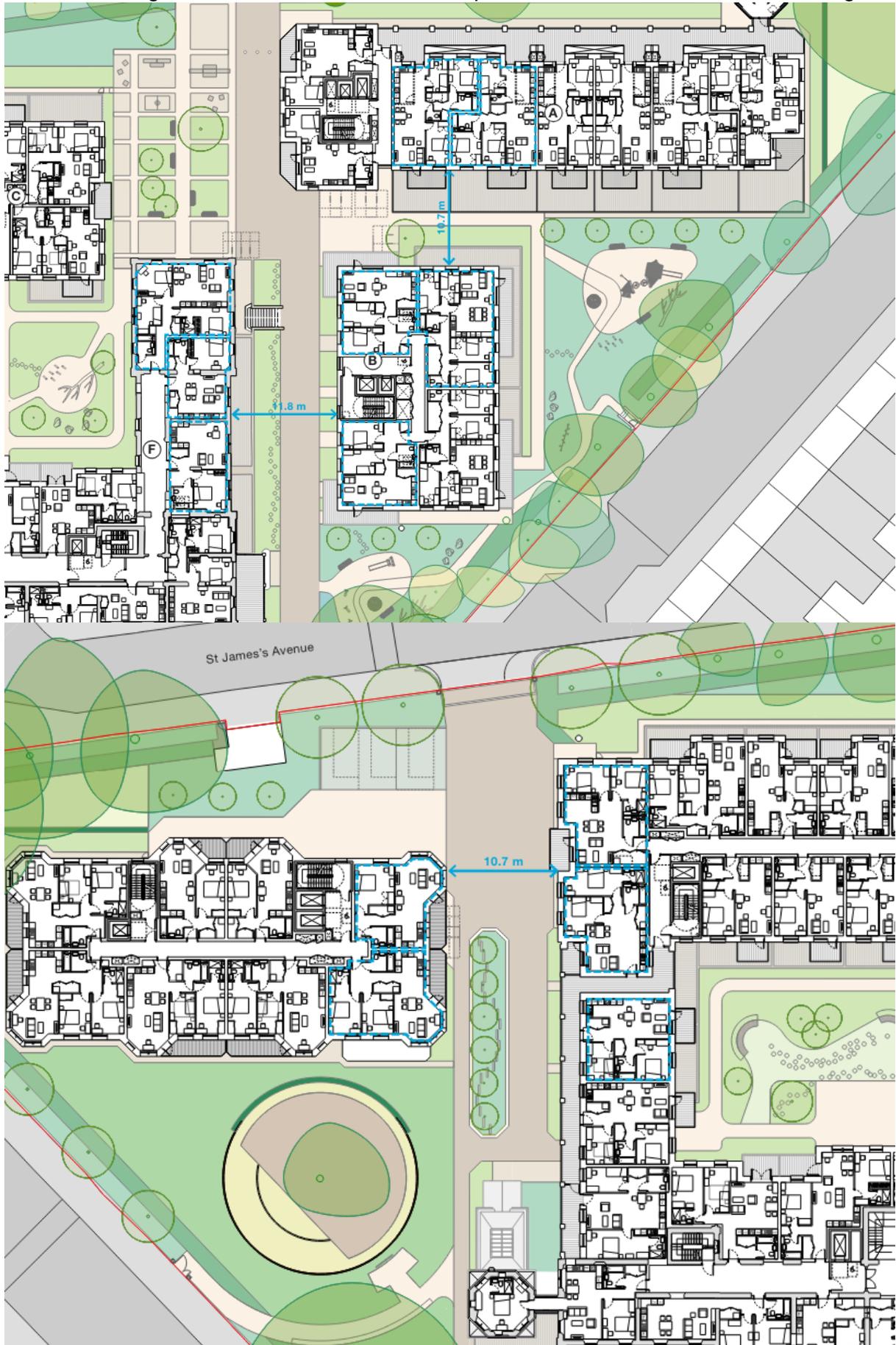


Figure 8 – Separation distances between buildings

- 7.48 As demonstrated above, the proposed separation distances between the buildings are as follows:
- a. Building A and B – 10.7m
 - b. Building B and F – 11.8m
 - c. Building C/D and Building E – 10.7m
- 7.49 In total 36 of the homes in Buildings A, B and F would be impacted and 25 of the homes in Buildings C/D and E would be impacted by direct perpendicular overlooking between windows at these sorts of distances. This is not a significant number when the scheme is considered as a whole and is not uncommon for redevelopment of sites within an urban context. Much work was undertaken at pre-application stage to ensure that these separation distances were maximised as far as possible without impacting further on other considerations such as removal of mature/protected trees or daylight and sunlight impacts as well as heritage constraints relating to impacts to the listed buildings on the site.
- 7.50 Mitigation measures have also been introduced where possible for instance offsetting windows so that there is minimal direct intervisibility between windows and layouts have been designed so that the most sensitive windows are less impacted. This results in a reduction of the number of instances where there is direct intervisibility on a perpendicular plain to the two windows, which has the effect of both elongating the distances between windows and also reducing the angles from which that intervisibility occurs. Additionally, all of the impacted homes in Buildings A, B and E are dual aspect homes and so have additional aspects so the sense of overlooking will be reduced somewhat (albeit it is acknowledged that some of the homes within Buildings A and B have reduced separation distances on both aspects).
- 7.51 Some of the impacted homes within Buildings F and C/D are single aspect, however these are listed for private sale (in the case of Building F and some of C/D) and/or have an additional window providing a mitigated outlook for some of those in Building C. Those single aspect units in Building F are also constrained by the heritage implications of the building in which they are located and so further mitigation is limited.
- 7.52 Overall, it is felt that the level of overlooking between homes on the site itself is limited to a relatively small number of occasions and has been appropriately mitigated where possible to reduced the impacts of any overlooking. Whilst the separation distances between the buildings are closer than in the previous scheme, the mitigation provided and also the lower number of homes impacted overall means that officers are satisfied that the impacts are acceptable on balance.
- 7.53 In respect of other privacy issues related to the new homes, all ground floor homes will be provided with private outdoor amenity space which will also have a defensible planting perimeter to reduce privacy concerns. Defensible planting will also be used within ground floor homes with windows looking out into public spaces. Concerns were also raised with a small number of homes at the southern end of Building A which would have windows looking directly into the door of the external staircase. Amended floorplans have now been provided which retain the size of each home but have a rearranged layout so that this concern is addressed. There are also voids within the deck access in front of all of the windows along the eastern elevation of this building to reduce privacy concerns. These interventions have adequately addressed the privacy concerns.
- 7.54 The Mayor's Housing Design LPG, as well as London and Local Plan Policies require the maximisation of dual aspect homes. The LPG also provides a very clear definition of what would be considered to be dual aspect. Overall 54% (149 homes) of the homes to be provided across the site will meet the definition of dual aspect for the purposes of the LPG, including all but one of the Affordable Rented homes. A significant proportion of the other homes will be treated as single aspect for the purposes of the LPG but will be provided with windows or amenity spaces which enhance the outlook of those homes and allow for an aspect of passive ventilation. When the homes provided within Building F, which are constrained in terms of provision of additional aspects by the heritage nature of the building and limited scope of amending floor plans, are removed that number rises to 61.8% (136 homes).

- 7.55 The LPG, London and Local Plan policy require the elimination of single aspect north facing homes wherever possible as these provide a reduced quality of accommodation through lower levels of access to daylight and sunlight as well as minimal natural ventilation in respect of reductions in overheating. In total there are only 8 north facing single aspect homes which are located in Buildings C and D. The homes in Building C are mitigated by the provision of an additional window in the south elevation which overlooks the access deck and can provide additional ventilation as well as additional access to light. The homes in Building D are mitigated by the provision of increased private amenity space which each overlook the Mulberry Gardens to the north and are significantly more constrained as they are located at the junction between the new-build and the historic hospital building. Other options for providing dual aspect in this location were explored during pre-application but results in a further deterioration of other homes without providing much tangible improvement to the impacted homes. In addition, the homes in Building D will be private sale homes and so the occupants will have knowledge of the situation prior to purchasing the flat.
- 7.56 The overall number of north facing single aspect homes is negligible in relation to the scheme as a whole and mitigation has been sought wherever possible. In addition, the LPG supporting text makes it clear that the intention is that new homes should aim to be dual aspect but recognises that the appropriate design solution may involve some single aspect units. While the amount of single aspect units should be kept to a minimum, this will vary according to the specifics of each site and the design rationale for their use. Overall the number, orientation and placement of single aspect units on the site are acceptable on balance.



Figure 9 – North facing single aspect units

- 7.57 Objections have been raised in relation to the adequacy of ventilation to the flats that will not have passive ventilation by way of dual aspect. Those homes with secondary windows which do not technically meet the definition of dual aspect will still allow for some level of natural ventilation. However, to mitigate any overheating concerns by virtue of the lack of passive ventilation, all homes will also be fitted with Mechanical Ventilation with Heat Recovery (MVHR) Systems. Final details of this will be secured via conditions securing an overheating strategy and details of the MVHR systems to ensure adequate air quality. An additional trim/loop cooling system is also incorporated to units which may experience higher levels of noise when windows are open as an additional measure to ensure cool and well ventilated homes. These measures have been considered in the sustainability of the scheme and final details of the MVHR system as well as an overheating strategy will be secured by condition.

Daylight, Sunlight & Overshadowing

- 7.58 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' (2022).

7.59 The applicant has provided an assessment of the internal levels of daylight and sunlight to be provided to the new homes as well as overshadowing of new amenity spaces, undertaken by Point 2. This has been reviewed by an independent consultant, Delva Patman Redler on behalf of the Council. The assessment provides results for all of the proposed habitable rooms to be created within the proposed development.

- Methodology

7.60 Section 2.1 and Appendix C of the Building Research Establishment (BRE) guidance on Site Layout Planning For Daylight and Sunlight (2022) sets out two methods for assessing the daylighting conditions within new homes. These are Illuminance and Daylight Factor, which are taken from BS EN 17037.

7.61 Luminance is a measure of light falling on a surface, usually measured in lux. BS EN 17037 contains illuminance recommendations based around the illuminances that would be met or exceeded over half of the room, over half of daylight hours over the year. It involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file within the software) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.

7.62 Target illuminance (ET) should be achieved across at least half of the reference plane in a daylit space for at least half of the daylight hours. Minimum Target Illuminance (E_{TM}) should also be achieved across 95% of the reference plane for at least half of the daylight hours; this is the minimum target illuminance to be achieved towards the back of the room. BRE target illuminances are set out in Figure 10.

Room	Target Illuminance (lx) for half of assessment grid
Kitchen	200
Living Room	150
Bedroom	100

Figure 10 – Target Illuminance levels

7.63 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. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage. This method of assessments considers an overcast sky, and therefore the orientation and location of buildings is not relevant. In order to account for different climatic conditions, Annex A within the BS EN 17037 sets equivalent daylight factor targets (D) for various locations in Europe. The median daylight factor (MDF) should meet or exceed the target daylight factor relative to a given illuminance for more than half of daylight hours, over 50% of the reference plane. Figure 11 shows Daylight Factor guidance relevant to London.

Location	Target Daylight Factor for 200 lx kitchen	Target Daylight Factor for 150 lx living room	Target Daylight Factor for 100 lx bedroom
London	1.4%	1.1%	0.7%

Figure 11 – Daylight Factor guidance levels for different rooms in London

7.64 The BRE guidance in respect of sunlight quality for new developments is within section 3.1 of the handbook. The BRE handbook states that the main requirement for sunlight is in living rooms, where it is valued at any time of day but especially in the afternoon. Sunlight is also required in conservatories. It is viewed as less important in bedrooms and in kitchens, where people prefer it in the morning rather than the afternoon. The BRE guide states that, in general,

a dwelling will appear reasonably sunlit provided at least one main window wall faces within 90 degrees of due south, and a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March (spring equinox).

- 7.65 In order to comply with BRE guidance, an amenity area should receive more than 50% coverage of sun-on-the-ground for 2 hours on 21 March (spring equinox).
- 7.66 It is recognised that the requirements set out within the latest 2022 version of the BRE Guidelines are more stringent and difficult to satisfy than previous iterations of the guidance.
- Assessment
- 7.67 Overall 810 rooms were tested as part of the assessment and concluded that 69% of the 810 rooms would satisfy or exceed the recommended daylight factor and illuminance targets and 90% of the new homes would have at least one room which would satisfy the recommended sunlight exposure target. There is therefore a significant number of rooms within the scheme (just over 30%) that would fail to satisfy the BRE guidelines.
- 7.68 The primary causes of the poorer daylight results are that the rooms on the lower floor levels face increased obstruction to daylight as well as those which have windows located beneath balconies. However those rooms will also likely be served by a balcony so access to daylight is provided by that balcony. Finally, a number of the rooms tested have a predominantly north facing aspect and so will inherently have restricted access to daylight.
- 7.69 The LPA's daylight consultant has stated that the level of compliance within the scheme is typical for higher-density modern development and not unreasonable, providing a satisfactory level of adherence to daylight guidelines for a dense housing development.
- 7.70 That said, some of the most poorly lit living rooms would have 50 lux or less (i.e. less than half the minimum recommended for a bedroom). These can be explained by being located at the ground to third floors of Building A, some of the north and east facing units of Building B having windows obscured by balconies, west facing units of Building C at ground to third floor level facing onto the courtyard and being obscured by the retained hospital building, and some of the ground and first floor rooms of Building F which is the heritage building and so are constrained in respect of interventions that can be made to improve the situation. It is noted that there are no simple tweaks or adjustments to layouts which could be undertaken which would improve the results provided, without re-designing the scheme more widely and adjusting building footprints.
- 7.71 The results of the two-hours sun-on-ground and transient overshadowing assessments show that the proposed amenity spaces within the development will generally benefit from adequate levels of sunlight. The internal courtyard marginally falls below the BRE target values, but the outer amenity areas perform well. The level of sunlight provided to the courtyard is not uncommon for this kind of arrangement as there is built form on all sides of the space. This has been constrained by the retention of the south wing as part of Building F. It is also worth noting that during the summer months, when the space is most likely to be used, 84.4% of the courtyard will receive sunlight for at least 2 hours. Additionally, all other amenity spaces meet the requirements of the BRE guidance and so residents can use those amenity spaces when sunlight is not available within the courtyard. The lower levels of sunlight within the courtyard may also provide respite and another option for persons not wishing to remain in the sun for too long on brighter days but remain outside.
- 7.72 Overall, and with the benefit of advice provided by the Council's appointed independent consultant, although there would be some failures against BRE guidance, on balance the scheme would provide a satisfactory level of adherence to daylight and sunlight guidelines for a dense housing development, as assessed against the relevant BRE guidance.

Communal Amenity Space & Play Space

- 7.73 Local Plan Policy D.H3 requires a minimum of 50sqm of communal amenity space for the first 10 units of a development and a further 1sqm for every additional unit meaning that the requirement for the proposal is 314sqm. Only 72sqm of dedicated communal amenity space

is provided which is located within the rear of Building F at ground floor level and within the old Morgue building at the norther end of the historic building. However, it is noted that a significant quantum of public realm will be provided, including 1,140sqm of publicly accessible open space in the form of the formal lawn, St James the Less Square at the eastern end of the south wing and the courtyard to the rear of Building F. The courtyard will also only be accessible to residents from dusk until dawn and so provides additional dedicated private communal amenity space during those hours, providing 356sqm of additional dedicated space, plus the play space in that area, outside of daylight hours which will be dedicated to residents. Due to the hidden and slightly closed-off nature of the courtyard, it is also highly likely that this space will become an area primarily used by residents and not the general public. The lack of dedicated private communal amenity space is considered to be more than compensated by the significant levels of public realm to be provided. A management plan will be secured by condition detailing the final use and management of the various communal spaces.

7.74 Policy D.H3 requires major developments to provide a minimum of 10sqm of high quality play space for each child, calculated using the LBTH ‘child yield’ calculator. The development would generate a predicted child yield of 148 total children and would therefore require 1,480sqm of dedicated child play space, broken down per the below age groups.

Age group	No. of Children estimate	Area Required (sqm)	Area proposed (sqm)
0-4	55	555	678
5-11	46	461	539
12-18	46	464	487
total	148	1480	1704

Figure 12 – Play space provision by age group

7.75 The proposed play spaces will be spread around the site to provide different opportunities for play for different age groups. Figure 13 below shows where each age-group would be accommodated.



Figure 13 – Play space provision across the site

- 7.76 Specific dedicated play areas for both under fives and 5-11 year olds will be located within the woodland play landscaped areas to the west and south of Building B. These spaces will include dedicated play equipment and further opportunities for informal play for those age groups will be provided around the site including within pedestrian access ways, the courtyard space and St James the Less Square. Play for older children will be provided for by the front lawn space where the needs of those age groups are better met by larger open spaces for informal recreation or sporting activities.
- 7.77 Even with the play space provision being met on site, there are also a number of other play opportunities in close proximity to the site, in particular spaces within Victoria Park, Mile End Park and Bethnal Green Gardens, all within an 800m walk and which would comfortably be within the GLA's specified recommended distances for play spaces within the GLA's Play and Informal Recreation SPG.
- 7.78 Overall, the landscaped public realm and play spaces are considered to be well-designed, very attractive and vibrant green spaces (further details can be found in the 'Design' section). Public realm within the site would introduce playable features for informal play within the site to supplement the dedicated play spaces to the south of the site for younger children, likely attracting people from the surrounding locality to also interact and use them.
- 7.79 For the reasons above, the provision of play space on the site is acceptable and in accordance with Development Plan policies. Full details of play space layouts, equipment specifications and landscaping would be secured by condition, if the application was to be approved.

Density

- 7.80 London Plan Policy D4 states that higher density residential developments of over 350 dwellings/ hectare should undergo a local borough process of design scrutiny review. The proposal seeks to deliver 274 homes, which broadly equates to a residential density of 170 dwellings/ hectare (274 dwellings/ 1.61 hectares). That policy also requires tall buildings or buildings over 30m in height to go through the same process. As discussed at paragraph 7.261 Building E is not considered to be a tall building even though it would ordinarily meet that definition on a technicality. Regardless of this, the proposals still underwent the Borough's design review process, following a detailed, iterative and comprehensive design-led process, including extensive pre-application discussions with Council officers and design scrutiny review by the LBTH Quality Review Panel, consisting of external professionals. The proposed density is considered acceptable and further discussion around compliance with supporting policies, such as residential quality, design and impacts on surroundings can be found throughout this report.

Fire Safety

- 7.81 Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety, beyond what is covered by Part B of the Building Regulations, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, considering issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.
- 7.82 The application has been submitted with a Fire Statement for the purposes of consultation with the Health and Safety Executive and a Fire Strategy in accordance with London Plan Policy D12.
- 7.83 As part of the Gateway One process, the HSE considered the submitted fire statements and provided a substantive response dated 14 March 2024 which concluded that they were content with the proposals from a land use planning perspective and any issues raised can be managed later through the appropriate regulatory requirements.
- 7.84 The GLA have noted that both of Buildings A and E exceed 18m in height and are served by two staircases. However they have queried whether the external staircase proposed for Building A will fully comply with relevant fire safety requirements. The requirement for compliance was also pointed out by the London Fire Brigade in their consultation response.

The applicant has confirmed that the final design of the staircase will comply with the relevant British standards as part of later design stages.

- 7.85 The GLA have also asked for a condition to be included to confirm that there is a fire evacuation lift within each core. However it is noted that the fire strategy already confirms this to be the case. It is therefore considered that a condition is not necessary.
- 7.86 The London Fire Brigade's consultation response also raises a number of queries relating to certain fire-specific design elements of the building which are covered by other regulatory requirements such as British standards under Building Control. These have been addressed in a response from the applicant and officers are satisfied that the issues will be controlled by matters outside of planning regulation.
- 7.87 Officers are satisfied with the fire safety provisions as they relate to planning matters, with further specific queries raised by the GLA and the LFB to either be addressed by condition or as a result of other regulations set outside the planning regulatory system.

Housing Conclusion

- 7.88 Overall, the scheme will provide an exceptionally significant level of affordable housing, particularly within the affordable rented tenure, particularly when the current economic challenges facing the house building sector including those operating within the registered social landlord sector are considered. The homes have been designed to be within housing design guidelines set out within the development plan save where constraints of the site, particularly those presented by retrofitting a listed building and balancing all other planning policies, prevent full compliance with those guidelines. Appropriate mitigation is designed into the scheme to reduce any negative impacts on the quality of the accommodation. The tenure and unit mix are largely in line with policy or otherwise acceptable based on the constraints of the site or the levels of affordable housing being provided. All but one of the affordable rented homes will be dual aspect with the scheme providing an acceptable level of dual aspect homes across the rest of the site, particularly when constraints and mitigation are considered. The housing to be provided is therefore acceptable.

Design

- 7.89 The NPPF places significant weight upon the creation of high quality, beautiful and sustainable buildings and places, particularly on those developments which reflect local design policies and government guidance on design and/or represent outstanding or innovative design which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Where development is not well designed and fails to reflect local design policies and government guidance on design, it should be refused.
- 7.90 The NPPF also encourages engagement on and evaluation of the design of developments throughout the entire evolution and assessment of proposals and those that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably.
- 7.91 Paragraph 135 of the NPPF sets out the basis for what should be considered well-designed developments which includes design that:
- a. improves the overall quality of the area over the long-term,
 - b. involves visually attractive architecture, layout and landscaping,
 - c. is sympathetic to local character and history, including the surrounding built and natural environment, whilst not preventing or discouraging appropriate innovation or change (such as increased densities),
 - d. establishes a strong sense of place through layout, built form and materiality to create attractive, welcoming and distinctive places,

- e. optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development, including green and other public space,
- f. creates safe, inclusive and accessible places, promoting health and well being and the quality of live of existing and future communities are not undermined by amenity, crime and disorder.

7.92 The National Design Guide goes further by setting 10 characteristics of good design as follows:

- a. Context,
- b. Identity,
- c. Built form,
- d. Movement
- e. Nature
- f. Public spaces
- g. Uses
- h. Homes and buildings
- i. Resources
- j. Lifespan

7.93 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and, where possible, enhance the setting of heritage assets.

7.94 London Plan policy D3 promotes the design-led approach to optimise site capacity and determine the most appropriate form of development that responds to the site's context and capacity for growth. The policy requires high density development to be located in locations well connected to jobs, services, infrastructures and amenities, in accordance with London Plan D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.

7.95 Local Plan policy S.DH1 outlines the key elements of high-quality design so that proposed developments 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.

7.96 The proposed development was presented twice to the LPA's design Quality Review Panel (QRP) during the pre-application stage and was also presented to a QRP Chair's Workshop following submission of the application.

7.97 The current context of the site has an irregular urban grain and is surrounded by a variety of building typologies. Many buildings in the context are linear buildings set within generous landscaping, this as well as the approach to the park makes the area very green and creates a parkland setting to much of the surrounding context. The site itself is characterised by the Grade II listed original hospital building sitting in the centre of the site with a grand façade fronting the lawn and dense trees throughout, particularly along the boundary. Ancillary buildings are dispersed throughout the site and do not form any particularly regular pattern.



Figure 14 – Proposed extent of demolition

Layout

7.98 The proposed layout of the site has been subject to significant pre-application engagement with the LPA. The focus of the proposals remains the Grade II Listed Main Hospital Building, South wing and Sanitary Tower which will all be retained and refurbished as part of the proposals and supplemented by an extension to the rear of the main building. This design approach maintains the historic Building F, and the South Wing, as the focal point of the site aided by maintaining a strong formal landscaped approach to the front including maintaining the grand lawn. All other existing buildings on the site will be demolished, including later additions to the rear of the hospital building. These will be replaced by a series of new build-elements which will provide additional housing. To the southern end of the site will be two rectangular buildings (Buildings A and B) sitting perpendicular to each other. A further rectangular building (Building C) will be located along the eastern edge adjacent to St James' Avenue. This will be connected to the main hospital building by a rectangular link-building (Building D). Finally, a fifth new-build building (Building E) will be built in the northern corner of the site closest to Victoria Park.



Figure 15 – Proposed Masterplan of the site

- 7.99 As a result of the proposed layout and arrangements of new-build elements on the site, new publicly accessible routes through the site will be created running from east-to-west (and vice versa). These run between Buildings A/B and the South Wing with access from both Bonner Road and St James's Avenue and between Buildings E and C/D/F with access from both Approach Road and St James's Avenue. These will be predominantly pedestrian/bicycle routes with vehicular access limited to emergency and refuse vehicles and, in the case of the new route to the north of the site, blue-badge parking. These routes would help to connect St James's Avenue to Bonner Road and Approach Road and improve connectivity in the area. The separation of Buildings A and B allows for views of the South Wing and the new square to be provided and easy access through to the child play space. There would be vehicle access on the east side of the site with associated blue badge parking and servicing/delivery access via the access road around the formal lawn between Bonner Road and Approach Road. Pedestrian routes through the site would be lined with planting, rain gardens, and informal play. These will be legible and in keeping with the character of the site.
- 7.100 A number of new public spaces will be created including a new public square at the eastern end of the South Wing, a new courtyard space behind the Main Hospital building created by the configuration of the new-build Buildings C and D, reinstatement of the formal lawn to the front of the main range of the Hospital Building and a new designated landscaped area surrounding the veteran black mulberry tree. There will also be new dedicated play-spaces to the south of the site next to Buildings A and B. The site will be fully accessible to the general public twenty-four hours a day, save for the courtyard space which will be closed for use of residents only between the hours of dusk-dawn.



Figure 16 – Masterplan demonstrating routes through the site and proposed landscape areas

Massing, heights and townscape

- 7.101 The context is generally between 3 to 5/6 storeys in height mostly in the form of linear blocks and a terrace to the south. The tallest nearby building is 41 Sewardstone Road adjacent to the entrance to Victoria Park which stands at 6 storeys. Reynolds House to the south also stands at 6 storeys. The Parkview Estate to the east of the site varies between 3 to 5 storeys but is also set down below the road level reducing the overall height in AOD terms. Figure 17 below demonstrates the prevailing heights in the context of the site.

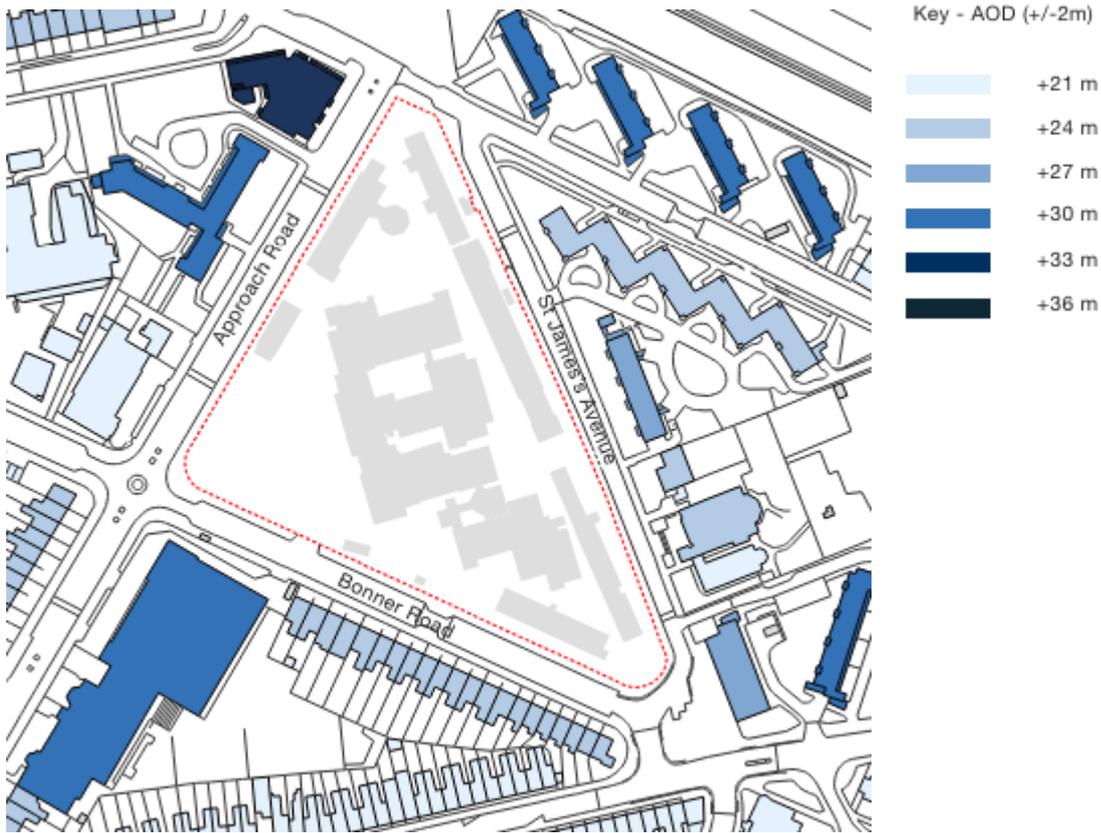


Figure 17 – Diagram demonstrating contextual heights

7.102 The proposed development will include new buildings ranging from 5 to 9 storeys in height. However, it should be noted that, even though the new buildings in the proposed scheme exceed the previous scheme in terms of number of storeys of each building, the floor-to-ceiling heights of each building have been rationalised such that each building is only marginally taller than those of the previous scheme which were considered at the time to be acceptable in townscape, massing and height terms.



Figure 18 – Proposed Masterplan including building heights

Building A

- 7.103 Building A sits opposite the Grade II Listed St James the Less Church and the Grade II Listed St James Vicarage in the south east corner of the site and would be 7 storeys in height making it taller than its context. The top storey would be set back where possible to reduce the impact of the building's height and mass on St James's Avenue. Building A fronts Bonner Square to the south and would be set back from St James's Avenue, therefore the relatively generous space around the building alleviates the impact of the additional height. It would also be positioned away from the listed hospital building. The corners would be chamfered with recessed balconies, and the elevation fronting St James's Avenue would have deck access which creates depth and articulation also alleviating the impact of the mass.
- 7.104 This building also features an external second staircase which sits to the east of the building but within the boundaries of the site. The staircase takes the form of an octagonal tower and is joined to Building A at each storey by a walkway. The staircase will be enclosed with the enclosure material terminating at a lower level than the roof of Building A with the top of the internal lift overrun projecting slightly above the roof of Building A. The staircase would therefore be of a similar scale to that of Building A but will sit closer to the Listed Church and Vicarage on the eastern side of St James's Avenue.

Building B

- 7.105 Building B would be 6 storeys in height and it would sit parallel to the South Wing of the listed hospital building. At this height it would be taller than the South wing, However it would help to transition heights up to Building A. The form is very simple with the addition of bolt on balconies to the corners which take inspiration from the retained veranda of the Main Hospital Building.

Building C

- 7.106 Building C fronts St James the Less Square and would be read adjacent to the gable of the south wing, it would sit opposite the main portion of the original hospital building. This Building would be slightly taller than the hospital building but would be read as of a similar scale, it would not be visible above the roof of the main range of the listed building in views from the west. The north and south elevations would have two vertical gabled elements with a recessed element to the centre with balconies. The east elevation fronting St James Avenue would be symmetrical with two central projecting vertical elements which provide articulation and break up what would be the longest elevation on this street. This elevation would have a mansard roof, which would slightly alleviate the scale of the building.

Building D

- 7.107 Building D connects Building C to the listed building to make a perimeter block. This building would be 5 storeys in height and would be subservient in height to the listed building. The north elevation would have deck access which adds depth to the proposed building when viewed from the new pedestrian route through the site. The top storey would again be set back to reduce impacts on views of the listed building from the east and to ensure prominence of the Grade II Listed Sanitary Tower.

Building E

- 7.108 Building E would be the tallest of the buildings at 9 storeys and would be notably taller than its context. The Building would front onto Bonner Gate to the north of the site and would be set back from what is a generous junction. In general massing terms, a taller element would be considered acceptable in this location as it would mark the entrance to the park. The corners take cues from the octagonal forms in and around the site and help with articulation. This form and scale helps create a certain mansion block appearance to the building. The octagonal corners would be one storey lower in height than the rest of the Building creating an interesting roof form and helping to reduce the overall impact of the mass. Whilst this building is bulky and as such to a degree be at odds with the scale found in the immediate

surrounding context, the mass has been well articulated which alleviates these issues relating to bulk.

Building F

- 7.109 No additional height is proposed to the existing Main Hospital Building and the proposed extension will have a flat roof and so will at no point be visible above any listed element of the building. The height of the extension is consistent with Buildings D and C and so would not dominate the courtyard behind the building.

Townscape

- 7.110 The Victoria Park Conservation Area Character Appraisal states that the scale and density of development varies across the area but does note that *'the prevailing building height is 3-4 storeys for Victorian terraced housing'* and that *'roads in the area are broad and tree-lined, or fringed with landscaped front gardens, all reflecting and contributing to the park setting.'*
- 7.111 A balance between the natural and built environment remains a key characteristic of the surrounding area and the Character Appraisal specifically refers to the application site stating that *'landmark institutional buildings generally sit within their own landscaped grounds, in keeping with the open character and setting of Victoria Park. The London Chest Hospital, opened in 1855, is the most significant of these buildings, in terms of its presence in the urban environment.'*
- 7.112 As noted above the proposed new build Buildings A, B C and E will all terminate higher than the ridge of the roof of the Main Hospital Building and are generally taller than the buildings in the surrounding area and would therefore result in varying degrees of divergence from the existing built environment. Each of Buildings A and E include set back top storeys, and in the case of Building E a tiered top to the building to further reduce impacts of any height. Building C also features a mansard-type roof to achieve the same effect.



Figure 19 – Verified view 6 as proposed (winter)

- 7.113 Despite its additional height, Building C would not be visible above the ridgeline of the existing Main Hospital building. However the new build elements of Buildings A, B and E will diminish

the prominence of the Main Hospital Building within the existing townscape. The image above shows Building E's impact on the Main Hospital Building in townscape terms during winter.

- 7.114 The area where the most eminent impacts on townscape will be felt will be on St James's Avenue where the existing built form sits below the canopy line of the trees and is set back from the boundary. All three of Buildings A, C and E will be sited in close proximity to St James's Avenue and will provide significantly taller built elements to those that are present currently. These buildings will therefore have a significant impact on the character of the street scene along St James's Avenue. The opening created by the pocket square identified as St James the Less Square within the application site will help provide valuable relief from that height and help provide a legible and inviting pedestrian route into the former hospital site for all.
- 7.115 Adjacent to the site, on the opposite side of St James's Avenue sits the Parkview Estate which, as the Conservation Area Character Appraisal outlines, sits in its own park-like grounds and is sensitive to the Conservation Area. Building heights on this eastern side of St James' Avenue vary from 3 to 5 storeys in height, although difference in floor heights and relief complicate the direct comparison between these heights and those proposed on the application site. The buildings within the estate are also significantly set back from the road and are surrounded by green spaces.
- 7.116 The Figures 20 and 21 below show the before and after images of views down St James's Avenue from the south, looking north.



Figure 20 – Verified view 3 as existing (winter)



Figure 21 – Verified View 3 as proposed (winter)

7.117 It is evident from these images that there will be a significant increase in the built form along St James's Avenue. However, the applicant has worked during the pre-application process to set back the buildings from the edge of the site so far as is possible in order to provide relief to the street. The buildings are set to run adjacent, but not parallel to St James's Avenue so that they can be set back at different points along the street-scene to provide further relief. The elevational approach of each building also differs from building to building creating visual interest and disrupting what may have felt like a single wall of development. The introduction of the square at the end of the South Wing also provides significant relief in the townscape by the creation of a pocket of open space whereby passers by can view through the entire site and view the Listed historic buildings. Similar views are provided at the northern end of the site between Buildings C and E where views of the Sanitary Tower are provided. The opening at this location is also significant as it is required to provide access to blue-badge vehicles and so, again, provides further relief. Mature trees have also been retained wherever possible and additional planting will be secured to ensure that the impacts on the street-scene are further mitigated.

7.118 At the northern end of the site, a new landmark building will be introduced which will rise to 9 storeys. The prominence of the building will provide a visual marker of both the site and also the entrance to Victoria Park via the Bonner Bridge. On the western side of Approach Road sits Sotherby Lodge which sits at 6 storeys. However Sotherby lodge sits directly at the road edge and experiences no relief from being set back and softened by a green and prominent site perimeter as the new 9 storey Building will. As noted above, this is considered to be the most appropriate location on the site to include significant additional height, provided compliance with other policies as to height can be achieved. The building would appear as very prominent in views from within the Conservation Area, particularly in winter months. However the building is relatively slender when viewed from the north and has been designed to provide additional relief through the use of octagonal forms. Views through to the Sanitary Tower are also provided.



Figure 22 – Verified View 1 as existing (winter)



Figure 23 – Verified View 1 as proposed (winter)

General conclusion on massing, heights and townscape

7.119 Generally, the proposed massing and building heights of the new build elements of the proposals are of an appropriate scale for the proposed development notwithstanding that they are not necessarily in keeping with the surrounding context. The heights of the new-build elements are acceptable as they seek to optimise the amount of housing to be provided on the site, in particular the affordable housing provision. The tallest elements of the proposals are to be located at the southern and northern ends of the site where they will also provide legibility benefits to both the entrance to Victoria Park and the Old Ford Road Neighbourhood

Centre. Whilst the new buildings will introduce additional height where there was previously no built form or very low-scale buildings, the buildings will be set back from the edge of the site, separated from other surrounding buildings by roads and will also be partially obscured by the mature trees surrounding the site and proposed replacement planting as well as include set-back top storeys or other forms of mitigation of the height.

7.120 It is also noted that the proposed buildings do not diverge in significant manner from the heights in AOD terms of buildings which were to be located in the same areas under the previous scheme. The below table (Figure 24) sets out the relevant measurements taken from drawings but it should be noted that drawings under the previous scheme did not include measurements to the top of any plant to be included on the roof of any buildings. The very tallest elements of the buildings in the new scheme, in particular in respect of Buildings A and E, are measured to plant which will be located at the centre of each building and so would not really be visible from the ground. Measurements have therefore also been included to demonstrate the height of the top of any parapet or roof ridge.

Building/Location of Building	Height previous scheme	in Proposed maximum height in current scheme	Proposed height to parapet/roof ridge of each building
A	20.57m	24.605m	23.175m
B	20.57m	21.63m	19.3m
C	19.97m	19.96m	19.96m
D	N/A	15.975m	15.975m
E	27.655m	31.075m	29.025m

Figure 24 – Building heights under previous and current schemes

Appearance & Materials

7.121 The applicant has worked with the LPA throughout the pre-application process to provide the most exemplary of developments in architectural terms. The resultant proposals are considered to be of the highest quality in architectural design and represent the key aims of national, regional and local design policies.

Building A

7.122 The position of this Building away from the listed building, albeit still within a historic context, represents an opportunity for a contemporary architecture with a unique identity.

7.123 The southern elevation would face Bonner Square. The southern and northern facades would have a similar treatment. The central element of the southern façade would run the full height of the 7 floors with chamfered corners and recessed balconies which creates a vertical emphasis to the central element. Windows to the central element would have alternating positions every other floor. The windows would have deep formed reveals in white which references the listed building and add depth and articulation to the façade. Following minor tweaks to the floorplans of the southern end of the Building to address privacy concerns, a more rational fenestration pattern has been introduced to the south elevation. This pattern of recesses, fenestration and articulation is successful in creating a unique building.

- 7.124 The east elevation would be deck access with the balcony façade clad in vertical brick piers with slightly recessed metal walkways. This creates a vertical emphasis and a rhythm along the whole façade. The deck would help to articulate the elevations and create depth. The top floor would be recessed alleviating the scale of the building. Whilst this façade could be seen as repetitive the treatment of the ends of the Building wraps around the corner to add interest to the façade.
- 7.125 The west elevation would include bolt-on balconies to each flat and present a more uniform and regular pattern of fenestration. It would overlook the child-play space below.



Figure 25 – CGI of Building A looking south along St James’s Avenue (trees not shown)

- 7.126 The materiality would be predominantly red brick with some elements with a white finish adjacent to windows. The white elements are proposed to be a glass-reinforced concrete which will add a high quality textured finish to these elements. In addition, the design and access statement suggests glazed bricks to be used on the recessed façade of the east elevation, which are shown in the CGIs and bay study, with the final colours to be controlled via condition. The use of a glazed brick here would help to brighten the recessed façade and add interest and contrast. The materiality and details such as window reveals and brick detailing reference elements of the historic context. The red tones reference the retained hospital building. Black metalwork is proposed to all balconies, windows and doors.
- 7.127 The entrance on the north elevation would have a stepped recess, creating an interesting design feature which would make the entrance legible to users. A green glazed brick would be used for the entrance.
- 7.128 The feature external staircase would be located on the east façade of the building and would be a similar scale to the main building. The form reflects the octagonal forms present within the site. The staircase would be clad in aluminium baguettes in red hues to reflect the red tones already present. The staircase would be bold but would add an interesting feature to the scheme. The success of the staircase is dependent upon the quality of the materials to be used. Aluminium baguettes are being proposed to be used and information relating to the style of material has been provided in an addendum to the Design and Access Statement. The final material, including colours, will be secured by condition.



Figure 26 – CGI of Proposed external staircase of Building A

7.129 The QRP Chair’s review focussed on this element as it had been raised previously by the QRP as a potentially contentious design feature. However, the need for the staircase to be provided as an external staircase in this particular location was explained. The staircase is required to be provided to meet fire safety requirements and it was decided to introduce an external escape stair in order to retain as many dual aspect and larger homes within the building as possible. This is the only location possible for the staircase without either requiring the loss of additional trees protected by the TPO or compromising the level of child play space to be provided. The QRP therefore accepted the principal of the staircase but requested that the configuration of the baguettes be simplified in order to tone down the staircase, introduce further transparency and reduce some of the competition between it and the Listed Church on the eastern side of St James’s Avenue. An updated drawing has been submitted that provides that sought simpler arrangement and the baguettes would now run continuously from top to bottom rather than track the internal stair with a staggered arrangement as was proposed previously. This is a calmer approach and is seen as a marked improvement and is welcomed by officers. Details of the final arrangements and materials would be secured by condition.

7.130 Additional minor amendments were made to the internal layouts of the flats at the southern end of the building to address privacy concerns raised by the QRP in relation to windows looking immediately onto the staircase. The single bedroom was moved slightly and an additional window inserted into each flat on the southern elevation of the building. The resultant fenestration pattern still retains visual interest and does not present as overly busy elevation and only a very minor change to the overall appearance of the building.

Building B

7.131 Building B sits just to the south of Building A but introduces a slightly different architectural approach. The fenestration pattern for this Building would be more rational and grid-like but retaining deep window reveals. There would be bolt on balconies on the corners which break up the regular fenestration pattern and take cues from the balconies and fenestration pattern of the main hospital building. The windows would have deep formed reveals which add depth and articulation to the façade. This Building would be more visible in the setting of the main hospital building, therefore a simpler design with high quality detailing is appropriate here.

7.132 The materials of this Building are very similar to Building A with the same red brick, white window reveals referencing the listed building, and white finish on elements of the façade behind balconies, brick detailing at ground floor and a stepped green glazed brick entrance. Again, black metalwork is proposed for the balconies, windows and doors. This material palette is complementary to the historic environment and its continuity helps to create a unity and character between the Buildings.



Figure 27 – CGI of South elevation of Building B as seen from Woodland Play space

Building C

7.133 The north and south elevations of Building C would have a similar treatment with two gabled elements with a recess in the centre accommodating slightly projecting balconies. The gables reference the gable end of the South Wing which is being retained and both will be visible from the new square created. The applicant has worked hard to ensure that the southern elevation has been designed so as to reduce any domineering impacts which it has over the listed South Wing. The simple and uniform fenestration pattern aids this. The windows would be regular with deep window reveals to add articulation and depth. The east elevation would have a regular fenestration pattern which reflects that of the main hospital building, and balconies attached to the east side of the two vertical projecting elements. The top floor would be set into the roof with projecting mansard windows. This would create a distinctive roof form and add interest to the elevation.

- 7.134 The elevation internal to the courtyard will be a far more simple form with a uniform fenestration pattern and bolt-on balconies throughout.
- 7.135 The same red brick used for the other Buildings would be the predominant material, as well as the same green glazed brick detailing to the entrance. This Building would have dark metal work and a standing seam cladding to the projecting windows in the roof which would match the roof material. These materials would complement one another and whilst they depart slightly from the materials of Buildings A and B the continued use of the red brick and glazed green brick which would maintain that character through the site.



Figure 28 – CGI of South and east elevations of Building C as seen from St James’s Avenue looking into “St James the Less Square” and the east elevation of the South Wing

Building D

- 7.136 This Building connects Building C to the rear of the Main Hospital Building and represented one of the bigger design challenges for the applicant as it needed to remain subservient to the Listed Building whilst also introducing high quality design and dealing with changes in levels across the site. The resultant Building would introduce deck access overlooking the new pedestrian route with a grid composition. The vertical brick piers would be projecting slightly further than the brick clad deck element creating a vertical emphasis. The horizontality however is still read and helps to connect the listed building and Building C which book end the building. The ground floor would be on the same plane as the principal façade which helps to ground the building and defines the adjacent footpath and legible entrances to the homes and main building. The top floor would be recessed, and the principal façade would be set back slightly from that of the listed building allowing the building to be read as subservient to the listed building. The floor to ceiling heights of this building would be lower than those of the listed building meaning that the floors wouldn’t line up, however the simplicity of this building means that it won’t be an awkward transition. There would be similar deep window reveals as the other buildings.
- 7.137 The internal elevation will again be a much simpler elevation with a uniform fenestration pattern and bolt-on balconies. This elevation will reflect a similar approach to the other courtyard elevation of Building C.
- 7.138 The same red brick would be clad to a grid frame. The detailing of the brick and the subtle recess of the brick to the deck and projection of the vertical piers are important to the quality of the principal façade and will be secured by condition. The secondary façade would be in

the same glazed green brick used throughout the site which would be bold but in keeping with the emerging character of the site. This would also be used for the communal entrance with a stepped detailing making it legible as the entrance. Dark metalwork will again be used for all balustrades and windows.



Figure 29 – CGI of north elevation of Building C and D

Building E

- 7.139 This building, being the most prominent and tallest new-build element of the development and being located adjacent to the entrance to Victoria Park represents an opportunity to create an exceptionally designed feature building which complements the historic buildings on site and enhances the character of the area.
- 7.140 The resultant building takes great inspiration from current and historic buildings on the site by introducing numerous new octagonal forms within the building. This building has numerous projecting bay windows and chamfered corners which are expressed vertically. The windows would be tall and would follow this vertical emphasis. The windows would have deep reveals to provide more depth to the facades. Balconies would be linked between projecting octagonal corners providing a horizontal emphasis. Dogtooth brick detailing would be used as horizontal banding running along the top of the windows at each floor to would also provide a horizontal expression. Tiering of the façade is introduced by creating balconies from set-back elements as the building moves upwards which helps to reduce the impact of the building on the surrounding area.



Figure 30 – CGI of Building E as seen looking North West from Approach Road

- 7.141 There would be feature brick detailing and white coping to the top which would cap the building. The base would be expressed differently with the ground and first floor having a different brick detailing to the middle and would have a darker mortar to create a strong and defined base to the building. This base, middle, top expression will help to break up the building and create more human scale proportions. The octagonal elements at each corner will allow for wide-ranging views from within the new flats and also representing a high quality of architecture.
- 7.142 The same red brick would be used for this Building. The entrance would not have the same green glazed brick as the other Buildings, however the location of the main entrance on the south east corner would still be legible. The detailing and elevational composition of this Building helps to break up the mass of the building and would create a unique building with references to the historic environment.



Figure 31 – CGI of Buildings C,D and E looking west along new pedestrian route towards the Sanitary Tower

Building F

7.143 Full details of the proposals to the Main Hospital Building, including from a design perspective are set out in the Heritage Section below. However, an extension to the rear of the Hospital Building is also proposed.

7.144 The rear façade of the extension takes references from the front elevation of the Hospital and introduces a more modern interpretation of certain of those elements. The resulting elevation is an impressive elevation which overlooks and provides character to the internal courtyard. The elevation includes stepped forward sections matching those on the front elevation with inset balconies between, large deep windows with white formed elements and deep, coped parapets. The façade has been designed to be symmetrical with an ordered fenestration pattern. A formed stone base replicates the front elevation and provides grounding to the new extension.

7.145 Red brick will be used once again as well as white formed elements which reflect a similar use elsewhere.



Figure 32 – CGI of courtyard facing elevation of Building F

Conclusion on architecture

- 7.146 The design of the new-build elements on the site are of very high design quality and a suitable quality of materials would be secured via condition. It is also proposed to ensure that the project architect are retained throughout the build-phase of the development via a planning obligation which will also ensure continuity of the design and material quality.
- 7.147 The same red brick referencing the listed building would be used for all of the new buildings. White window reveals on Buildings A and B also reference the listed building. The green glazed brick is used on most of the buildings, and brick detailing is used throughout. The octagonal form present particularly on Building E is used throughout the site on existing buildings which will be demolished, on the listed Sanitary Tower but also on other elements of new buildings. Whilst all of the buildings have different architectural styles there are elements of detailing and materiality which are present throughout the site, creating a sense of character and family between the buildings present throughout the site. The differences between each ensure that there is visual interest provided by each building irrespective of where they are viewed from.

Landscaping & Public Realm

- 7.148 This section deals with the landscaping purely from a design perspective. Biodiversity and impacts on trees are dealt with elsewhere within this report.
- 7.149 As noted previously in the report, the parkland setting is a key feature of the Conservation Area and will therefore need to be an important feature of the landscaping of the proposal site. Much of the historic positive landscape features within the grounds of the hospital have been lost over time as new buildings and extensions have been built within the grounds and hard-standing introduced throughout. Although it is noted that the impacts on the overall look and feel of the site are somewhat limited by the low-level nature of the built form and the retention of a significant number of mature trees around the boundary of, and throughout, the site. The site therefore still has a very green feel and certainly retains a park-like feel as one walks the site.
- 7.150 The entirety of the public realm and landscaping within the site will be secured as accessible to the general public 24/7 365 days a year, save for the internal courtyard which will be close to provide private amenity space for residents from dusk until dawn. This will be secured by obligation within a s.106 agreement. However, it is noted that the courtyard and the woodland

play, given that they are away from main pedestrian routes and more hidden from view, would be used predominantly by residents which creates a semi-private feel to those spaces without being exclusively private.

- 7.151 The proposals for the landscaping of the site identify five distinct landscaped areas. The spaces are distributed throughout the site and provide interesting features regardless of where anyone is within the site.

West Lawn

- 7.152 One of the key features of the landscape of the site, the west lawn is a large expanse of open space which will be predominantly grass reinstating the formal approach lawn of the historic hospital. This provides opportunities for informal play, gathering of residents and members of the public and providing an opportunity to enjoy the historic features of the Listed Hospital Building. The access road around the edge of the lawn will be a one-way vehicular access and contain a servicing bay. Trees and herbaceous planting will be provided as well as more extensive shrubland. A long curved bench will also be provided which will allow for enjoyment of the hospital façade.



Figure 33 – Sketch of proposed West Lawn landscape area

St James the Less Square

- 7.153 The new square created at the eastern end of the South Wing allows for a break in the built form fronting St James's Avenue and creates a real opportunity to appreciate the historic east gable of the South Wing. The location of the Commercial/Community Facility at ground floor of the South Wing in this location will help to activate the square. Introduction of play equipment and seating, both within the square and as part of spill-out seating from the café will do the same. Defensible planting ensures privacy to the ground floor units of Building C and a mix of hard and soft landscaping ensures that this will create a welcoming space which will draw people into the site.



Figure 34 – CGI of St James the Less Square

Woodland Play

- 7.154 Located to the south of the site, the Woodland Play character area is where the formal play-space is provided within the site. It will be dispersed across two enclaves created by the layout of the two Buildings A and B. The residential elements overlooking the space ensure sufficient surveillance with defensible planting and amenity spaces ensuring appropriate levels of privacy. Being located amongst the existing mature trees creates a particularly exciting feel to the space for children and offers opportunities for both formal and informal play.



Figure 35 – Sketch of proposed Woodland Play area

The Mulberry Garden

7.155 A key aspect of the current proposals as opposed to the previous scheme is the retention of the veteran black Mulberry Tree. The proposed landscape scheme seeks to ensure that the importance of and value provided by that particular tree to the local and wider community is not lost and is actually enhanced. The proposals seek to create a dedicated area in which the Mulberry Tree can be enjoyed by the general public and residents. A new entrance will also be provided adjacent to the tree so that passers by can enter and enjoy the tree from provided seating areas.



Figure 36 – Sketch of proposed Mulberry Garden

7.156 Formal and informal protection of the Mulberry Tree will be provided by ensuring that viewing areas are included within the hard-landscaping and a protective boundary is installed so that

nobody can approach the tree. A wind-protection barrier will be installed from the moment of demolition of the nearby building and a permanent barrier will be designed and installed as part of a later condition to be discharged. An obligation will also be secured by s.106 agreement to detail the final protection measures to safeguard the long-term survival of the tree which would represent a significant public benefit given the tree has been completely inaccessible to the public since the hospital closed and noting its particular historic and cultural significance.

Courtyard Space

- 7.157 Hidden amongst Buildings C, D, F and the South Wing, the courtyard offers the opportunity for more peaceful enjoyment of the landscape. The courtyard will be accessible from dawn-dusk to members of the public, but due to its location is likely to be primarily used by residents. The space is accessible via St James the Less Square or through an under croft through Building D. Play space for young children will be provided as well as a quiet garden, seating and planting throughout. Planters for growing of food by residents are also to be provided. Defensible planting will also be provided to all ground floor amenity spaces.

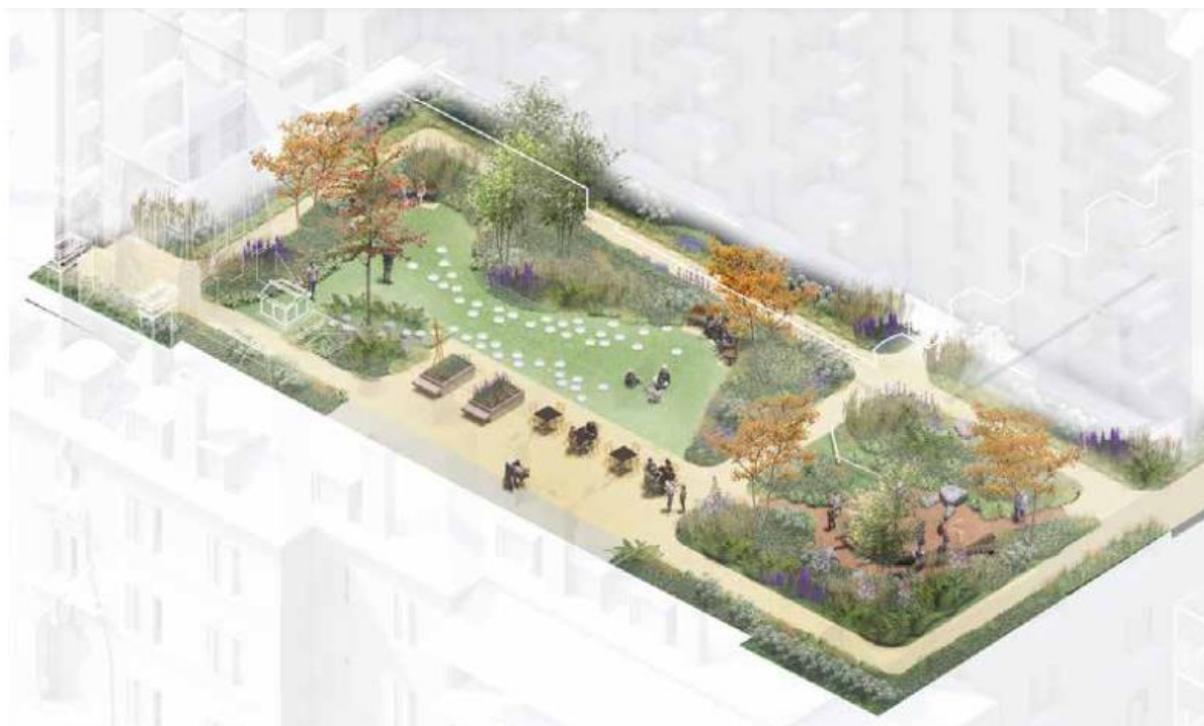


Figure 37 – Sketch of proposed courtyard space

Other

- 7.158 Throughout the site, the green perimeter will be retained, retaining as many mature trees as possible and replacing those to be lost with new trees. Buildings have been set back where possible from the edge of the site to create pockets of green space. Pedestrian routes running east to west across the site will be lined with new planting and opportunities for informal play.

Conclusion on Landscape

- 7.159 The proposals provide approximately 1,140sqm of publicly accessible open space and will introduce significant enhancements to all of those spaces. The green perimeter of the site will be retained with set-back buildings and a mix of mature and new tree planting. Overall the proposals will bring the site back into public use and create a new and high quality park-like space with opportunities for formal and informal play as well as quieter spaces for enjoyment of both natural and built heritage. Full details of planting, materials and treatments and maintenance of the landscape would be secured via condition.

Safety & Security

- 7.160 The application has been reviewed by the Metropolitan Police and they have requested that a condition be secured to ensure that the development will achieve Secured by Design Accreditation. This will be secured.
- 7.161 Of particular concern to officers, and indeed the QRP, was potential anti-social behaviour to occur within the external staircase of Building A. Appropriate security measures are proposed to ensure that the staircase will only be accessible to residents and it is not expected that the staircase will only be used on limited occasions. The cladding of the staircase with aluminium baguettes also ensures that it will be possible to see into the staircase at all times, reducing the likelihood of anti-social behaviour occurring within the staircase. Appropriate lighting would need to be secured but this is expected to be secured as part of the SBD condition. Officers are therefore satisfied that any ASB issues that may arise can be appropriately mitigated or designed out as part of the SBD measures. That said, a management plan specifically for the staircase will be secured by condition which will require the applicant to explain how any ASB issues identified during the life of the development will be addressed and dealt with.
- 7.162 In response to a query from the HIA officer regarding the inclusion of gender inclusive design within the scheme the applicant has confirmed a series of measures that were specifically introduced to address gender inclusivity such as active frontages, lighting in the public realm, good visibility with clear lines of sight throughout the site, accessibility to public spaces for all, CCTV and natural surveillance. An inclusive public realm and play space strategy will also be secured to address these matters.

Conclusion on Urban Design

- 7.163 Purely on design terms, the scheme represents a very high quality of architectural design and meets the aspirations of national, regional and local policies as to the quality of the design. The layout of the site will ensure additional permeability will be introduced to the site and surrounding area and that new-build elements are appropriately sited so as to reduce any impacts on the surrounding context. Whilst the introduction of new built-form of a taller and denser scale within the site than is present currently is not necessarily in keeping with the existing context, it is felt that sufficient mitigation is provided to ensure that the impacts of those buildings are reduced to an extent that the proposals are acceptable from a pure urban design perspective, noting the requirements of the NPPF to consider how development should not be discouraged simply by its impact on the surrounding context.

Heritage

- 7.164 Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 state that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area” and “the local planning authority shall 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”. The emphasis for decision makers is that in balancing benefits and impacts of a proposal, the preservation or enhancement of heritage assets should be given great weight in the consideration/determination of the application.
- 7.165 Paragraph 203 of the NPPF then states that in determining applications affecting heritage assets local planning applications should 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.

- 7.166 Paragraph 205 furthers this by stating that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation with that weight increasing with the importance of the asset. This consideration is required to be made irrespective of the level of harm to the significance of the asset.
- 7.167 Paragraph 206 makes it clear that any level of harm to, or loss of, the significance of a heritage asset, either from its alteration or destruction or from development within its setting, should require clear and convincing justification.
- 7.168 Substantial harm to or loss of grade II listed buildings or grade II registered parks or gardens should be exceptional. Substantial harm to any asset of higher significance should be wholly exceptional. Paragraph 207 sets out that, where a proposed development leads to substantial harm (or total loss of significance of) a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh that harm, or all of the following apply:
- a. The nature of the heritage asset prevents all reasonable uses of the site; and
 - b. No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d. The harm of loss is outweighed by the benefit of bringing the site back into use.
- 7.169 Paragraph 208 deals with situations where the proposed development would lead to less than substantial harm to the significance of a designated heritage asset in stating that the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.170 Paragraph 209 deals with the impacts on the significance of a non-designated heritage asset and requires that a balanced judgement having regard to the scale of any harm or loss and the significance of the asset.
- 7.171 Paragraph 210 requires LPAs to not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
- 7.172 Paragraph 212 states that LPAs should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 7.173 Paragraph 213 states that not all elements of a Conservation Area will necessarily contribute to its significance but that loss of a building (or other element) which makes a positive contribution to the significance of a Conservation Area should be treated either as substantial or less than substantial harm, as appropriate, taking into account the relative significance of the element affected and its contribution to the Conservation Area.
- 7.174 Regional and Local Plan policies require that proposals preserve or, where appropriate, enhance designated and non-designated heritage assets in a manner appropriate to their significance. In particular, Local Plan Policy S.DH3 requires, in order to be granted permission, proposals that seek to alter, extend or change the use of a heritage asset or that would affect the setting of a heritage asset to:
- a. Safeguard the significance of the heritage asset, including its setting, character, fabric or identity,
 - b. Be appropriate in terms of design, height, scale, form, detailing and materials in their local context

- c. Enhance or better reveal the significance of assets or their settings,
- d. Preserve strategic and locally important views and landmarks, and
- e. In the case of a change of use from a use for which the building was originally designed, carry out a thorough assessment of the practicability of retaining its existing use outlining the wider public benefits of the proposed alternative use.

7.175 That policy also requires any harm to the significance of the heritage asset to be justified having regard to the public benefits of the proposal including whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, mitigate the extent of the harm to its significance and whether the works proposed are the minimum required to secure the long term use of the asset. It also requires development to or within the vicinity of a listed building to have no adverse impact on those elements which contribute to their special architectural or historic interest including their setting.

7.176 Finally, Local Plan Policy gives significant weight to the protection and enhancement of the borough's conservation areas including their setting. Development within a conservation area is expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance. The policy also introduces a presumption in favour of retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area. Planning applications should explore opportunities to enhance or better reveal the significance of a conservation area.

7.177 The current application is submitted with an Environmental Statement which explicitly includes a chapter relating to impacts on Built Heritage and includes a Townscape and Visual Impact Assessment which details the impact on the surrounding townscape, conservation area and Listed buildings.

Previous Application

7.178 It should be noted that, whilst consent was initially granted under the previous application, it was determined that there was harm to both significance of the grade II listed features on the site, particularly by the demolition of the South Wing and other interventions to the Main Hospital Building including extensive internal alterations and full replacement of the historic roof, as well as to the character and appearance of the Conservation Area. That harm was concluded to be at the very top end of 'less than substantial'.

7.179 The High Court considered the LPA's interpretation of heritage policies including the assessment of harm caused by that proposed development and the weighing of public benefits to be provided by that proposal in the Judicial Review of the previous application and found them to be sound. This serves as a helpful baseline of what level of harm a specific proposed development would introduce to the heritage assets on the site and the Conservation Area.

7.180 Much of the below discussion of the significance and history of the buildings on the site themselves are materially the same as contained in the report for the previous application as these elements have not changed since the previous application.

Main Hospital Building

Listing and History

7.181 The London Chest Hospital was listed in April 2016. The list entry specifically refers to the former London Chest Hospital, the South Wing of 1863-5 and Sanitary Tower of 1890-2, together with the Victorian gas lamp, dwarf wall, railings and entrance gates which surround a significant portion of the site. The 12 page listing description expressly identifies and is intended to protect as significant the main building, including the south wing and the sanitation tower, together with the railings which enclose the site and a gas lamp at the southern corner. The listing also expressly excludes any other buildings within the site and that could potentially be considered to be within the curtilage of the main hospital building, including the 1905 Nurses accommodation set adjacent to St James's Avenue.

7.182 The full extent of the listing can be seen in the below extract from the listing description:

“To the north of the south wing, the extensions dating from the 1920s/1930s, with a later addition* reaching into the angle with the main range, are not of special interest. The corresponding north wing* is a replacement of 1983 and is not of special interest. There is an octagonal sanitary wing of 1890-2 at the north end of the building, with a bridging link. The contemporary mortuary is attached immediately to the east. On the eastern, rear side of the building, is a large, multi-phase C20 addition*, extending from the centre of the building. Between this central extension and the south range, against the eastern face of the main*



range, is a later-C20 lift tower. Between the central extension and the north range is a C21 stair tower*. Attached to the south-east end of the south wing is the octagonal tower of the 1972 outpatients' building*, with a large single-storey block* extending southwards. None of these C20 and C21 additions is of special interest and they are excluded from the listing.”*

Figure 38 – Photograph of front of the Hospital taken in the early 20th Century

7.183 Constructed between 1851-1855, the hospital was founded in response to public concern at the inadequacy of provision for treating consumption or tuberculosis, a common disease in mid Victorian London. It was hoped that the new hospital would be "as far as possible a model of its kind" and following an architectural competition, F.W. Ordish was selected as architect for the new hospital.

7.184 Built in a late seventeenth century style, the design of the hospital reflects the strong tradition of hospital architecture of this period, by such architects as Robert Hooke and Sir Christopher Wren, albeit on a more domestic scale. The result is a building which also has the air of Sir Roger Pratt's influential domestic architecture of the same period, and presents itself almost as a country house, an architectural vision which is emphasised by the parkland setting. Rather than being strictly Queen Anne historicist, as it might first appear, some of the architectural details show it to be more of a post 1860s eclectic style, thus contributing to the overall interest and significance of the building.

7.185 Constructed in red brick with Portland stone dressings, the hospital is three storeys in height above a lower ground floor. Of 17 bays in width, it is symmetrically arranged around a central section of 5 projecting bays, with a further 2 bays to each side of this stepping back from the central section but projecting forward of the remainder of the elevation. It has a modillion cornice at eaves level and quoins that define the projecting sections. The building has a shallow hipped roof of slate, with substantial, originally decorated chimneys, it is topped by a central tower/cupola which as well as providing architectural interest served to provide natural

ventilation to the building, allowing the heating and control of temperature considered necessary to the successful functioning of a hospital at this time.

7.186 Within a few years of the hospital's completion, two wings were added, one to either end. Today only the south wing survives, the northern one having been lost to bomb damage. Some of the apparent symmetry of the whole is lost as a result of this damage, and with the addition of the verandas to the southern end in 1900. The verandas are an important reflection of the evolving treatment of tuberculosis, which by the turn of the century determined that fresh air was necessary for patient recovery.

7.187 The significance of the hospital itself, and its special architectural and historic interest, is enriched by its parkland setting, which not only contributes to its country house feeling, but also reflects the importance placed upon fresh air and a country location as essential to health, and the treatment of tuberculosis, the main focus of the hospital.



Figure 39 – Recent photograph of the front of the Hospital building

Significance

7.188 For the purposes of the NPPF significance is defined as “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”

7.189 The listing description summarises the significance of the building including the South Wing and Sanitary Tower, noting that the buildings are principally of:

- a. Architectural interest both are overall, in the Queen Anne domestic style designed by FW Ordish, making reference to the hospital tradition and including accomplished sculpture, attributed to the workshop of George Myers and in terms of the internal features of the building which include staircases, joinery, plasterwork, sculptural detail and fireplaces,

- b. Historical interest - being one of the earliest hospitals dedicated to diseases of the chest and founded by city philanthropists. Also significantly incorporating an unusual and innovative ventilation system.
- c. Planning interest in particular, the side corridors to the rear of wards which acts as both an access to the wards and a day room/exercise gallery, and the inclusion of small ward toilets.
- d. Interest for their internal features, including the fine main entrance, noteworthy for the carving in stone and wood as well as vaulting ingeniously executed, the fine staircases, joinery, plasterwork, and sculptural detail.
- e. Technological interest, in particular the annunciator system, used to communicate within the hospital, of which clear evidence remains, and an unusual form of heating and ventilation which the building incorporates by Jeakes.
- f. Interest derived from the contemporary ironwork (veranda, railings and gas lamp).

7.190 In summary, those elements of most interest are the principal elevation of the main Hospital Building, visible from the front lawn and surviving interior fabric including the historic plan-form, the South Wing and the octagonal sanitary tower together with the 1900 veranda at the eastern end of the front elevation.

7.191 What little remains of the rear elevation is highly fragmented and largely obscured by modern wings and services which have been added to the back.

7.192 The boundary railings and a cast iron lamp column at the eastern end of the elevation are also considered to be significant. There is also a memorial in the garden which requires consideration.



Figure 41 – Diagram showing dates of various buildings on the site

Proposals relating to Main Hospital Building

- 7.193 The primary proposals relating to the Main Hospital Building relate to its conversion to provide residential accommodation, namely 54 new homes of varying sizes. All of the modern extensions to the rear of the hospital building would be demolished but, crucially when compared to the previous scheme, the South Wing will also be retained and refurbished to provide those new homes. Also in contrast to the previous scheme, the existing roof to the front of the building will be retained and repaired rather than replaced in its entirety. The flat roof of the extension to the rear will project out to the rear from the existing ridgeline of the roof such that it will not be from views of the front of the building.
- 7.194 All of the unlisted and less significant modern extensions to the rear will be demolished to make way for the new extension, however the rest of the main building will be retained and sensitively refurbished to provide the new accommodation. Generally the proposal to retain and refurbish the main building, south wing and sanitary tower are strongly supported and the resultant repair of the front elevation and key spaces within the building are welcomed. This will enable the long-term future of the building to be secured and also allow the building to be removed from the Heritage at Risk Register (a register of historic buildings that are in a state of disrepair and at risk of being lost as a result of neglect, decay or inappropriate development).

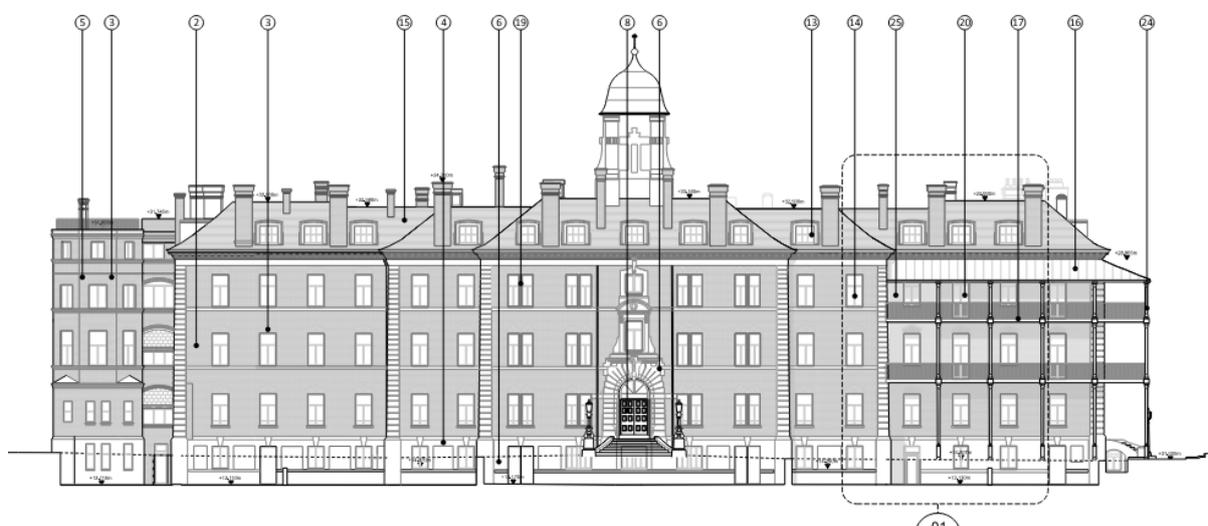


Figure 42 – Proposed front elevation of the Main Hospital Building



Figure 43 – CGI of proposed front elevation of the Main Hospital Building

- 7.195 The proposals include a full repair of the historic elevations of the main building and south wing. For the most part the proposed repairs are of the sort that you might expect for a building of this age to be restored, however there are currently bracing straps attached to the front of the building with the braces apparent through the building and secured to the rear

wall. A full survey of these and their purpose will need to be secured to ensure that it is appropriate to remove them or whether they will, ultimately, need to be retained.

- 7.196 The removal of the modern extensions to the rear of the building will, for the most part, be replaced by the new extension to the rear. However there will be a small section of the courtyard elevation of the South Wing where the existing internal wall behind a modern part of the building will be revealed. It is proposed that, rather than rebuild this section of the façade with a similar design to the existing historic façade, the existing openings will be retained and filled with glazing or brick to demonstrate the history of the building and indicate that, historically, there would have been built form in this location. The spaces behind these openings will remain corridor spaces to continue this reference to the building's history. The contemporary look and feel of this element is considered to be appropriate however a final strategy will need to be secured once full demolition of the later additions has occurred and the condition of the existing wall can be better understood.



Figure 44 – CGI of courtyard elevation of the South Wing

- 7.197 The elevation to the rear of the building overlooking the courtyard has been sensitively designed and refined extensively such that it is sympathetic to the character of the hospital. Building D which adjoins the corner of the hospital is sympathetic to the scale of the historic building with the parapet line sitting at a similar level to that of the hospital and the top floor of accommodation set back from this can be viewed almost as a roof storey.
- 7.198 The south wing will, for the most part, otherwise be repaired and restored in full. The Commercial/community facility will be located in the eastern end of the south wing at ground floor level. To address QRP comments as to activation of the square and to allow for direct access for persons with mobility issues, it is proposed to locate the entrance to the unit directly from the square and without any steps. Due to site levels this has meant that the ground floor of the south wing has needed to be lowered in this location to the level of the square. The lower ground floor will be used for cycle storage. This will involve the removal of the existing floor in the end of the south wing but will result in a more usable, accessible and high quality commercial/community space. More modern windows and doors will be installed in the commercial unit on this façade stretching over the two floors which reflect the historic layout of the building whilst also providing access and providing a contemporary contextual response.

This will cause some harm to architectural and historic interest of the building but is an appropriate response and marks the location as a separate facility open to the public well.



Figure 45 – Drawing and CGI of proposed South Wing eastern elevation

- 7.199 It is proposed to replace the windows throughout the historic buildings. At some point in the past the windows on the hospital have been replaced with upvc windows. Historically this building would have had six over six timber sashes and this can be seen in historic photographs. These windows are typical of Queen Anne style buildings and would contribute to the special architectural and historic character of the building. The proposals indicate the intention to replace the existing windows with dark metal casements, these are harmful to the special architectural character of the listed building. The opportunity exists to reinstate six over six pane timber sashes, which could be double glazed and would better enhance the historic and special interest of the building.
- 7.200 It is also noted that the GLA in their Stage 1 Report state that the proposed replacement of the existing windows is welcome, however the replacements are not in keeping with the historical manner of the listed building. They have stated that the level of harm introduced to the significance of the building would be reduced if appropriate replacement windows were provided and have requested a condition to provide details of the final windows.
- 7.201 Officers would note that the proposed windows do represent an improvement on the existing UPVC windows in terms of the special interest of the listed building however they are not being replaced with more historic timber windows. The applicant has stated that the re-introduction of timber sash windows would result in negative implications on the overall efficiency of the building. Officers are firmly of the opinion that timber sash windows should be introduced to the front elevation of the hospital building and to the Sanitary Tower as a minimum as this is the primary facing elevation of the building and where the introduction of unhistoric windows would be most noticeable in terms of the harm it causes to the building. In the interests of striking a balance between the requirements to meet efficiency measures officers have accepted that the windows to the south wing of the building could be accepted as proposed. A condition is therefore proposed to secure timber framed sash windows to the front of the building and for full details of those windows to be provided.

7.202 In order to provide private outdoor amenity space to some of the residential units within the building, it is proposed to re-use the existing lightwells at lower-ground floor. These will be extended outward to provide sufficient space to meet space standard requirements and new doors will be installed to allow access to the spaces. The spaces will also need to be treated with a new boundary treatment which will impact upon the character of the elevation at this lower level. Full details of this would be secured via condition.

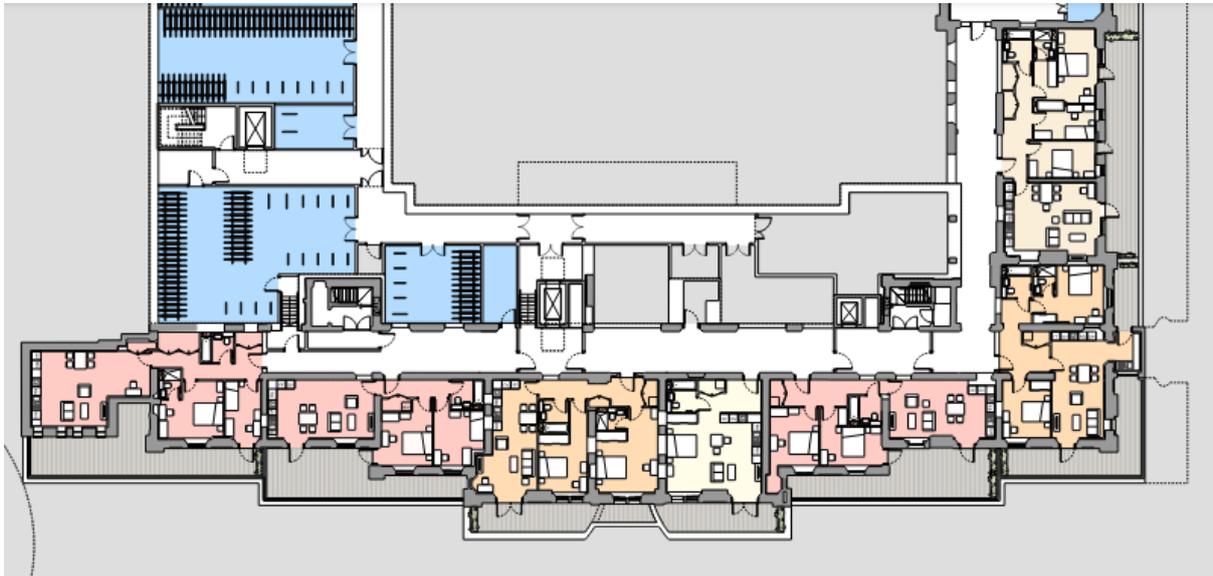


Figure 46 – Propose ground floor plan of main hospital building

7.203 The roof of the building will be retained and repaired where possible, subject to further detailed surveys to be secured by condition. There will however be an introduction of new dormer windows to the roofscape and a rationalisation of the existing dormers so that the arrangement and appearance of the dormer windows is unified and simplified. The dormers will also allow for appropriate access to daylight and sunlight and improved outlook for flats on the top storey of the building. Whilst loss of the dormers is harmful, the decision to renew dormers offering consistency in detailing, and balancing location will complement the façade below. Whilst the number of dormers to be provided (27) is significant, they have been rationalised where possible such that the majority of the rooms on the third floor are only served by one dormer. There is overall symmetry in the dormers to be provided to the roof when viewing the main range of the hospital building. It is also worth noting that a similar number and layout of dormers to the main range was considered acceptable as part of the previous application. Historic dormers have very narrow cheeks and this is difficult to replicate in a dormer which is compliant with building control requirements so full details will be required to be secured via planning condition to ensure that the dormers are respectful of the special architectural interest of the building.

7.204 Existing roof lanterns in the roof of the building will also be restored and/or replaced to provide additional daylighting to the top floor of the building. The retention of the lanterns where possible and replacement with like-for-like lanterns where they are beyond repair is supported and would retain some of the historic character of the building whilst also improving daylight and sunlight to the flats in this part of the building.

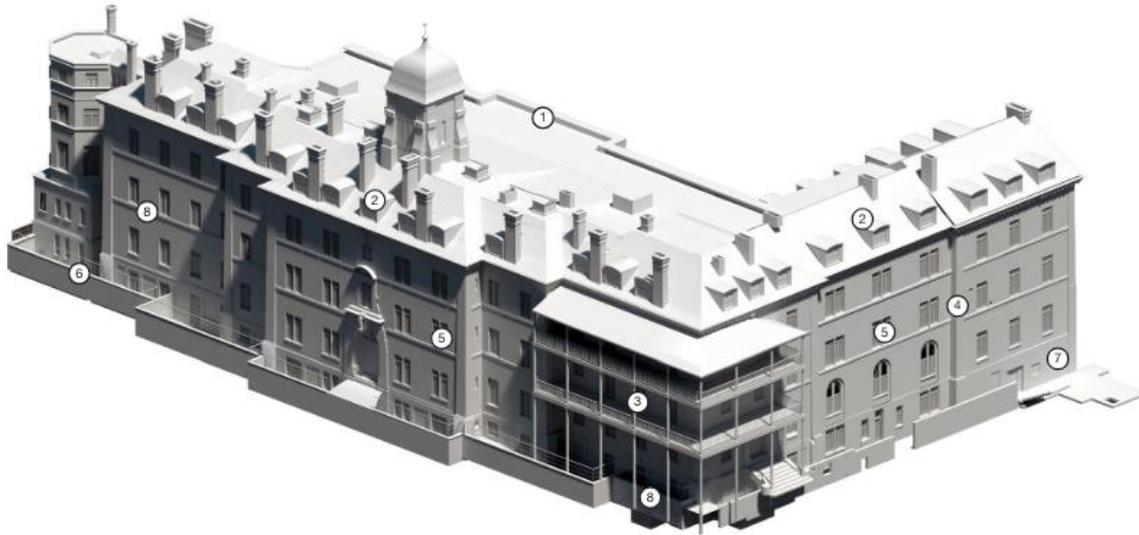


Figure 47 – CGI of Building F to demonstrate proposed new dormers and roof works



Figure 48 – Photograph of inside of existing roof lantern. The lantern has been made weathertight and boarded up whilst the application is considered.

- 7.205 To the front of the site, the verandas, originally open to the air, would be restored and utilised as outdoor amenity areas for the adjoining residential units.
- 7.206 At the present time the flat roof at the top of the building is of lead and temporary works have been carried out to make the roof wind and weathertight in the short term to safeguard the long-term survival of the building and to halt further deterioration of the top storeys of the building following a period of decay. The intention is that the lead would be replaced as part of the works and this has been confirmed by the applicant.
- 7.207 As for the inside of the building, the conversion of the building to provide residential accommodation is accepted in principle as an appropriate use of the building, subject to the

securing of various conditions so as to ensure that the proposed restoration and conversion works are undertaken in the most appropriate and sensitive manner.

- 7.208 Much of the historic plan form of the building will be retained and the flats will be laid-out internally within this form. Of particular note is the retention of the wide historic corridors with the entrance at the southern end of the building being retained and a new heritage-type stairlift provided to allow for wheelchair access to the building. On upper levels there will be some erosion of the corridors at either end of the building which will result in some harm to its character and the significance of the building. The intention is to dryline and insulate through out but, once removal of the modern NHS elements has taken place it will be important that a further review of existing historic fabric is undertaken to see whether more can be retained. This will be secured via planning condition.
- 7.209 For example reference is made in the scope of works to the possibility of retaining cornices if they are in reasonable condition – this would be strongly supported. If this is not possible, the scope of works makes provision for cornices mouldings to be recorded for replacement and reinstatement.
- 7.210 A light-touch soft-strip of the inside of the building has already commenced on site which has revealed further elements that will require consideration following the grant of any listed building consent. For instance, the removal of modern suspended ceilings has also areas where further consideration of what is proposed is required for instance historic corridor ceilings which, again, would be secured by planning condition.
- 7.211 A summary of the historic features existing on site was prepared before the clearance of modern NHS fittings and this will need to be updated in line with what has been uncovered and should include historic surfaces where found.

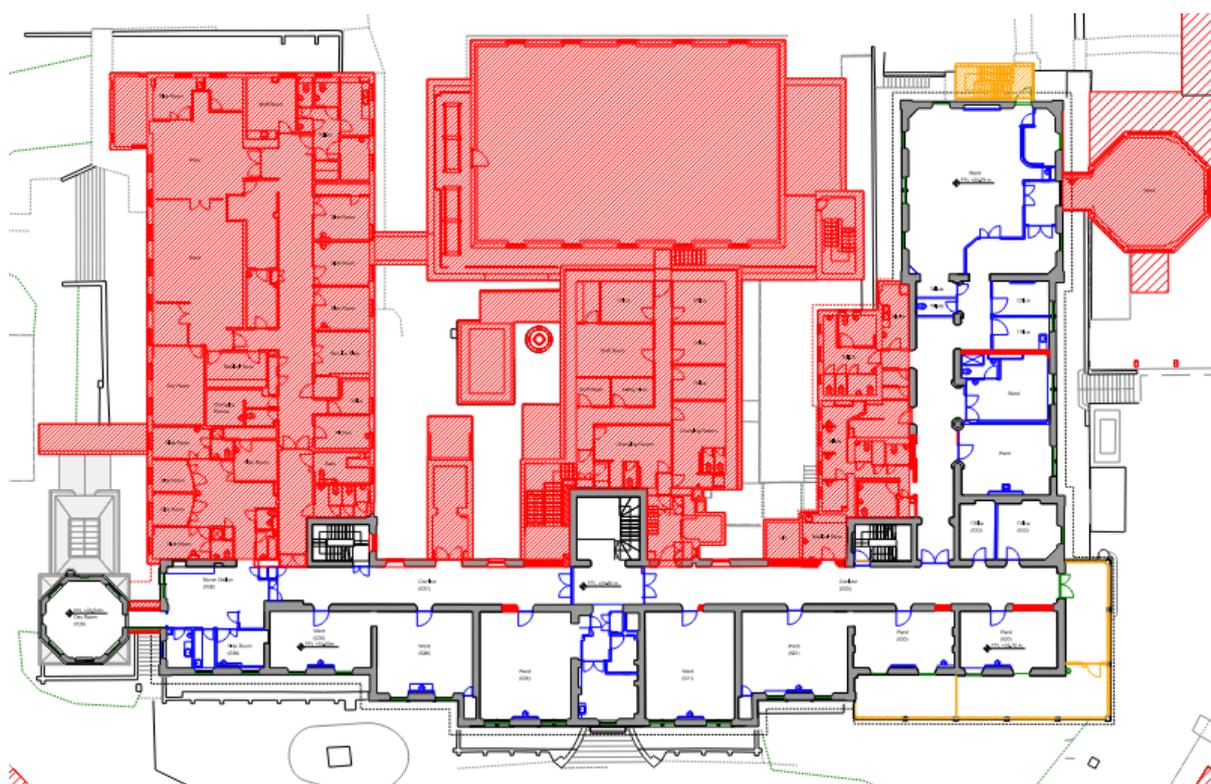


Figure 49 – Example proposed extent of internal works/demolition on one floor

- 7.212 Historic England queried whether the Sanitary Tower's historic pyramidal roof could also be sensitively reinstated to provide additional heritage benefits. However the applicant has stated that the original roof structure was likely damaged during WWII and was replaced in the late 1940s with a flat roof. The design team had explored the possibility of reinstating the roof however it was decided, in line with the wider sitewide approach to celebrate the history and evolution of the Chest Hospital, that adding an extraneous (and redundant) additional artisanal pyramidal roof would not be in keeping with revealing the scars' history and ephemera shown

elsewhere on the building – notably the south wing flank elevation and interior courtyard. Equally there are little to no drawings or details of the original roof – meaning that any replica or facsimile would be based off of limited information and could be a retrograde step against the wider conservation led approach. The use of the flat roof also allows the applicant to upgrade insulation of the roof in line with energy efficiency commitments contained in the submitted application.

7.213 The Victorian Society have also suggested that the central tower of the hospital building could be further enhanced by restoring it to its original form as seen in historic photographs. The architects and heritage consultant have explored this and it is noted that the original cupola was removed due to poor weathering qualities of the material used and unsatisfactory original design. In addition, the existing floor within the tower, which will be converted into a bedroom, measures below 18m and, by installing an additional level within the tower would likely necessitate significant further interventions to the building to bring it in line with building regulations. Officers are satisfied that, whilst the re-introduction of the cupola would be an additional heritage benefit, there are other salient reasons for not doing so and no harm is caused to the building as a result of not doing so.

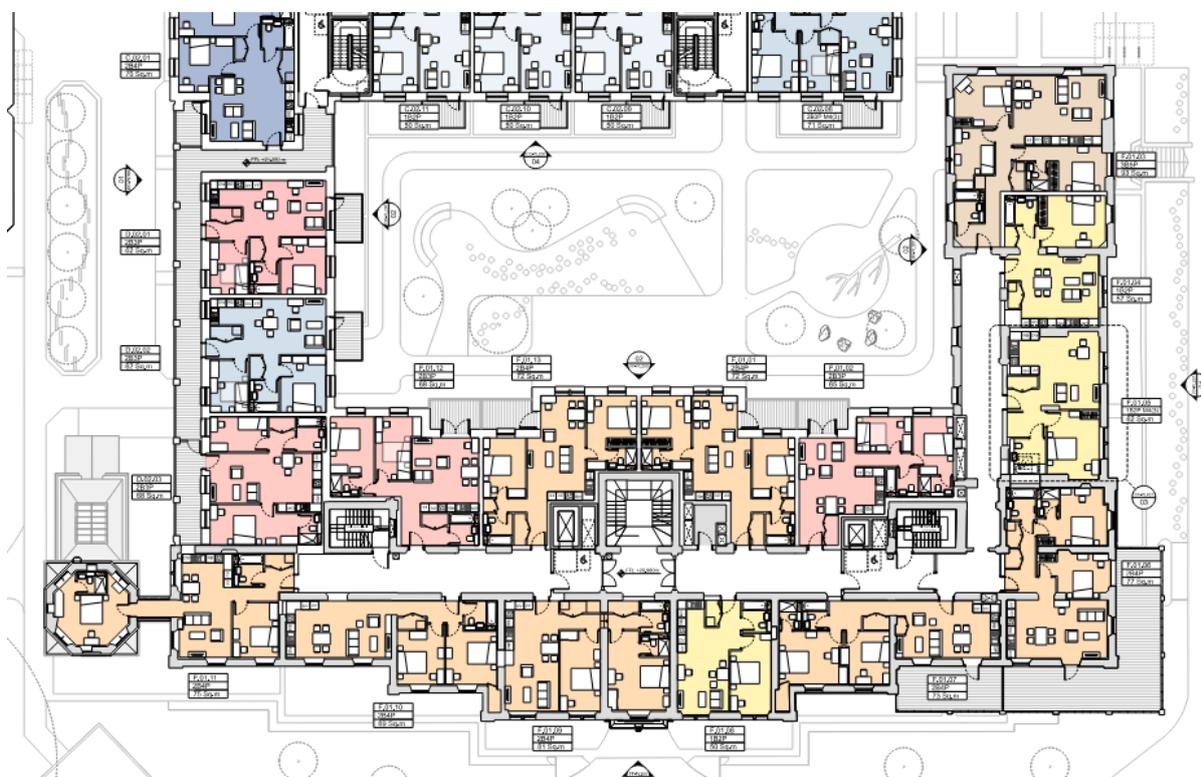


Figure 50 – Proposed upper floor plan of Block F demonstrating retention of majority of historic plan form within the listed element

Proposals relating to other listed elements including Boundary Railings, obelisk piers, gates and lamps

7.214 The boundary strategy primarily aims to maintain, reinstate and unify the existing boundary provided by the listed Grade II Victorian railings.

7.215 These have been reviewed and a condition survey carried out by Hutton and Rostron. The proposals indicate the retention and repair of the existing railings in some instances elements are missing and these will be reinstated, elsewhere elements may be salvaged for reuse.

7.216 A further study is to be carried out once the hoardings are removed and the condition of the railings can be assessed more holistically – it is anticipated that a combination of minimal intervention where possible combined with dismantlement and restoration where necessary is considered to be the most appropriate approach.

7.217 The listed Victorian gas lamp located at the southwestern corner of the building will be retained and repaired appropriately.

Significance of the Setting of the Listed Building and contribution to Conservation Area

- 7.218 The significance of the hospital itself, and its special architectural and historic interest, is enriched by its parkland setting. Designed in a country house style, the parkland setting enhances the architectural illusion of the hospital as a grand country house set in its own landscaped garden. This setting contributes much to the overall significance of the listed building.
- 7.219 The gardens also reflect the importance placed upon fresh air and a country location as essential to health, and the treatment of tuberculosis, the main focus of the hospital. The suburban location of the hospital was an important consideration in its siting. In this way, the setting contributes to the significance of the listed hospital, reflecting the beliefs of the medical profession and the wider public at the time of construction.
- 7.220 Whilst it is recognised that the parkland setting has to a certain extent been compromised by the ad hoc buildings which have developed to support the hospital function over the years, the relatively low scale of these buildings means that they sit beneath the tree canopy and are camouflaged by the mature greenery which surrounds the borders of the site. The main hospital is the most prominent building on the site, with the mature planting dominating views into the site, easing the transition between the open space of Victoria Park and development to the south and contributing positively to the character of the conservation area. For adjoining occupiers the feeling is of a low scale and intensity of development, set within an open space composed of mature trees and shrubbery.
- 7.221 The listing description also notes that the listed hospital building and those elements of the hospital encompassed within the listing have group value, with Victoria Park (a grade II listed park and Garden) and other listed structures close by including St James-the-Less Church and the Raines Foundation School. Thus their value is enhanced when considered in conjunction with one another. As a grouping, they each form a part of the setting for the others, and the interrelationships and views between them are significant.
- 7.222 The character of the conservation area is governed by the park itself, the Victorian buildings which border it and by the broader parkland feeling created by the generous public realm and landscaping. This is set out in the character appraisal which notes that, "Mature planting and landscaping in both the public and private gardens create the high-quality open character of much of the area".
- 7.223 The Chest Hospital is a major building within the conservation area and occupies a key site opposite to the entrance to the park across Bonner Bridge, an ancient monument. It is a landmark building within the conservation area set within its own landscaped grounds. Pennethorne, when designing Victoria Park, had originally anticipated that this site would provide an extension to the park and would be landscaped, and it was not until some years later that it was given over to the Chest Hospital.
- 7.224 The mature trees and shrubs around the boundaries of the site contribute to the parkland feel of the broader conservation area. Despite the numerous small scale buildings existing on the site, the overwhelming feeling is one of open character with lots of visible sky intersected by branches and foliage, views into the site being dominated by the mature planting.

Loss of Contextual Buildings

- 7.225 The current proposals involve the removal of all the buildings on the site with the exception of the main building, the adjoining sanitation tower and South Wing.
- 7.226 Whilst the listing of the hospital specifically excludes other buildings on the site as of no interest in terms of the listing, this does not necessarily mean that all of them can be dismissed as not making a positive contribution to the setting of the hospital and the broader conservation area. In the main they are relatively small buildings intended to fulfil the functional requirements of the hospital as and when those requirements have arisen.
- 7.227 The building of particular note is the nurses' accommodation facing St James's Avenue which has also been highlighted by Historic England. The building dates originally from 1905, and

although much was rebuilt with less distinguishable detailing following bomb damage, the building none the less contributes positively to the setting of the hospital and the broader conservation area beyond, being of an appropriate scale and associated with the broader historic use of the site. Its form is an important contextual element for the listed hospital, forming part of its setting. Its low scale also maintains the prominence of the landscaping, which is important to the setting of the Chest Hospital and an important part of the conservation area's special character and appearance.

7.228 The loss of the nurses accommodation has been justified but is none the less considered to be harmful to the setting of the hospital and to the character of the conservation area. Consideration was given to the possibility of retaining and converting the nurses accommodation, but the plan form was not conducive to conversion for family accommodation and the footprint limited the extent of new development across the site. Extension of the existing buildings might also have caused problems in terms of the relationship of the buildings with the protected trees and would have resulted in a building sat much closer to St James's Avenue. In order to ensure the optimisation of the site and overall viability of the scheme, the loss of the nurses accommodation is considered acceptable in urban design terms but harmful in heritage terms.

7.229 It is also worth noting that the nurses accommodation was also to be demolished under the previous scheme and was considered acceptable as part of the consideration of those proposals.

Impact of the proposed new build elements on the listed hospital building and other listed buildings

7.230 The hospital had an important public role and landmark status, and this is reflected in its scale and prominence on the site and within the conservation area. Set within its own landscaped parkland setting, and exceeding the ambient height of much of the conservation area, it is a large scale freestanding building which contrasts with the finer grain of the terraces typical of the conservation area.

7.231 In terms of the existing scale and massing of buildings on the hospital site, it is clear that the hospital is the most prominent building, dominating the other buildings in terms of both scale and height. Most of the buildings across the site sit well below the shoulder/eaves level of the existing hospital. The buildings are ad hoc in terms of placing but they are lower and less substantial thereby ensuring the pre-eminence of the hospital.



Figure 51 – Verified View 5 as proposed (winter) showing relationship between historic building and Building B Page 238



Figure 52 – Verified View 7 as proposed (winter) showing relationship between historic building and Building E

- 7.232 The proposed buildings would all be taller and of a larger footprint than the existing buildings, some being of greater scale than the hospital building itself. The new build elements would therefore, for the most part, compete with the hospital in terms of both scale and prominence. The above views demonstrate the competition between the hospital building and its nearest neighbours and could potentially be seen to detract from the landmark character of the building. The new buildings would therefore reduce the prominence of the listed building, diluting its contribution to the character of the conservation area as a consequence.
- 7.233 The scale and proximity of the new buildings to the main hospital would reduce the openness around the hospital and the architectural vision of the hospital as a substantial country house within a parkland setting would be compromised.
- 7.234 The proposed Buildings B and E would flank the main elevation of the hospital and would be read in conjunction with the front elevation. The view from the junction of Bonner Road and Approach Road, is the principle view of the main facade, and clearly shows the way in which the hospital and new buildings would be seen together. The extent and scale of the proposals compete for attention with the hospital itself impacting upon the ability to appreciate the architectural vision for the building, its landmark quality and the parkland setting, all key elements of its significance.
- 7.235 That being said, care has been taken to ensure that the lawn in front of the hospital has been retained and that in views of the west elevation, the most significant view of the hospital, new development does not interfere with the historic roofline, although the scale of Building E can clearly be read in views 6 and 7. Care has also been paid to ensure that Buildings are carefully detailed to reduce the impact of the massing and ensure their sympathetic design, and that they are set back from the boundary, allowing the protection of the trees on site and the maintenance of the green and leafy feeling of the site.
- 7.236 Views contained in the TVIA show that this approach has been successful in the main, in particular during summer months where the trees are in full leaf but equally the architectural approach is clearly demonstrated during the winter views.
- 7.237 Building E however, is considerably higher than the hospital and the ambient height of the conservation area and this is harmful to the setting of the hospital and the character of

the conservation area. Building B is also read in clear conjunction with the listed hospital Building, and the proximity of the two buildings provides a direct comparison of the parapet height.

7.238 Turning to the impact to St James the Less Church which is an area of concern.

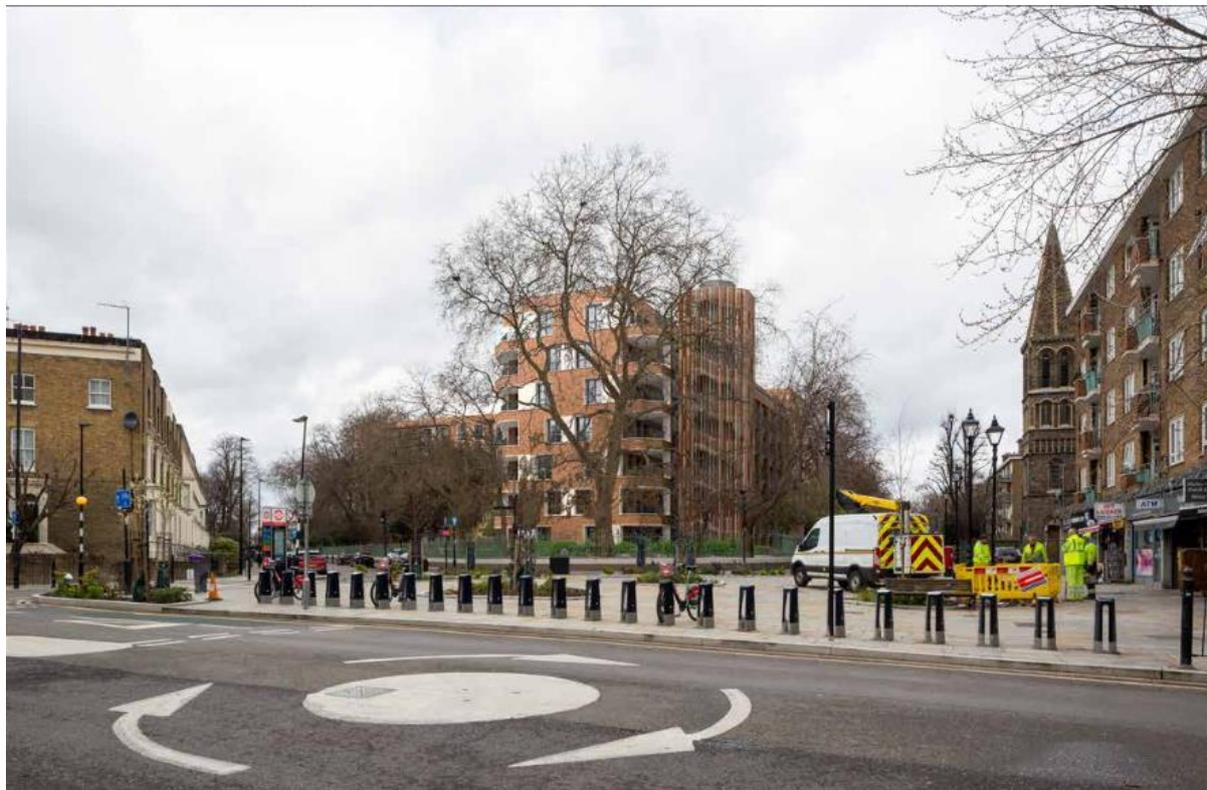


Figure 58 – Verified View 4 as proposed (winter) demonstrating relationship between Building A and St James the Less Church. NB this view does not currently include the minor amendments to the detail of the staircase or the fenestration but remains appropriate for assessing impacts in terms of massing. Updated Verified views will be provided in an update report.

7.239 At the time of construction the church would have been an important landmark and the spire would have been relatively higher than the surrounding housing, drawing attention to this important community building. The spire of the church to this today retains a landmark feature, notwithstanding the erection of 5/6 storey modern housing block since its construction. In the context of the proposed massing, the slim spire would have to compete for prominence with the new residential southern building. St James-the-less Church and the London Chest Hospital are also significant for their group value, their relationship to one another, and this is diminished by the intrusion of the proposed new southern building which sits between the two buildings.

7.240 Whilst the acceptance of a building of similar size in this location was accepted and considered acceptable in the round as part of the previous application, the decision to accommodate the required second staircase for fire safety purposes as an external staircase to the southeastern corner of Building A means that it appears clearly in views of the spire of the Grade II Listed church on the eastern side of St James's Avenue. The height and dimensions of the staircase challenge the spire directly and it is also set forward of the building line of the main Building, closer to the church. The impact of this reduces the intervention at roof level to set back the top storey to reduce the impact of the building.

7.241 In terms of heritage impact upon the church it is an indirect impact and is less than substantial so this must be weighed against the public benefits of the proposals and the necessary requirements to provide a secondary fire staircase to Building A.

7.242 The Bonner Hall gate piers and gates are grade II listed and comprise of 4 dramatic gate piers which flank three gated entrances. The piers are highly decorated with a central square red

brick core with double white stone rusticated pilasters. They are topped by large stone caps, with domed heads above which are iron bases and lamps. The piers terminate the view to the park from Approach Road. Beyond them Bonner Hall Bridge crosses the canal into the park. A scheduled ancient monument it is a 19th century segmental arched bridge of red brick with prominent stone voussoirs, the keystone to the bridge bears a crown and monogram 'VR'. The parapets above the bridge abutments are finished with stone copings, whilst a series of ornate cast iron strapwork panels form a balustrade linked on their top edge by a cast iron handrail. The corners of the bridge on the canal towpath are covered with cast iron plates, which exhibit historic wear patterns relating to 19th century rope marks caused by horses towing canal boats. The park is also Grade II* registered.

- 7.243 The bridge and the gate piers are contemporary with the development of the park in the mid 19th century and combine to form an entrance way to Victoria Park. Both have an important relationship with the park, and the bridge also has an important relationship with the canal which passes beneath it. The two elements form an important setting for one another, the bridge being almost separated from the neighbourhood beyond by the gate piers which terminate views down Approach Road.
- 7.244 The view shown below in figure 59 is the most sensitive view from within the park towards the listed gate piers and scheduled monument. Figure 60 also shows the building from within James Pennethorne Square looking south which shows. Whilst the proposals will have an impact upon the setting of the bridge, the gate piers and this discrete section of Victoria Park, their relationship to one another and the park beyond is maintained.
- 7.245 The setting for the gate piers and bridge is already mixed with Sotherby court to the south and Cleland House to the east. The proposals will introduce a carefully considered new development set back from the corner which whilst visible in conjunction with these entrance features from some views will not detract from their significance. The building will also become a prominent feature from within the square but does not unduly overbear upon the space given it is setback behind the tree line and the much closer block in Sotherby Court already impinging on the square. The park is also a very large park and any impacts to its setting would be limited to a small section of it.



Figure 59 – Verified View 10 as proposed (winter) demonstrating relationship between Building E and the listed gate piers, Bonner Bridge and setting of Victoria Park



Figure 60 – Verified View 1 as proposed (winter) demonstrating relationship between Building E, Sotherby Court and James Pennethorne Square

7.246 None of the LPA's heritage officer, the GLA's heritage officer nor Historic England raised any concerns regarding impacts to any of the Grade II Listed Gate Piers, the Bonner Bridge Scheduled Monument nor Victoria Park itself. The Gardens Trust, as statutory consultee in relation to potential impacts to a registered park or garden, were consulted but provided no comments.

Impacts on the contribution of the site and its landscape setting to the character and appearance of the conservation area

7.247 Key to the significance of the hospital and to the character of the conservation area is the landscaped environmental setting of the site and surrounding area. Principally defined by Victoria Park itself, a park laid out in a traditional fashion with sweeping lawns and informal tree planting, this landscaped character is reflected within the setting of the Chest Hospital and in the conservation area as a whole. Substantial mature planting surrounds the hospital, and the impact of this is consolidated within the conservation area by a spacious public realm and tree lined avenues. This landscaped quality and planting contribute to the special character and appearance of the conservation area.

7.248 The hospital's landscaped setting, key to its significance and an understanding of its role and history would be impacted by the introduction of large residential buildings which would rise above the tree canopy and by the consequent reduction in mature greenery, albeit there will also be substantial replacement planting throughout the site including new trees on the perimeter of the site. The vision of the open space as parkland will to some degree be compromised by the proximity and enclosure, bulk and height of the new buildings. These proposals will result in a substantial change to the perception of the balance between building and planting, and will diminish the impact and impression of other planting in the area.

7.249 The scale and proximity of the new buildings to the boundary result in significant changes to the setting of the hospital and the conservation area. Verified views show the change in the way the site would be perceived. At present the mature greenery is the most dominant element of the street scene with branches and foliage silhouetted against the sky. Once developed the new residential buildings would dominate these views, providing a much more urban quality

to the views and in the case of St James's Avenue liable to impact on the open feel of the street.

7.250 Positively the proposals will preserve the historic green open space to the front of the hospital and indeed much of the planting across the site, alongside creating a significant quantum of public realm, green spaces and a new public square which will reinstate the eastern elevation of the South Wing as a landmark feature of the Conservation Area. Additionally there will be a dedicated landscaped space around the veteran Mulberry Tree which will be visible from the street and will enhance the more open and green feel to the site along Approach Road. The Permeability of the site will also be significantly enhanced which will increase the open parkland feel.



Figure 61 – Verified view 2 as existing (winter) looking south along St James's Avenue



Figure 62 – Verified View 2 as proposed (winter) looking south along St James's Avenue

Categorisation of harm

- 7.251 The decision about whether proposals constitute substantial or less than substantial harm to heritage assets as set out within Chapter 16 of the NPPF is always a matter of fact and degree. It is also important to note that in determining the level of harm to the identified heritage assets no account can be taken of the public benefits which may result from the proposed development. The benefits need to be weighed against the harm once the level of harm has been determined. The weighing of the public benefits of the scheme are dealt with in a separate section.
- 7.252 There are a number of harmful elements of the scheme which have been identified. To the listed hospital building there will be a partial loss of the roof, fragments of the rear elevation including the eastern elevation of the south wing, introduction of new fabric including lifts, dormers and unsympathetic windows and a significant intervention to the floor levels at ground and lower ground of the eastern end of the south wing. There will also be the loss of some internal fabric and some features of the historic layout of the building. In terms of its setting, the new development will have a negative impact on this, altering the perception of the hospital as a landmark building within a parkland setting, and impacting upon the broader landscaped character of the Conservation Area. The new build elements will compete with the existing hospital building as well as the listed St James the Less Church and Vicarage, impact negatively upon their setting.
- 7.253 In terms of the degree of harm the proposals would cause to the Victoria Park Conservation area, this would be considerable. Substantial mature planting surrounds the hospital and is key to the site's significance, but it is also a quintessential part of the special character and appearance of the conservation area as a whole which takes its cue from Victoria Park.
- 7.254 The Chest Hospital is a landmark institutional building within the conservation area and together with its landscape setting, the character of which is key to its overall significance, occupies a whole urban block. The mature planting which surrounds the site not only contributes to the aesthetic vision of the hospital as a country house but also reflects the character of Victoria Park which is a key focus of the designation, and consolidates and enhances the special character and appearance of the existing terraces within Approach Road, which is a key access to Victoria Park and which is a street which incorporates planting within the gardens and public realm, which references the park beyond. The loss of the nurse's accommodation will also impact on the character and appearance of the conservation area.
- 7.255 Whilst the impact of this scheme upon the special character and appearance of the conservation area would be harmful, it would not result in the total loss of the conservation areas significance. It also needs to be acknowledged the direct visual impacts of the proposal remain confined to a relatively small area of the Victoria Park Conservation Area and the massing and height of the proposed buildings are not such that they will be a visible and dominant feature from a significantly wider geographic area of the conservation area. There will also be the removal of some of the mature trees from the perimeter of the site, either completely or a reduction in canopy, albeit these will be partially replaced by some new planting.
- 7.256 On consideration of the proposals as a whole, officers are of the opinion that there will be less than substantial harm to heritage assets including the listed hospital building, St James the Less Church and Vicarage and the Victoria Park Conservation Area. This view is supported by Historic England. Officers would place the overall level of harm at a low-to-medium level of less than substantial harm.
- 7.257 Finally it is also worth noting that the level of harm by the present proposals is in a very different position to the previous proposals with this scheme providing for the retention, refurbishment and reintegration of the South Wing presenting a very considerable reduction in the level of harm caused to both the listed hospital and the conservation area compared to that scheme. This view is supported by Historic England in their consultation response. The retention and protection afforded to the veteran Mulberry Tree is also a considerable reduction in the level of harm to be weighed. Officers would therefore note that the level of harm to be balanced

against public benefits provided by the scheme is already in a much more positive position than it was within the previous scheme. This is further helped by an increased quality of architecture as well as other improvements such as retention and integration into the landscape of the Mulberry Tree.

- 7.258 The consideration of the weighing of the harm to heritage against the public benefits of the scheme is set out in sections 7.425 to 7.441 of this report.

Archaeology

- 7.259 With respect to the heritage implications of the scheme pertaining to archaeology the Site is located within the designated St James's Cemetery and Bonner Manor Archaeological Priority Area and the proposed scheme would involve development on the site of the medieval and later Bonner Hall complex. Part of the site of the 16th century palace of the Bishop of London is thought to lie within the northern area of the application site. It is also likely that remains of the earlier, medieval manor house of Stepney that was built and held by the Saxon and later Bishops of London, also survive within the application site.
- 7.260 The standing buildings have also been identified as having both industrial archaeology and buildings archaeology interest for their role in the development of modern healthcare, including around the pioneering ventilation system. As such it is important that were development to commence in respect of this proposal care is taken to ensure that this is known historic feature is properly investigated.
- 7.261 Historic England's Greater London Archaeological Advisory Service have not raised any objection to the scheme subject to the securing of three conditions which would require an Archaeological Watching Brief/Written Scheme of Investigation, Historic Building Recording and a scheme of public engagement to all be submitted to and agreed by the LPA prior to any development taking place. Subject to the securing of those conditions, the proposals are acceptable in terms of impact on archaeology.

Tall Building

- 7.262 It is noted that Building E stands at 31.075m measured from the ground to the very top of the rooftop plant enclosure, which is itself set significantly back from the parapet of the roof of the top storey. The building should therefore technically be considered to be a "tall building" for the purposes of the Local Plan Policy D.DH6. However, it is noted that the height measured from the ground to the top of the parapet of the set-back top storey would only be 29.025m and so would not ordinarily be considered a tall building for the purposes of the policy if it weren't for the additional plant on the roof. The additional height provided by the plant enclosure would also only be visible in certain restricted views, significantly set back from the leading edge of the building. The building would also not be visible above the neighbouring Sotherby Court in longer range views (see view 8).
- 7.263 The impact of the height of the building will also be mitigated both by its design but also by the retention of the significant mature planting around the perimeter of the site, and in particular in this corner of the site.
- 7.264 Officers are therefore of the opinion that Local Plan Policy D.DH6 need not actually be applied to Building E given the technicality in it meeting the definition of a tall building contrasting with how the building will actually be viewed within the context of the site proposals and the surrounding context being buildings of generally 3-6 storeys in height. This view is supported by the GLA within their Stage 1 report who have confirmed that they would not consider any of the buildings to be tall buildings.
- 7.265 Finally, even if the building were to be required to comply with the local plan policy, it is felt that the proposals would meet the exceptions requirements set out in part 3 of that policy through the provision of a significant quantum of high quality public realm including full public access to the grand lawn area set before the main retained hospital building, that helps mark the entrance to Victoria Park and providing generally increased pedestrian permeability throughout the wider area.

7.266 Neighbour Amenity

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

Privacy & Outlook

7.268 The proposals do not give rise to any concerns as to the impact on the privacy of neighbouring properties. The three closest relationships to neighbouring properties are outlined on the Figure 63. The separation distance between the western corner of Building E and Sotherby Lodge on the western side of Approach Road, indicated at 'A' on the image below, is approximately 22.5m. The distance between the southern corner of Building B and front of the front garden of the nearest property on the south side of Bonner Road, indicated at 'B' on the image below is approximately 20.5m, which would extend to 24.75m if measured to the front of the building. This measurement is also taken from the corner of Building B and so is actually likely to be even further. Finally, the distance between the closest point of Building A and the properties on the south side of Bonner Road, shown at 'C' below, is approximately 17m to the front of the front gardens which would extend to 20.8m if measured to the front of the building. However, the guidance specifically states that separation distances are to be between windows of habitable rooms. Therefore all of the separation distances comply with this guidance contained in the supporting text to Policy D.DH8. It should also be noted that some of these measures are taken from amenity spaces to demonstrate a "worst case" scenario, however as the windows are further set back or at oblique angles the separation distance is actually likely to be further or indirect.

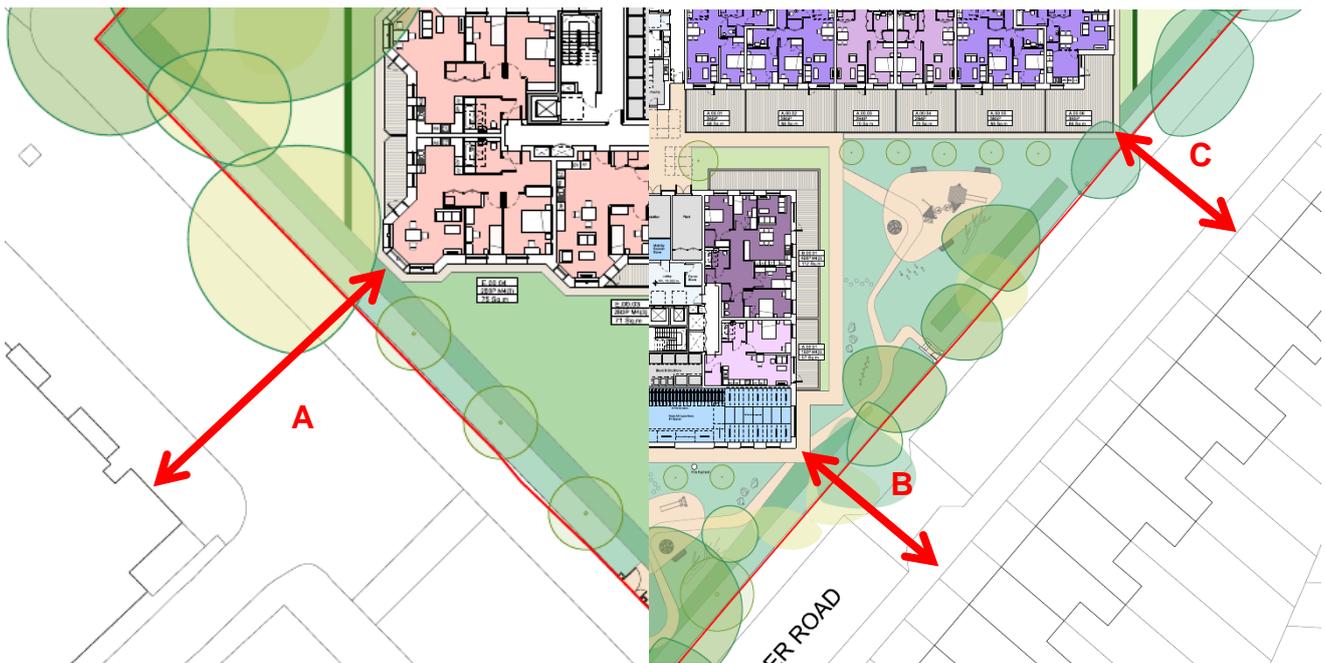


Figure 63 – Marked-up drawings showing separation distances to neighbouring properties

7.269 The site is bound by three roads, Approach Road, St James' Avenue and Bonner Road. The impacts of the development on neighbouring privacy are therefore limited by the fact that any overlooking would be across a public road. In addition, the site is bound by a number of mature trees which would obscure many of the views from mutually overlooking windows and will also be set back behind a perimeter fence, reducing any feeling of a perceived impact on privacy to existing properties.

7.270 The separation distances between the proposed buildings and all surrounding neighbouring properties is therefore set at an appropriate distance and will have no unacceptable impact on the privacy of those neighbouring properties.

- 7.271 The masterplan of the site has been designed to set the buildings back from the edge of the site so far as is possible which would reduce any increase in the sense of enclosure to residential buildings surrounding the site. This is particularly relevant to St James' Avenue where Buildings A and C run adjacent to the edge of the site for a considerable stretch of the site.
- 7.272 It is however also worth noting that the large majority of the mature perimeter trees will be retained and are protected by TPO, meaning that they will need to be retained and maintained appropriately which helps to break up some of the built form and provide further relief to an sense of enclosure. Finally, the introduction of a 9 storey building at the northern corner of the site has raised concerns as to the sense of enclosure, however this is a significantly more open area surrounding the site, given it is at the junction of three roads and opposite the Bonner Gates "square" and entrance to Victoria Park. There is therefore no unacceptable increase in the sense of enclosure to neighbouring properties and the outlook from neighbouring properties will be acceptable.

Daylight, Sunlight & Overshadowing

- 7.273 Guidance relating to daylight, sunlight and overshadowing is contained within the 3rd edition of the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight': a good practice guide' (2022) [hereafter the BRE Guide]
- 7.274 A Daylight, Sunlight and Overshadowing Report prepared by Point 2 was submitted with the application. This has been independently reviewed on behalf of the LPA by Delva Patman Redler.

Methodologies for Assessment

- 7.275 To assess the impact on daylight to neighbouring properties, the BRE Guide recommends carrying out two tests :
- Firstly, any reduction in the amount of skylight hitting a window can be calculated by finding the Vertical Sky Component (VSC) at the centre of each main window. If the VSC of a window with the development in place is both less than 27% and less than 0.8 times its former value, then the occupants are likely to notice the reduction in the amount of skylight.
 - Secondly and where room layouts are known, the BRE Guide advises calculating the distribution of daylight within main rooms by plotting the 'no sky line' (NSL) in each main room. If, with the development in place, the NSL moves so that the area of the room which does not receive direct sunlight is reduced to less than 0.8 times its former value, this will be noticeable to the occupants and more of the room will appear poorly lit.
- 7.276 In relation to sunlight, the BRE Guide states that main living rooms should be tested where they have a window which faces within 90 degrees of due south, where some part of the proposed development is situated within 90 degrees of due south of that window. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.
- 7.277 The 'Annual Probable Sunlight Hours' (APSH) test is used to calculate loss of sunlight over the year. 'Probable sunlight hours' means the total number of hours in the year that the sun is expected to shine on unobstructed ground. The sunlight reaching a window is quantified as a percentage of this unobstructed annual total. If a room receives more than 25% APSH, including at least 5% in the winter months, it should receive enough sunlight. If available sunlight hours are less than the above and less than 0.8 times their former value, either in winter or over the whole year and the overall loss of APSH is greater than 4%, the occupants will notice the loss of sunlight and the room may appear colder and less cheerful.
- 7.278 In relation to sun lighting to amenity areas (overshadowing), the BRE Guide states that at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March. If, as a result of new development, an existing amenity area does not meet the above and the area that can receive 2 hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

7.279 Appendix H of the BRE Guide gives advice on assessing the environmental impact of a proposed development. It states that where a new development affects a number of existing buildings or open spaces, the clearest approach is usually to assess the impact on each existing building separately. It is also clearer to assess daylight and sunlight impacts separately. Where losses of light are well within BRE guidelines, a classification of 'negligible impact' is appropriate. Where losses of daylight or sunlight do not meet BRE guidance, the impact is assessed as minor adverse, moderate adverse or major adverse.

7.280 Factors tending towards 'minor adverse' may include:

- a. losses of light only marginally outside the guidelines
- b. only a small number of windows or limited area of open space are affected
- c. the affected room has other sources of light.

7.281 Factors tending towards a 'major adverse' impact include:

- a. a large number of windows or area of open space are affected
- b. the loss of light of substantially outside the guidelines
- c. all the windows in a particular property are affected.

7.282 Finally, the Mayors Housing SPG states at para 1.3.45 that an appropriate degree of flexibility needs to be applied when using the BRE guidelines to assess daylight and sunlight impacts on surrounding properties. At para 1.3.46, it states that decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm. Paragraph 1.6 of the BRE Guide states that numerical guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Properties tested for Daylight and Sunlight Impacts

7.283 The Point 2 Report indicates the properties surrounding the site which were tested for daylight and sunlight impacts. These properties are shown in Figure 64 and, for the avoidance of doubt, are as follows:

- a. Reynold House
- b. Cleland House
- c. Goodrich House
- d. Rosebery House
- e. Sankey House
- f. The Vicarage, St James's Avenue
- g. St James-the-Less Church
- h. Pomeroy House
- i. 76-116 (even) Bonner Road
- j. 41 Sewardstone Road (Sotherby Court)



Figure 64 – CG Model of the proposed scheme used for the purposes of calculating daylight/sunlight impacts to neighbouring properties

7.284 The same properties were assessed as part of the previous application. The list of properties was agreed by the LPAs independent consultant and they were satisfied that all relevant windows and rooms were assessed adequately.

Specific queries raised in objection as regards assessment of daylight and sunlight impacts

7.285 A specific objection was raised in respect of the methodology for calculation of impacts to neighbouring daylight and sunlight which related to the taking into account of the overshadowing of balconies on adjacent properties rather than just taking into account the impacts on windows and rooms. The LPA's independent consultant was asked to address this issue and stated:

“The BRE guide recommends that the Sun-on-Ground assessment is undertaken to gardens or amenity areas, stating that half of the amenity area should receive at least 2 hours of direct sunlight or remain within 20% of the existing baseline condition on 21 March. Typically, balconies would not be included in the shadow assessment as due to their size they will often comfortably comply with the BRE guidelines. It is therefore reasonable for the applicant to discount balconies from the assessment.”

7.286 The consultant also stated that they would be of the opinion that the balconies on 41 Sewardstone Road (Sotherby Court) would all satisfy the BRE Guidelines.

7.287 Specific objections have been raised in relation to the fact that some flats will have undertaken works to combine rooms, for instance to create open-plan living/kitchen spaces and that this is not taken into account within the assessment, and that a site visit to each of the affected properties should have been undertaken. The applicant's assessor has prepared their report based on publicly available information available to them at the time and has made assumptions about the layouts of flats where specific details were not available. This has been confirmed by the LPA's consultant as an acceptable approach. Notwithstanding this, the final results in terms of daylighting and sun lighting are not likely to result in worse final levels of light within the room as a result of combining two rooms together.

7.288 Officers, and the LPA's independent consultant, are therefore satisfied that the assessment methodology has been undertaken appropriately in line with BRE requirements.

Assessment

- 7.289 Within the tested properties 743 windows serving 498 rooms were tested for daylight impacts through the VSC method. Of the windows tested for daylight impacts 562 (76%) satisfied the BRE guidelines with a further 145 (20%) experiencing a low magnitude impact beyond the BRE recommendations. Only 36 (4%) windows experienced losses equating to medium or high magnitude losses. Of the 498 rooms that were tested through the NSL method 479 (96%) satisfied the BRE guidelines with a further 6 (1%) rooms experiencing only a low magnitude of impact beyond the BRE recommendations. Only 13 (3%) of the rooms experienced losses equating to medium or high magnitude losses.
- 7.290 A further supplementary assessment was also undertaken which removed balconies from neighbouring properties, the purposes of which is to test whether windows are already impeded by existing balconies as to their access to daylight and therefore whether those balconies are actually the main factor in the relative light loss. That assessment revealed that when the balconies are removed, of the 743 windows tested, 635 (85%) would satisfy the BRE guidelines.
- 7.291 Within the tested properties, 386 rooms were tested for sunlight impacts. 355 (92%) of the rooms tested would satisfy the APSH guidelines and a further 14 (4%) would experience a low magnitude of impact beyond the BRE recommendations. Only 17 (4%) of the rooms tested would experience impacts of a medium or high magnitude.
- 7.292 The following sections will detail the results for each individual property.

Reynolds House

- 7.293 All windows except for 1 comply with daylighting requirements. That 1 window is located under a canopy and serves the entrance hall to the property and is therefore not material to the assessment and only failed on the VSC test. All rooms complied with the NSL testing.
- 7.294 As above, all rooms tested except for 1 comply fully with BRE APSH sun lighting criteria. That room is the same one identified above as the entrance hall and so is not material to the assessment.

Cleland House

- 7.295 These are the flats located to the north-east of the development site. A large proportion of the site facing windows have their ability to receive light hindered by the presence of overhanging decks.
- 7.296 The VSC results indicate that of the 52 windows tested, 33 (63%) will satisfy the BRE guidelines. 17 windows would experience low magnitude losses, 1 a medium magnitude loss and 1 a high magnitude loss. However, with the overhanging decks removed all windows satisfy the BRE guidelines. This demonstrates that the design and positioning of the deck access walkways are the main reason for the reduction in VSC beyond the BRE guidelines and not the height, bulk and mass of the proposed scheme. All of the tested rooms will satisfy the BRE requirements as to NSL.
- 7.297 The APSH sun lighting results indicate that of the 47 rooms tested, 39 (83%) will satisfy the BRE guidelines. The maximum reduction any of the rooms experience will be 6% with the threshold being 4%. All rooms that fall below the BRE recommendations are located under deck access balconies and 7 of the 8 rooms that fall below the guidelines only do so due to reductions in winter sunlight.
- 7.298 It should also be noted, that living rooms are believed to face away from the site and will not experience an alteration in sunlight.

Goodrich House

- 7.299 These are the flats located to the east of the development site. A large proportion of the site facing windows have their ability to receive light hindered by the presence of overhanging decks.
- 7.300 The VSC results indicate that of the 52 windows tested, 33 (63%) will satisfy the BRE guidelines. 15 windows would experience a low magnitude loss and 2 a medium magnitude loss. No windows would experience a high magnitude loss. However, with the overhanging decks removed all windows satisfy the BRE guidelines. This demonstrates that the design and positioning of the desk access walkways are the main reason for the reduction in VSC beyond the BRE guidelines and not the height, bulk and mass of the proposed scheme. All of the tested rooms satisfy the BRE guidelines as to NSL.
- 7.301 All of the rooms tested satisfied the BRE APSH guidelines as to sun lighting.

Rosebery House

- 7.302 These are the closest flats to the site located to the east across St James's Avenue. Some of the windows/rooms directly facing the site have their ability to receive light hindered by recesses with balconies above.
- 7.303 The VSC results indicate that of the 105 windows tested, 72 (69%) will satisfy the BRE guidelines, this increases to 79 (75%) with the balconies removed. 21 of the windows would experience low magnitude losses, 5 windows would receive a medium magnitude loss and 7 of the windows will experience high magnitude losses. If the balconies were to be removed the medium and high magnitude losses would be limited to 1 and 3 windows respectively. The majority of windows which are not located under balconies or in the recesses generally retain a VSC of around 20% in the post development condition which would be considered to represent good levels of daylight for an urban location.
- 7.304 All of the tested rooms satisfy the BRE guidelines as to NSL.
- 7.305 The APSH results indicate that of the 69 rooms tested, 65 (94%) will satisfy the BRE guidelines. The remaining 4 rooms will experience moderate to high reductions, however all 4 rooms that fall below the BRE recommendations are located under balconies and so are already compromised.

Sankey House

- 7.306 These are the flats located to the east of the site across St James's Avenue. Some of the windows have their ability to receive light hindered by the presence of overhanging balconies.
- 7.307 The VSC results indicate that of the 80 windows tested, 35 (44%) satisfy the BRE guidelines. 30 windows would experience a low magnitude loss, 9 windows a medium magnitude loss and 6 windows a high magnitude loss. The 15 windows which have the potential to experience a moderate to high reduction are all located under balconies. With the balconies removed the overall level of adherence to the BRE guidelines increases to 73%, with none of the windows experiencing a moderate to high reduction beyond the BRE recommendations..
- 7.308 The NSL results indicate that of the 60 rooms tested, 58 (97%) satisfy the BRE guidelines with the reductions with the remaining two rooms being only 20.8% and 25.3% respectively (the target is 20%).
- 7.309 The daylight results indicate that with the exception of the windows located under the balconies, all other areas will either satisfy the BRE guidelines or retain a mid-teen or above VSC.
- 7.310 The APSH results indicate that of the 60 rooms tested, 45 (75%) satisfy the BRE guidelines. Of the rooms that fail, 4 will experience minor losses, 9 moderate losses and 2 high losses during summer, with the higher losses increasing to 10 rooms during winter. However, generally the rooms that are not located under the balconies will all retain good levels of sunlight in the post development condition.

Vicarage, St James's Avenue

- 7.311 This is the residential property located to the east of the site.
- 7.312 The VSC results indicate that of the 8 windows tested, 4 (50%) satisfy the BRE guidelines. All windows will retain a VSC of at least 23.5% in the post development condition. Only one window will receive a proportional reduction in VSC of more than 30%. That window is thought to serve a room which is served by a second window which will be unaffected by the development and the room as a whole will satisfy NSL criteria.
- 7.313 The NSL results indicate that of the 7 rooms tested, 3 (43%) satisfy the BRE guidelines. The remaining 4 rooms will receive medium magnitude losses
- 7.314 The APSH results indicate that all but one of the rooms will satisfy the BRE guideline. That room only fails to meet the guidelines because it will receive a reduction in winter sunlight in excess of the guidelines, however retains acceptable total levels of APSH. It is noted that the window to this room is set back from the main front elevation and so already received impeded levels of sunlight in winter.

St James the Less Church

- 7.315 The proportional reduction in VSC to the main front window of the Church is 29.8%. This is in excess of the 20% threshold, however the retained VSC value remains 21.5% which is a high level of daylight for an urban location. None of the side windows of the church will experience losses in excess of 4%. A further calculation was undertaken to assess the overall reduction to the nave as a whole and this would not exceed the 20% requirement of the BRE guidelines.
- 7.316 There would be no reduction in NSL.
- 7.317 As to sun lighting, the nave of the church will retain 90% APSH following the development and 25% in winter which significantly exceed the BRE requirements.

Pomeroy House

- 7.318 This is the residential property with retail units at ground floor level, located to the south-east of the site. Some of the windows/rooms have their ability to receive light hindered by being positioned under recessed balconies.
- 7.319 The VSC results indicate that of the 60 windows tested, 51 (85%) satisfy the BRE guidelines. All 9 windows that fall below the BRE recommendations are located in recesses under balconies, 8 of which are secondary windows facing into the recess. All windows that are not behind recesses retain significant levels of VSC.
- 7.320 The NSL results indicate that all rooms will satisfy the BRE guidelines.
- 7.321 The APSH results indicate that of the 36 rooms tested, 34 (94%) satisfy the BRE guidelines. Both rooms that fall below the BRE recommendations are located in the recesses under balconies and only fall 1% short of the threshold in the BRE guidelines.

78-116 (even) Bonner Road

- 7.322 These are the terrace properties located to the south of the site. As the site facing elevation is not oriented within 90 degrees of south no sunlight assessment was required to be undertaken.
- 7.323 Reductions in VSC and NSL to numbers 76-80 and 116 Bonner Road are in full compliance with BRE Requirements. Of the remaining properties, 143 (76%) of the 186 windows assessed fully comply with the BRE requirements. All of the reductions experienced fall within 20-30% and are therefore a low magnitude impact. The windows are also all located at ground or lower ground and form a single bay window on each property.
- 7.324 When calculated as a bay window, rather than individual windows, 11 of the 28 comply with the guidance. The other 17 experience reductions of 20.5% to 25.4% with only the lower ground floor bay windows experiencing reductions above 22%.

7.325 Reductions to the levels of NSL above the BRE guidelines are only experienced by lower ground floor rooms within numbers 84-104 (11 of the 112 rooms in this group of properties) and range from low to high magnitude impacts. As these are lower ground floor rooms, it should be expected that the impacts would be significantly greater as the windows are already impeded. The remaining ground floor and above rooms are in line with the guidance which indicate that the impact on daylight to the properties as a whole are minor.

41 Sewardstone Road

7.326 This is the residential property located to the north-west of the site. Some of the windows/rooms have their ability to receive light hindered by the presence of balconies.

7.327 The VSC results indicate that of the 67 windows tested, 58 (87%) satisfy the BRE guidelines. This increases to 63 (94%) with the balconies removed. The only window to experience losses above 30% would retain a fully compliant level of daylight with the overhanging balcony above removed. The remaining 8 windows would experience reductions between 21.8% and 28.5% with all windows maintain a VSC of at least 16%.

7.328 The NSL results indicate that of the 44 rooms tested, 42 (95%) satisfy the BRE guidelines. Those two rooms would receive reductions of 21.9% and 38.3% respectively with the threshold for compliance being 20%. Therefore only 1 room would experience a medium magnitude impact.

7.329 The sunlight analysis indicates that all rooms tested will satisfy the BRE guidelines.

Overshadowing of neighbouring amenity spaces

7.330 All relevant neighbouring amenity spaces were tested for overshadowing in line with the BRE requirements and resulted in full compliance with those requirements. The Regent's Canal will also not be impacted by the development as it will not cast shadows that reach the canal on March 21st.

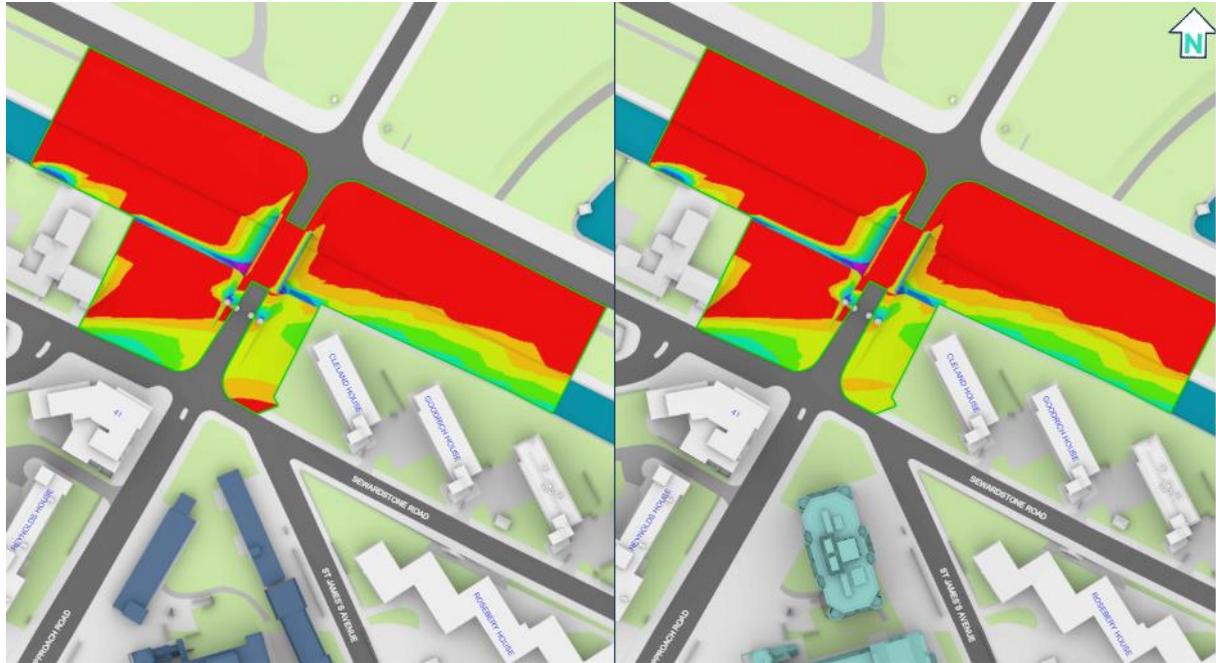


Figure 65 – Sunlight on the ground assessment of areas to the north of the site including the Regent's Canal, Victoria Park and James Pennethorne Square

7.331 Specific objections have also been received in relation to the overshadowing of the listed Bonner Gates and Scheduled Monument in the form of the Bonner Bridge. As illustrated on the images above, only a very small area of footpath towards the southernmost section of James Pennethorne Square - see the small red section on the left changing to green which represents overshadowing but still retaining at least 6-7 hours of time in the sun – that will be impacted by the proposals in terms of overshadowing on March 21st and so there will be no

unacceptable impact on the heritage assets to the north of the site, James Pennethorne Square, Regents' Canal or Victoria Park in terms of overshadowing.

Conclusion on daylight and sunlight impacts to neighbouring properties

- 7.332 Only 36 of the 743 tested windows would receive impacts on VSC of a medium (21 windows) or high (15 windows) magnitude, reducing to only 8 windows if balconies are removed and only 13 out of the 479 rooms tested would result in impacts of a medium (8 rooms) and high (5 rooms) magnitude. These are considered to be low levels of impact for a scheme of this scale in an urban location.
- 7.333 Only 31 rooms out of the 385 tested would not meet the BRE APSH requirements across the entire year with only 27 of the rooms tested failing to meet the BRE APSH requirements as to winter sunlight. Again, these are considered to be low levels of impact for a scheme of this scale in an urban location.
- 7.334 The proposed development would result in some adverse daylight and sunlight impacts to a number of neighbouring properties with some noticeable and significant reductions in daylight and sunlight. However, the number of windows and in particular rooms affected is relatively small in number for a scheme of this size. Any scheme of this scale, type and density seeking to fully optimise the relevant site would inevitably lead to some adverse impacts to the neighbouring properties. Particularly, in the case of this particular site where, with the exception of the main hospital building which is itself set well away from the site boundaries, the existing buildings on site are low rise, single storey ad hoc buildings or in the case of the nurses accommodation (set parallel to St James Avenue) only 3 storeys tall which inevitably means any proposed additional height set closer to the street edge would result in a more significant level of reduction than in other areas of the borough.
- 7.335 The LPA's independent consultant has identified where there will be impacts above and beyond the BRE requirements but has noted that, generally, where the windows/rooms do fall below BRE guidelines, the windows are generally located in recesses or balconies. Supplementary testing reveals that with those balconies removed generally acceptable levels of daylight and sunlight would remain in the post development condition for a large number of those windows, indicating that the height, bulk and massing of the proposed development is not disproportionate for the area in daylight and sunlight terms. Where there remain failings against the BRE guidelines, these are limited to a very small number of windows or rooms surrounding the entire site and would therefore be acceptable.
- 7.336 It should also be noted that, in comparison to the previous scheme a larger number of windows and rooms were tested and the way in which some of the testing is undertaken has since changed and so it is more difficult to draw direct comparisons. That being said, the overall VSC results result in a lower percentage of adherence but a near identical percentage of moderate to high impacts as compared to the previous scheme with the majority of the additional transgressions resulting in a low impact. The NSL testing resulted in a higher level of adherence generally and similar percentages of impacts across each of the low, medium and high impact categories. Finally the APSH testing resulted in a slightly lower level of adherence but the majority of the additional transgressions are attributed to a lower level of impact.
- 7.337 In addition and in compliance with the Mayors Housing SPG, the target values within the BRE Guide should be viewed flexibly, to fully optimise the potential of the site to provide housing.
- 7.338 Therefore, whilst some of the daylight/sunlight levels in the proposed condition would be lower than the BRE standard target values and result in discrete numbers of moderate to high levels of impact and given the fact that the application is introducing a significant new built-form, the impacts are considered acceptable in an urban location such as the application site. Overall, it is therefore considered that the development would, on balance, not result in any unacceptable adverse impacts on daylight, sunlight or overshadowing to neighbouring occupiers or amenity spaces.

7.339 The proposed residential use does not raise concerns from a noise perspective and the proposed commercial/community facility is appropriately sized so as not to create any additional concerns. The introduction of additional open space and play space will obviously create additional footfall and activity but this is not expected to create unacceptable levels of noise nuisance. Anti-social behavioural noise concerns will be addressed by a Secure by Design condition.

Construction Impacts

7.340 The impacts of construction are unavoidable but will be controlled through the a Code of Construction Practice condition which also requires submission of plans addressing and controlling these impacts.

Conclusion

7.341 The proposals take account of neighbouring properties and amenity spaces and will not have any unacceptable impacts on the enjoyment of the amenity of those properties and spaces.

Transport

7.342 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.

7.343 It is noted that the application site is in a highly accessible location, a short walk from local transport facilities such as Bethnal Green Tube station and has a bus-stand immediately outside the site.

Vehicular, pedestrian and cycle access

7.344 Two new east-west routes will be introduced through the site to the north and south of the hospital building respectively. These routes will primarily be for pedestrian and cycle access only. However, there will be intermittent access to each for emergency and refuse vehicles. This access will be restricted by retractable bollards. Refuse vehicles on the southern route will enter the site via St James's Avenue and travel west, exiting onto Approach Road via the road around the western lawn. On the northern route, refuse vehicles will enter from St James's Avenue, turn outside of Building E and reverse, with supervision, down the route to collect refuse from Building D, and then exiting the site again via St James's Avenue. Collection of waste from within the site will take some of the pressure of St James's Avenue as it will remove the need for refuse vehicles to stop on the street.

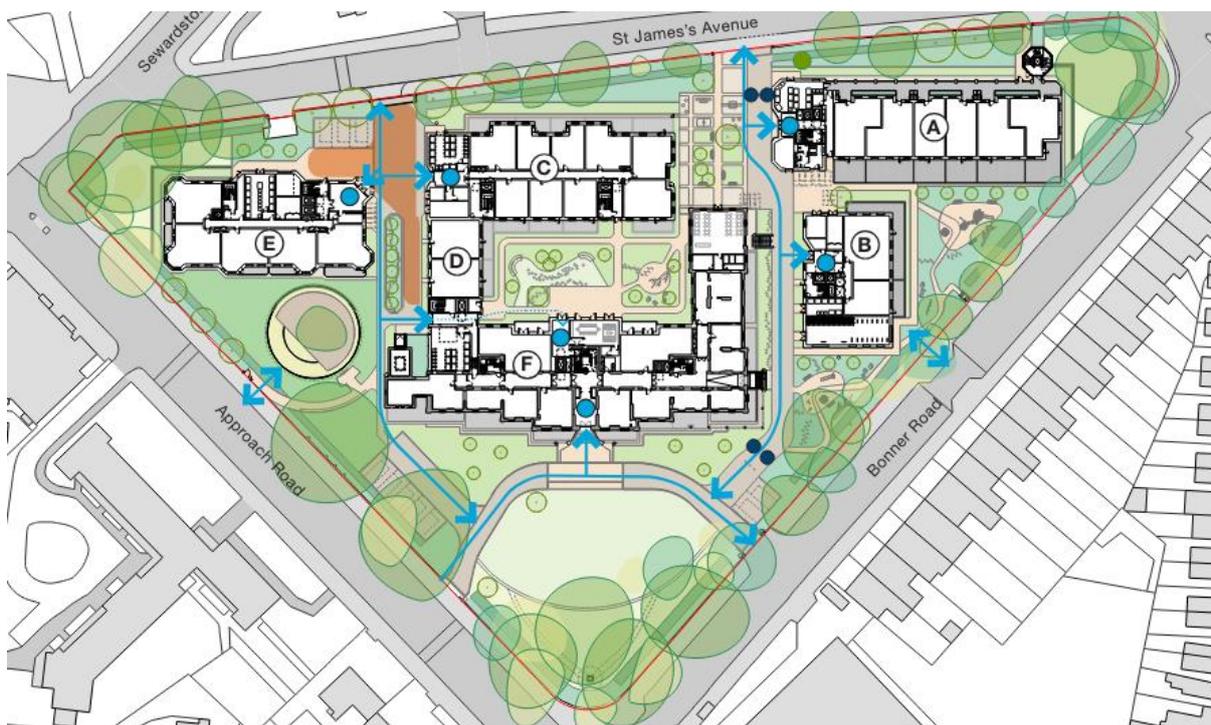


Figure 66 – Masterplan showing pedestrian access through and into the site and entrances to buildings. The orange shaded section is a shared surface solely for refuse and emergency vehicles as well as access to the accessible parking bays

- 7.345 The expected increase in trip generation is acceptable and it is expected that over 90% of those trips will be undertaken by way of sustainable transport means, which will only be further enhanced as more sustainable transport options are provided for.
- 7.346 The entrance to the northern route will also accommodate 3no. blue badge car parking spaces and sufficient room is provided to allow those vehicles to park easily. The remaining 6 blue-badge spaces are located off the formal route around the western lawn.
- 7.347 The two new routes provide significant improvements to the permeability of the site and will also be accompanied by a new pedestrian crossing to further enhance this permeability as pedestrians move through the Parkview Estate to the east of the site and continue west through the proposal site and on towards Bethnal Green. The routes represent significant improvements to the green grid and will encourage shifts towards sustainable and healthier modes of travel. A financial contribution will be secured to enable the recommendations contained in the Active Travel Zone assessment to be implemented to further enhance active travel solutions in the area.
- 7.348 The Canal and Rivers Trust have raised concerns that the development will lead to significant increases in the use of the towpath along the canal which forms the edge of Victoria Park to the north of the site and have requested a financial contribution towards tow-path improvements. The evidence does not support that the development will lead to significant increases of the use of the towpath as this area is already very-well travelled as Victoria Park is a large attraction to visitors with the towpath serving as a primary pedestrian access route through the area already. The proposal introduces new pedestrian routes which will take some pressure off the use of the towpath and increase access to the green grid, thereby already making contributions to active travel. It is not considered proportionate nor appropriate to secure such a financial contribution on this occasion.

Deliveries & Servicing

- 7.349 Servicing by lighter vehicles, taxis and drop-off deliveries will take place via the one-way access road around the formal lawn and in front of the main hospital building, with an informal servicing bay in front of the main steps. Other servicing by larger vehicles will take place on St James's Avenue and proposed highways works to facilitate this will be secured by s.278 agreement. This will result in the loss of some on street parking, in total 9 existing parking bays will be lost to the development, of which 4 bays could be re-provided.
- 7.350 Waste collection vehicles will enter the site to collect waste via St James's Avenue and use the new east-west routes to travel through the site.
- 7.351 A full deliveries and servicing plan, including a push for more sustainable forms of delivery including cargo bikes, will be secured by condition.

Car Parking

- 7.352 London Plan Policy T6.1 requires residential developments with PTAL 4 and 5 for inner London should be car-free. The policy requires the provision of disabled persons parking for new residential developments ensuring 3% provision from the outset with additional 7% to be provided upon request. The policy also states that new residential car parking spaces should provide at 20% of active charging facilities with passive provision for all remaining spaces.
- 7.353 The proposals incorporate 9 blue-badge parking spaces for residential use and 1 blue-badge parking bay for the commercial/community facility. These will also all be fitted with charging facilities from the outset. This will meet the 3% provision from the outset. The additional 7% passive provision will be secured via a parking management plan condition which will indicate the locations of the additional passive provision and how the blue-badge spaces will be allocated.



Figure 67 – Masterplan showing location of and access to accessible parking bays

7.354 The development will otherwise be car-free, other than those who qualify under the Permit Transfer Scheme. The net loss of 4 parking bays may have a slight impact on parking within the area, however the car-free nature of the development means that only those residents with existing permits will be allowed to occupy any on-street resident permitted parking spaces. Over time, the numbers of residents with those transferred permits will reduce. Concerns have been raised that a permit free scheme does not prevent residents from purchasing a car and parking it on street. This is beyond the control of the planning authority however any parking within residents permit spaces would be unauthorised as permits cannot be obtained. The Transport Assessment also provides information that there is usually available unoccupied capacity in the surrounding area during peak overnight residential parking periods.

Cycle Parking and Facilities

7.355 Cycle parking will be provided at various locations throughout the site predominantly within the basement of Building D/F and at ground floor of other buildings, with a total of 535 spaces split between 508 long stay residential spaces, 1 long stay space for the flexible commercial/community space and 26 other short stay spaces across the new public realm. The proposed quantum of spaces meets development plan requirements and they have been designed to meet London Cycle Design Guide standards. The residential cycle parking will be provided in a mix of Sheffield and two tier stands. The cycle parking will need to be secured by condition.

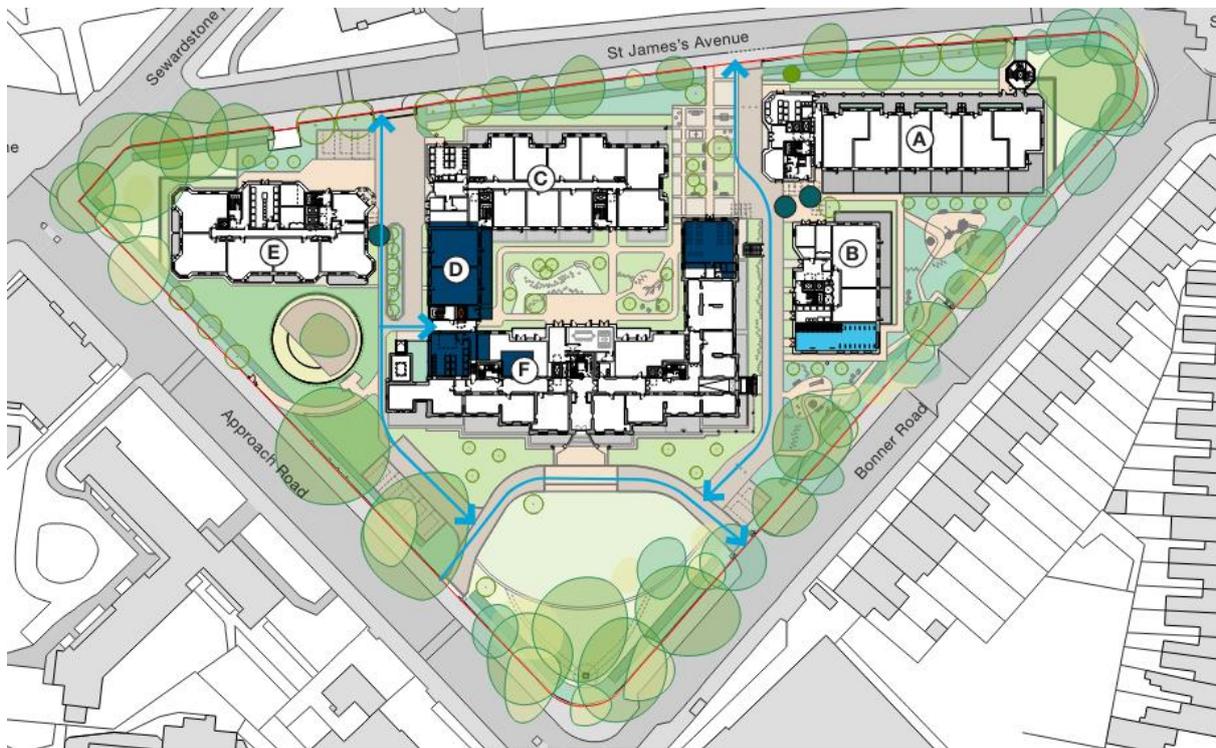


Figure 68 – Masterplan showing locations of cycle stores and cycle parking within the public realm, as well as cycle routes.

Bus Facilities

- 7.356 There is a bus stand located on Bonner Road which historically relied on facilities provided by the hospital when it was in use to provide welfare for bus drivers. TFL requested at pre-application a bus-welfare facility be provided on the site with a certain distance of the bus stand. The proposed welfare facility will be located within the ground floor of Building A and provides a small kitchenette and toilets so that drivers can rest in between routes. Whilst the facility will be located slightly further away than as required by TFL, it is considered to be the most appropriate location for the facility as it is located away from child play spaces, residents amenity and will be outside of the historic building so that it can be designed easily to be fit for purpose. The facility will be approximately 28sqm and full details will be secured by obligation within the s.106 agreement.
- 7.357 The provision of the facility is in line with London Plan Policy T3, the Mayor of London's Transport Strategy and TfL Bus Action plan.

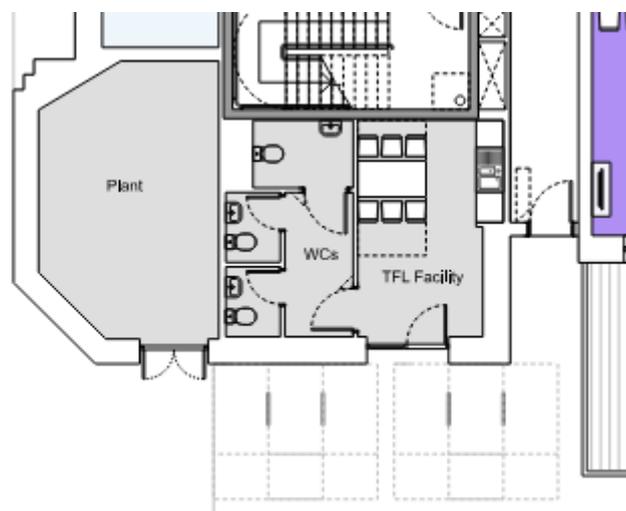


Figure 69 – floorplan of TFL facility within Building A

Travel Planning

- 7.358 Draft travel plans have been provided which would need to be secured by obligation in the s.106 agreement.

Conclusion on Transport

- 7.359 The submitted documentation demonstrates the impacts on the highway of the development and these have all been considered acceptable by the Borough's transport officers. The site is located in a highly accessible location with strong public transport links and the proposals introduce a number of interventions to move towards more sustainable forms of transport and reducing the reliance on the car including being "car-free", policy compliant cycle parking, introducing permeability through the site for pedestrians, active travel improvements to be secured by obligation and a travel plan promoting sustainable means of transport. The impacts on the highway are therefore acceptable.

Environment

Environmental Impact Assessment

- 7.360 The planning application constitutes an Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations) and is accompanied by an Environmental Statement (ES) coordinated by HGH Consulting.
- 7.361 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.
- 7.362 Following issuance of a Scoping Opinion, the submitted ES assesses the environmental impacts of the development under the following topics:
- a. Built Heritage
 - b. Townscape and Visual Impact
- 7.363 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.364 The Council has appointed Temple Group Consulting to independently examine the ES, to prepare an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the Authority's internal environmental specialists. The IRR identified clarifications and potential 'further information' required under Regulation 25.
- 7.365 In response to the IRR, the Applicant provided an Interim Review Report Response which was followed by a Final Review Report (FRR) issued by Temple that took account of the Applicant's Interim Review Report Responses.
- 7.366 The ES has concluded significant adverse effects on built heritage, townscape and visual receptors during demolition and construction. Table 7.1 of Chapter 7 in Volume 2 Main Text of the ES (starting on page 165 of the Volume 2 PDF) summarises the significant effects for the relevant receptors. Table 3.1 of FRR 002 summarises mitigation measures which are to be secured via conditions. This also includes any mitigation measures for topics that have been scoped out of the ES.
- 7.367 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the likely significant effects of the proposed development, which forms the basis of the assessment presented in this report. Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations.

Energy & Environmental Sustainability (including overheating)

- 7.368 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.
- a. Use Less Energy (Be Lean),
 - b. Supply Energy Efficiently (Be Clean),
 - c. Use Renewable Energy (Be Green), and
 - d. Monitor, verify and report on energy performance (Be Seen).
- 7.369 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.370 The proposals will introduce various efficiency measures to reduce carbon emissions including:
- a. energy efficiency measures – thermal fabric performance levels set out principally in line with LETI standards
 - b. low carbon communal heating and hot water system through a centralised Air Source Heat Pump Ambient loop solution
 - c. Renewable energy generating technologies including 123.82kWp photovoltaic array are proposed
- 7.371 Overall the scheme will deliver a reduction of 81% for the residential element and 58% for the commercial/community facility and a contribution will be secured by s.106 agreement to offset the remaining emissions. Be seen monitoring requirements will also be secured within the s.106 agreement.
- 7.372 The applicant has committed to exploring connection to any future district heating networks, further details of which will be secured by planning obligation.
- 7.373 As discussed earlier in this report an MVHR system will be installed within the buildings which has been taken into consideration in the assessment of the sustainability of the scheme. A final overheating strategy will be secured by condition.
- 7.374 The GLA have raised various minor queries regarding the Energy Strategy, Whole-Life Carbon and Circular Economy Statements, the majority of which have now been addressed or can be addressed via planning condition. The remaining queries are all relatively minor and technical in nature and it is not expected that the responses will alter the final assessment. Any additional conditions requested by the GLA will be included within any final decision notice.

Air Quality

- 7.375 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.
- 7.376 The application is accompanied by an Air Quality Assessment which has been reviewed by the Council Environmental Health Air Quality Officer. The assessment concludes that the proposed development would be air quality neutral, in accordance with planning policy. Given that the proposed development would rely on air source heat pumps there would be no NOx emissions associated.
- 7.377 The mitigation measures to prevent dust nuisance and air pollution during construction and the life of the development would be secured via a condition, as requested by the Council's air quality officer.

Waste

- 7.378 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.379 Each of the residential buildings will have a bin store located at ground floor adjacent to the main entrance to each of the new buildings with access to the stores within Buildings C, E and F also being provided from within the buildings themselves. The inclusion of traditional bin stores and collections rather than modern methods of storage has been considered acceptable given the constraints posed by the site in heritage terms. The final capacities for each bin store would be secured via planning condition which will include evidence that the bins can be manoeuvred appropriately.
- 7.380 Residents would be responsible for taking the waste from their home to the relevant waste/recycling store. It is noted that some of the carry distances exceed the recommended carry distance of 30m within the Tower Hamlets Reuse, Recycling & Waste SPD 2021. 105 homes do not meet this requirement. However, 45 of those homes are located within the historic building and are primarily located within the southern section of that building, given the waste store is at ground floor of Building D. Other design options were considered, however to maximise the level of housing and ensure that further harm to the historic building was not incurred as a result of requiring additional bin storage in the southern section of the building, it was felt that the increased carry distance on this occasion was necessary and acceptable. In relation to the other homes, which are located in Buildings A, C and D, the bin stores have been located adjacent to the main entrance/exit to the buildings which will be the natural path for residents to take to enter and leave the buildings when they are most likely to deposit their waste. Additionally, by consolidating the waste stores into one location in each building, the collection of the waste does not require movement and storage of bins within the public realm which would have negatively impacted the high quality of design of that public realm. The increased carry distance is, therefore, on this occasion acceptable.
- 7.381 Bulky waste stores are also located within Buildings C and F.



Figure 70 – Masterplan showing routes of refuse vehicles for residential collections

- 7.382 Refuse vehicles will collect the waste from immediately outside each waste store with access to the stores provided via the new routes to be provided into the site from St James's Avenue. The waste collections will be limited to specific collection days and so the intrusion of waste vehicles within the new routes will be limited to a discrete number of occasions. Officers were

initially not content with this strategy, however the applicant has since detailed all other strategies which were explored and all involved additional negative consequences. For example storage of bins outside to await collection within the public realm, having dedicated external stores or presentation of bins along St James's Avenue which would increase pressure on this road. The collection of refuse from within the site was there concluded to be the most appropriate and presented the fewest negative consequences.

7.383 The commercial unit will be required to demonstrate its waste storage arrangements within the unit itself and it is expected that a private contractor will collect the waste from that unit. The unit is a small unit so is unlikely to produce significant amounts of waste and dedicated space has been left within the proposed floor plan where waste could be stored. The waste final waste storage arrangements for the commercial/community facility will be secured by condition.

7.384 A site waste management plan would be secured by planning condition.

Biodiversity & Trees

Biodiversity

7.385 The applications were submitted prior to 12 February 2024, therefore statutory Biodiversity Net Gain provisions introduced into the Town and Country Planning Act 1990 do not apply to the proposals. Nevertheless, Local Plan Policy D.ES3 requires net enhancement of biodiversity in line with the Local Biodiversity Action Plan. Paragraph 186(a) of the NPPF also states that If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

7.386 It is noted that the site already has a relatively high baseline of biodiversity given the existing mature planting and trees, particularly along the west and southern edges of the site. The overgrown shrubbery beneath the trees will provide additional nesting opportunities and habitat for common birds. Overall 21 trees and two tree groups, together with much of the overgrown shrubbery are to be removed which will represent a small loss of wildlife habitat, relative to the scale of existing habitat on the site. In order to ensure that any harm to wildlife by the removal of such habitat is reduced, vegetation clearance should take place outside the bird nesting season or a survey for nesting birds should be undertaken immediately prior to any such clearance. This will be secured by condition.

7.387 Regarding bats, which are a species protected by statute, emergence surveys undertaken in 2022 and 2023 indicated that the existing buildings are not used by roosting bats. As each building and the trees provide significant opportunity for roosting of bats, a further precautionary emergence survey will be secured by condition should the development not commence demolition prior to April 2025. In addition, a small number of foraging bats were recorded by the survey. Those bats may be impacted by lighting included in the scheme and so further details of lighting, in particular along the western and southern edges of the site, will be secured by condition to ensure that there is no significant increase in illumination on the site, in particular to the tree canopies, taking into account best practice guidance produced in conjunction with the Bat Conservation Trust.

7.388 The proposed landscaping includes 1,107sqm of flower-rich grassland and 77m of mixed native hedges, both of which are priority habitats for the purposes of the LBAP and so are supported. The biodiversity officer raised concerns with the location of a "grassland wildlife area" on the Western Law located beneath mature trees, which would be a more appropriate location for a flower rich grassland. The final landscaping scheme would be secured via condition to ensure that the final planting specification and biodiversity enhancements are acceptable. This will also include final species lists for all planting, including new trees, which will address comments raised by the biodiversity officer regarding lack of native tree species in the replacement planting.

7.389 Specific biodiversity enhancements include nectar-rich planting and bird and bat boxes which will all be secured within a planning condition. The biodiversity officer would also seek introduction of enhancements for invertebrates which will also be secured.

7.390 There will be a total of 1,202sqm of biodiverse roof which will also be secured by condition.

7.391 The securing of all biodiversity features by planning condition will ensure that appropriate biodiversity enhancement is secured in order to meet the requirements of Local Plan Policy D.ES3.



Figure 71 – Illustrative plan of proposed landscaping works

Urban Greening

7.392 London Plan policy G5 states that predominantly residential developments should meet the Urban Greening Factor target score of 0.4 in regard to the quality and proportion of urban greening proposed. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.54 if the existing mature tree planting is included within the calculation. With all existing trees removed from the site, i.e. if the baseline of greening were effectively nil, the UGF score would be 0.4. Both scenarios comply with the London Plan Policy. If the application was to be approved then a condition would be required to secure that landscaping is revised to achieve the target 0.4 score.

Trees

7.393 The NPPF sets out the importance of trees to the character and quality of urban environments at a national level, including their importance to mitigation of, and adaptation to, climate change. Paragraph 136 seeks to ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. It also highlights the importance of working with highways and tree officers to ensure that the right trees are planted in the right places.

7.394 Section 15 of the NPPF deals further with conserving and enhancing the natural environment. In particular paragraph 186 states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

7.395 London Plan G7 requires that boroughs should, within Development Plans, protect ‘veteran’ trees where these are not already part of a protected site. It also states that Development proposals should ensure that, wherever possible, existing trees of value are retained. Planning

permission necessitating the removal of trees should include adequate replacement based on the existing value of the benefits of the trees removed and new planting should generally be included regardless of any tree replacement. For the purposes of the London Plan, “trees of value” are Category A, B and lesser category trees where these are considered by the LPA to be of importance to amenity and biodiversity, as defined by BS 5837:2012.

7.396 Finally, Local Plan Policy D.ES3 requires the protecting and increased provision of trees through, protection of existing trees, incorporation of native species and provision of replacement trees where the loss of or impact on trees in a development is considered acceptable.

7.397 The site itself is characterised by its strong green perimeter with significant, dense and mature canopy cover on all three sides of the triangular site. Predominant species on the site include London Plane, Lime and Cherry Trees. The significant amenity value offered by the trees on the site resulting in the introduction of a Tree Preservation Order (TPO) in 1973. Since that time, a number of TPO trees have been removed or have perished. The TPO is therefore somewhat out of date and a number of discrepancies in respect of tree species and locations had also been identified. Therefore, prior to submission of the present application, the applicant’s tree consultant engaged with the LPA’s Senior Arboricultural Officer to undertake a thorough and detailed assessment of the existing trees on site in order to revoke the previous TPO and introduce a new one, which would include all of the original TPO trees on site which are still in situ, as well as any additional trees which required protection. This new TPO was made on 20 February 2024 and is currently awaiting confirmation by the Council’s legal team. The new order contains 53 trees including, notably, the veteran black mulberry tree and 6 additional trees that were not covered by the previous TPO.

7.398 In addition to the TPO, the site is within the Victoria Park Conservation Area and so trees with a diameter of >75mm on the site receive additional statutory protection under s.211 of the Town and Country Planning Act 1990.



Figure 72 – Proposed Trees to be removed as part of the development and comparison against previous scheme

- 7.399 20 trees, and 2 groups of colonising scrub and defunct hedge are proposed for removal, retaining 53 trees on the site overall. This will result in a c.10% loss of canopy cover across the site.
- 7.400 Some of the documentation states that 21 trees are to be removed, however the Category A Tree of Heaven (T51) was required to be removed urgently just a few days prior to submission of the application as it was collapsing and imminent full collapse was considered imminent. The submitted arboricultural impact assessment (AIA) was therefore updated to reflect that this tree had already been removed but other documents have not. It is noted that the tree was scheduled to be removed as part of the application in any event.
- 7.401 Of those 20 trees to be removed, 3 are category A trees, 5 are category B trees and 14 (including the 2 groups) are category C trees. 8 of the trees to be removed are subject to the TPO. These are detailed below:

Category A	Category B	Category C
T4 London Plane (TPO)	T12 Lime (TPO)	T19 Holm Oak
T13 Lime (TPO)	T33 Lime (TPO)	T20 Holly
T52 Holm Oak (TPO)	T35 Tulip Tree (TPO)	T59 Holly
	T43 Sycamore 'Leopoldi' (TPO)	T60 Variegated Holly
	T44 Norway Maple 'Crimson King'	T71 Sycamore (TPO)
		T76 Laburnum
		T79 Holly
		T84 Cherry
		T85 Cherry
		T86 Cherry
		T87 Lawson Cypress
		T88 Western Red Cedar
		Groups 1 and 2
Total: 3 (3 TPO)	Total: 5 (4 TPO)	Total: 14 (1 TPO)

- 7.402 The submitted AIA provides supporting information relating to the requirements for the removal of these trees including the introduction of new built form within root protection areas. This has been reviewed by the Borough's Senior Arboricultural Officer who has confirmed that they are content with the categories attributed to each tree and the approach to identification of each tree's root protection area measurements which has taken a more precautionary approach.
- 7.403 It is noted that there will be facilitation pruning to a number of trees along St James's Avenue which will have a negligible impact on amenity. It would be recommended by the Arb officer to ensure that the trees are brought into a regular manageable pruning cycle, following a period of neglect, which will ultimately result in healthier, safer trees with increased longevity.
- 7.404 The Arb officer has confirmed that they have no issues with the loss of the 14 category C trees as they are of low value and can be adequately mitigated through proposed on-site planting.
- 7.405 The removal of T33, T35, T43 and T44 within category B is also considered acceptable as they have relatively low visibility from the public realm and the subsequent limited amenity impact their loss will have. They are also capable of being mitigated through the proposed on-site planting.
- 7.406 The Arb officer has however objected on purely arboricultural grounds to the removal of the remaining 4 trees. T12 and T13 are located on St James's Avenue adjacent to where the existing substation is and where the new vehicular access route into the site will be introduced. The removal of these trees, together with the facilitation pruning on this boundary, will have a significant impact on amenity and the current screening properties that the trees provide to the site. The Arb officer also disagrees with statements made in the AIA that that cumulative harm from previous development including installation of a substation and other service runs in the area has actually necessitated the removal of the trees, as the trees could well be managed in their current condition without the introduction of the proposed access route in this location. They also note that T4, T13 and T52 are all large Category A trees, the value of which cannot be adequately mitigated owing to their size, visibility from the public realm, prominence in the landscape and subsequent amenity value. All factors that cannot be replicated or enhanced in the short to medium term by on-site planting.
- 7.407 It is also noted that two trees, T22 and T58 are to be retained as part of the proposed scheme but subject to further investigation in accordance with a planning condition. T22 is to be retained and managed to a smaller size through cyclical pollarding and T58 is to be integrated alongside blue-badge parking at the south of the site within a previously unsurfaced part of its RPA. The condition would require investigation into methods for retention of the tree. The Arb officer is confident that both trees can be retained. However, should they not be able to be retained, adequate mitigation will be sought by inclusion of additional planting.
- 7.408 In mitigation for the proposed loss of trees, 51 new trees of varying sizes are proposed, a near 2:1 replacement ratio in relation to the trees lost, and which will, in time, provide a comparable canopy cover to that which will be lost. Larger trees will also be planted along the boundary in order to provide more immediate impacts in the replacement of lost canopy cover. Final species of trees will be secured within the landscaping conditions. It is noted that there are proposed to be 10 additional trees planted as compared to the previous scheme.

7.409 Further conditions have been proposed and will be secured in relation to protection measures during construction, tree planting methodology and investigation of underground utilities.



Figure 73 – Proposed Tree Planting plan

7.410 Officers note the Arb officer's objections to the loss of the 4 trees identified above. However the removal of these trees are necessary to facilitate the development of the site in full optimisation of the use of the site, including the provision of strategic quantum of high quality housing, a significant quantum of affordable housing, reintegration of a heritage asset into public enjoyment and provision of a significant quantum of new public accessible open space. Options were explored at length during pre-application discussions specifically in relation to the retention of T12 and T13 but the relocation of the entrance to the new through-route would either result in the loss of other trees or render other aspects of the proposals unmanageable. The loss of those trees is therefore, on balance, acceptable subject to securing all suggested conditions.

Mulberry tree

7.411 The veteran black mulberry tree, which is subject to the TPO, as well as the previous TPO, sits within the site to the north of the main hospital building and just to the south of the Institute Building. There are competing theories as to the age and provenance of the tree, however the site itself has a long history and association with Mulberry Trees dating back to the occupation of the site by Bishop Bonner in the 16th Century. The tree was also damaged significantly by bomb damage during WWII.

7.412 Given the historical association of a Mulberry Tree at the site, and the tree's survival following significant bomb damage during the blitz, the tree has gained significant cultural and historical importance. On this basis it is considered that the tree warrants classification as a Veteran Tree as per joint Standing Advice published Natural England and the Forestry Commission in October 2014.

- 7.413 The previous scheme proposed to move the Mulberry Tree from its present location and place it within the front lawn. Following the quashing of the previous permission in the high court, the applicant has sought to introduce a new focus to the proposals on the retention of the Mulberry Tree. The tree will be retained in its current position and the development has been designed to respect and reintegrate the Mulberry Tree into public enjoyment. Building E has been set back to allow for retention of the tree and new homes will overlook and enjoy views of it. A dedicated landscape design has been introduced to ensure that the tree can be enjoyed whilst also protecting it from intrusion and damage by the public.
- 7.414 The applicant has worked extensively to safeguard the survival of the Mulberry Tree in the time since the previous application including through the installation of new steel props and preventing the collapse of the tree. It has been identified that the demolition of the Institute Building nearest to the Mulberry Tree, will expose the tree to various risks throughout construction, including wind, vibration and dust. Mitigation measures including significant screening to the tree, misting and manual demolition nearest to the tree have all been proposed and will need to be secured. It is proposed to secure specific protection measures relating to the Mulberry Tree via obligation in a s.106 agreement so that the fullest and strictest measures can be adequately secured.

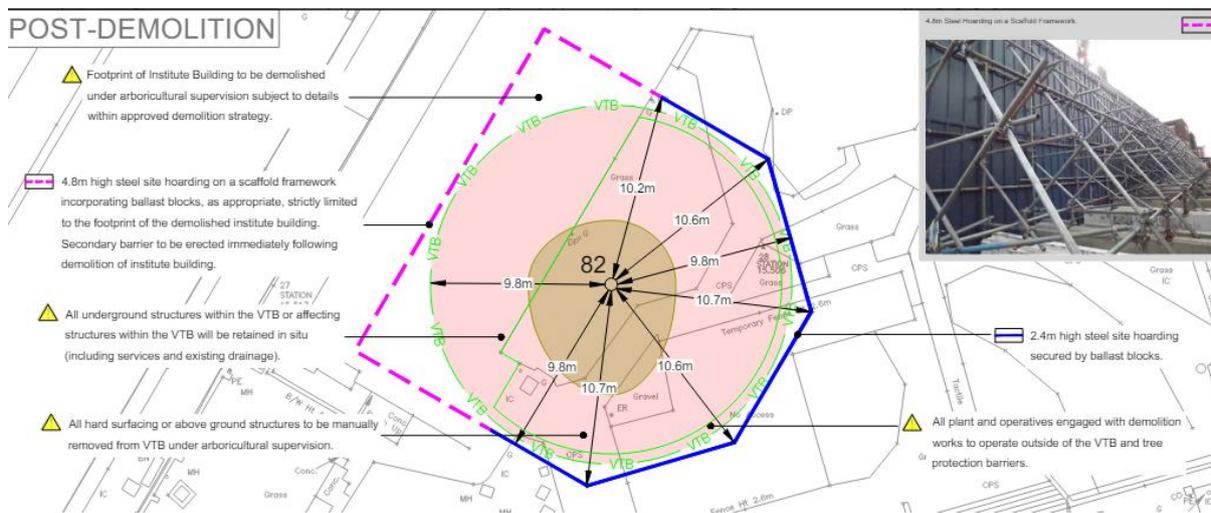


Figure 74 – Proposed protection measures for Mulberry Tree following demolition of Institute Building including 4.8m steel hoarding on west side and supervised demolition works

- 7.415 A permanent wind baffle is also proposed to be installed as part of the landscape proposals which will protect the tree from unmitigated exposure to wind as a result of removal of the Institute Building, the final detailed design of which will be secured by condition. Measures will also need to be in place (via s106 or planning condition) in a bid to secure that individuals do not attempt to climb on the tree given its precarious physical condition.
- 7.416 One of six progeny/clones of the Mulberry Tree, grown from cuttings taken during the development of the previous application, is proposed to be planted within the front lawn as a nod to the site’s history and to introduce further trees of historic significance within the site and replacing a mulberry tree which was previously lost in this location. At least one of the clones will be retained at a nursery for the purposes of providing further cuttings which could lead to the planting of further progeny elsewhere in the borough.
- 7.417 The Borough’s Arb officer has confirmed that they are satisfied with the retention methodology and construction protection measures proposed for the Mulberry Tree and that they are confident, with the timely installation of the wind baffle, that this will safeguard the safe retention of the tree during construction and help safeguard its longevity post-development.
- 7.418 Therefore, in consideration of paragraph 186(c) of the NPPF, officers are of the opinion that there will be no loss or deterioration of the veteran Mulberry Tree as a result of the proposals but rather the proposals have allowed for a strict, professional and detailed protection and

reintegration of the tree into public enjoyment which should be seen as a significant public benefit of the scheme.

Flood Risk & Drainage

- 7.419 Development Plan policies seek to manage flood risk, encourage the use of Sustainable Urban Drainage Systems (SuDS) and sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. The site is located in Flood Zone 1. The Environment Agency have reviewed the submitted Flood Risk Assessment (FRA) and have not objected on flood risk grounds. The GLA also raised no concerns as to the risk of flooding from fluvial/ tidal, pluvial, sewer, groundwater and reservoir flooding in accordance with London Plan Policy SI 12.
- 7.420 The drainage strategy sets out a proposal to limit the sites overall surface water discharge rate to as close to greenfield as reasonably possible and sets a total discharge rate of 8.7l/s for the whole site (1.61ha) in a 1 in 100year+40% storm event. Additionally, the drainage proposal is to split the site into three separate drainage areas (network 1, 2 and 3) and will utilise the 2 existing sewer connections to the Thames Water combined sewer in Approach Road and St James's Avenue. Which is agreed in principle.
- 7.421 The development has also incorporated onsite surface water storage of 1,403m³, which has been provided using underground geo-cellular attenuation tanks that will be fitted with a twin vortex type device to manage the discharge rates during differing storm events. However, the developer has also put forward that during the detailed design stage they will look to include both the green roofs, and rain garden areas into the storage capacity model. We would be hesitant on accepting this approach as the storage capacities for both features are reduced in the wetter winter months as green roofs and rain gardens would be saturated.
- 7.422 Consequently, the current proposed drainage strategy will go towards reducing the demand on the drainage network and will provide 97% betterment over the existing situation. Therefore, the drainage strategy is accepted in principle.
- 7.423 The application is supported, subject to a condition to require submission of a final detailed surface water drainage scheme.
- 7.424 Land Contamination
- 7.425 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals are considered to be acceptable. Any contamination that is identified can be addressed within the condition discharge process and will ensure that the land is made safe prior to any construction or demolition work takes place.

Planning Balance

- 7.426 As discussed earlier in the report, the local planning authority has a statutory obligation under Sections 66 (1) and 72 (1) of the Planning (Listed Building and Conservation) Acts 1990 to the conservation of designated heritage assets. In accordance with the aforementioned Act, paragraph 205 of the NPPF sets out that "great weight" should be given to protection of designated assets, "irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".
- 7.427 As set out in the Heritage section of this report, officers conclude that the scheme would result in a low-to-mid level of less than substantial harm to designated heritage assets including the listed buildings within the site, the listed church and vicarage on St James's Avenue and the Victoria Park Conservation Area. Primarily that harm occurs as a result of:
- a. Loss of historic fabric of the main building including the rear slope of the roof, internal walls, historic dorms and by the insertion of lifts within the building;
 - b. An uncharacteristic flat roof on the extension;

- c. Uncharacteristic changes to the front elevation including the widening of lightwells;
- d. Replacement of windows with modern designed windows rather than historic timber sash windows within the South Wing (albeit it is acknowledged that the windows are an improvement on the existing UPVC windows);
- e. Intervention to the floor levels at the eastern end of the south wing
- f. A loss of openness of the historic curtilage of the listed building and the parkland feel of the conservation area;
- g. Loss of the nurses accommodation;
- h. The competition between the external staircase to Building A and the Listed Church spire;
- i. Impacts to local views by introduction of new built form affecting the character and appearance of the conservation area;
- j. Loss of trees and canopy cover (although it is noted that overtime the impact of this will reduce) which is a key contributor to the character and appearance of the conservation area.

7.428 Upon that basis, it falls upon the Council, as decision maker to apply a public benefit planning balance test, as set out in paragraph 208 of the NPPF which states that “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”.

7.429 The key public benefits identified and presented by the proposals are as follows:

- a. Heritage benefits arising from the reintroduction of the retained listed hospital building into active use, thereby securing the future maintenance and conservation of the designated asset.
- b. The retention and refurbishment of the building will ensure that it can be removed from the Heritage at Risk Register;
- c. Heritage benefits arising from the restoration of original features of the hospital both internal and external, restoration and reuse of the veranda, reinstatement of historic fabric and replacement windows and dormers enhancing its appearance;
- d. Reinstatement of historic style timber sash windows in the front elevation and Sanitary Tower of the Hospital Building;
- e. Revealing of the gable end elevation of the South Wing onto a new public square, bringing it back into public views and enjoyment;
- f. Refurbishment, repair and reinstatement of historic boundary treatment, historic interiors, fixture and fittings;
- g. Delivery of 274 new high quality homes;
- h. Provision of 50% of the residential accommodation as affordable housing (by habitable room) with the affordable rented units being provided in accordance with the LPA’s preferred mix (i.e. 50% LAR and 50% THLR);
- i. Provision of new 76 affordable rented homes including a significant number of family sized dwellings, all in accordance with the LPA’s preferred unit size mix;
- j. Provision of a new commercial/community facility which will be operated as a community-led café with the option of renting the space by the public for free;

- k. 24/7 public access to the majority of the publicly accessible open space within the site, including a new public square adjacent to St James's Avenue and the formal lawn to the front of the main hospital building;
- l. Retention of the veteran mulberry tree and inclusion of strict protection measures to safeguard the long-term survival of the tree, bringing the tree back into public enjoyment by provision of dedicated landscaping and seating after being hidden away from public view and enjoyment for nearly a decade. The tree is imbued with such cultural and historical significance to the site and the local area and yet is presently not visible from the street or the public realm more generally;
- m. Planting of progeny of the mulberry tree within the grounds of the hospital in the same location as a previously protected mulberry tree;
- n. Demolition of a set of post war buildings, extensions and ancillary development on site that detract from the setting of the listed building and the character and appearance of the conservation area to be replaced with new buildings that offer some architectural merit and will visually benefit the locality;
- o. A wide ranging landscaping scheme which will deliver significant improvements to the public realm and net gains in biodiversity including increases in numbers of trees planted on the site;
- p. Enhanced permeability and reopening of a historically public site that has long been closed off to the public, including introduction of heritage interpretation throughout the site;
- q. Economic benefits associated with the scheme including construction phase jobs and apprenticeships and other financial and non-financial obligations;
- r. Provision of a high quality facility for bus drivers while their bus is on stand, a facility which has not been available to them since the hospital closed.

7.430 In particular, it should be noted that the retention of both the South Wing and the Mulberry Tree in its present location are key public and heritage benefits that will be delivered as part of the proposed scheme that would not have been present within the previous application as the South Wing was to be demolished as part of that application and the Mulberry Tree was to be moved to a different location on site which both previously raised additional heritage concerns and harm. Therefore the balance of heritage harm to benefit is at a significantly different position to where it was within the consideration of the previous scheme.

7.431 In assessing the key public benefits, it is recognised that the bringing back of the main hospital building and all other listed elements on the site into an operational use would be a major benefit and positive outcome of the scheme. An informative with regard to this public benefit consideration is Historic England Advice Note 2 ("Making Changes to Heritage Assets" which sets out "The best way to conserve a building is to keep it in use, or to find it an appropriate new use if it has passed out of use, either that for which it was designed or an appropriate new use which would see to its long-term conservation. Even recently restored buildings that are vacant will soon start to degenerate."

7.432 The Borough has a five-year supply of deliverable housing land, and a track record of delivering significantly more new homes than any other London borough. Nevertheless the scheme's provision of new housing is recognised to be a public benefit that needs to be given very significant weight given London is considered (as set out in London Plan) to operate as a single housing market with an existing housing supply shortfall.

7.433 The level of affordable housing to be provided by the scheme is significant. The scheme will provide 50% affordable housing by habitable room, 70% of which will be affordable rented homes. This is a high level of affordable housing, including affordable rented homes, and is in line with strategic targets to deliver 50% of all homes across London as affordable homes. This is in line with both Local and London Plan policies and is only all the more notable given

the context and constraints represented by the site, in particular in relation to the refurbishment of a listed building to provide homes, the location of the site with the Victoria Park Conservation Area and the constrained developable area of the site. The level of affordable housing being provide should therefore carry significant weight in the balance.

- 7.434 The proposals would provide an opportunity to secure (through conditions and obligations) protection and management of the existing and proposed trees on the site, including importantly the Veteran Mulberry Tree which has been the subject of significant public interest in the history of the site and will, once again, be brought back into public enjoyment by the proposals. This will help to preserve, and to some extent enhance, the visual appearance of the conservation area, as well as the associated ecological and biodiversity benefits.
- 7.435 Obligations and conditions would be secured to ensure that any works to the listed buildings or demolition of the surrounding buildings would only commence once it was confirmed that there is an intention to build the scheme out in full, protecting the heritage assets from harm until the full range of benefits will be delivered. Additionally an obligation will be secured to ensure that the heritage benefits are delivered prior to occupation of a certain number of homes to ensure that the benefits are satisfactorily delivered at an early stage of the construction process.
- 7.436 The delivery of such a quantum of housing on such a constrained site is entirely in line with NPPF objectives of optimising sites to provide appropriate scales of development and securing optimum viable uses of heritage assets.
- 7.437 Officers are firmly of the opinion that, on balance, the public benefits of the proposed development would outweigh the low-to-mid level of less than substantial harm which has been identified to the listed heritage assets on the site and adjacent to the site as well as to the surrounding Victoria Park Conservation Area.

Infrastructure Impact

- 7.438 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £2,558,232.49 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £1,046,295.27 (inclusive of social housing relief and exclusive of indexation). These figures are indicative only and have been estimated using the most up to date available information provided by the developer on floorspace and current indexation values. This estimate is also subject to a full in-depth assessment following the grant of planning permission as required by the CIL Regulations.
- 7.439 The CIL Regulations 2010 (as amended) allow CIL to be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. The levy can be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan and the London Plan in London).
- 7.440 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.
- 7.441 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.
- 7.442 Full details of the impacts on existing infrastructure can be found throughout the report.

Local Finance Considerations

- 7.443 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus. Due to the threshold approach by the Government it is not

possible to provide an exact amount of New Homes Bonus that the proposed development would deliver.

Human Rights & Equalities

- 7.444 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.
- 7.445 The proposed new residential accommodation would meet inclusive design standards and 28 of the new homes would be specifically designed to be wheelchair accessible, including 7 within the affordable rented tenure, with the affordable rented homes to be built out as fully accessible. This would benefit future residents, including disabled and elderly residents and parents/carers with children.
- 7.446 The application has undergone the appropriate level of consultation with public and Council consultees. The applicant has also undertaken extensive engagement with residents of the surrounding area.
- 7.447 The proposed high level of affordable housing would be of particular benefit to groups that are socially/economically disadvantaged.
- 7.448 High quality publicly accessible open space will be provided which will include new playspaces and will be fully accessible.
- 7.449 A new community facility will also be provided which will be accessible to all residents.
- 7.450 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATIONS

In relation to Planning Permission (PA/24/00184)

- 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. £105,944.00 towards construction phase employment skills training
 - b. £3,218.74 towards end-user phase employment skills training
 - c. £152,530.00 toward carbon emission off-setting
 - d. £27,553.00 towards development co-ordination and integration
 - e. Monitoring fee to be calculated once the final heads of terms are agreed following any permission granted.
- 8.3 **Non-financial obligations:**
- a. Affordable housing (50% by habitable room)
 - 76 affordable rented homes comprising 50% London Affordable Rent and 50% Tower Hamlets Living Rent
 - 45 homes as Shared Ownership
 - Early Stage Viability Review
 - b. Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 20% local labour in end-use phase
 - 20 construction phase apprenticeships
 - c. Transport matters:
 - Car Free development (residential)
 - Car Club (details of 1 x space, plus three years free membership for households. One-year free membership for commercial occupiers and £30 Driving Credit per membership).
 - Residential Travel Plan
 - S278 Agreement for highways improvement works and ATZ improvements.
 - d. Public realm access and management including compliance with the principles of the Public London Charter
 - e. “Be seen” energy monitoring
 - f. Future proofing for district heating networks
 - g. Architect Retention and Design Certification
 - h. Mulberry Tree Protection measures
 - i. TFL Bus Driver’s Facility
 - j. Scheme of heritage works including engagement with local community
 - k. Completion of Heritage Works prior to occupation of certain number of homes
 - l. Operation and letting strategy of Commercial/Community Facility
- 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 **Page 274** 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. Development in compliance with the energy/sustainability strategies with a post-completion verification report
4. Construction Restrictions
5. Travel Plans in accordance with s.106
6. Provision of waste stores
7. Undertaking tree/shrub clearance outside of bird nesting season
8. Bat protection should bats be discovered during construction
9. Use class restriction on commercial/community facility
10. Development to be undertaken in accordance with ES mitigation measures
11. No roller shutters on the commercial/community facility
12. No plant on the roof of any building save for as otherwise approved
13. Restriction on music within commercial/community facility
14. Retention of frontage to commercial/community facility as wholly transparent and active
15. Removal of PD rights relating to installation of fences, bollards etc
16. Back up generator restriction
17. Secure By Design

Pre-commencement

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

18. Details of wheelchair units
19. Code of Construction Practice Checklist/CEMP
20. Piling method statement to protect water assets
21. Investigation of means of retention of T22 and T58
22. Tree protection plan and arboricultural method statement
23. Archaeological written scheme of investigation
24. Historic Building Recording
25. Level 2 Historic Building Survey for Nurses Accommodation and Outpatients Building
26. A programme of archaeological engagement with the public
27. Land contamination remediation strategy
28. Requirement for a binding contract for full implementation of the scheme to be provided prior to any demolition
29. Details of aerals to be installed on roofs
30. Details of digital connectivity
31. Carrying out bat emergence survey if demolition has not commenced prior to April 2025
32. Tree Planting Methodology
33. Non Road Mobile Machinery
34. Details of the proposed MVHR

35. Final floorplans for affordable rent units

Pre-superstructure works

36. Details of external facing materials and architectural detailing, including wind baffle and external staircase.

37. Details of hard and soft landscaping of all public realm and open spaces including play equipment, street furniture and lighting.

38. Provision of an Inclusive Communal Amenity and Play Spaces Strategy

39. Details of all plant to be installed in the development

40. Water efficiency

41. Overheating strategy

42. SUDS

43. Biodiversity enhancements

44. Final plans for affordable homes

Pre-occupation

45. Wheelchair marketing

46. Details of kitchen extraction for the commercial/community facility

47. Noise insulation verification report for proposed homes

48. Noise from plant and verification report

49. Circular economy post-completion report in line with GLA guidance

50. Installation of smart meters

51. Car parking management strategy

52. Cycle parking management and provision

53. Deliveries and servicing plan

54. Waste management plan which will include details of all waste stores, both residential and commercial

55. Whole life carbon post-construction report in line with GLA guidance

56. Management plan for internal and external amenity spaces and external staircase

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. GLAAS informatives relating to content of requested reports
4. C&RT informative relating to code of practice
5. SBD.

Recommendation,

In relation to Listed Building Consent (PA/24/00187)

8.8 That conditional listed building consent is GRANTED subject to the following listed building consent conditions:

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Protection of Historic Features during construction

4. Historic Building Record of the Main Hospital Building, South Wing and Sanitary Tower
5. Full, final schedule of works
6. Method statements for external works
7. Method statement for reduction in floor levels in South Wing
8. External and internal finishes to match existing
9. Revised schedule of historic features
10. Retention of hidden historic features
11. Details and method statements for repair of railings, dwarf walls, entrance gate, gas lamp and monument
12. Details and materials for all proposed works to listed building
13. No demolition of any part of the Main Hospital Building until contract secured to deliver scheme in full
14. No new features to be installed on façade other than as approved
15. No grilles, alarms, lighting other than as approved
16. The listed buildings to remain weathertight throughout construction
17. Scheme of heritage interpretation
18. Details of all signage
19. Details of the repurposing of concealed voids related to the Jeakes heating and ventilation system
20. Structural survey regarding the braces on the front of the main façade
21. Structural survey of roof to assess what will need to be replaced rather than repaired

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Existing Drawings

DL0163-AHMM-ZZ-ZZ-DR-A-PL001 Rev P03 – Site Location Plan
DL0163-AHMM-ZZ-ZZ-DR-A-PL005 Rev P03 – Existing Site Plan
DL0163-AHMM-ZZ-00-DR-A-PL010 Rev P03 – Existing Ground Floor Hospital Plan
DL0163-AHMM-ZZ-01-DR-A-PL011 Rev P03 – Existing First Floor Hospital Plan
DL0163-AHMM-ZZ-02-DR-A-PL012 Rev P03 – Existing Second Floor Hospital Plan
DL0163-AHMM-ZZ-03-DR-A-PL013 Rev P03 – Existing Third Floor Hospital Plan
DL0163-AHMM-ZZ-RF-DR-A-PL014 Rev P03 – Existing Hospital Roof Plan
DL0163-AHMM-ZZ-B1-DR-A-PL015 Rev P03 – Existing Hospital Lower Ground Floor Plan
DL0163-AHMM-ZZ-ZZ-DR-A-PL020 Rev P02 – Existing Sitewide Elevations - East and West (Sheet 1 of 2)
DL0163-AHMM-ZZ-ZZ-DR-A-PL021 Rev P02 – Existing Sitewide Elevations – East and West (Sheet 2 of 2)
DL0163-AHMM-ZZ-ZZ-DR-A-PL022 Rev P02 – Existing Sitewide Elevations – North and South
DL0163-AHMM-ZZ-ZZ-DR-A-PL023 Rev P02 – Existing Main Hospital Building – East and West Elevations
DL0163-AHMM-ZZ-ZZ-DR-A-PL024 Rev P02 – Existing Main Hospital Building – North and South Elevations – Below Ground Detail
DL0163-AHMM-ZZ-ZZ-DR-A-PL030 Rev P02 – Existing Site Sections
DL0163-AHMM-ZZ-ZZ-DR-A-PL040 Rev P02 – Scope of Demolition – Site Wide Plan
DL0163-AHMM-ZZ-00-DR-A-PL050 Rev P03 – Scope of Demolition – Hospital Ground Floor Plan
DL0163-AHMM-ZZ-01-DR-A-PL051 Rev P03 – Scope of Demolition – Hospital First Floor Plan
DL0163-AHMM-ZZ-02-DR-A-PL052 Rev P03 – Scope of Demolition – Hospital Second Floor Plan
DL0163-AHMM-ZZ-03-DR-A-PL053 Rev P03 – Scope of Demolition – Hospital Third Floor Plan
DL0163-AHMM-ZZ-RF-DR-A-PL054 Rev P03 – Scope of Demolition – Hospital Roof Plan
DL0163-AHMM-ZZ-B1-DR-A-PL055 Rev P03 – Scope of Demolition – Hospital Lower Ground Floor Plan
DL0163-AHMM-ZZ-ZZ-DR-A-PL060 Rev P03 – Scope of Demolition – East and West Elevations
DL0163-AHMM-ZZ-ZZ-DR-A-PL061 Rev P03 – Scope of Demolition – North and South Elevations
DL0163-AHMM-ZZ-ZZ-DR-A-PL065 Rev P03 – Scope of Demolition – Existing Site Sections

DL0163-ISS-XX-XX-DR-C-3000 Rev P04 – Existing Drainage Layout
DL0163-ISS-XX-XX-DR-C-3500 Rev P04 – Existing Permeable Areas Layout

Proposed Drawings

DL0163-AHMM-ZZ-ZZ-DR-A-PL006 Rev P02 – Proposed Masterplan
DL0163-AHMM-ZZ-00-DR-A-PL100 Rev P09 – Proposed Ground Floor Masterplan
DL0163-AHMM-ZZ-01-DR-A-PL101 Rev P09 – Proposed First Floor Masterplan
DL0163-AHMM-ZZ-02-DR-A-PL102 Rev P09 – Proposed Second Floor Masterplan and Block F First Floor
DL0163-AHMM-ZZ-03-DR-A-PL103 Rev P09 – Proposed Third Floor Masterplan and Block F Second Floor
DL0163-AHMM-ZZ-04-DR-A-PL104 Rev P09 – Proposed Fourth Floor Masterplan and Block F Third Floor
DL0163-AHMM-ZZ-05-DR-A-PL105 Rev P09 – Proposed Fifth Floor Masterplan and Block F Fourth Floor

DL0163-AHMM-ZZ-06-DR-A-PL106 Rev P09 – Proposed Sixth Floor Masterplan
DL0163-AHMM-ZZ-07-DR-A-PL107 Rev P09 – Proposed Seventh Floor Masterplan
DL0163-AHMM-ZZ-08-DR-A-PL108 Rev P09 – Proposed Eighth Floor Masterplan
DL0163-AHMM-ZZ-RF-DR-A-PL109 Rev P09 – Proposed Roof Masterplan
DL0163-AHMM-ZZ-B1-DR-A-PL110 Rev P09 – Proposed Lower Ground Masterplan
DL0163-AHMM-AA-00-DR-A-PL100 Rev P03 – Block A – Ground Floor Plan
DL0163-AHMM-AA-ZZ-DR-A-PL101 Rev P03 – Block A – Level 01, 03 and 05 Floor Plans
DL0163-AHMM-AA-ZZ-DR-A-PL102 Rev P00 – Block A – Level 02, 04 and 06 Floor Plans
DL0163-AHMM-BB-00-DR-A-PL100 Rev P02 – Block B – Ground Floor Plan
DL0163-AHMM-BB-ZZ-DR-A-PL101 Rev P02 – Block B – Upper Floor Plan
DL0163-AHMM-BB-ZZ-DR-A-PL401 Rev P02 – Block B – M4(3) Unit Typo 01 (1 bed), Type 02 (2 bed), Type 03 (4 bed)
DL0163-AHMM-CD-ZZ-DR-A-PL401 Rev P02 – Block CD – M4(3) Unit Type 01 (1b), Type 02, 03 and 04 (2b)
DL0163-AHMM-CF-00-DR-A-PL100 Rev P02 – Block CDF – Ground Floor Plan
DL0163-AHMM-CF-01-DR-A-PL101 Rev P02 – Block CDF – Proposed L01 Floor Plan
DL0163-AHMM-CF-02-DR-A-PL102 Rev P02 – Block CDF – Proposed Block CD L02 and Block F L01 Floor Plan
DL0163-AHMM-CF-03-DR-A-PL103 Rev P02 – Block CDF – Proposed Block CD L03 and Block F L02 Floor Plan
DL0163-AHMM-CF-04-DR-A-PL104 Rev P02 – Block CDF – Proposed Block CD L04 and Block F L03 Floor Plan
DL0163-AHMM-CF-05-DR-A-PL105 Rev P02 – Block CDF – Proposed Block CD L05 and Block F L04 Floor Plan
DL0163-AHMM-B1-ZZ-DR-A-PL106 Rev P02 – Block CDF – Proposed Lower Ground Floor Plan
DL0163-AHMM-EE-00-DR-A-PL100 Rev P02 – Block E – Ground Floor Plan
DL0163-AHMM-EE-ZZ-DR-A-PL101 Rev P02 – Block E – Level 01 to Level 03 Floor Plan
DL0163-AHMM-EE-ZZ-DR-A-PL104 Rev P02 – Block E – Level 04 to Level 06 Floor Plan
DL0163-AHMM-EE-07-DR-A-PL107 Rev P02 – Block E – Level 07 Floor Plan
DL0163-AHMM-EE-08-DR-A-PL108 Rev P02 – Block E – Level 08 Floor Plan
DL0163-AHMM-EE-09-DR-A-PL401 Rev P02 – Block E – M4(3) Unit Type 01 and 02 (1b), Type 03 (2b)
DL0163-AHMM-FF-ZZ-DR-A-PL401 Rev P02 – Block F – M4(3) Unit Type 01 and 02 (1b), Type 03 (3b)
DL0163-AHMM-ZZ-ZZ-DR-A-PL200 Rev P03 – Proposed East and West Sitewide Elevations (Sheet 1)
DL0163-AHMM-ZZ-ZZ-DR-A-PL201 Rev P04 – Proposed East and West Sitewide Elevations (Sheet 2)
DL0163-AHMM-ZZ-ZZ-DR-A-PL202 Rev P03 – Proposed North and South Sitewide Elevations (Sheet 1)
DL0163-AHMM-ZZ-ZZ-DR-A-PL203 Rev P03 – Proposed North and South Sitewide Elevations (Sheet 2)
DL0163-AHMM-AA-ZZ-DR-A-PL200 Rev P04 – Block A – Proposed External Elevations
DL0163-AHMM-BB-ZZ-DR-A-PL200 Rev P03 – Block B – Proposed External Elevations
DL0163-AHMM-CC-ZZ-DR-A-PL200 Rev P03 – Block C – Proposed External Elevations
DL0163-AHMM-DD-ZZ-DR-A-PL200 Rev P03 – Block D – Proposed External Elevations
DL0163-AHMM-EE-ZZ-DR-A-PL200 Rev P03 – Block E – Proposed External Elevations
DL0163-AHMM-FF-ZZ-DR-A-PL200 Rev P03 – Block F – Proposed External Elevations
DL0163-AHMM-FF-ZZ-DR-A-PL201 Rev P02 – Block F – Proposed External Elevations
DL0163-AHMM-AA-ZZ-DR-A-PL210 Rev P03 – Proposed Bay Studies – Block A North Elevation
DL0163-AHMM-AA-ZZ-DR-A-PL211 Rev P04 – Proposed Bay Studies – Block A East Elevation
DL0163-AHMM-AA-ZZ-DR-A-PL212 Rev 00 – Proposed Bay Studies – Block A East Elevation – External Staircase
DL0163-AHMM-BB-ZZ-DR-A-PL210 Rev P03 – Proposed Bay Studies – Block B North Elevation
DL0163-AHMM-CC-ZZ-DR-A-PL210 Rev P02 – Proposed Bay Studies – Block C North Elevation

DL0163-AHMM-CC-ZZ-DR-A-PL211 Rev P01 – Proposed Bay Studies – Block C West Elevation
DL0163-AHMM-DD-ZZ-DR-A-PL210 Rev P03 – Proposed Bay Studies – Block D North Elevation
DL0163-AHMM-EE-ZZ-DR-A-PL210 Rev P03 – Proposed Bay Studies – Block E South Elevation
DL0163-AHMM-FF-ZZ-DR-A-PL210 Rev P03 – Proposed Bay Studies – Block F East Elevation
DL0163-AHMM-FF-ZZ-DR-A-PL211 Rev P02 – Proposed Bay Studies – Block F West Elevation
DL0163-AHMM-ZZ-ZZ-DR-A-PL300 Rev P03 – Proposed Site Section AA and BB
DL0163-AHMM-ZZ-ZZ-DR-A-PL301 Rev P03 – Proposed Site Section CC and DD, EE, FF

DL0163-LDA-SW-00-DR-LA-00103 Rev P08 – Landscape General Arrangement Plan Building Outline Only
DL0163-LDA-SW-00-DR-LA-00104 Rev P06 – Landscape General Arrangement Plan Architect Internal Layout
DL0163-LDA-SW-00-DR-LA-00201 Rev P06 – Landscape Hardworks Paving Types Plan
DL0163-LDA-SW-00-DR-LA-00202 Rev P03 – Landscape Hardworks Furniture Types Plan
DL0163-LDA-SW-00-DR-LA-00203 Rev P04 – Landscape Hardworks Boundary Types Plan
DL0163-LDA-SW-00-DR-LA-00204 Rev P03 – Landscape Hardworks Edge Types Plan
DL0163-LDA-SW-00-DR-LA-00301 Rev P06 – Landscape Softworks Plan
DL0163-LDA-SW-00-DR-LA-00601 Rev P02 – Landscape Indicative Levels and Drainage Plan
DL0163-LDA-SW-00-DR-LA-00101 Rev P03 – Landscape Illustrative Colour Plan
DL0163-LDA-SW-00-DR-LA-00102 Rev P03 – Urban Greening Factor Including Existing Retained Trees
DL0163-LDA-SW-00-DR-LA-00105 Rev P03 – Urban Greening Factor Excluding Retained Trees

DL0163-ISS-XX-XX-DR-C-3050 Rev P07 – Proposed Surface Water Drainage Layout
DL0163-ISS-XX-XX-DR-C-3300 Rev P04 – Proposed Levels Layout
DL0163-ISS-XX-XX-DR-C-3400 Rev P03 – Proposed External Works Layout
DL0163-ISS-XX-XX-DR-C-3510 Rev P04 – Proposed impermeable-Permeable Areas Layout
DL0163-ISS-XX-XX-DR-C-3550 Rev P01 – Flood Exceedance Plan
DL0163-ISS-XX-XX-DR-C-3800 Rev P02 – Drainage Construction Notes
DL0163-ISS-XX-XX-DR-C-3801 Rev P02 – Drainage Construction Details Sheet 1
DL0163-ISS-XX-XX-DR-C-3802 Rev P02 – Drainage Construction Details Sheet 2
DL0163-ISS-XX-XX-DR-C-3803 Rev P02 – Drainage Construction Details Sheet 3
DL0163-ISS-XX-XX-DR-C-3900 Rev P01 – External Works Details Sheet 1
DL0163-ISS-XX-XX-DR-C-3901 Rev P01 – External Works Details Sheet 2
2045-ISS-XX-XX-DR-C-3060 Rev P07 – Proposed Foul Water Drainage Layout Overall
2045-ISS-XX-XX-DR-C-3060 Rev P06 – Proposed Combined Drainage Layout Overall

Other application documents

- Environmental Statement Volume 1 Dated February 2024 and prepared by hgh Consulting
- Environmental Statement Volume 2 Dated February 2024 and prepared by hgh Consulting
- Environmental Statement Volume 3 Dated January 2024 and prepared by Montagu Evans
- Air Quality and Dust Management Plan dated 28 February 2024 and prepared by SRL ref 80825-SRL-RP-YQ-02-S2-P6
- Air Quality Assessment dated 14 June 2024 and prepared by SRL ref 80825-SRL-RP-YQ-06-S2-P4
- Air Quality Neutral Assessment dated 22 December 2023 and prepared by SRL ref 80825-SRL-RP-YQ-03-S2-P8

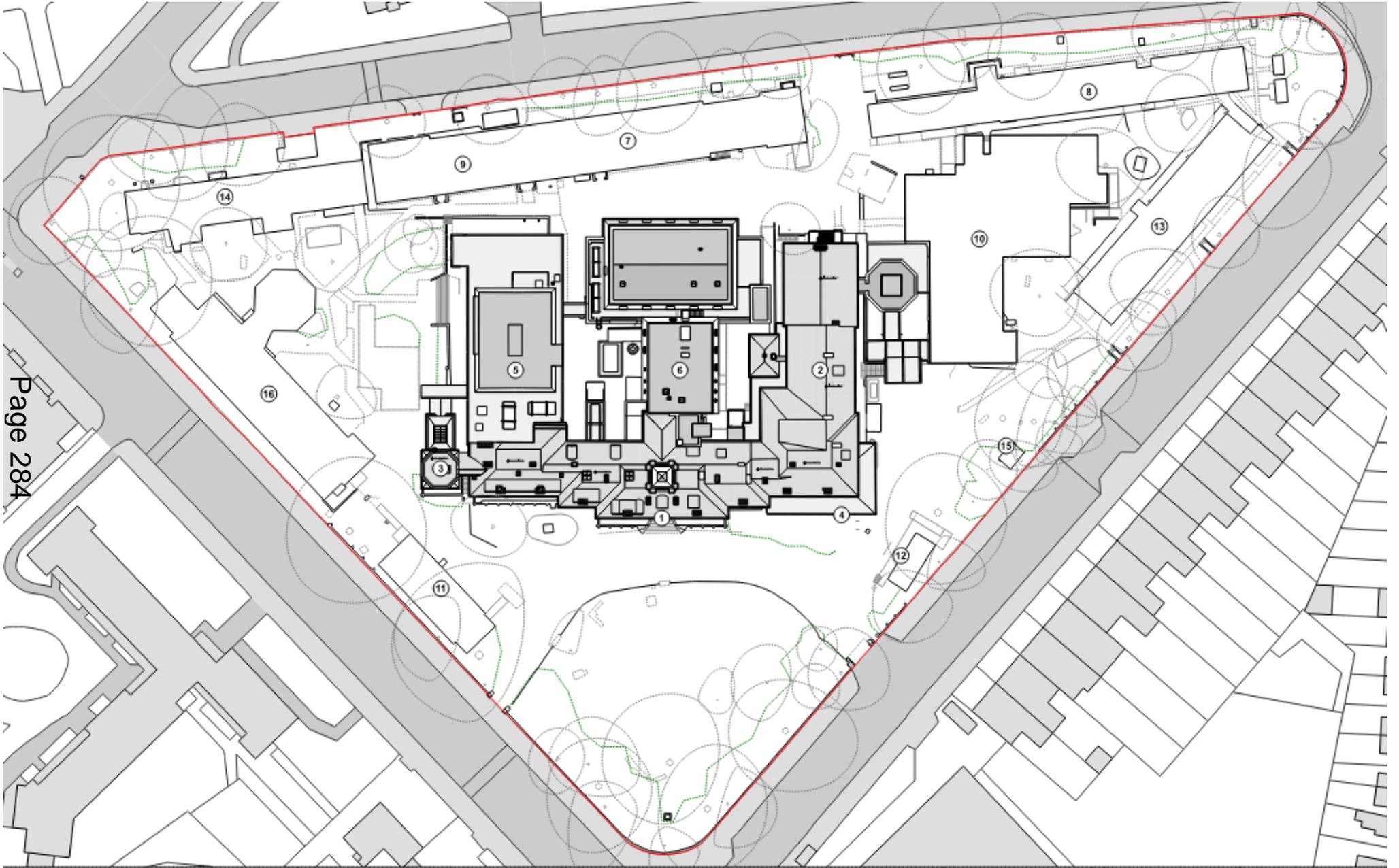
- Air Quality Positive Statement dated 22 December 2023 and prepared by SRL ref 80825-SRL-RP-YQ-05-S2-P8
- Air Quality Screening and Dust Risk Assessment dated 22 December 2023 and prepared by SRL ref 80825-SRL-RP-YQ-01-S2-P5
- Arboricultural Impact Assessment dated February 2024 and prepared by Aspect Arboriculture ref 11433_AIA.05 Rev B
- Archaeological Desk Based Assessment dated 21 December 2023 and prepared by Mola ref P23-399
- Circular Economy Statement dated 24 January 2024 and prepared by Wallace Whittle ref DL0163-WWL-XX-XX-RP-CS-00105
- Construction Environmental Management Plan (including Noise and Vibration Technical Document) – draft prepared by Latimer dated February 2024
- Daylight, Sunlight and Overshadowing Report dated December 2023 and prepared by Point 2 ref P3145 v2
- Design and Access Statement dated 29 January 2024 and prepared by AHMM ref DL0163-AHMM-ZZ-XX-RP-A-PL001 P04
- Design and Access Statement Addendum dated 20 June 2024 and prepared by AHMM ref DL0163-AHMM-ZZ-XX-RP-A-PL003 P01
- Ecological Appraisal dated 20 December 2023 and prepared by BSG Ecology ref P22-524
- Energy Statement (including Overheating Assessment) dated 24 January 2024 and prepared by Wallace Whittle ref DL0163-WWL-XX-XX-RP-CS-00103
- Exterior Lighting Design Report dated January 2024 and prepared by Studio Dekka ref 1239-rch-ex-RP-001
- Flood Risk Assessment and Drainage Strategy dated January 2024 and prepared by IESIS Structures ref DL0163-ISS-XX-XX-RP-C-3000
- Fire Safety Strategy dated 18 January 2024 and prepared by Sweco ref 65207071/RW/240118 Revision 2
- Fire Statement Form dated 18 January 2024 and prepared by Sweco
- Health Impact Assessment dated January 2024 and prepared by hgh Consulting
- Heritage Statement dated January 2024 and prepared by Montagu Evans
- Land Contamination: Desk Study and Preliminary Risk Assessment Report dated 21 December 2023 and prepared by Jomas Engineering ref P5282J2841/JLW
- Noise Impact Assessment dated 12 January 2024 and prepared by SRL ref 80825-SRL-RP-YA-005-S2-P5
- Outline Construction Logistics Plan dated January 2024 and prepared by WSP ref DL0163-WSP-XX-XX-RP-TP-00004
- Outline Schedule of Works and Repairs dated 24 January 2024 and prepared by AHMM ref DL0163-AHMM-XX-ZZ-RP-A-PL002
- Outline Site Waste Management Plan dated 22 January 2024 and prepared by Velocity ref 23/107 Doc D013
- Planning Statement dated February 2024 and prepared by hgh Consulting
- Pre-Redevelopment and Pre-Demolition Audit dated 12 January 2024 and prepared by Velocity ref 23/107 and prepared by Velocity ref 23/107 Doc D014
- Statement of Community Involvement dated February 2024 and prepared by London Communications Agency
- Sustainability Statement dated 24 January 2024 and prepared by Wallace Whittle ref DL0163-WWL-XX-XX-RP-CS-00107
- Sustainability Technical Note: The Development's Impact on Greenhouse Gas Emissions & Climate Change Resilience dated 29 January 2024 and prepared by QODA LN1006-QODA-XX-XX-RP-YS-1001
- Transport Assessment (including Swept Path Plans, Framework Travel Plan and Delivery and Servicing Management Plan) dated January 2024 and prepared by WSP ref DL0163-WSP-XX-XX-RP-TP-00001
- Utilities Assessment dated 12 January 2024 and prepared by Wallace Whittle ref DL0163-WWL-XX-XX-RP-CS-00102
- Waste Management Strategy dated February 2024 and prepared by WSP ref DL0163-WSP-XX-XX-RP-WM-00001

- Whole Life-Cycle Assessment dated 24 January 2024 and prepared by Wallace Whittle ref DL0163-WWL-XX-XX-RP-CS-00104

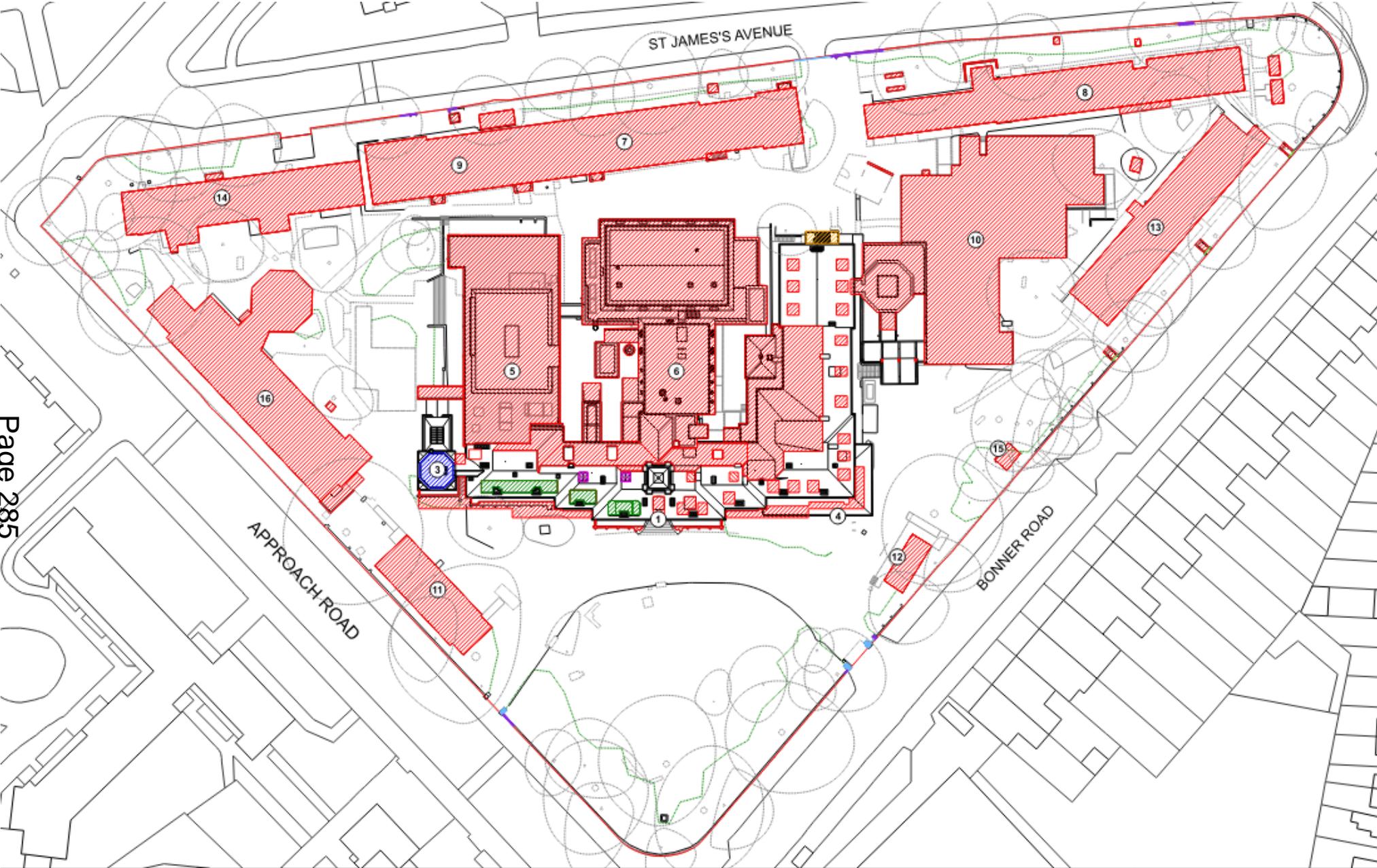
APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES

Existing Site Plan



Scope of Demolition Sitewide



Ground Floor Masterplan



First Floor Masterplan



Second Floor Masterplan (First Floor Building F)



Third Floor Masterplan (Second Floor Building F)



Fourth Floor Masterplan (third Floor Building F)



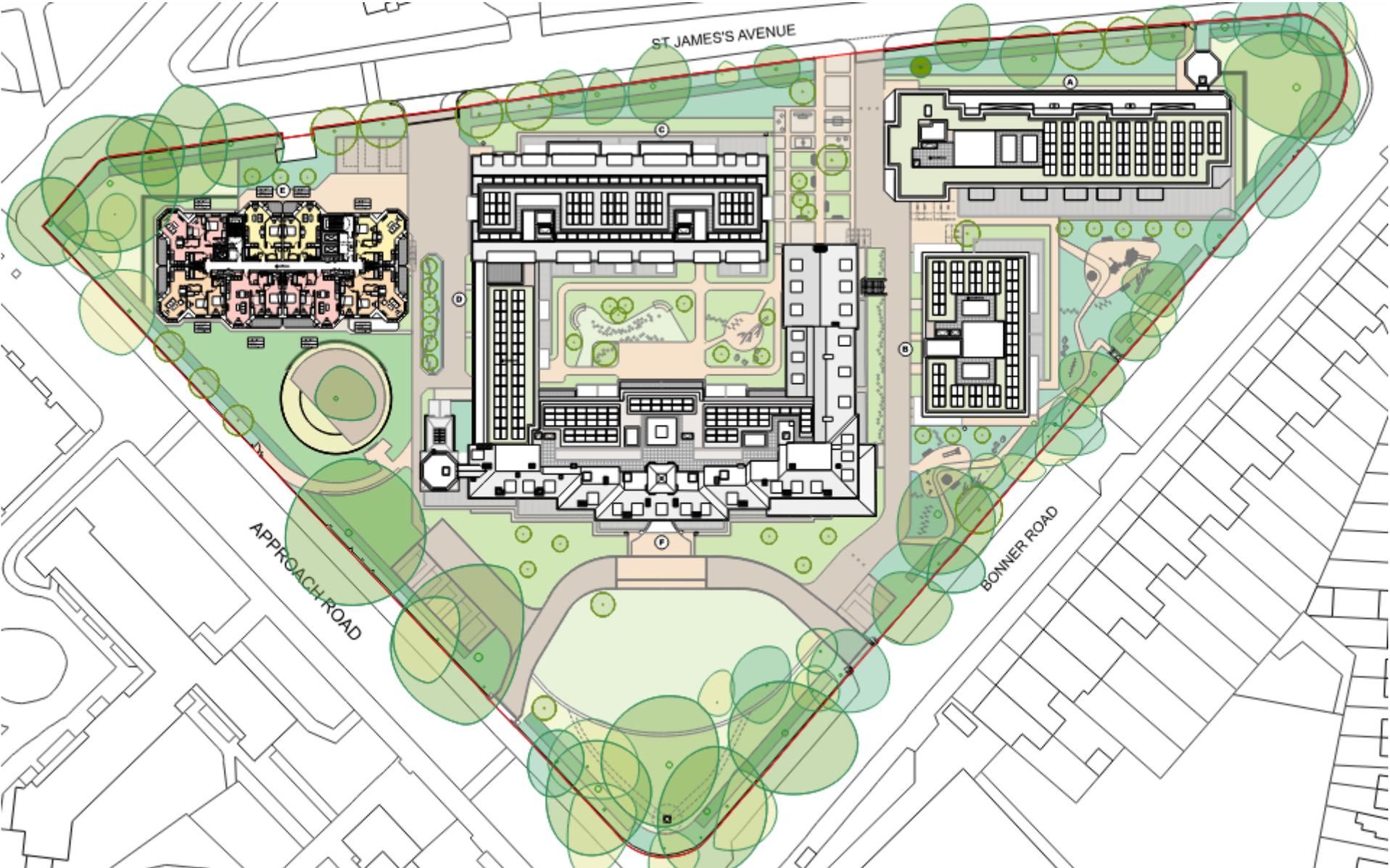
Fifth Floor Masterplan (Fourth Flood Building F)



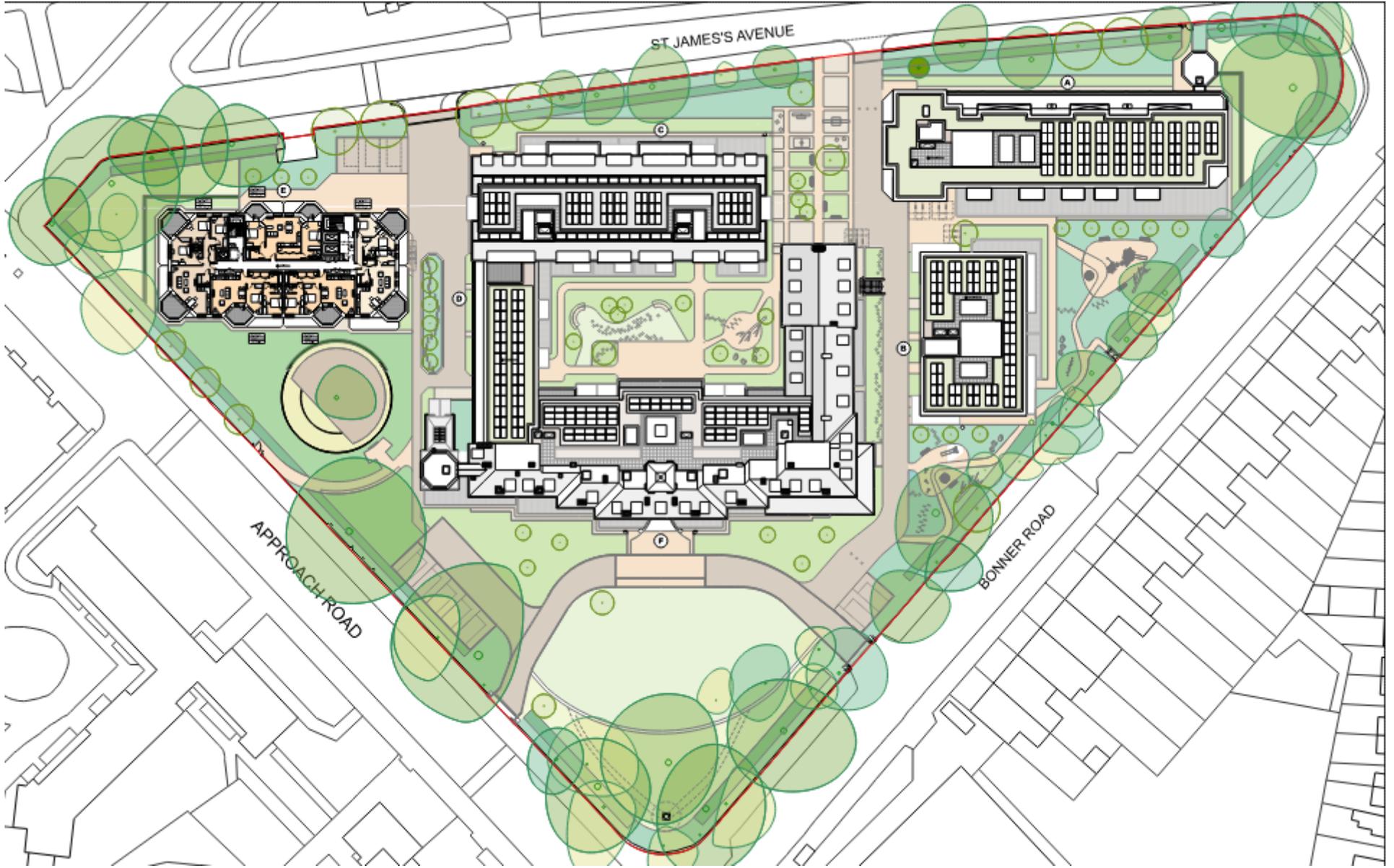
Sixth Floor Masterplan



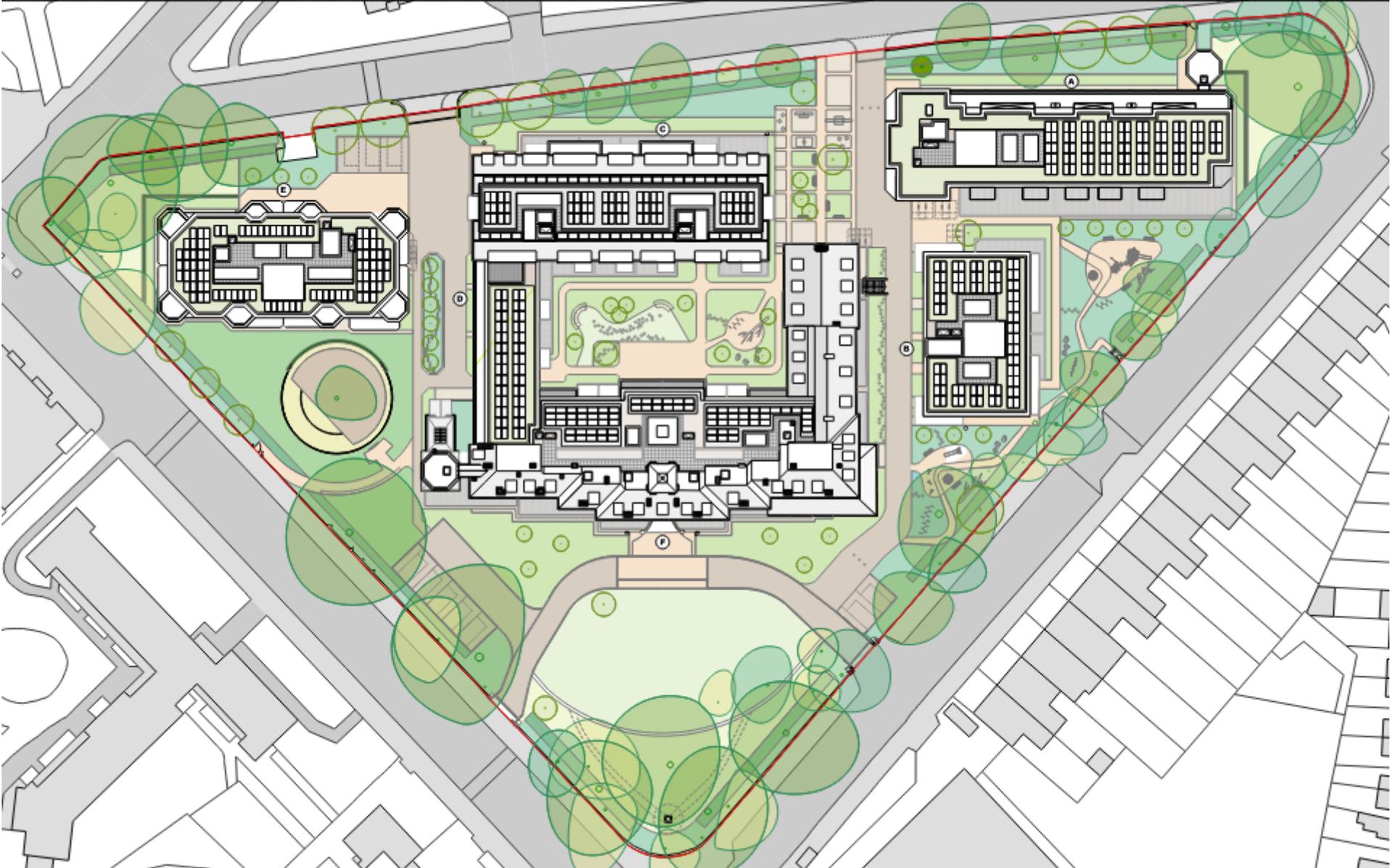
Seventh Floor Masterplan



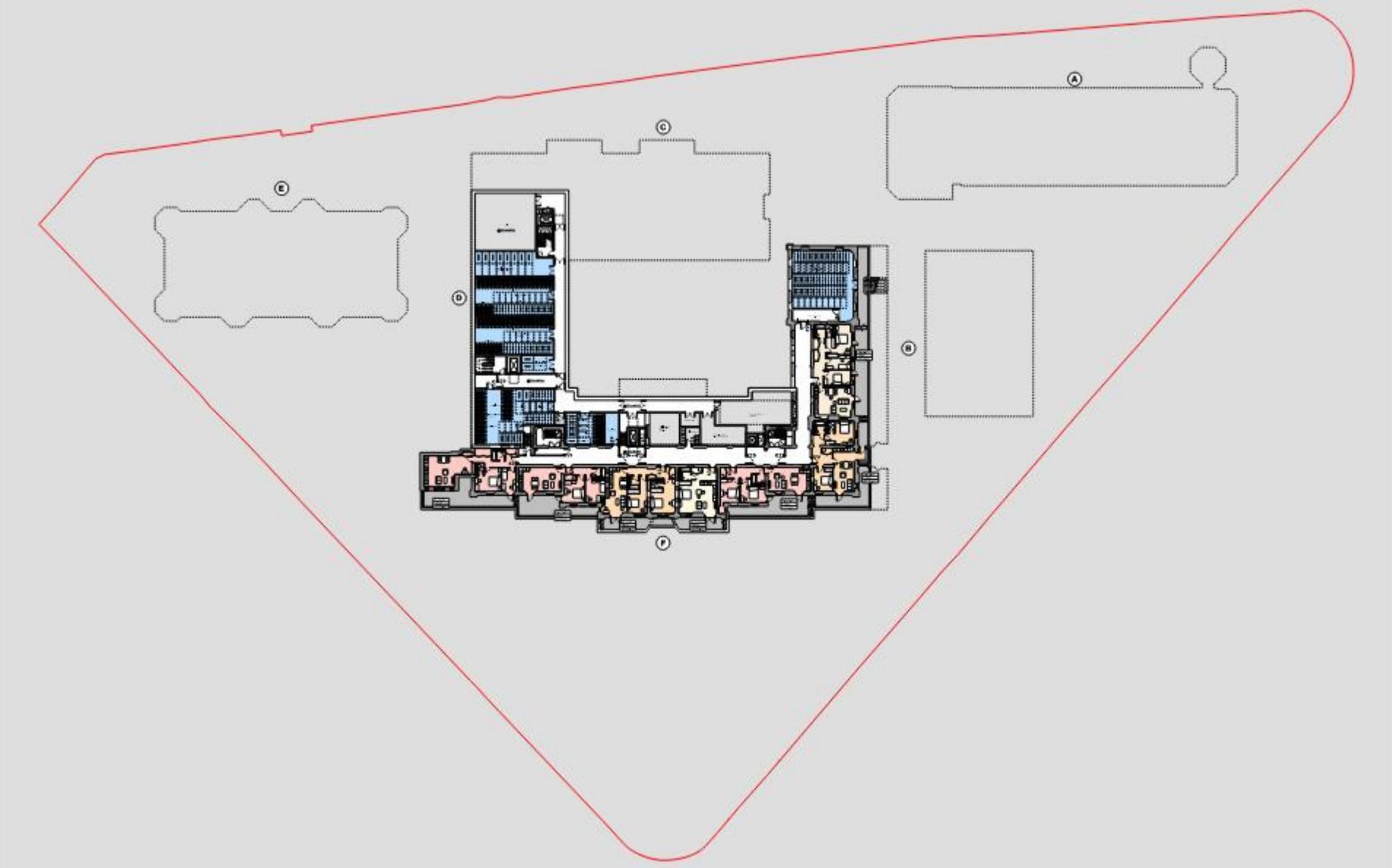
Eighth Floor Masterplan



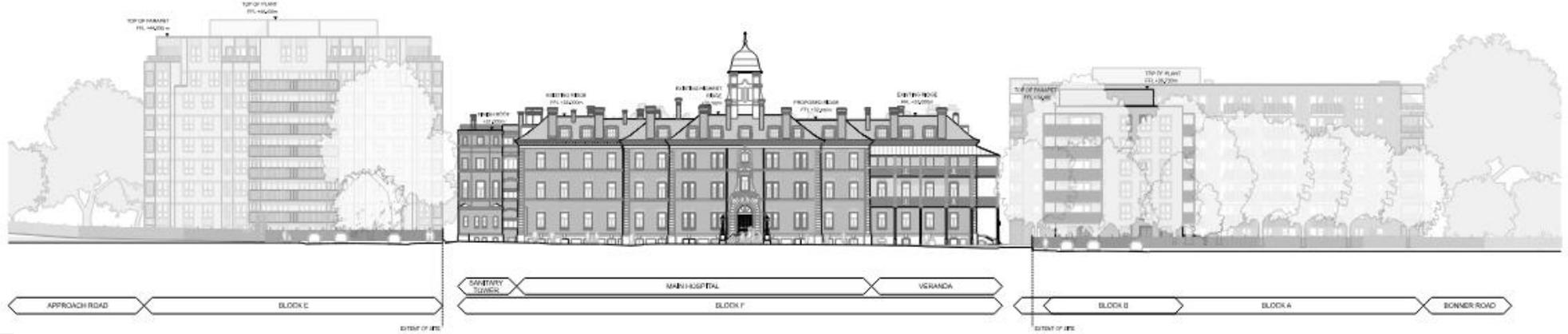
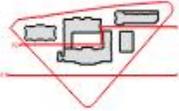
Roof Masterplan



Lower Ground Masterplan

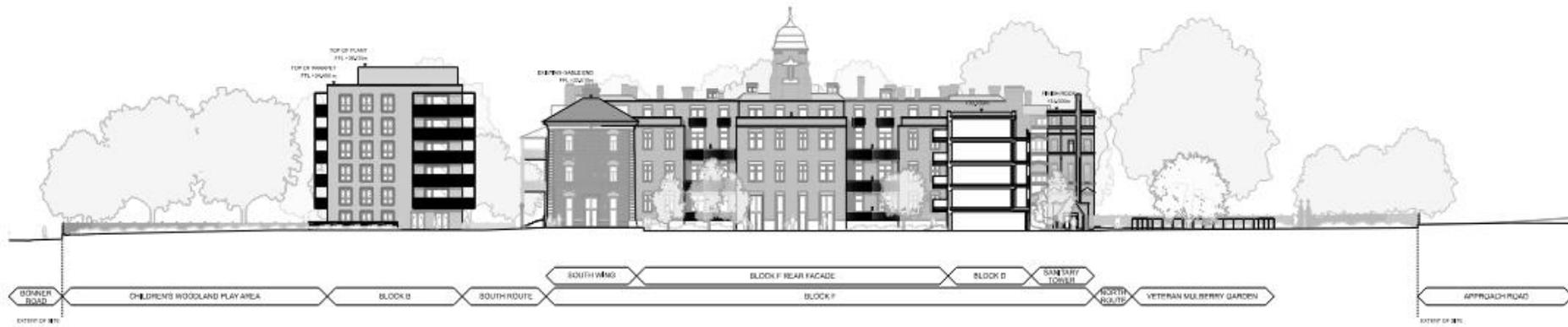


Proposed Site Wide Elevations 1



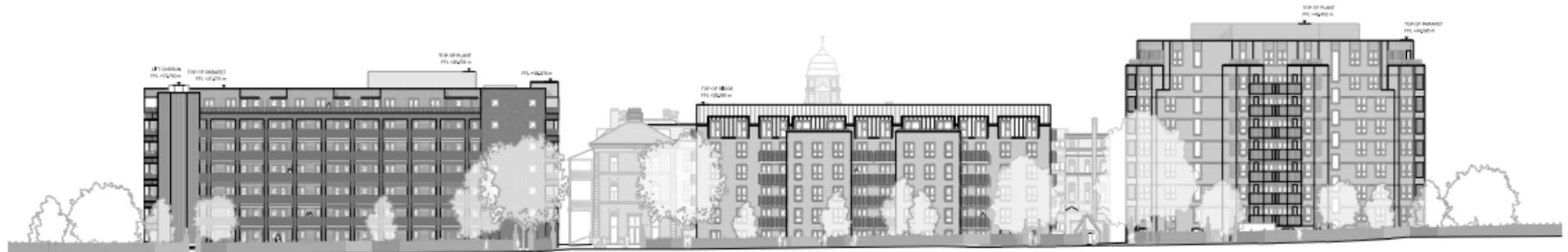
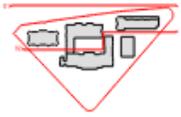
01 PROPOSED SIDE WIDE ELEVATION WEST

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02 PROPOSED SIDE WIDE ELEVATION EAST

Proposed Sitewide Elevations 2



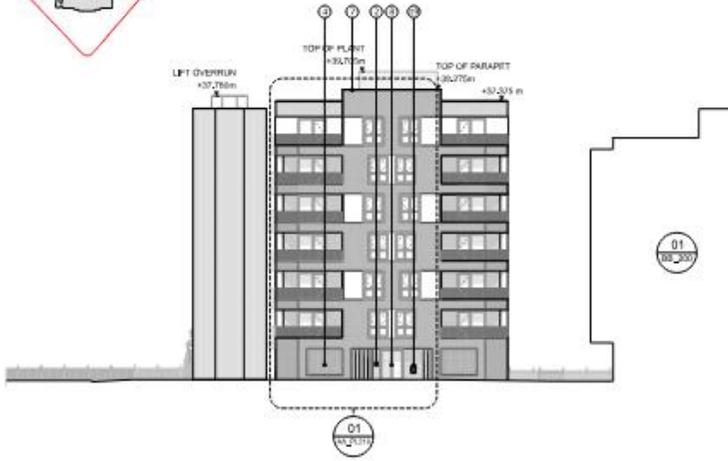
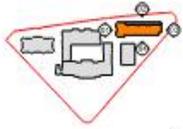
01 PROPOSED SIDE WIDE ELEVATION EAST



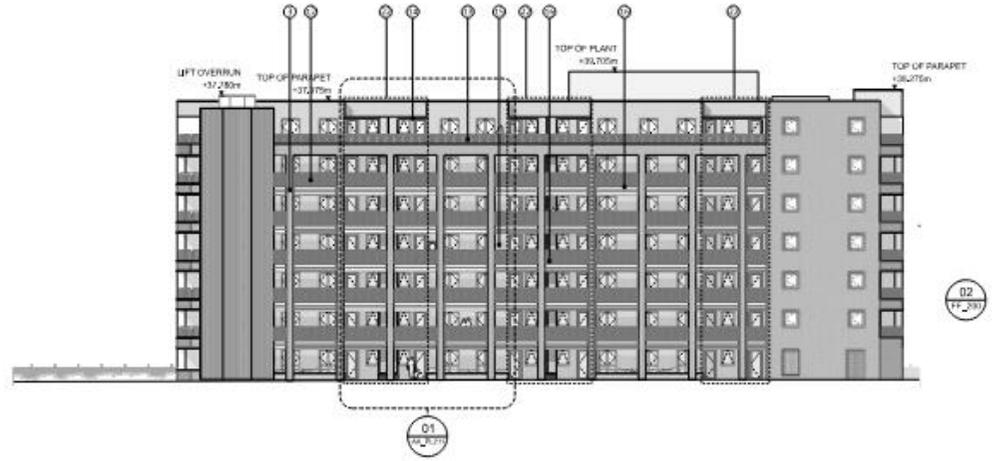
02 PROPOSED SIDE WIDE ELEVATION WEST



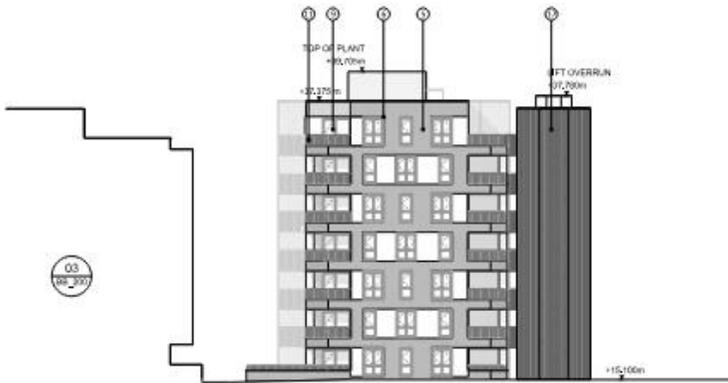
Block A Elevations



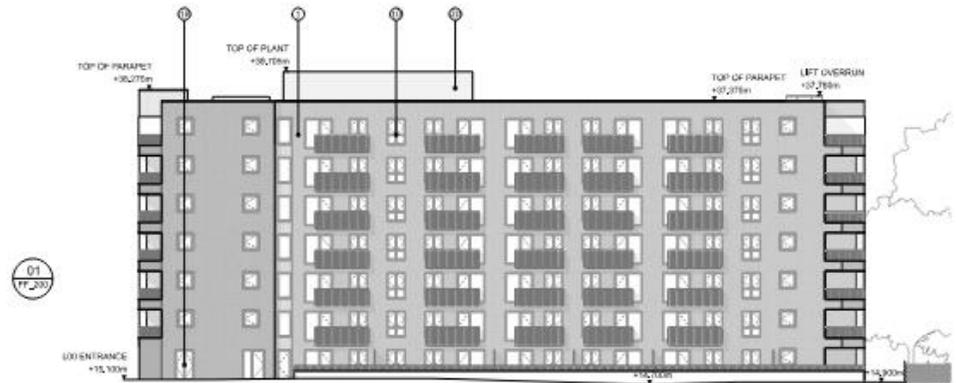
01 PROPOSED NORTH ELEVATION



02 PROPOSED EAST ELEVATION



03 PROPOSED SOUTH ELEVATION



04 PROPOSED WEST ELEVATION

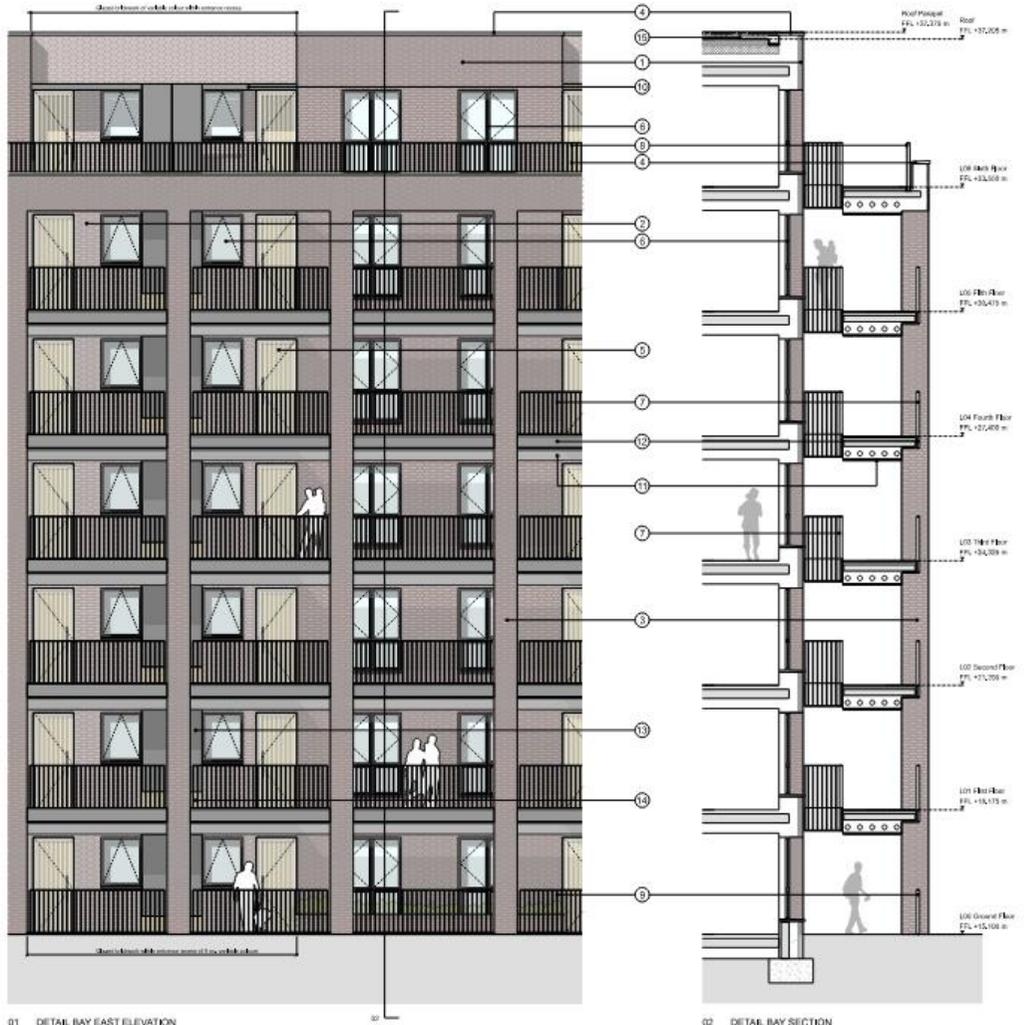
Building A Bay Study

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01 DETAIL BAY NORTH ELEVATION

02 DETAIL BAY SECTION



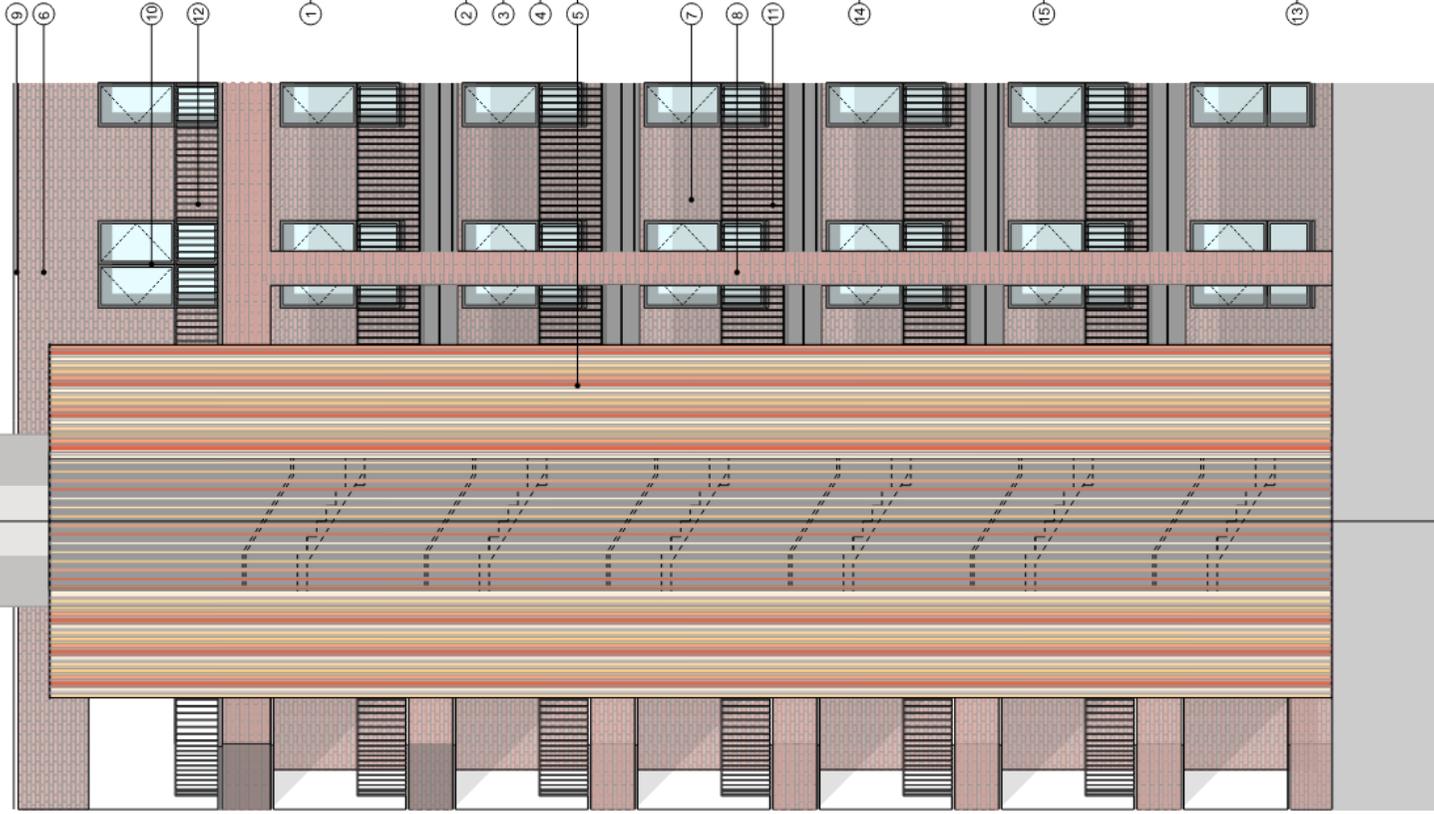
01 DETAIL BAY EAST ELEVATION

02 DETAIL BAY SECTION

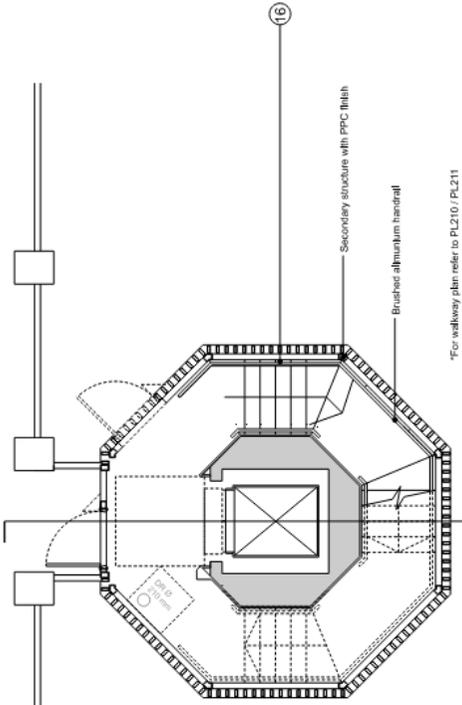
Building A Staircase

Page 301

Top of basement
FFL +37.780 m



01 DETAIL BAY EAST ELEVATION

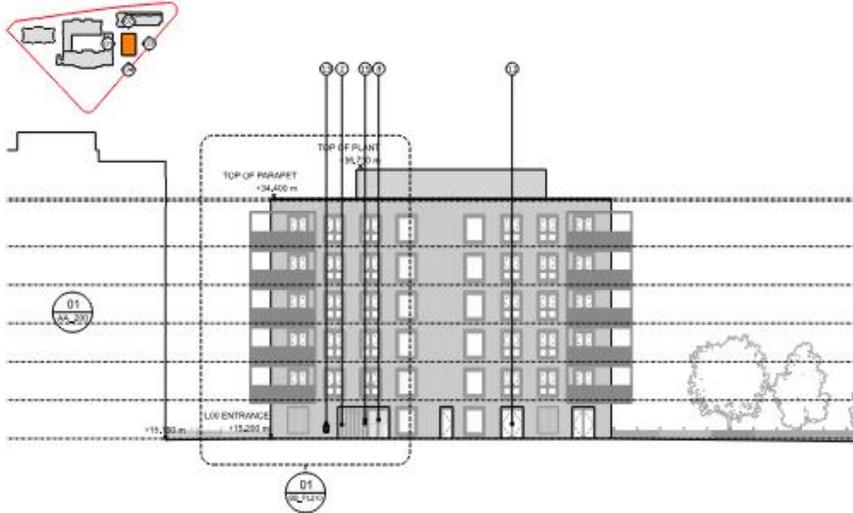


03 DETAIL BAY PLAN TYPICAL FLOOR

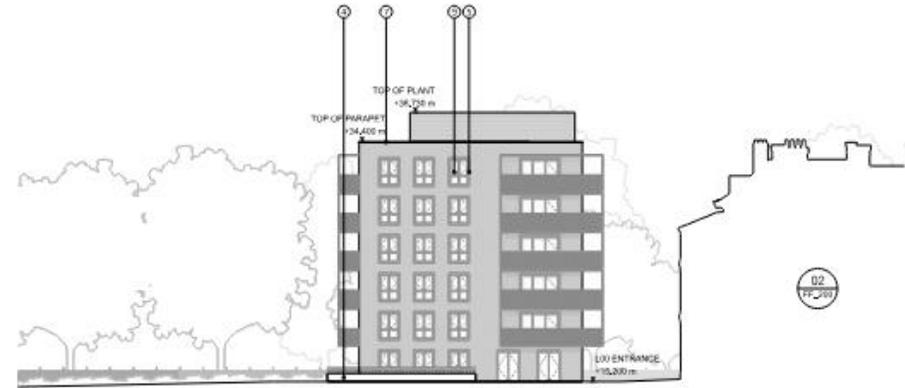
Building A CGI



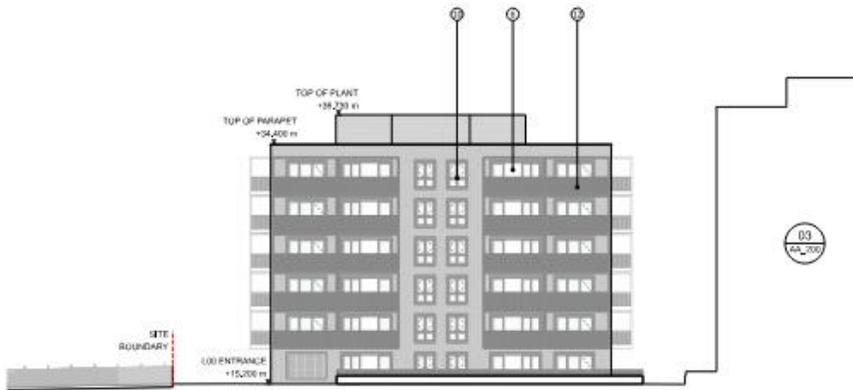
Building B Elevations



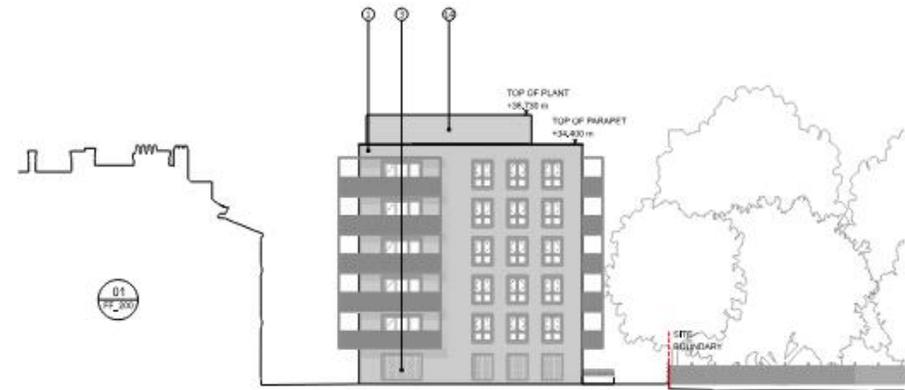
01 PROPOSED NORTH ELEVATION



02 PROPOSED EAST ELEVATION



03 PROPOSED SOUTH ELEVATION



04 PROPOSED WEST ELEVATION



Building B Bay Studies

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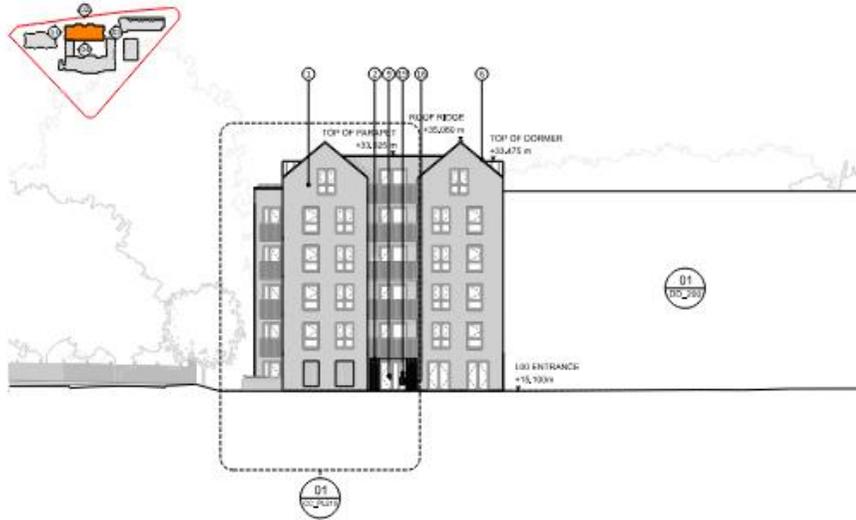
01 DETAIL BAY NORTH ELEVATION

02 DETAIL BAY SECTION

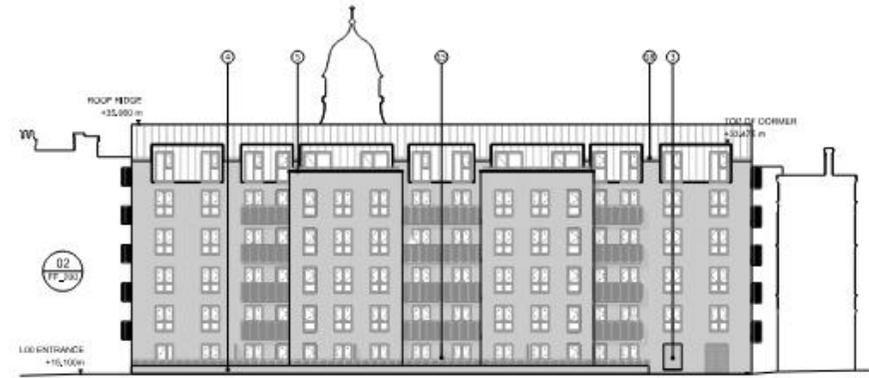
Building B CGI



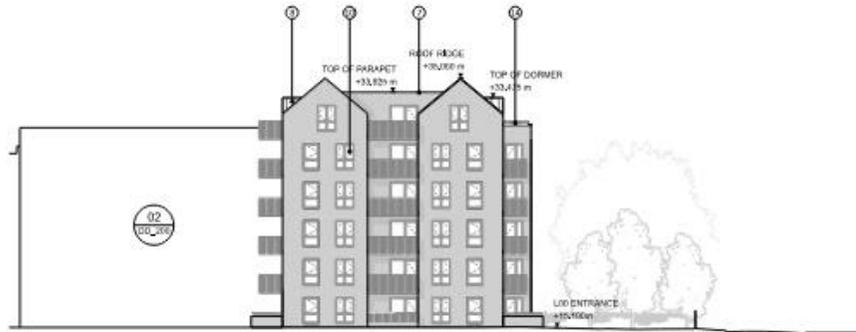
Building C Elevations



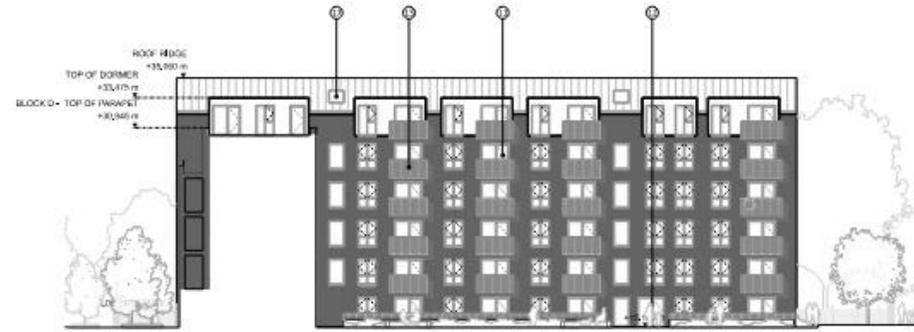
01 PROPOSED NORTH ELEVATION



02 PROPOSED EAST ELEVATION



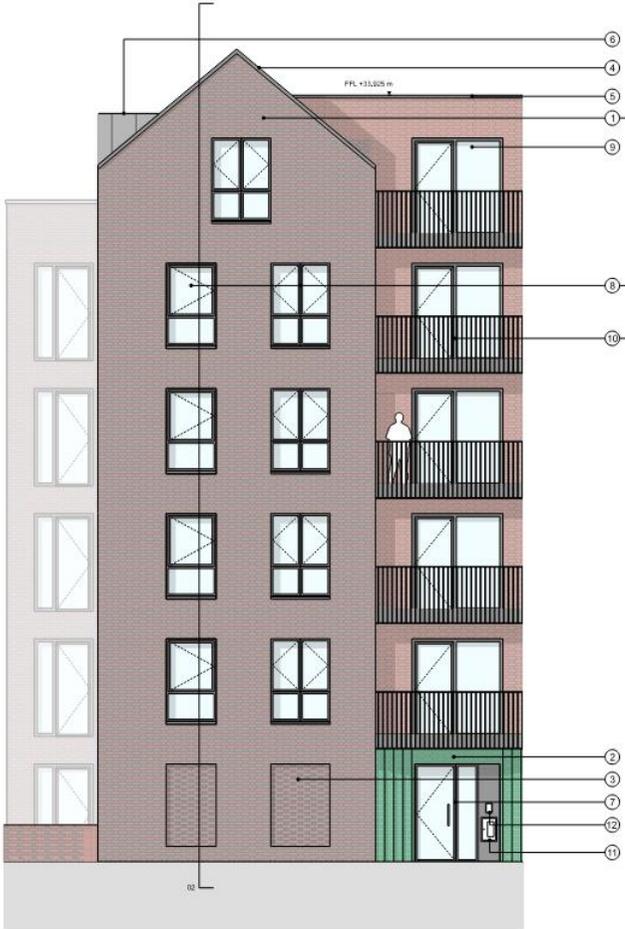
03 PROPOSED SOUTH ELEVATION



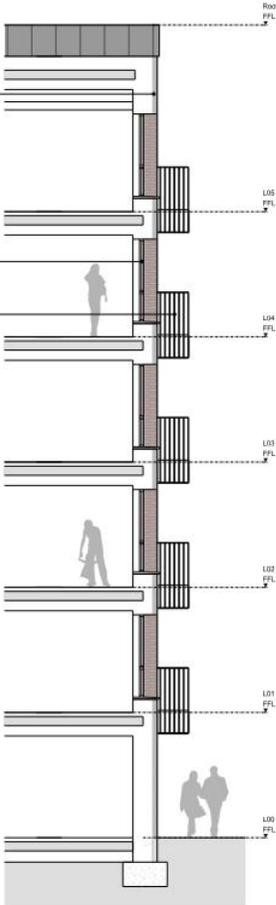
04 PROPOSED WEST ELEVATION



Building C Bay Studies



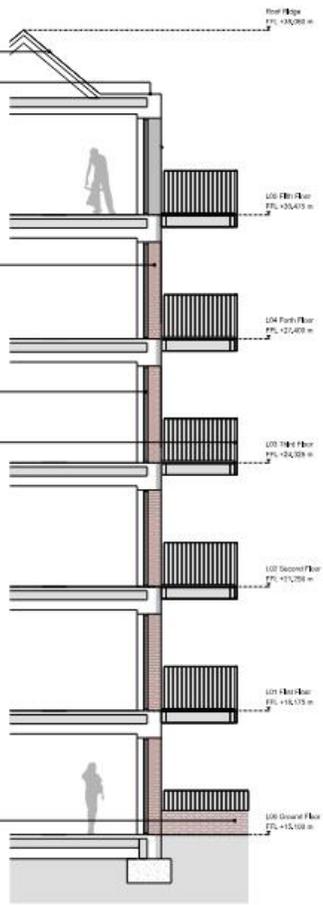
01 DETAIL BAY NORTH ELEVATION



02 DETAIL BAY SECTION



01 DETAIL BAY NORTH ELEVATION



02 DETAIL BAY SECTION

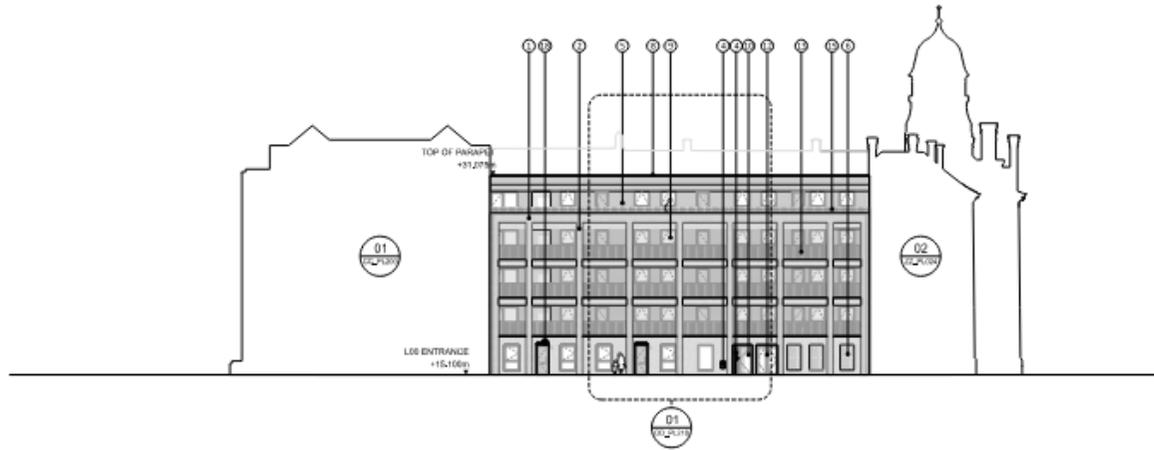
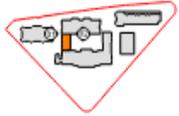
Building C CGI



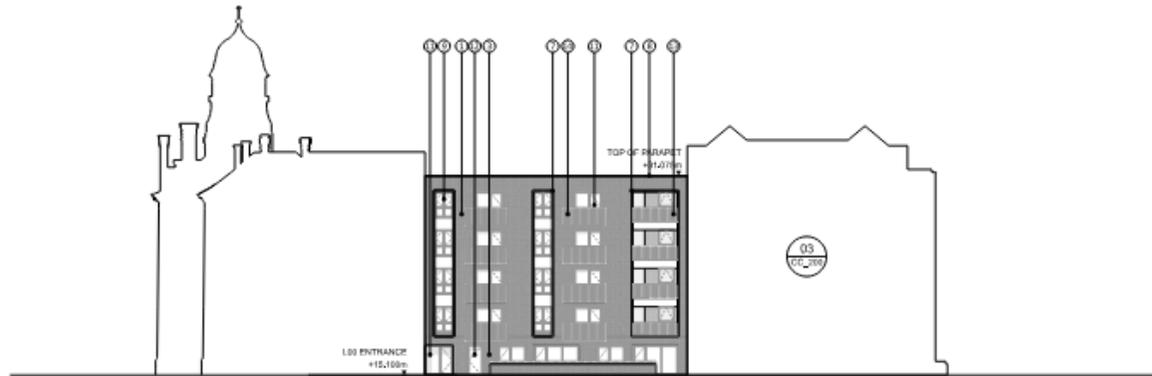
Building C CGI



Building D Elevations



01 PROPOSED NORTH ELEVATION



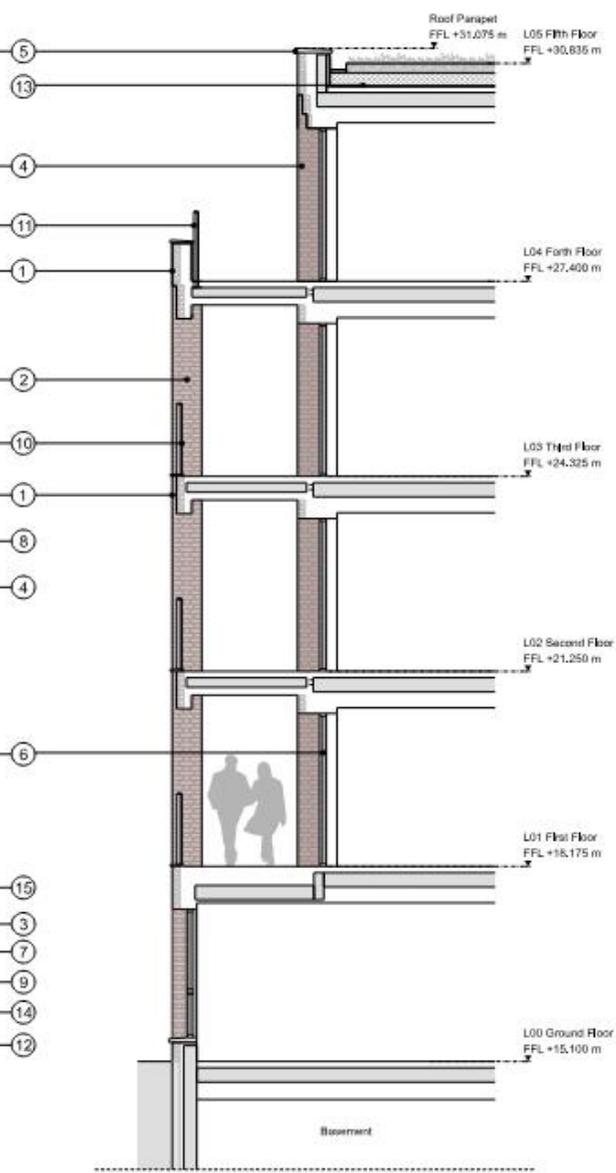
03 PROPOSED SOUTH ELEVATION



Building D Bay Studies



01 DETAIL BAY NORTH ELEVATION



02 DETAIL BAY SECTION

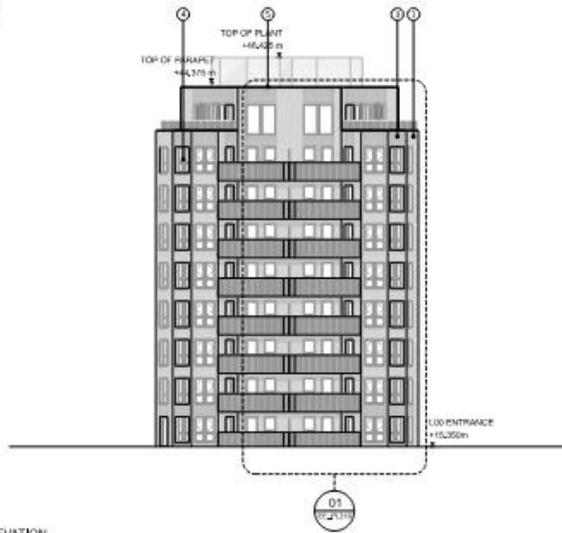
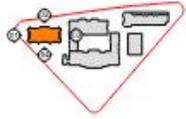
Building D CGI



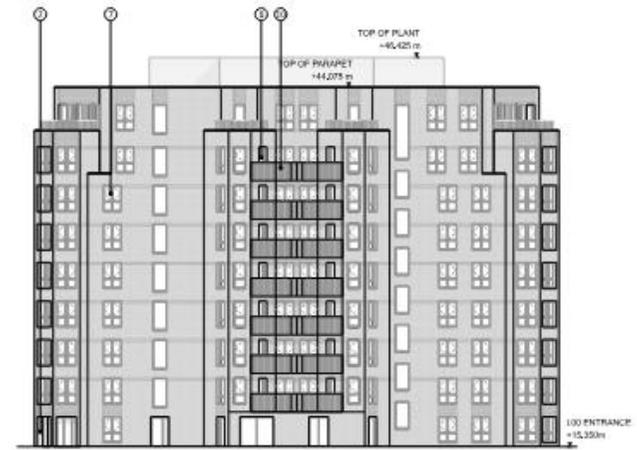
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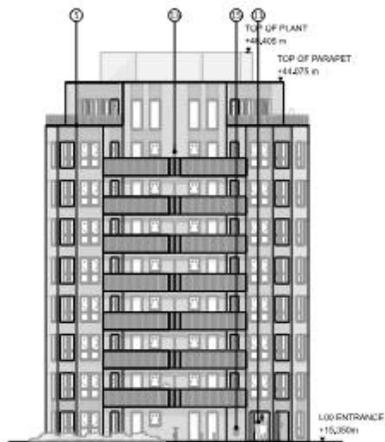
Building E Elevations



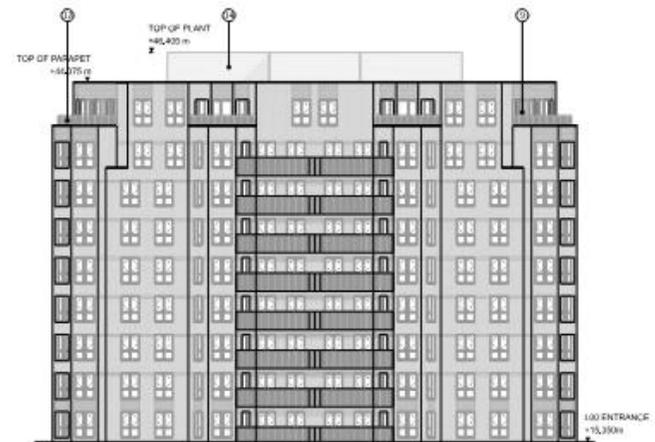
01 PROPOSED NORTH ELEVATION



02 PROPOSED EAST ELEVATION



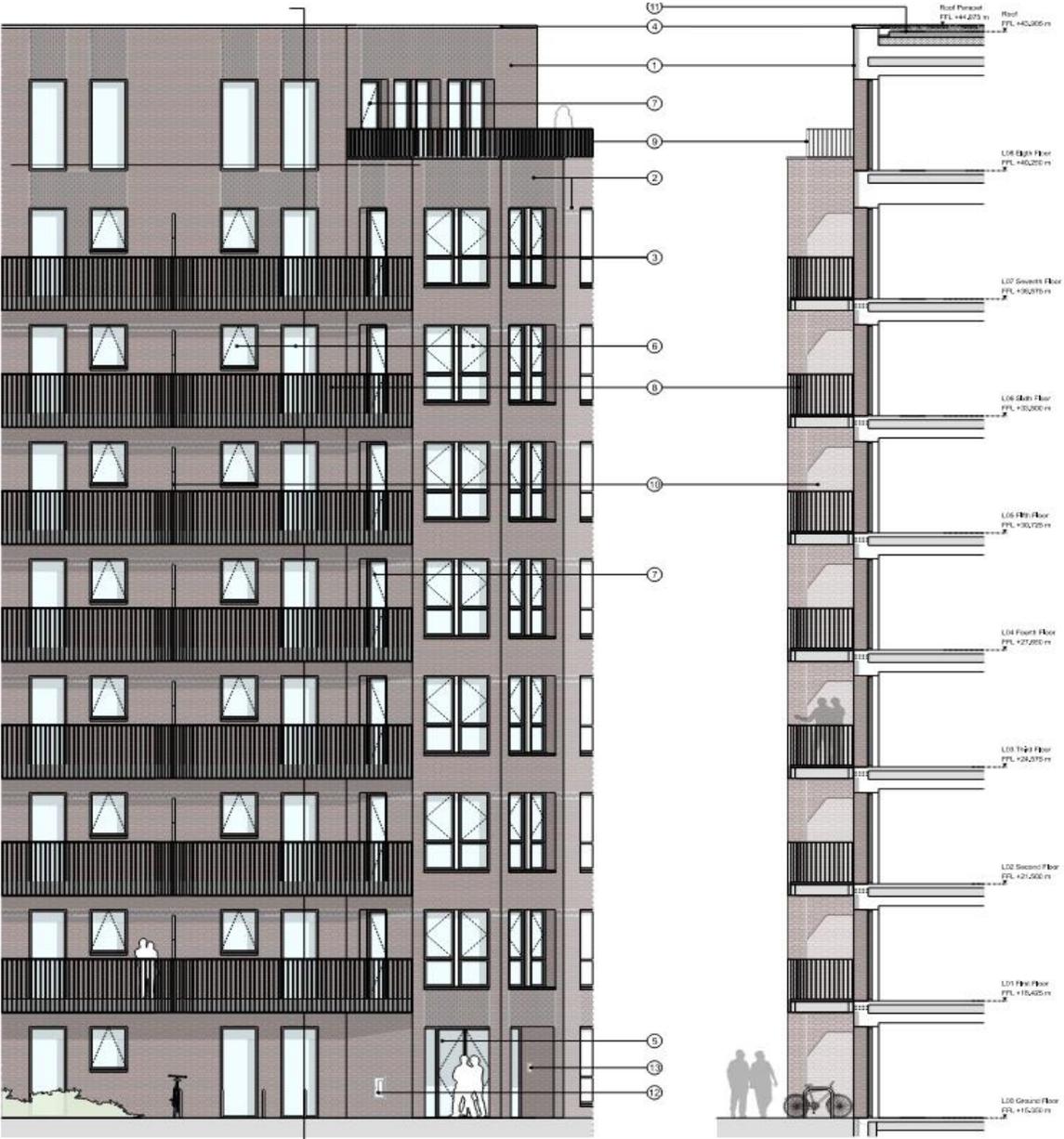
03 PROPOSED SOUTH ELEVATION



04 PROPOSED WEST ELEVATION



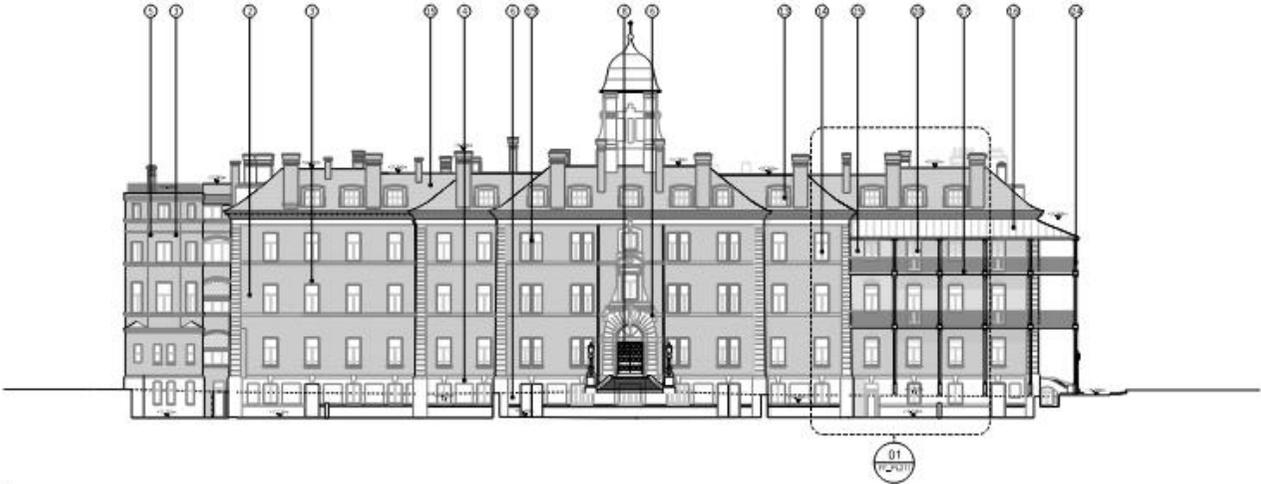
Building E Bay Studies



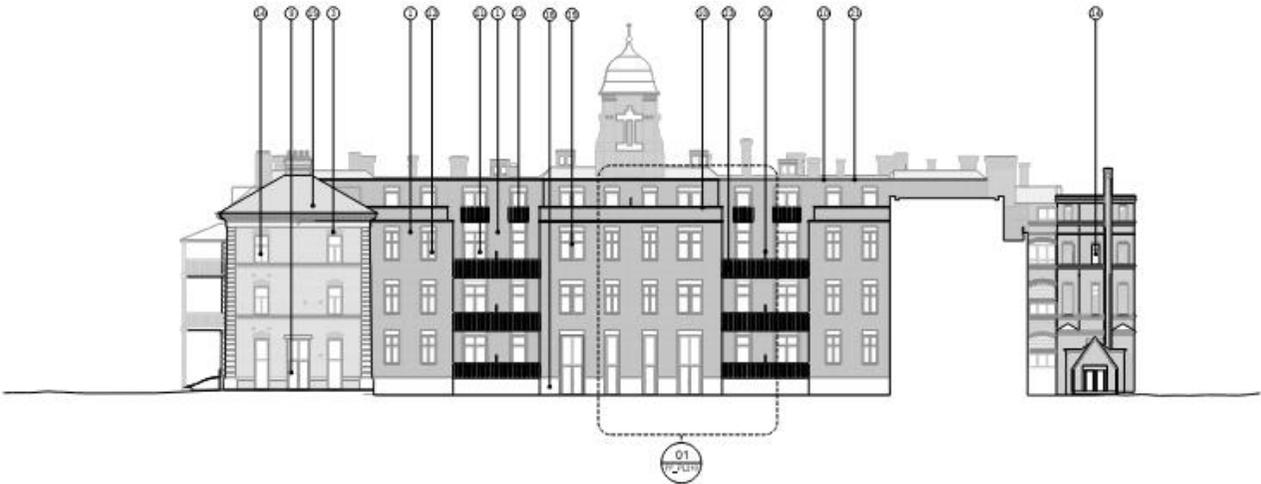
Building E CGI



Building F Elevations

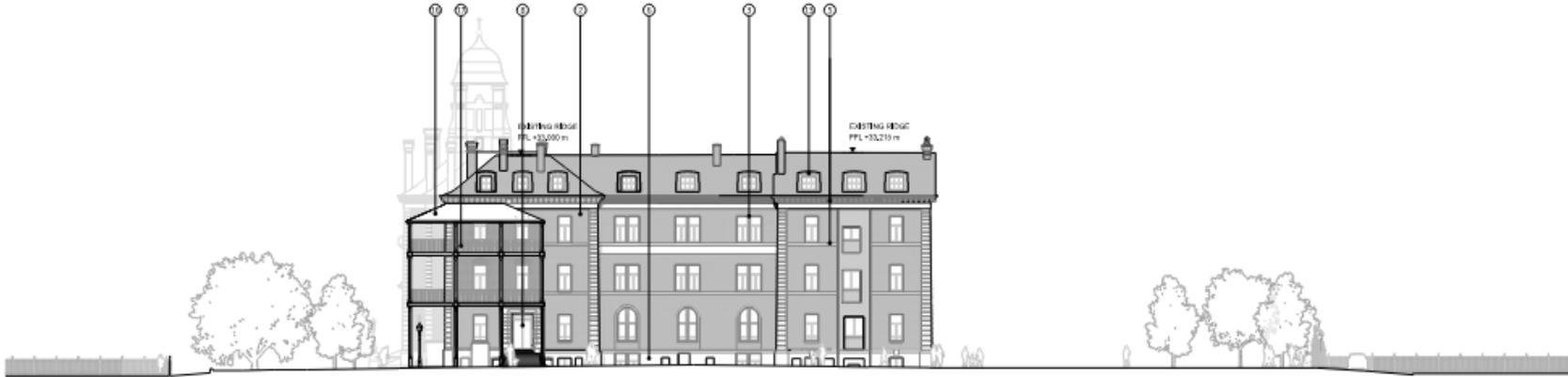


01 PROPOSED WEST ELEVATION



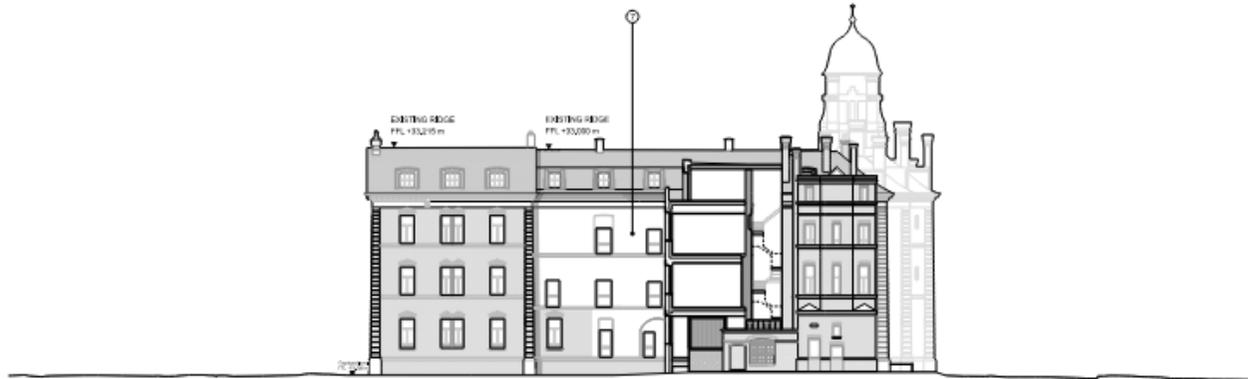
02 PROPOSED EAST ELEVATION





01 PROPOSED SOUTH ELEVATION

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02 PROPOSED NORTH ELEVATION

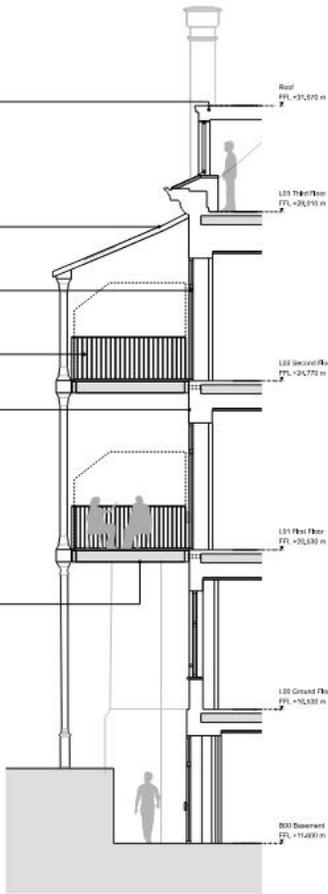


Building F Bay Studies

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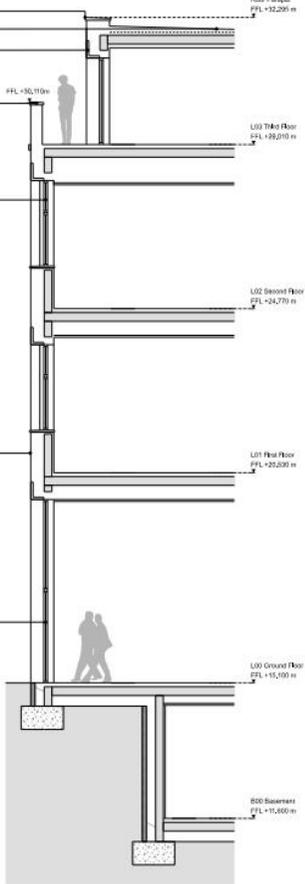
01 DETAIL BAY WEST ELEVATION



02 DETAIL BAY SECTION



01 DETAIL BAY WEST ELEVATION



02 DETAIL BAY SECTION

Building F CGI



Building F CGI



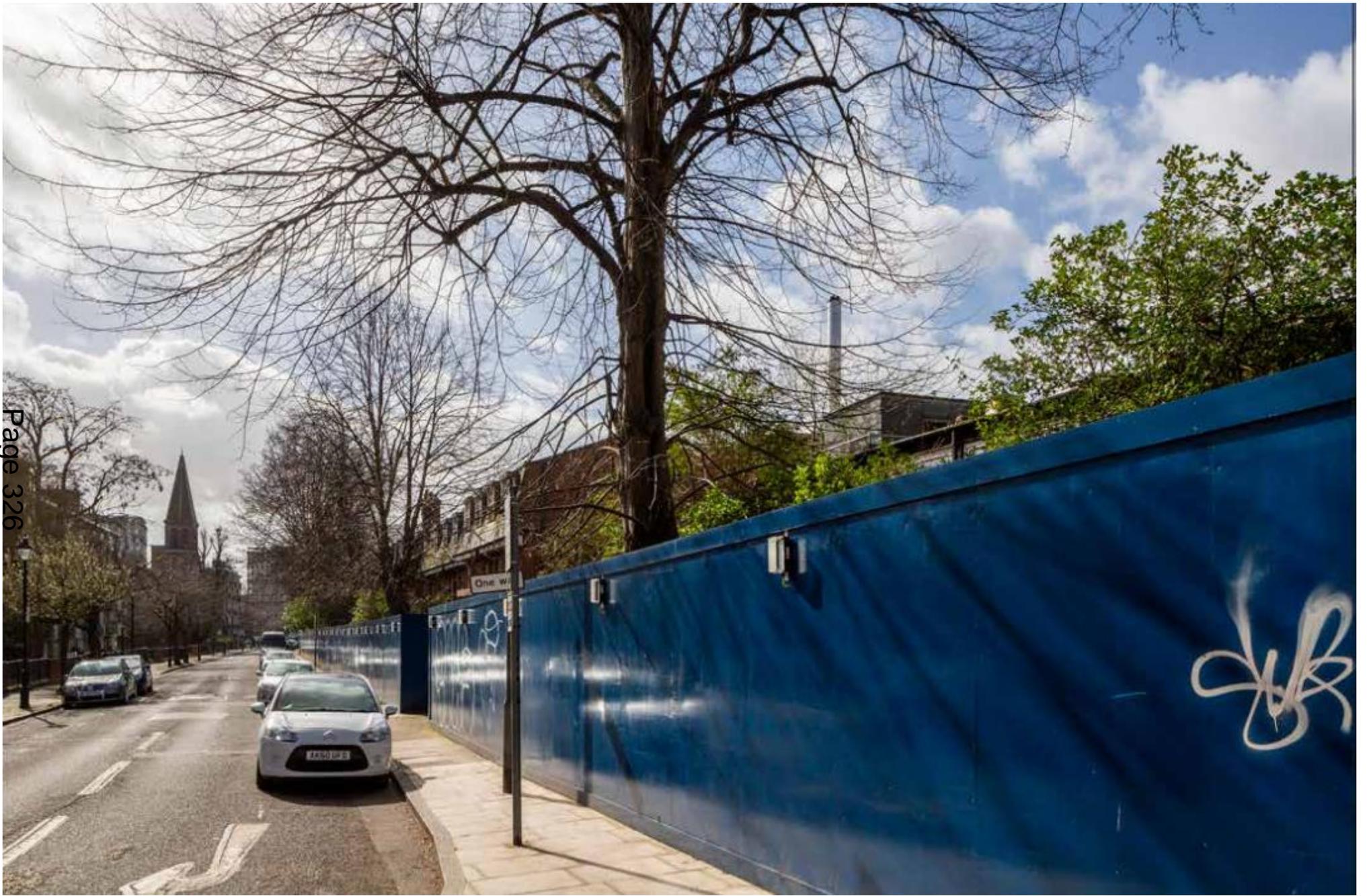
St James the Less Square CGI



Selected Verified Views

































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