Public Pack

Strategic Development Committee

Agenda

Wednesday, 9 October 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:
Councillor Iqbal Hossain

Members:
Councillor Saied Ahmed, Councillor Gulam Kibria Choudhury, Councillor Kamrul Hussain, Councillor Asma Begum, Councillor Shahaveer Shubo Hussain, Councillor Sabina Khan and Councillor Kabir Hussain

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 **4pmMonday, 7 October 2024**

The deadline for submitting information for the update report is Noon **Tuesday, 8 October 2024**

Contact for further enquiries:
Justina.Bridgeman@towerhamlets.gov.uk
Tel: 020 7364 4854
Town Hall, 160 Whitechapel Road, London, E1 1BJ
http://www.towerhamlets.gov.uk/committee

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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 in on the Council's website.

London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 9 October 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. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 9 - 20)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 28 August 2024.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 21 - 22)

To RESOLVE that:

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

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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.

4. DEFERRED ITEMS

4 .1 PA/22/00731: 4-5 Harbour Exchange Square (Pages 27 - 112)

4 .2 PA/21/02707: Whitechapel Road Development Site, Whitechapel Road, London E1 2BB (Pages 113 - 484)

5. PLANNING APPLICATIONS FOR DECISION

5 .1 PA/22/01749: Blackwall Way Jetty, Blackwall Way (Pages 491 - 512)

Next Meeting of the Strategic Development Committee
Wednesday, 13 November 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel

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160 Whitechapel Road
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DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

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

(i) Disclosable Pecuniary Interests (DPI)

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

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

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

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

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

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

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

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

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

Guidance on Predetermination and Bias

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

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

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

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.37 P.M. ON WEDNESDAY, 28 AUGUST 2024

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present:

Councillor Amin Rahman (Chair)

Councillor Iqbal Hossain (Vice-Chair)

Councillor Saied Ahmed

Councillor Gulam Kibria Choudhury

Councillor Kamrul Hussain

Councillor Shahaveer Shubo Hussain

Councillor Suluk Ahmed

Councillor Ahmodur Khan

Councillor Mufeedah Bustin

Other Councillors Present:

Apologies:

Councillor Asma Begum

Officers Present:

Paul Buckenham	–	(Head of Development Management, Planning and Building Control_
Jerry Bell	–	(Area Planning Manager (East), Planning and Building Control)
Gareth Gwynne	–	(Area Planning Manager (West), Planning and Building Control)
Kirsty Gilmer	–	(West Area Team Leader, Planning and Building Control)

Jane Jin	–	(Team Leader, Planning and Building Control)
Nelupa Malik	–	(Principal Planner (East Area Team)
Astrid Patil	–	Planning Lawyer
Emily Humphreys	–	Consultant In Public Health
Shahi Mofozil	–	(Access to Employment (Skillsmatch), Economic Development)
Justina Bridgeman	–	Democratic Services Officer (Committee)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of pecuniary interests, however Councillor Saied Ahmed and Councillor Kamrul Hussain recused themselves from both planning applications submitted for consideration. Councillor Suluk Ahmed and Councillor Ahmodur Khan substituted after item 4.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED** that:

The minutes of the Committee meeting held on 16 July 2024 were approved and signed as a correct record of proceedings.

Chairs Update

- The Chair advised the Committee that the meeting was being held during the pre-election period and party political content must not be discussed.

- The Committee was informed that due to an administrative error, the agenda incorrectly included nine Members of the Committee. Following the decision on 17 July 2024, there are currently only eight Members. Councillor James King was removed from the Committee and there is one vacant position pending a nomination from an ungrouped Member. A supplementary agenda highlighted the changes; however this did not impact the meeting.

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

4.1 PA/22/00731: 4-5 Harbour Exchange Square

Update report noted.

Paul Buckenham introduced the application to grant planning permission for the 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..

Jane Jin provided a presentation to accompany the application.

It was noted that this application was initially considered by the Strategic Development Committee on 16 July 2024. The application was deferred for a site visit, so that Members could better understand the likely construction impacts arising from the proposed development. The site visit took place on 22 August 2024.

Only members physically present at the 16 July meeting were permitted to vote on this application.

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

- Confirmed that planning conditions will manage the construction impacts to traffic.

- Clarified that the application complies with the development plan, disruption to residents will occur if the application is granted and maximising the family-sized units will not mitigate this.

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

- Concerns with the lack of family-sized units proposed.

- Concerns with the construction impacts to traffic if the scheme was to be granted.

Councillor Saied Ahmed requested a deferment of the vote to determine if the scheme can incorporate more family-sized units. This was seconded by Councillor Kamrul Hussain.

On a vote of 4 in favour, 1 against and 0 abstentions the Committee **RESOLVED**:

1. That the consideration of the application at 4 & 5 Harbour Exchange Square, London E14 9TQ be **DEFERRED**, to establish if the scheme can incorporate more family-sized units.

5. PLANNING APPLICATIONS FOR DECISION

5.1 PA/23/02375: Former Westferry Printworks, 235 Westferry Road, London

Update report noted.

Paul Buckenham introduced the application to grant planning permission for a comprehensive and phased mixed-use redevelopment comprising 1,358 residential units (Class C3), Secondary School (Class F), commercial, business and services (Class E(a)-E(g)(i)), community uses (Class F), car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works.

Nelupa Malik provided a presentation to accompany the application, which highlighted the proposal's site and surroundings. The proposal will provide 1,358 residential units, which equates to 35% affordable housing units, including a 46% of the affordable rent tenure as family housing. It will also include a 1,200 pupil capacity secondary school and a separate sports facility. There will be 12 building plots within the scheme and the construction program will take approximately 6-8 years, which will begin in 2024 if planning permission is granted.

The Committee was given background information on the extant planning permission, granted in 2016 by the Mayor of London (ref: PA/15/02216). This was to provide 722 residential units in total of which 140 will be affordable housing units, and 210 family-sized units. The affordable units equated to

20%, split between affordable and intermediate properties. A mixture of retail uses, a secondary school and community uses were also proposed within the scheme.

In 2018 a revised application was submitted to provide 1,524 residential units and adopted the consented scheme. However, an appeal against a non-determination of the application was submitted in 2019 and granted by the Secretary of State in 2020, following a public inquiry that same year. The appeal was challenged by the Council via a judicial review and planning permission was quashed and a public inquiry reopened in May 2021. The appeal was dismissed in November 2021.

The scheme was revised again and presented to the Committee as a pre-application on 18 October 2023. At that time questions were asked but no votes were taken.

The Chair invited Andrew Wood, to speak in objection to the application. Mr Wood highlighted the following concerns:

- Planning permission was granted in 2016 for the secondary school and sports block, with a S106 agreement stating it had to be built by 2022. This did not occur and the developer has now proposed that if planning permission is not granted, the school will not be constructed.

- Requested that either a further condition be implemented to ensure the secondary school lease is signed prior to granting the application. Or defer a decision until October 2024 to permit officers to legally ensure the lease is signed and construction of the school can commence.

The Chair then invited Ruth Bravery, to speak in objection to the application. Ms Bravery highlighted the following concerns:

- The new proposal is 166 units less than the previously rejected proposal and only 10% smaller. The revised scheme proposes 636 units more than the consented scheme, is 88% larger and has altered significantly from the consented scheme. The application should be deferred so officers can reassess the density of the proposal.

- Officers have assessed the infrastructure for the site, but not the impact for all other developments in the wider area.

- A new water main will have to be installed as Thames Water has stated the site cannot be occupied without one. Electricity will also need to be accessed from beneath the Thames to a new substation, causing further disruption.

The Chair then invited Annie Clements from Carney Sweeney, on behalf of owner of Greenwich View Place, to speak in objection to the application. Ms Clements highlighted the following concerns:

- The proposal will have negative transport impacts on Mill Harbour and Marsh Wall during the construction phase.

- The use of Millharbour for construction, access and operational servicing will cause disruption, as the road is too narrow. If the application is granted, a condition should be implemented that states access is via Westferry Road and not Millharbour. Both TfL and Council's transport officers have observed this.

- The proposed site's substation will negatively impact the neighbouring site, who have design aspirations to construct a defined movement network within the conjoined open space.

The Chair then invited, Richard Martin, Director of Westferry Developments and Jonathan Marginson from DP9, to speak in favour of the application. Both Mr Martin and Mr Marginson highlighted the following benefits:

- The two inspectors reports have enabled a tailored design and the scheme has undergone substantial consultations including; a pre application with Members, quality review panels, design workshops, discussions with community development panels, presentations at two neighbourhood forums, a three day public consultation, and numerous other stakeholders discussions including the Health and Safety Executive and the London Fire Brigade.

- The proposed scheme will create 1,358 high quality homes. 379 of these will be affordable homes, which equates to 35% by habitable room, 46% of the affordable homes will be three and four bedroom units, to meet the growing demand for housing across the borough and improves on the previous scheme.

- The scheme will also create a 1,200 pupil secondary school, a community centre, a police hub, a creche, retail and amenity space and over two hectares of public open space in which over 450 new trees will be planted.

- The scheme will create thousands of jobs during the construction phase and after. Ongoing work with council employment officers will ensure that local residents have access to jobs and offer 135 local apprenticeships. The S106 agreement will contribute towards improvements to Cross Harbour, DLR, improved bus services, and cycle highway provision.

Further to the presentation, the Committee asked questions to objectors, the applicant and officers regarding the following issues;

- Noted that a letter from the Department for Education (DfE) confirms that the agreement policy is in agreed form. If the planning application is granted, the signing of that agreement for lease with the DfE would

likely take place before the S106 agreement is signed, although the confirmed date when the DfE sign cannot be provided.

- The 2016 S106 agreement had provisions to include a school operator to be identified, funding, and evidence that the school could be delivered by a specific date. Those conditions were not met, so the S106 was nullified. For this revised application, a school provider has now been sourced, the DfE have confirmed funding and the school is part of the scheme.

- Confirmed that the S106 agreement has a clause included to ensure that the secondary school lease is signed before planning permission is granted. The school's long stop date for completion is 1st September 2027.

- Noted that the sports ground is also part of the secondary school lease. A S106 Communities Strategy agreement for the use of the sports or and the MUGA outside of school hours would be secured if planning was granted.

- Explained that Thames Water usually requests a condition requiring that specific amounts of units be supplied. Approximately 99 units can be provided until an infrastructure plan is submitted and approved by Thames Water. Infrastructure impacts across the Isle of Dogs will be reviewed. Thames Water's statutory requirement to deliver one bar of pressure at street level has been tested on site and adheres to requirements. Water pressure concerns typically occur in older high-rise buildings and is not likely to affect this scheme.

- Confirmed that ‘Your Shout’ consultancy were hired to gather resident feedback on the scheme by the applicant. 968 letters of support were received.

- Clarified that the applicant worked with the nearby school and provided health and safety classes for children. The school were also notified of construction times. Heavy traffic will not impact school pick up and drop off times and the applicant are complying with the Council's code of construction practise.

- Explained that the affordable housing units will be in separate blocks. Some communal areas will be allocated towards the market units and others such as the gym will be provided to all residents via a pay to use service as a S106 Amenities Strategy. All open areas will have public access.

- Confirmed that the community centre will be provided rent free to an operator. In regards to the massing, block T5 has been removed from the revised scheme and replaced with a 15 storey building and T4 has been reduced in height.

- Acknowledged there will be minor adverse daylight / sunlight impacts to properties along Starboard Way and Omega Close due to the density of properties, although the wider benefits of the proposal, such as the 35% affordable housing, family housing and public open space outweigh these issues. Right to Light considerations do not apply.

- Explained that all 379 affordable housing units will be delivered throughout each phase, with 100 units for phase one, then 96 units for phase two. Phase three will deliver 128 units and phase 4 55 units. The S106 agreement requires the provision of the delivery of affordable housing prior to the 50% of private homes being occupied within each phase.

- Confirmed that negotiations are currently underway regarding CIL payments, in terms of how the funds will be allocated to maintenance of the park and Community Centre.

On a vote of 6 in favour, 1 against and 0 abstentions, the Committee **RESOLVED**:

1. That the consideration of the application at the former Westferry Printworks, 235 Westferry Road, London be **GRANTED**.

2. Subject any direction by the Mayor of London, Section 106 agreement including obligations and conditions and informatives set out in the committee report.

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

5.2 PA/21/02707: Whitechapel Road Development Site, Whitechapel Road, London E1 2BB

Update report noted.

Paul Buckenham introduced the application to grant planning permission with obligations for the redevelopment of site involving erection of five buildings and retention of one building for provision of up to 69,033 sqm (GIA) of Class E(g) space for flexible life science purpose uses; and provision of up to 6,363 sqm (GIA) flexible Class E supporting uses and Class F1 and Class F2 supporting uses (gallery/ exhibition/ community uses); up to 2,820 sqm (GIA) F1(a) for research and development and teaching activities in the life science sector; with associated landscaping; public realm and highway works; re-provision of existing on-street car parking; and erection of a single pavilion building comprising up to 759 sqm (GIA) Class E(b) café use with ancillary storage, and Sui Generis use (public toilets) set within a new landscaped open square.

The development is to involve erection of a building up to 4 storeys on Plot A (including top storey plant); and erection of two buildings (on Plots B1 and B3) of 4 storeys rising to 8 storeys respectively (the latter including top storey plant) including the demolition of former Outpatient's Building Annexe and part demolition/part retention of main former Outpatient's Building; and on Plot B2 the retention of the Ambrose King building.

The development is to also involve the erection of a 7 storey building (including top storey plant) on Plot C (45.9m AOD); and erection of 15 storey building (including 2 top storeys of plant) on Plot D1 (78.7m AOD).

Robin Bennett provided a presentation to accompany the application and highlighted the site and surrounding areas. The proposal for a life sciences development and it's definition was outlined as a facility for research, development, discovery and innovation connected with the study of the structure and behaviour of living organisms or life process for human health purposes. This will include several plots from A to D from Whitechapel Rd, New Road and Newgate Street and partly falls within the former London Hospital Conservation Area,

It was noted that there were two rounds of public consultations, in 2022 and 2023. There were 5 letters of objection and two petitions received in regards to the scale of the proposal, amenity, construction impacts, heritage, waste, architecture, landscaping and highway concerns. Historic England also expressed opposition to the extension of the Outpatient's building and noted it will cause harm to the character and appearance of the conservation area. There were also 35 written representations in support of the proposal.

Mr. Bennett outlined the public benefits of the proposal which will maximise the health outcomes for residents and offer employment and training opportunities during and after construction. The scheme is also estimated to generate up to 4,180 jobs, and the affordable workspace will provide 10% of qualifying floor space for 25 years, with 65% of affordable workspace to accommodate at least 40% wet lab at 20% discount on market rates. Other benefits included 35% of qualifying floorspace that will be provided as affordable entry level office space at a 50% discount on market rates, and after 25 years the affordable workspace will be provided at 10% discount for another 10 years.

Other benefits proposed included a multi-purpose on-site space within the scheme for community use, provision of an on-site community lab and a new research and teaching facility for Queen Mary University Hospital, London (QMUL). An education and outreach programme and provision of new and enhanced public realm.

Following the presentation, the Chair invited Tom Bruce, a resident to speak in objection to the application. Mr Bruce highlighted the following concerns:

- This proposal indicates that coloured bitmac will be used to repave Mount Terrace, although York stone was proposed but not used when

The Royal London Hospital was redeveloped. If the application is granted, a condition should be implemented that states the preferred paving of York stone is used and takes place when Turner Street resurfacing is completed.

- The scheme has adverse daylight / sunlight impacts to basement properties by the proposal of planters positioned directly over the basement light wells. If the height of the buildings cannot be lowered, the planters positioning should be revaluated.

- The proposals include constructing a bench at the East End of Mount Terrace, where antisocial behaviour is commonly observed and will exacerbate the situation. The alleyway between plot B1 and B2 should be secured so ASB activity can no longer occur there.

- The proposal denies residents right of access to both ends of Mount Terrace, despite The Royal Hospital confirming residents have this right. The sign on the gate states 'Keep Clear for Fire Access' and residents were given keys by the Hospital.

The Chair next invited Edwin Mingard, a resident, to speak in objection to the application. Mr Mingard highlighted the following concerns;

- The scheme has adverse daylight / sunlight impacts to Gwynne House residents who will directly face Block C on the proposed development and is below the recommended BRE guidelines. This block should be stepped back from the south and begin at around two stories on the Newark Street side, to mitigate the loss of light for neighbouring residents.

- The construction phase of the development, if granted will cause negative impacts for the neighbouring residents, causing further distress.

The Chair then invited Adrian Powell from NHS Property Services to speak in favour of the application. He was accompanied by Sir Mark Caulfield, Vice Principal for Health, Queen Mary's Faculty of Medicine and Dentistry, and Jonathan Marginson, Planning Consultant for DP9 Limited, who highlighted the following benefits;

- The proposal is in line with the local plan and extensive engagement has been conducted to ensure the application meets the needs of Whitechapel residents.

- There have been 35 letters in support of the proposal, which will create thousands of new jobs during the construction phase and after.

- The scheme offers affordable workspace that will enable young residents to utilise the lab facilities, skills and training opportunities.

- The proposal will create new square green spaces for local residents, a new NHS academic facility and attract investment to Tower Hamlets with the life science industry, which is in partnership with QMUL and Barts Health.

- The proposed site will invest, test and utilise new treatments for the benefit of residents and the wider area. Currently, research has discovered a treatment for a strain of hepatitis C and revealed that certain medicines should not be administered after heart attacks, as 57% of Bangladeshi and Pakistani residents do not respond. An alternative has now been developed.

Further to the presentation and registered speakers, the Committee asked questions to the officers and applicants regarding the following issues;

- Explained that the proposals do not include using York stone paving on Mount Terrace, although consideration by the applicant will be given to discussing this as well as relocating the planters over the basement the light wells.

- Clarified that the applicant does not control the right of access for residents on Turner Street and the access point on Mount Terrace will remain in residents' control. In that area, consideration will be given to preventing anti-social behaviour, which is due to the vacant properties. If the scheme is granted, this will no longer be an issue.

- Explained that the bench displayed in the plans will not necessarily be installed in the landscaping design phase. If the proposal is approved. residents' concerns will be taken into account regarding the anti-social behaviour currently occurring there.

- Clarified the difference between the first daylight / sunlight assessment and the second. The first, which is a Vertical Sky Component (VSC) assessment, measures the amount of daylight arriving at a window and the proportion of sky space available. The second, a No-Sky Line (NSL) assessment, measures the amount of light that is present in the room.

- Confirmed that the proposal includes a green space to the east of Saint Philip's Church.

- Clarified that the land use for this proposal is consistent with policy and a housing development is ongoing to the west of the site.

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

- Concerns with the lack of local economic contribution the proposal will provide.

- Concerns with the lack of housing provision the proposal will provide.

- Concerns with the adverse daylight / sunlight impacts the scheme will cause to nearby residents.

Councillor Gulam Kibria Choudhury requested a deferment of the vote for a site visit due to the scale of the scheme and to re-evaluate the contribution of the proposed development. This was seconded by Councillor Suluk Ahmed.

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

1. That the consideration of the application at Whitechapel Road Development Site, Whitechapel Road, London E1 2BB be **DEFERRED** for a site visit.

The meeting ended at 10.38 p.m.

Chair, Councillor Amin Rahman

Strategic Development Committee

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. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

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

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

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

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

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

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

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

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

How can I find out about a decision?
You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council's website shortly after the meeting.

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

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'.	Scan this code to view the Committee webpages.
The Rules of Procedures for the Committee are as follows: • 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).	Council's Constitution

Committee: Strategic Development	Date: 09 October 2024	Classification: Unrestricted	Agenda Item No: 4
Report of: Corporate Director Housing and Regeneration. **Originating Officers:** Katie Cooke and Robin Bennett.		**Title:** Deferred Items. **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
28.08.24	PA/22/00731	4 & 5 Harbour Exchange Square, London E14 9TQ	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.	Formal Committee site visit to be undertaken on 22 August 2024. Formal Committee deferred a second time to establish if the scheme can incorporate more family-sized units.
28.08.24	PA/21/02707	Whitechapel Road Development Site, Whitechapel Road, London E1 2BB	Redevelopment of site involving erection of five buildings and retention of one building for provision of up to 69,033 sqm (GIA) of Class E(g) space for flexible life science purpose uses; and provision of up to 6,363 sqm (GIA) flexible	Formal Committee site visit to be undertaken on 24 September 2024.

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:	Tick if copy supplied for register:	Name and telephone no. of holder:
See Individual reports	✓	See Individual reports

			Class E supporting uses and Class F1 and Class F2 supporting uses (gallery/ exhibition/ community uses); up to 2,820 sqm (GIA) F1(a) for research and development and teaching activities in the life science sector; with associated landscaping; public realm and highway works; re-provision of existing on-street car parking; and erection of a single pavilion building comprising up to 759 sqm (GIA) Class E(b) café use with ancillary storage, and Sui Generis use (public toilets) set within a new landscaped open square. The development is to involve erection of a building up to 4 storeys on Plot A (including top storey plant); and erection of two buildings (on Plots B1 and B3) of 4 storeys rising to 8 storeys respectively (the latter including top storey plant) including the demolition of former Outpatient's Building Annexe and part demolition/part retention of main former Outpatient's Building; and on Plot B2 the retention of the Ambrose King building. The development is to also involve the erection of a 7 storey building (including top storey plant) on Plot C (45.9m AOD); and erection of 15 storey	

			building (including 2 top storeys of plant) on Plot D1 (78.7m AOD).	

3. CONSIDERATION OF DEFERRED ITEMS

3.1 The Committee is considering the following applications. The original reports along with any update reports are attached.

PA/22/00731: Erection of a mixed-use development at 4 & 5 Harbour Exchange Square, London, E14 9TQ.

PA/21/02707: Redevelopment of a life sciences purposes building at Whitechapel Development, Whitechapel Road, London E1 2BB

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

PA/22/00731: redevelopment at 4 & 5 Harbour Exchange Square, London E14 9TQ.

PA/21/02707: redevelopment at Whitechapel Development Site, London E1 2BB

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.

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STRATEGIC DEVELOPMENT COMMITTEE [16th July 2024]

Report of the Corporate Director of Place Classification: Unrestricted

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	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. This application is accompanied by an Environmental Statement.
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	- 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.

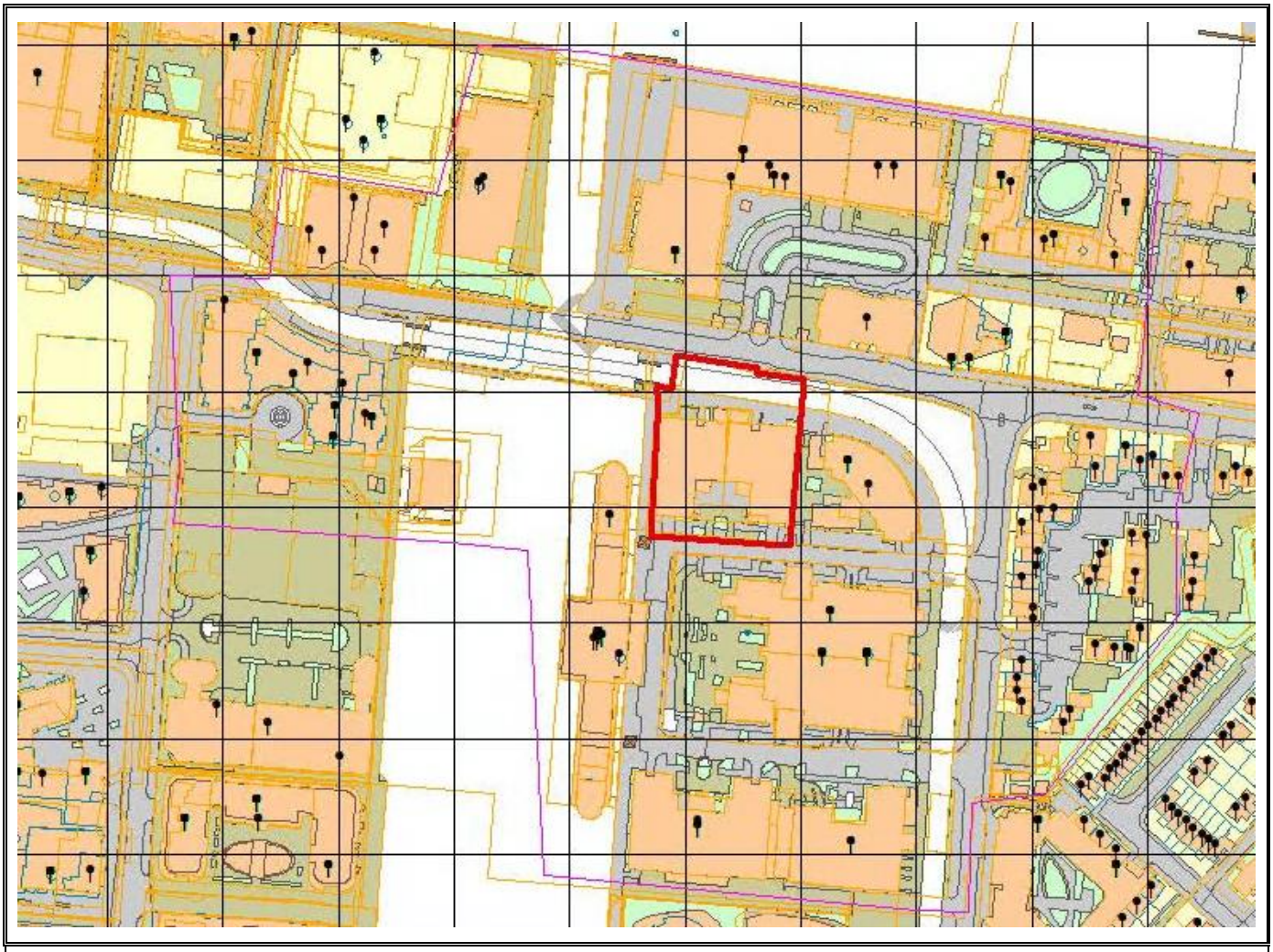
In terms of energy efficiency and climate change the development has been designed to minimise carbon dioxide emissions on site, with an additional carbon offsetting payment that would be secured as a planning obligation. The environmental impacts associated with the proposed development, as set out 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	TOWER HAMLETS 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.

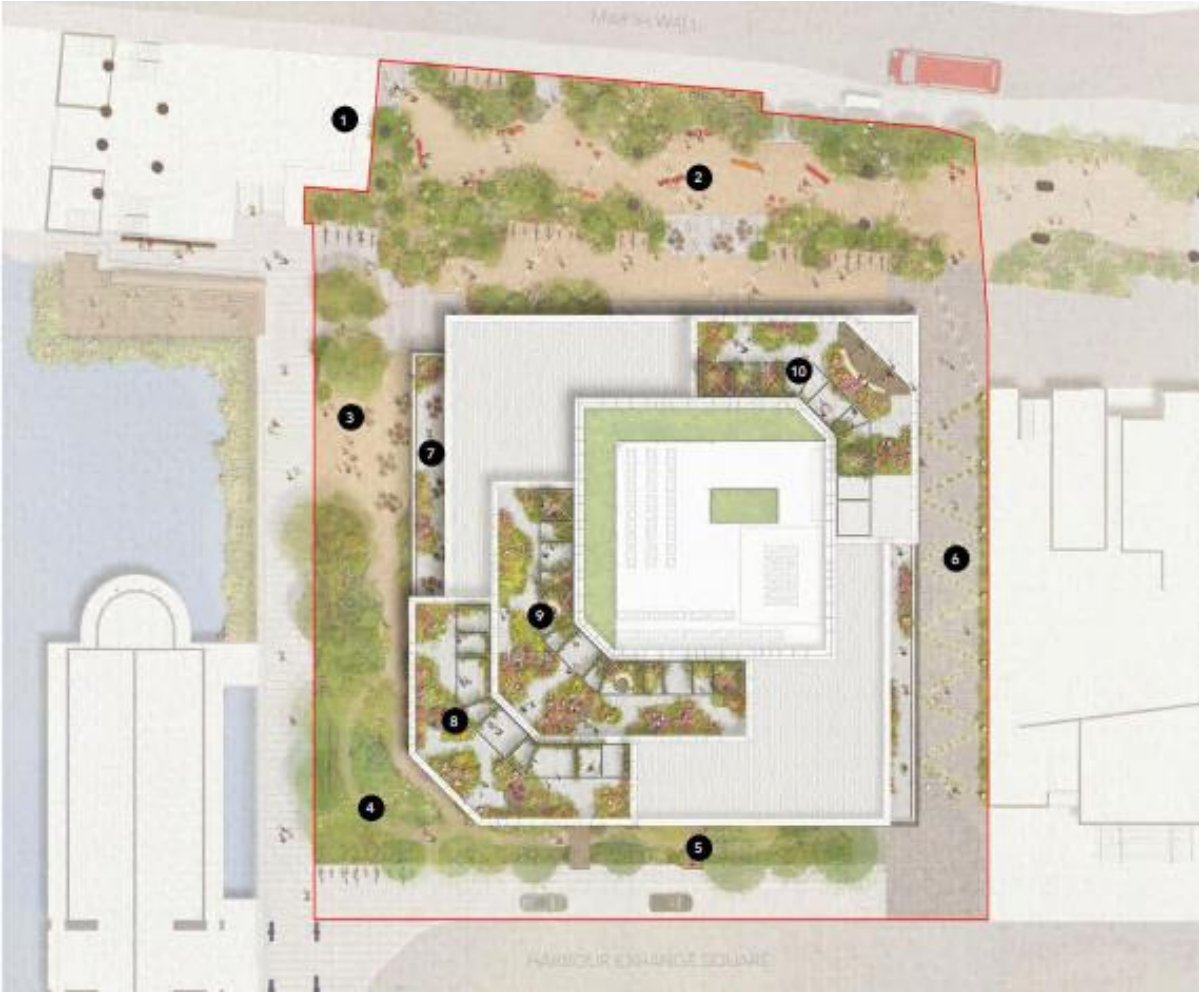


Figure 1- Proposed site layout.

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.

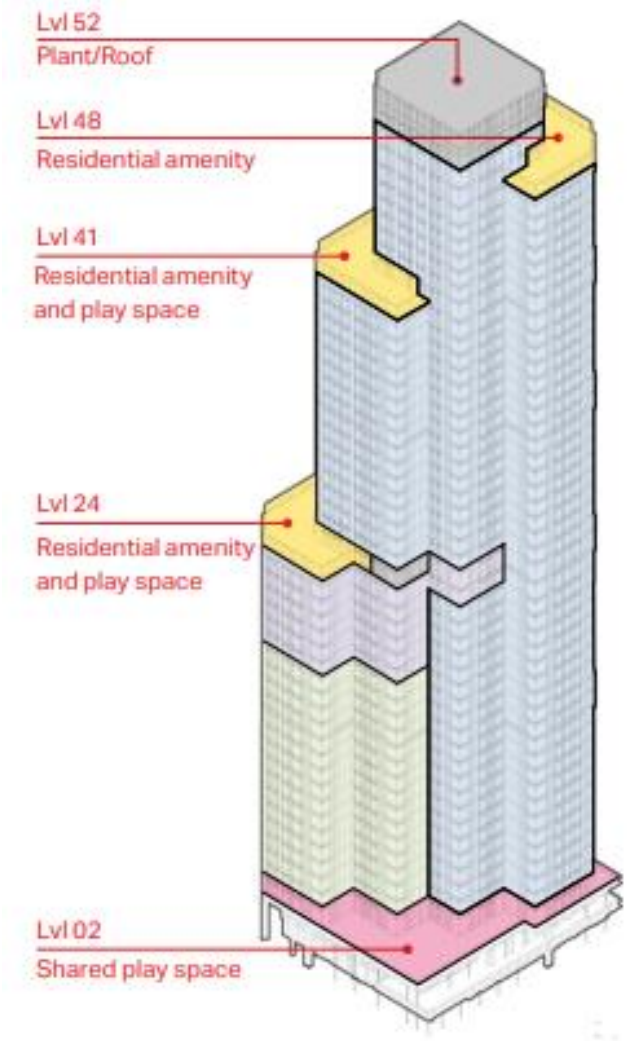


Figure 2- Proposed tenures and amenity spaces.

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 Sunlihgt 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 case 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 is it is 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 these 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.

		Affordable Housing						Market Housing		
		Social Rent			Intermediate					
Unit Size	**Total Units**	**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 south 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.

<u>Fire safety</u>

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, 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 Leven 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 play space [sqm]	Provided play space [sqm]
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.

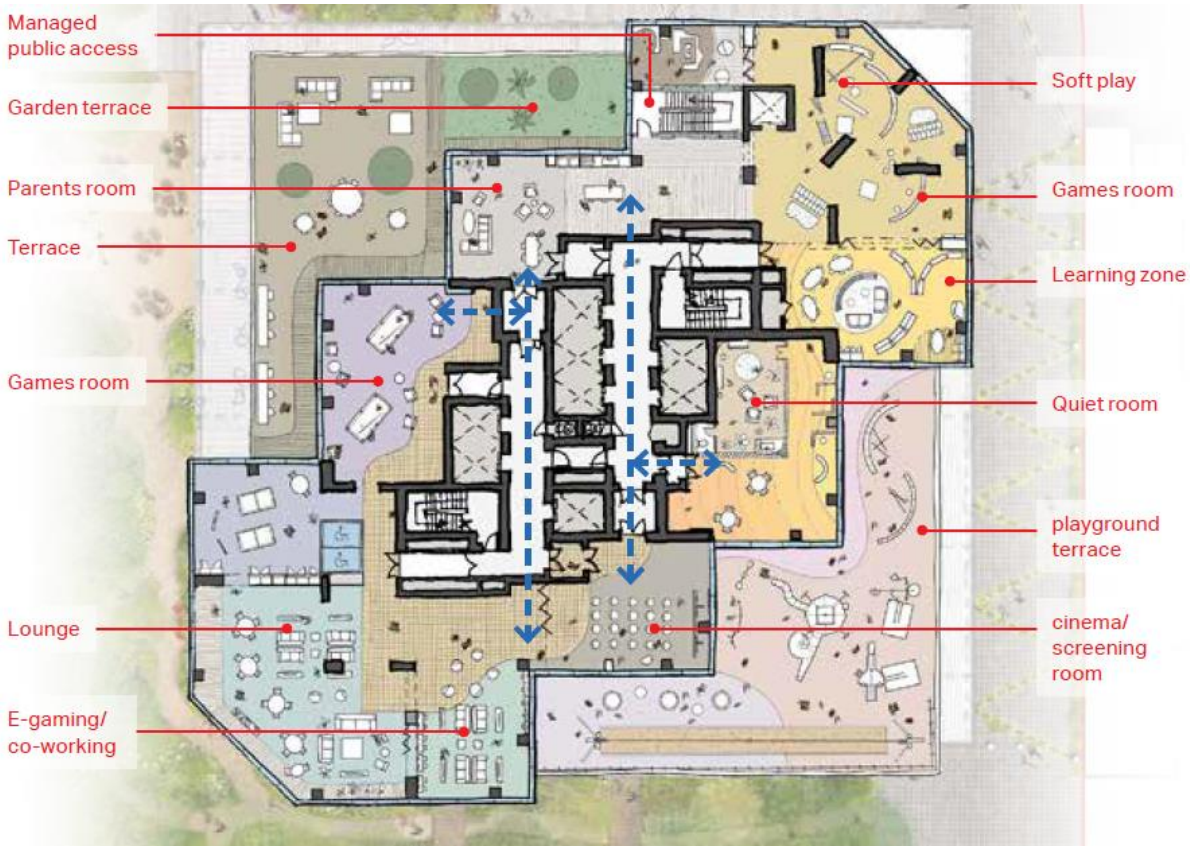


Figure 5. Proposed child play space on Level 02.

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 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 1030dwellings/ha (2616hr/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.

<u>Site Layout and Access</u>

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.

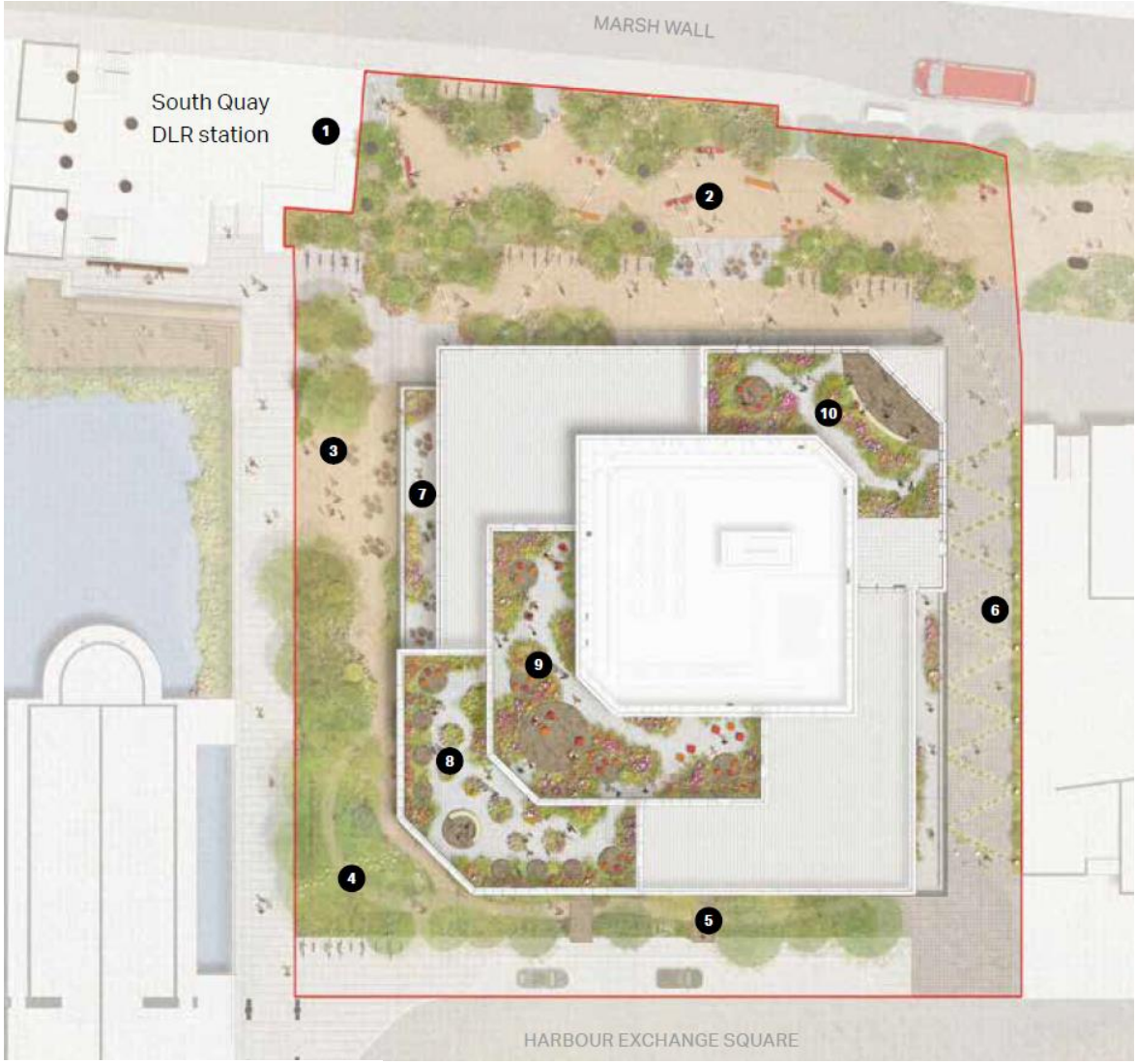
7.125 The proposed development seeks to create a building of a lesser footprint, set back from the dockside allowing more public realm to be created on the site.

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.



1. South Quay DLR station
2. The underline
3. Waterfront square
4. Garden play area
5. Residents' gardens
6. East Street
7. L01 terrace
8. L24 residents' terrace
9. L41 residents' terrace
10. 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.

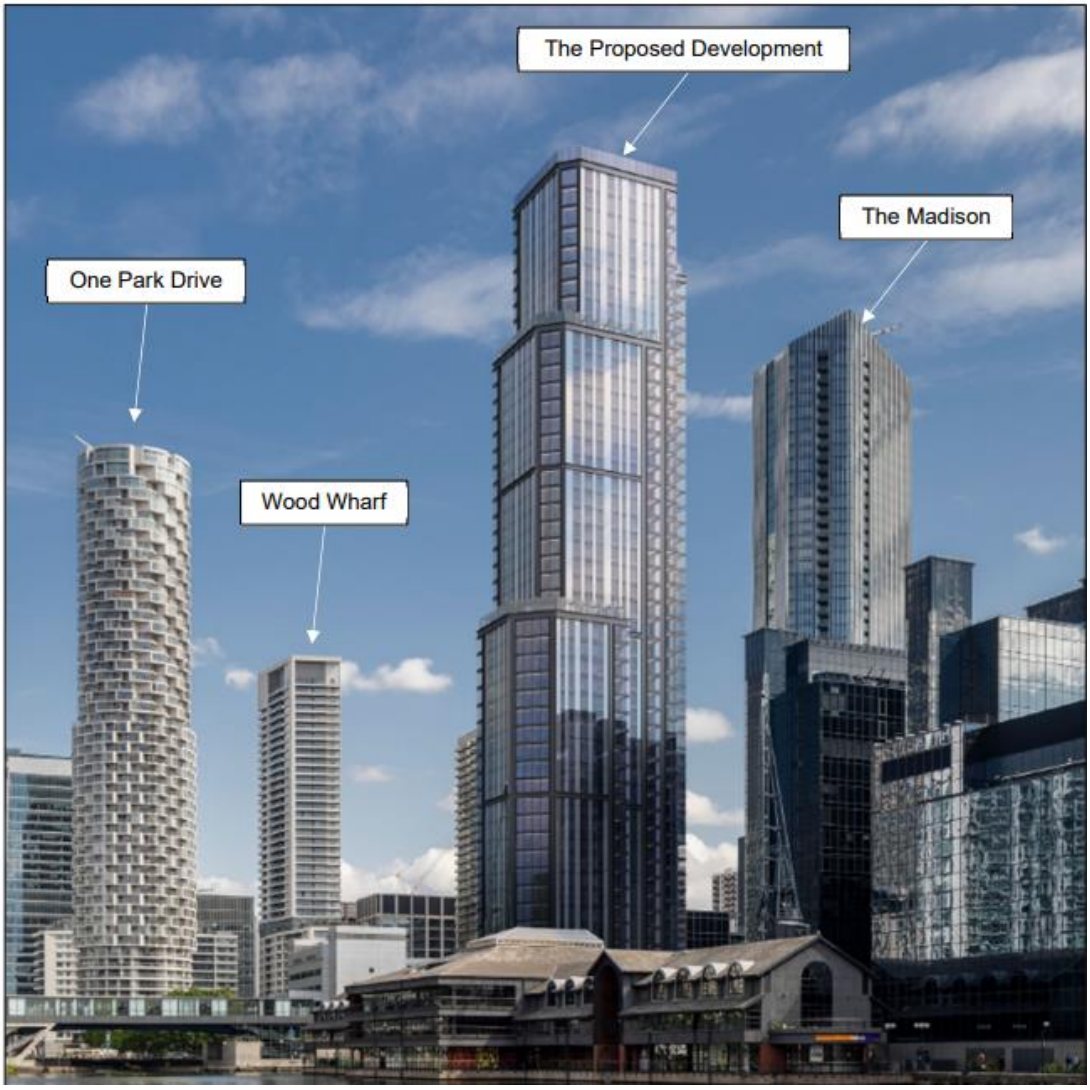


Figure 9. Proposed Development with surrounding existing tall buildings

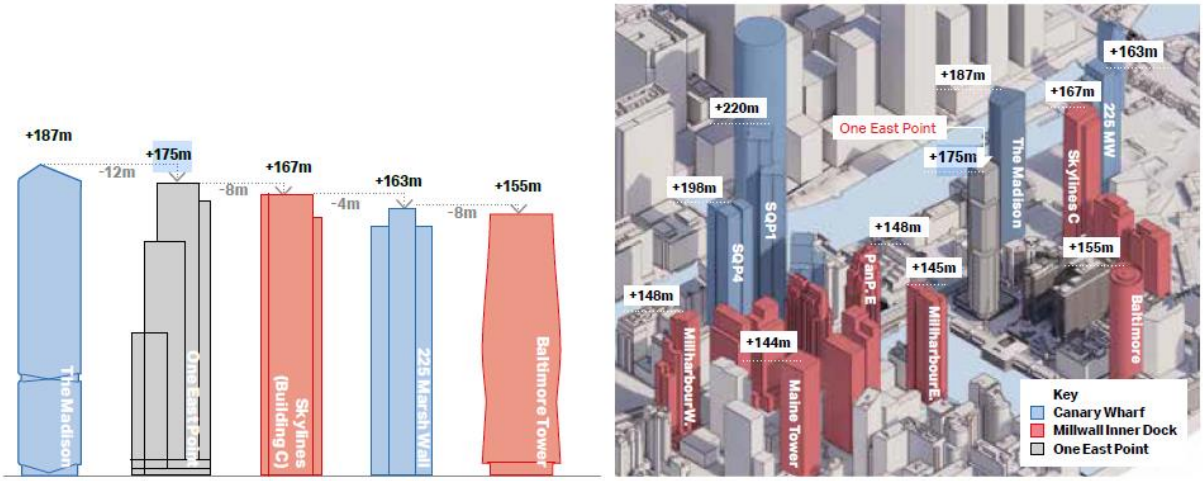


Figure 10. Model of Proposed Development with surrounding tall buildings

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.

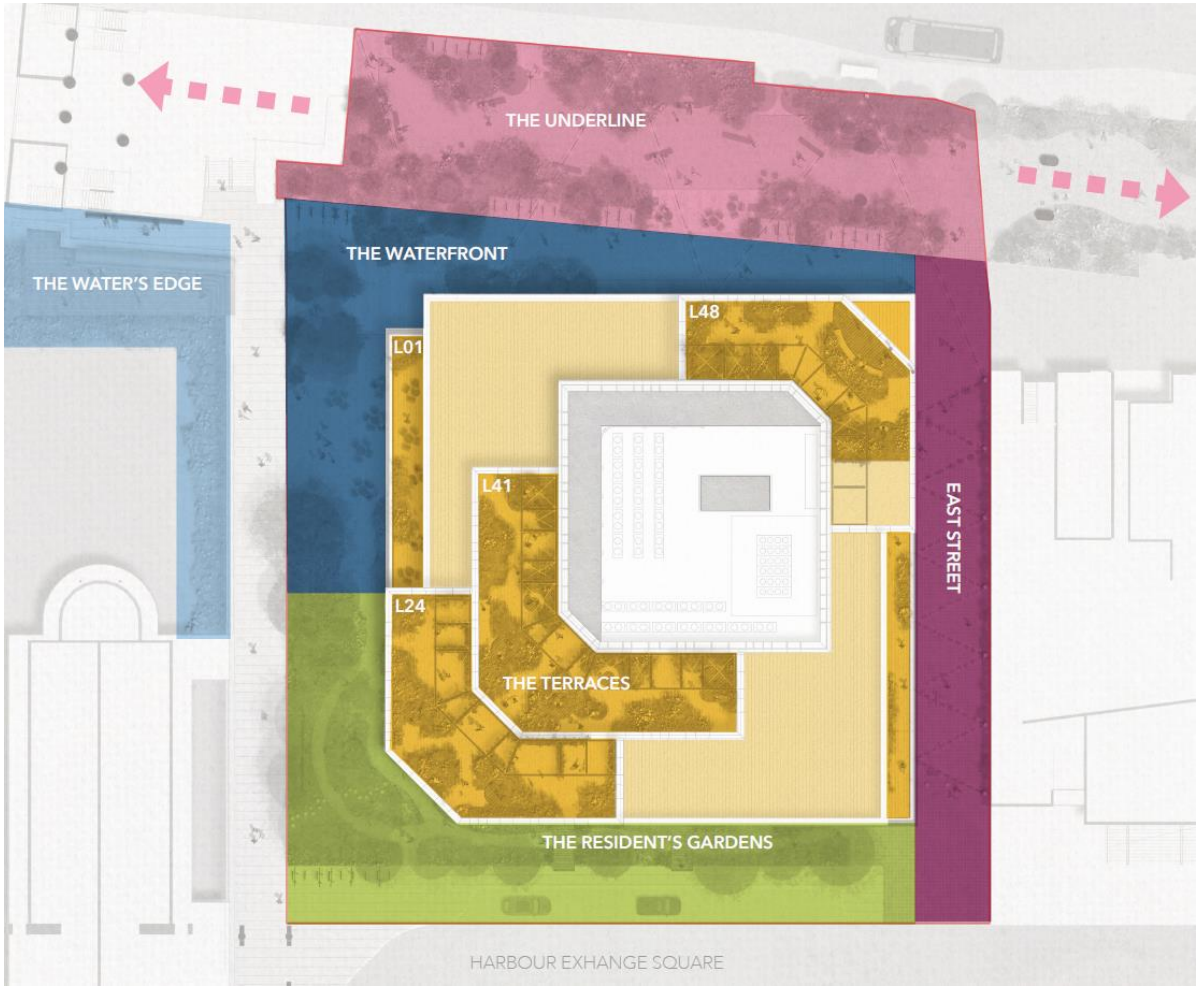


Figure 12. Proposed landscape character areas.

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.

<u>Safety & Security</u>

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.

<u>Built Heritage</u>

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.

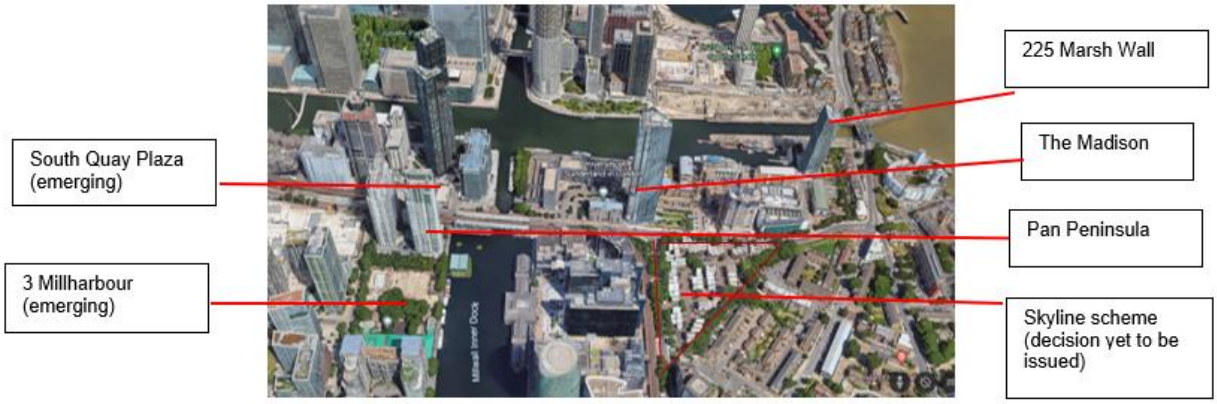


Figure 13. Image showing surrounding cumulative properties

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 slight 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, DLSL, 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 DLSL 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.

<u>Overlooking, Outlook and Sense of Enclosure</u>

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.

<u>Noise & Vibration</u>

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 crease 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 upas 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.

<u>Vehicular, pedestrian and cycle access and movement</u>

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 the 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.

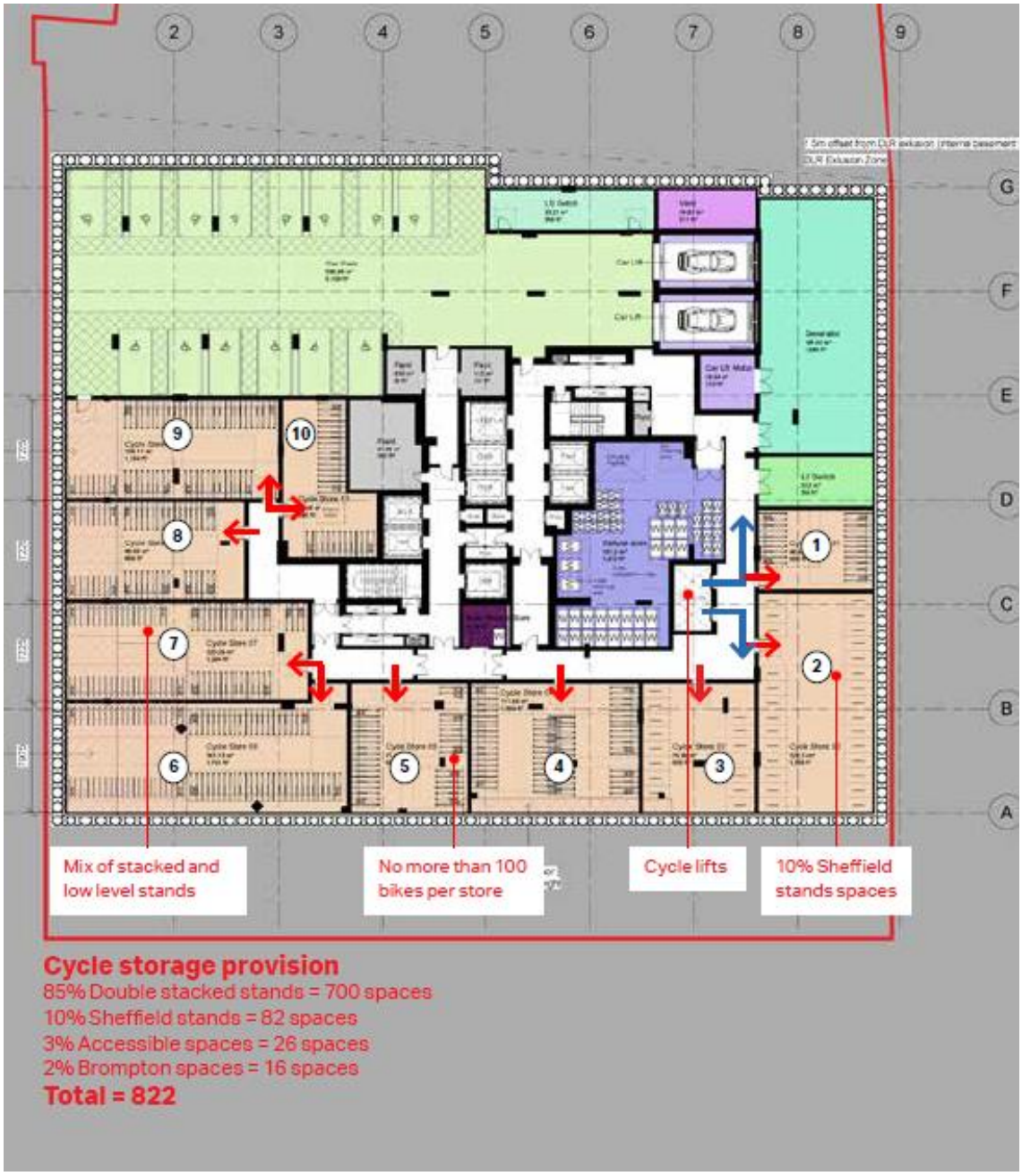


Figure 15: Basement cycle parking

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 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.

7.298 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 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 PM2.5 and NOx 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 and 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 reminder 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 protest 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

39. Noise Insulation Verification Report for New Residential Units

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 sewar
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

1883-MAK-PA2251 Rev 00 – Proposed Section BB

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

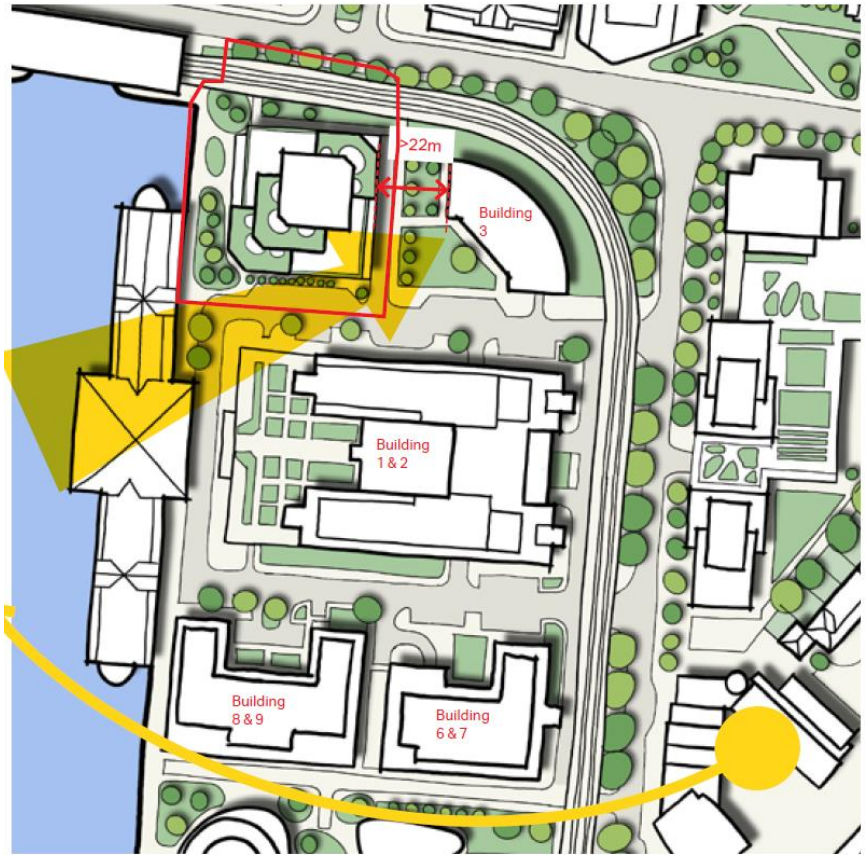
8365-SE-GA-201 REV 01 – Landscape Section Ground Level
8365-SE-GA-202 REV 01 – Landscape Section Upper Levels

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

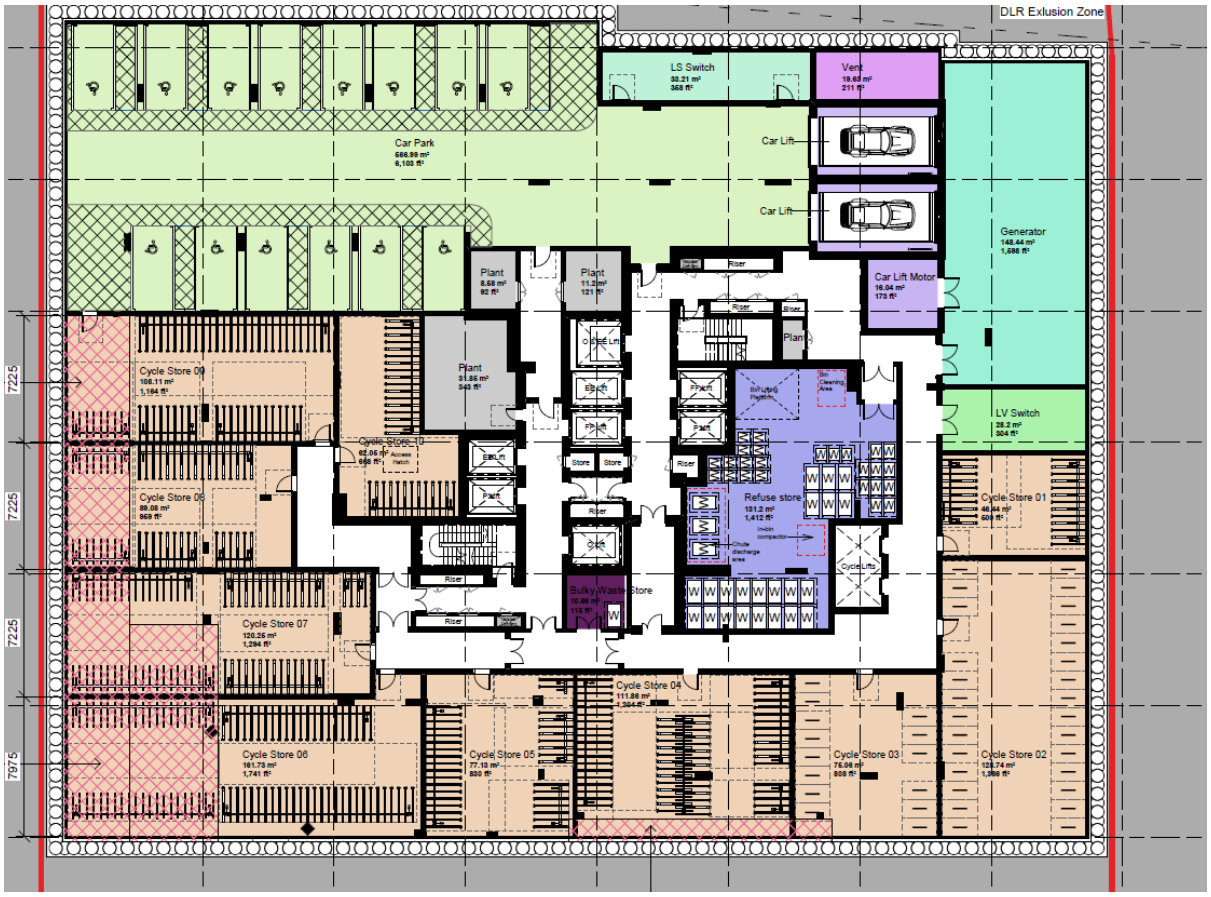
Unit Types
PA2500 Rev 00 – Unit Types 1 Bed
1883-MAK-PA2501 Rev 01 – Unit Types 1 Bed
PA2502 Rev 00 – Unit Types 1 Bed
PA2503 Rev 00 – Unit Types 2 Bed
1883-MAK-PA2504 Rev 01 – Unit Types 2 Bed
PA2505 Rev 00 – Unit Types 3 Bed
1883-MAK-PA2506 Rev 01 – Unit Types 3 Bed
PA2507 Rev 00 – Unit Types 3 Bed
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

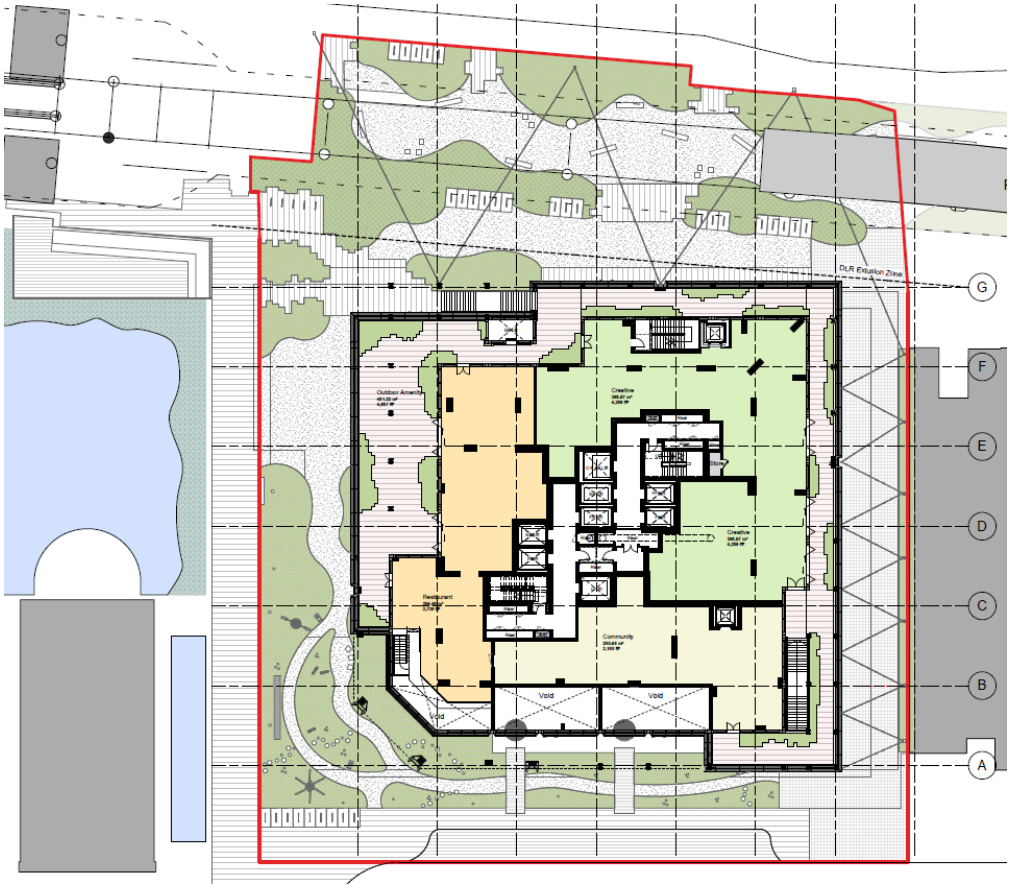


Harbour Exchange buildings

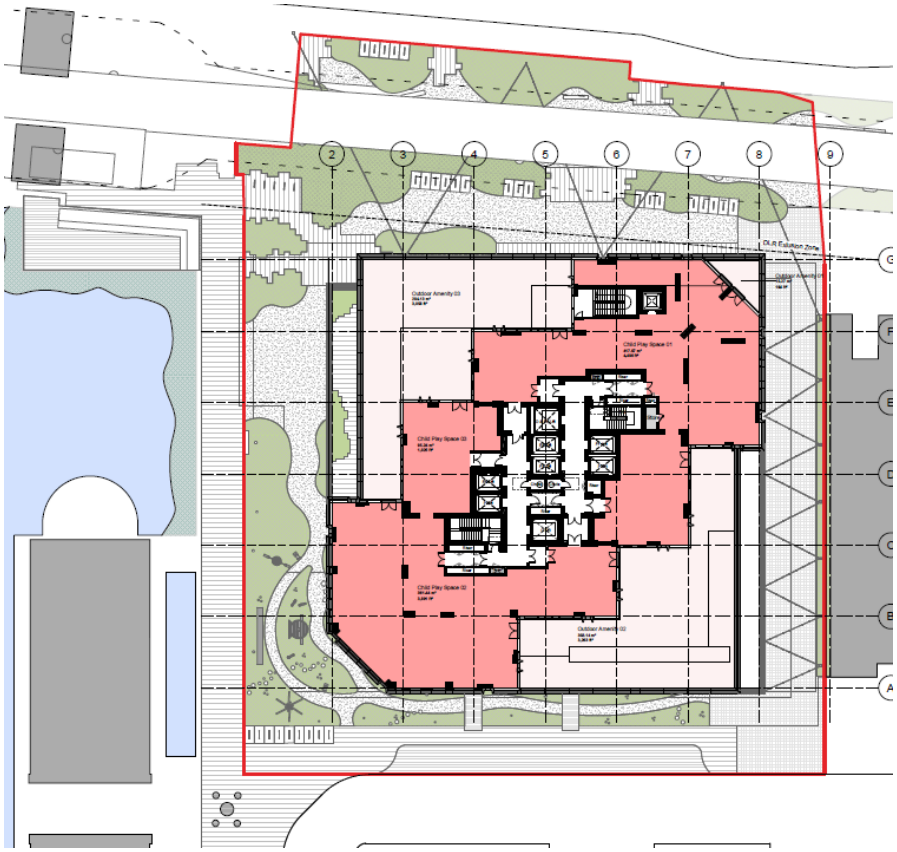


Proposed basement plan

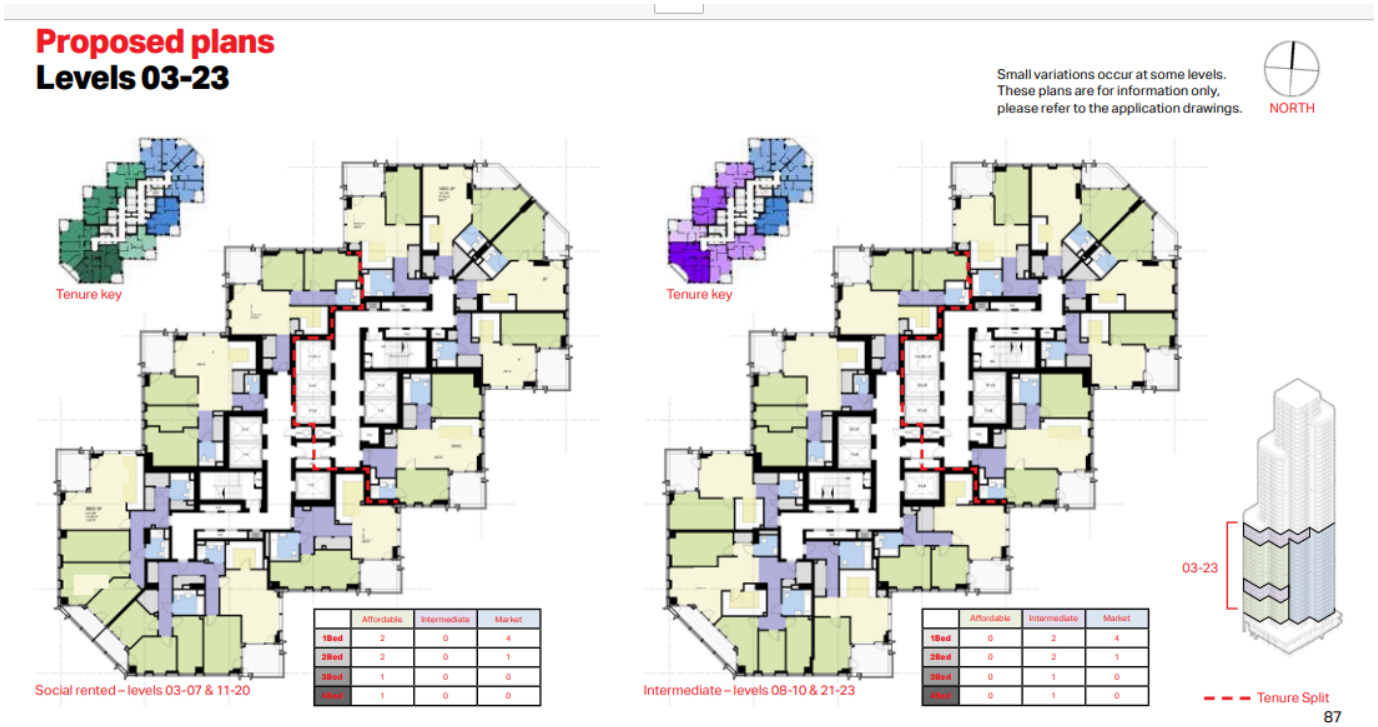
Proposed ground Floor plan



Proposed first floor plan



Proposed second floor plan



	Affordable	Intermediate	Market
1Bed	2	0	4
2Bed	2	0	1
3Bed	1	0	0
4Bed	1	0	0

	Affordable	Intermediate	Market
1Bed	0	2	4
2Bed	0	2	1
3Bed	0	1	0
4Bed	0	1	0

Proposed 3rd – 23rd floor plan

Proposed 24th-40th floor plan

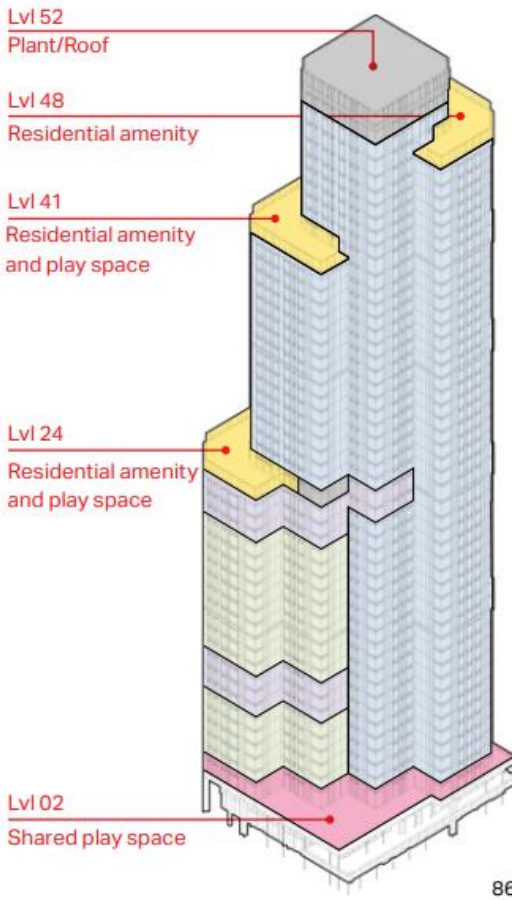
Proposed 41st – 47th floor plan

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	40.5%	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%	15%
TOTAL	83	277	100%	100%



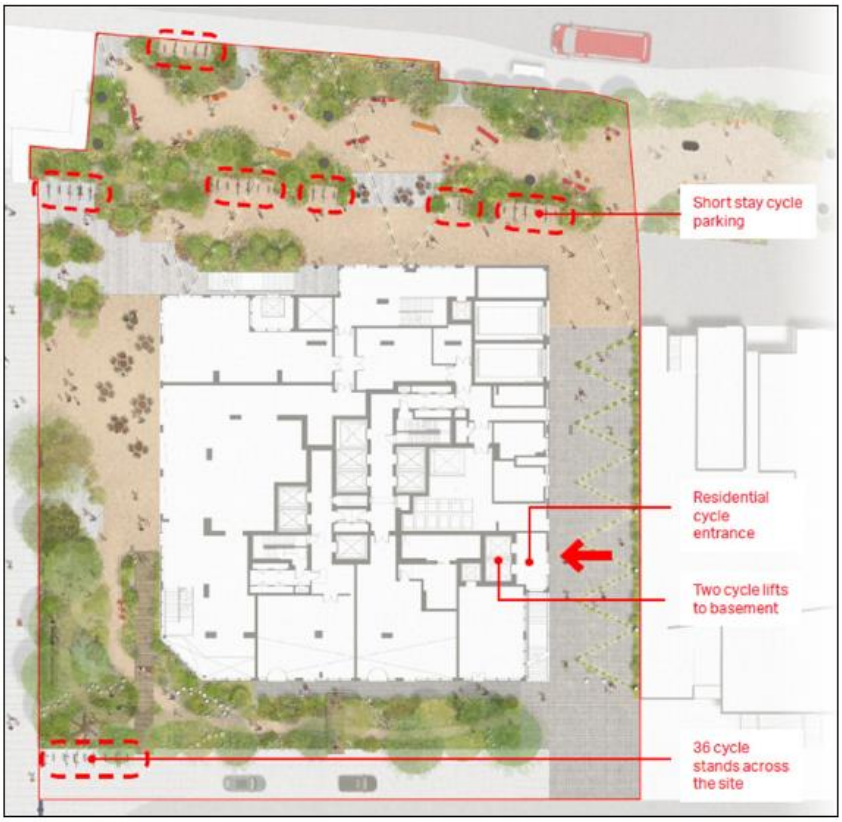
Internal arrangement

Eastern Elevation

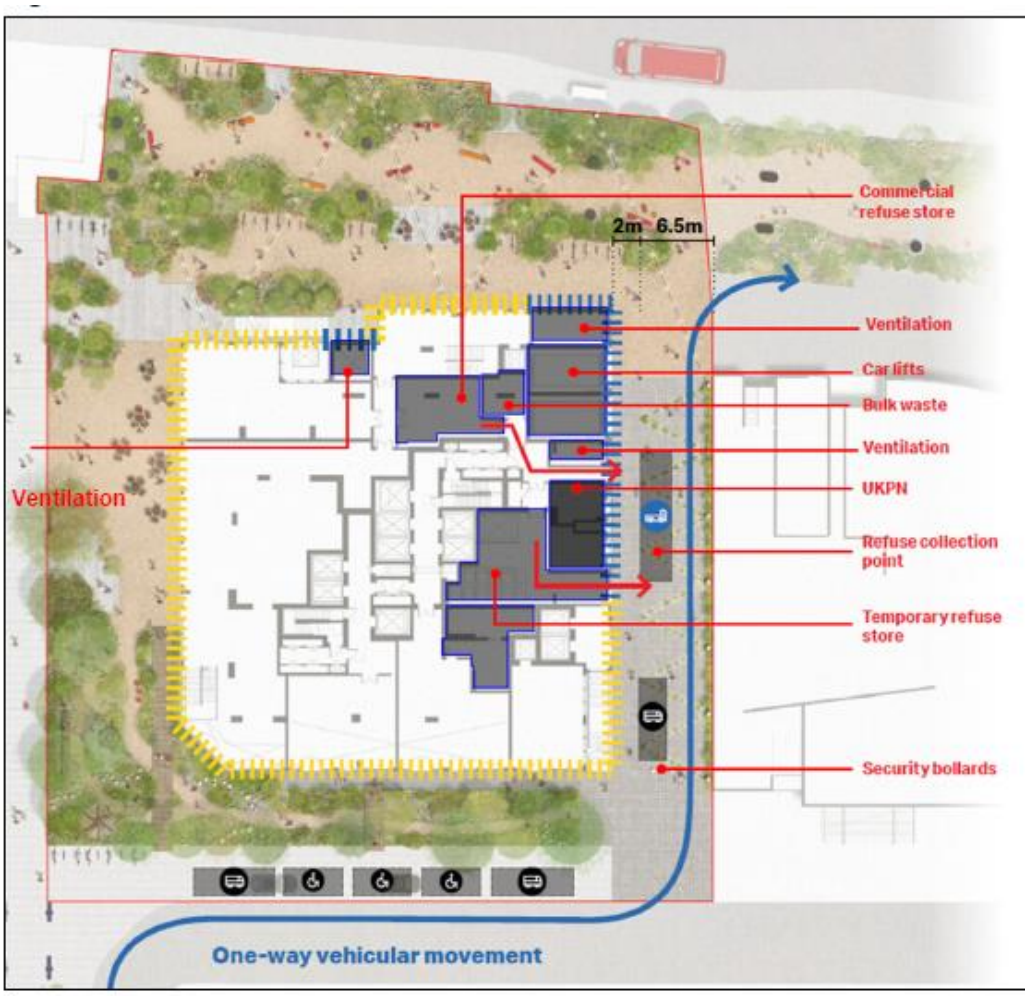
Northern Elevation

Southern Elevation

Western Elevation



Short stay cycle parking locations



Refuse collection points

Proposed view from the south of the site

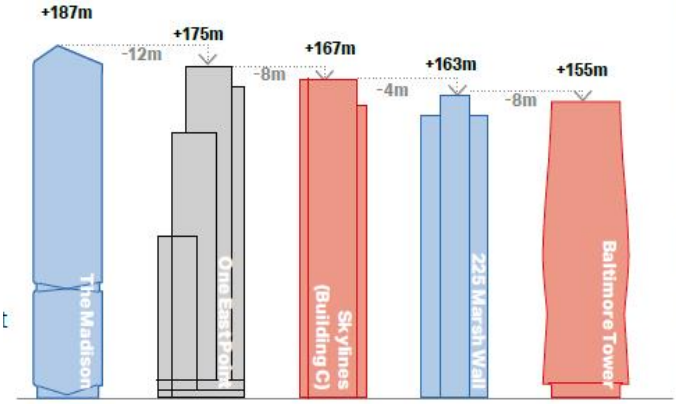
View looking across the dock (north east)

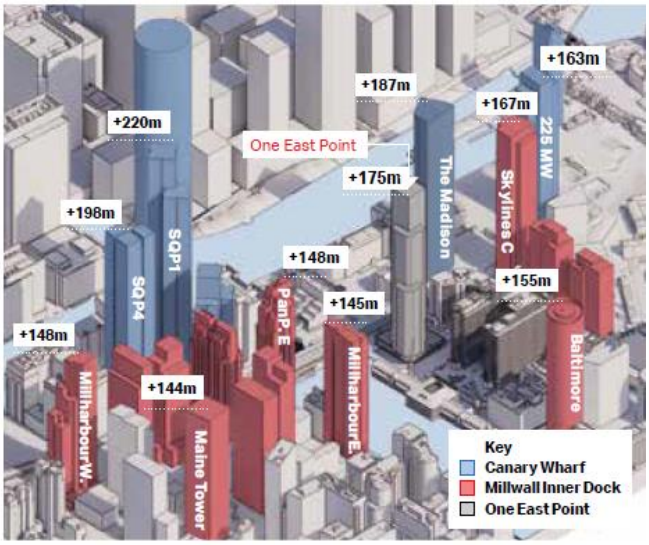
View looking across South Dock from Canary Wharf

East Street

Residential Southern Entrances

Waterfront activtiy





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

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	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. This application is accompanied by an Environmental Statement.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	GAW Capital and City & Docklands
Architect/agent	Make Architects and DP9
Case Officer	Jane Jin
Key dates	- 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

1. BACKGROUND

1.1 This application was considered by the Strategic Development Planning Committee on 16th July 2024. A copy of the original report is appended to this report.

1.2 As set out in the draft minutes of the meeting, the Committee voted to undertake a site visit to better understand the likely construction impacts arising from the proposed development.

1.3 The application was therefore deferred to allow Members to undertake a site visit, which will take place on 22/08/2024.

1.4 An Update report will be prepared following the site visit to report on the outcome, findings and discussions as this report is published ahead of the planned site visit.

2. RECOMMENDATION

2.1 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 planning obligations as outlined in the Main report.

2.2 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.

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

STRATEGIC DEVELOPMENT COMMITTEE [9th October 2024]

Report of the Corporate Director of Place Classification: Unrestricted

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	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. This application is accompanied by an Environmental Statement.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	GAW Capital and City & Docklands
Architect/agent	Make Architects and DP9
Case Officer	Jane Jin
Key dates	- 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 -Strategic Development Committee (main Item) 16/07/2024 -Members' site visit 22/08/2024 -Strategic Development Committee (deferred Item) 28/08/2024

1. BACKGROUND

1.1 The Strategic Development Planning Committee considered this application as a main item on 16th July 2024. A copy of the original report is appended to this report. The Committee voted to defer their decision to undertake a site visit to better understand the likely construction impacts arising from the proposed development and the site visit was undertaken on 22/08/2024.

1.2 On 28th August 2024 the proposal was presented for Members' decision as a deferred item. A copy of the report is appended to this report. Members raised concerns about the lack of family-sized units, and that there would be impacts from the construction activities if the scheme were to be granted. Members voted to defer the item again to establish if the scheme can incorporate more family-sized units to mitigate the impact.

1.3 The proposed scheme provides a generally compliant level of housing in affordable housing tenures, detailed in the main report and presented at the Committee Meetings on 16/07/2024 and 28/08/2024.

1.4 The proposal provides 52 family-sized units (three and four bedrooms) in the affordable housing tenure. The proposal provides 35% (measured by habitable room) of affordable housing. The proposal accords with policy D.H2 of the Tower Hamlets Local Plan.

1.5 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 four beds slightly under by 0.5%. However, overall, there would be a good range of unit sizes within this tenure.

1.6 Within the Intermediate tenure, again, the focus has been on delivering smaller 1 and 2-bed units, and therefore, these units comply with the policy requirements. In terms of 3 and 4 beds, 45% is required as a combined requirement. The proposal is short by 4.5%. As reported, this is acceptable given that an overall provision within the affordable housing tenure is generally compliant, and larger family-sized units in the Intermediate tenure could be less affordable for prospective owners.

1.7 There are appropriate measures that would be secured through planning conditions and obligations through an s.106 Agreement to mitigate any impacts arising from the construction activity. Therefore, it is officers view that seeking additional family sized affordable units to mitigate the concerns raised by the construction activity carries very little weight and would not warrant a refusal of planning permission

2. REPRESENTATION

2.1 The applicant has confirmed that the proposal is at a policy-compliant level, and the scheme will remain unchanged as initially proposed.

3. RECOMMENDATION

3.1 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 planning obligations as outlined in the Main report.

3.2 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.

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

STRATEGIC DEVELOPMENT COMMITTEE 9th October 2024

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

Application for Planning Permission *click here for case file*

Reference	PA/21/02707
Site	Whitechapel Road Development Site, Whitechapel Road, London E1 2BB
Ward	Whitechapel
Proposal	Redevelopment of site involving erection of five buildings and retention of one building for provision of up to 69,033 sqm (GIA) of Class E(g) space for flexible life science purpose uses; and provision of up to 6,363 sqm (GIA) flexible Class E supporting uses and Class F1 and Class F2 supporting uses (gallery/ exhibition/ community uses); up to 2,820 sqm (GIA) F1(a) for research and development and teaching activities in the life science sector; with associated landscaping; public realm and highway works; re-provision of existing on-street car parking; and erection of a single pavilion building comprising up to 759 sqm (GIA) Class E(b) café use with ancillary storage, and Sui Generis use (public toilets) set within a new landscaped open square. The development is to involve erection of a building up to 4 storeys on Plot A (including top storey plant); and erection of two buildings (on Plots B1 and B3) of 4 storeys rising to 8 storeys respectively (the latter including top storey plant) including the demolition of former Outpatient's Building Annexe and part demolition/part retention of main former Outpatient's Building; and on Plot B2 the retention of the Ambrose King building. The development is to also involve the erection of a 7 storey building (including top storey plant) on Plot C (45.9m AOD); and erection of 15 storey building (including 2 top storeys of plant) on Plot D1 (78.7m AOD). The application is accompanied by an Environmental Statement.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Department of Health and Social Care supported by NHS Property Services (NHSPS)
Architect/agent	Architects: Allies and Morrison (Plots A, B3, D1 and D2) and Gibson Thornley (Plots B1 and C). Planning agent: DP9.
Case Officer	Robin Bennett
Key dates	- Application registered as valid on 31/01/2022 - Significant amendments received on 28/09/2023 - Public consultation first round ended 21/03/2022 - Public consultation second round ended 22/01/24

1. BACKGROUND

1.1 This application was considered by the Strategic Planning Committee on 28 August 2024. A copy of the original report is appended to this report.

1.2 As set out in the draft minutes of the meeting, the Committee voted to defer the application in order to re-evaluate the contribution of the proposed development and to undertake a site visit.

Site visit

1.3 The application was therefore deferred and a site visit took place on 24th September 2024. The site visit was attended by Councillor Amin Rahman, Councillor Iqbal Hossain, Councillor Gulam Kibria Choudhury and Councillor Ahmoudul Khan and two planning officers.

1.4 The site was observed from streets surrounding the application site as well as streets within the application site.

1.5 In addition, subsequent to the Committee meeting on 28 August a request was received from a resident of Gwynne House for Councillors to visit a second floor flat in Gwynne House so that the relationship between Gwynne House and Plot C to the west could be observed. During the site visit on 24 September Officers accompanied Councillors into the flat where the relationship between the living room of the flat and Plot C (currently occupied by the former dental hospital and former Barts and the London Students Union) was observed.

The contribution of the development

The local economic contribution

1.6 Officers note that before Members moved to a vote on this item, it was expressed that the local economic contribution from the development would not be what would be expected, including in relation to the number of apprenticeships (that more than 68 construction phase apprenticeships should be possible) and the affordable workspace offer not meeting residents' requirements.

1.7 The scheme represents a significant potential investment in Whitechapel that would help to realise the strategic vision to provide a new world class life sciences cluster in proximity to the Royal London Hospital.

1.8 As set out in the published committee report, a bespoke package of public benefits has been negotiated with the applicant. These represent the unique nature of the development and align with the Council's Strategic Plan objectives. The package would go beyond the minimum requirements of planning policy. In terms of those parts of the package which are create a direct economic contribution in the Borough these are:

Financial contributions

1.9 A number of financial contributions totalling £6.9 million have been agreed with the applicant which would be secured in a legal agreement if permission is granted. These include £2.5m towards wellbeing, women's health and community health research (linked to LBTH Health Determinates Research Collaborations) and £1.7m towards employment skills and training initiatives.

Growth and Economic Development Benefits

- **Affordable workspace –** 10% of the qualifying floorspace to be provided for 25 years. 65% of this affordable workspace to accommodate at least 40% wet lab with a 20% discount on market rates. 35% of the qualifying floorspace to be provided as entry level office space at a 50% discount on market rates. After 25 years space to be provided at 10% discount for further 10 years.

- **Access to employment –** 25% local procurement, 25% local labour in construction phase, 25% local labour in end use phase and 61 construction phase apprenticeships. The completed scheme is estimated would provide on-site up to 4,180 FTE end phase jobs of which an initial target of 1045 FTE jobs would be filled by local people.

  In addition, following the 28 August 2024 Committee the applicant has improved their offer around access to employment and has now offered to ensure there will be a minimum of 20 apprenticeships in the end use phase of the development. This is a welcome and significant additional economic benefit in addition to the public benefits that were already agreed with the applicant at the time of publishing the 28 August 2024 committee report.

1.10 Beyond the above direct economic benefits associated with the proposed development which, if permission is granted, would be secured via a legal agreement a substantial set of further public benefits has been negotiated with the applicant in relation to public health, social mobility and education. These are summarised below and together will yield significant local socio-economic benefits.

Growth and Economic Development Benefits

- Pathways into life sciences provisions – including provision of two officer posts (one senior and one junior) for a period of 10 years to support primarily young residents (primary, secondary and college) and their parents/carers understand the employment opportunities flowing from the development
- Skills Escalator – Programme to coordinate school work experience, internships, adult work experience placements and graduate paid placements across the masterplan area.
- Campus Strategy **–** to include details of an enterprise support programme and life science SME networking space).

Community Involvement Centre

- A multi-purpose on-site space to be provided within the development for community use and offered to the Council.
- This may include space for community led public and patient involvement in research, research dissemination space, training, meetings and touch down space at peppercorn rents for community researchers, and volunteers working to coproduction principles in health and health determinants research.

Science Technology Engineering and Mathematics (STEM) provisions

- Provision of an on-site Community Lab designed (and appropriately resourced in terms of staffing) to provide all Tower Hamlets schools with access to industry standard life science lab space to gain first-hand experience of life science activities and allow children to develop their analytical skills and gain insight into curriculum choices that will form a good platform to establish a future career in life sciences and STEM.

- Community Education and Outreach Programme – targeting life science focussed STEM provision for those in primary and secondary education in the borough's schools and in the borough's places of further education. Programme in place for continuous period of 20 years.
- Outreach activities to be appropriately resourced (Education/Outreach managers and educators) to have significant reach into the borough commensurate with the scale of the proposed development.
- Establish life science ambassador programme.
- Annual life science festival for life of development.

Securing benefits to human health

- Health Outcomes Strategy and Working Committee – Establishment of a group to foster collaboration between various stakeholders on a variety of topics, including reporting updates against agreed relevant strategies. This would bring various operators together to target maximising local human health improvement outcomes from the operation of the development bringing lab to bedside type initiatives to benefit local residents, Barts Trust NHS patients and those registered with through engaging with LBTH primary care providers.

Lack of housing provision

1.11 Officers note that before the vote to defer the fact that housing is not proposed the development was raised.

1.12 The site is located within a Local Plan Local Employment Location where employment development is expected as well as being within the Whitechapel South Site Allocation which requires development to be 'employment-led (within the Local Employment Location) providing suitable units for the needs of life science, medical, research and educational uses associated with the Med City'. The proposed development is wholly in accordance with these Local Plan requirements.

2. RECOMMENDATION

2.1 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 planning obligations as outlined in the original committee report.

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

2.3 That the Corporate Director of Housing and Regeneration is delegated the power to impose conditions and informatives relating to the list set out on pages 15-17 of the Update Report to the 28 August 2024 Strategic Development Committee Report.

STRATEGIC DEVELOPMENT COMMITTEE 28th August 2024

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

Application for Planning Permission *click here for case file*

Reference	PA/21/02707
Site	Whitechapel Road Development Site, Whitechapel Road, London E1 2BB
Ward	Whitechapel
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Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Department of Health and Social Care supported by NHS Property Services (NHSPS)
Architect/agent	Architects: Allies and Morrison (Plots A, B3, D1 and D2) and Gibson Thornley (Plots B1 and C). Planning agent: DP9.
Case Officer	Robin Bennett
Key dates	- Application registered as valid on 31/01/2022 - Significant amendments received on 28/09/2023 - Public consultation first round ended 21/03/2022 - Public consultation second round ended 22/01/24

EXECUTIVE SUMMARY

The application relates to a number of vacant buildings and plots that were, before the opening of the Royal London Hospital, used for hospital purposes. Permission is now being sought to bring these unused plots back into productive use. Redevelopment of these previously developed plots is appropriate given their location within the City Fringe Opportunity Area.

In terms of the development that is proposed, this is an employment-led proposal which would provide space for life science use. The Local Plan Whitechapel South Site Allocation supports life science development on these sites. In addition, one of the plots within the development is intended to be occupied by Queen Mary University of London for life science related research and teaching purposes. This use is also in accordance with the Site Allocation.

The proposed development would deliver a wide range of public benefits. These include the establishment of a a new life science cluster for research and development, creation of employment and training opportunities and potentially up to 4,180 FTE jobs.

The development would also provide benefits to the community in the form of new community space including a Community Involvement Centre which would provide space to facilitate delivery of human health related initiatives and space for education activities on site, including a Community Lab. Education and outreach activities would also be secured by the proposals and obligations. These would complement the existing education offer in the borough and provide inspiring science related education opportunities.

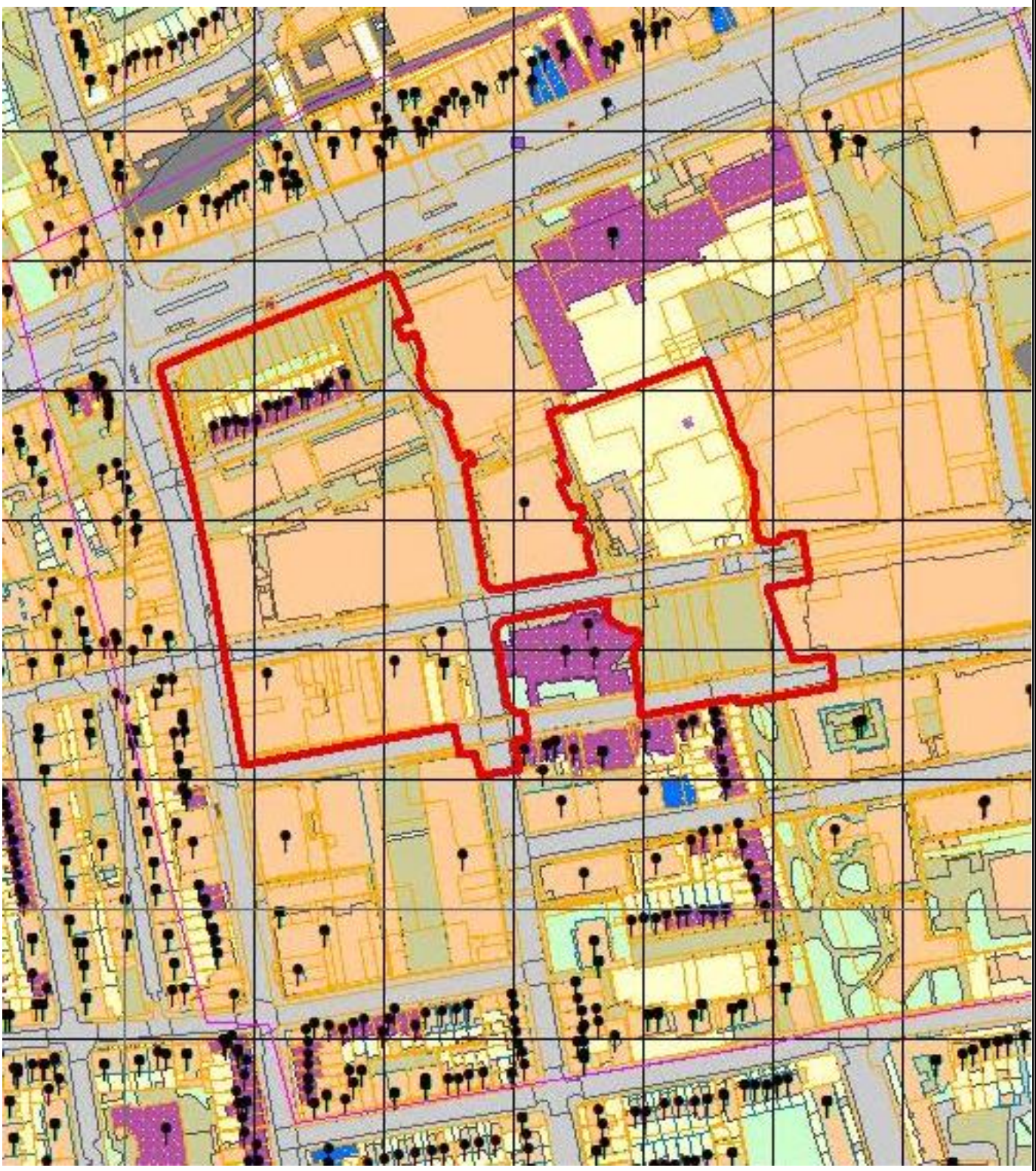
In addition, a very good affordable workspace offer has been secured which would provide 10% of the life science floorspace (excluding the QMUL building) as affordable with deep levels of discount for future occupants and for a significant minimum 25 year period, beyond which the affordable workspace would be provided for a further 10 years of at a 10% discount.

Significant areas of new and improved public realm are proposed throughout the site. This includes a proposed new public square adjacent to St. Augustine with St. Philip's Church as well as improvements to areas of public highway within the site and other areas of non-highway public realm within, including a proposed area of public realm in the line of the Green Spine that is envisaged within the Whitechapel South Site Allocation.

The proposal is partly located within the London Hospital Conservation Area (CA). The proposal involves significant demolition within the CA in the form of substantial demolition of the former Outpatients building which would cause harm to the CA. It would also cause harm to the setting of the Grade II Listed former Royal London Hospital (now the Town Hall) which is the centrepiece of the CA, as the largest of the proposed buildings would appear prominently within the setting of the former Royal London Hospital. Historic England have objected to the proposal on this basis, despite some improvements to scale, mass and overall design of the proposal having been secured through the course of the application. In addition a number of trees will be lost including TPO trees which is regrettable; however, Officers are satisfied that that the applicant has made sufficient effort to retain trees on the site and the replacement planting proposed which is beyond London Plan requirements is acceptable.

Officers have also identified a number of other areas where the proposal causes harm or is otherwise deficient. These are in the areas of cycle access and provision for existing and future users as a result of the development, the non-consolidated servicing arrangements that are proposed, daylight, sunlight and overshadowing impacts, does not full comply with tall buildings policy and concerns about the urban design quality of the Green Spine, concerns over active frontages and the general scale of the proposal within the townscape.
Notwithstanding both the heritage and other impacts of this proposal, Officers have concluded that the proposed package of benefits associated with this development carry sufficient weight

so as to outweigh the identified harm and deficiencies. These benefits are recommended to be secured through a legal agreement and conditions.



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

Planning Applications Site Map PA/21/02707

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

TOWER HAMLETS

London Borough of Tower Hamlets

Scale : 50m grid squares

Date: 01 October 2024

1. SITE AND SURROUNDINGS

1.1 The application site is located to the west of the Royal London Hospital and covers an area of 2.55 hectares.

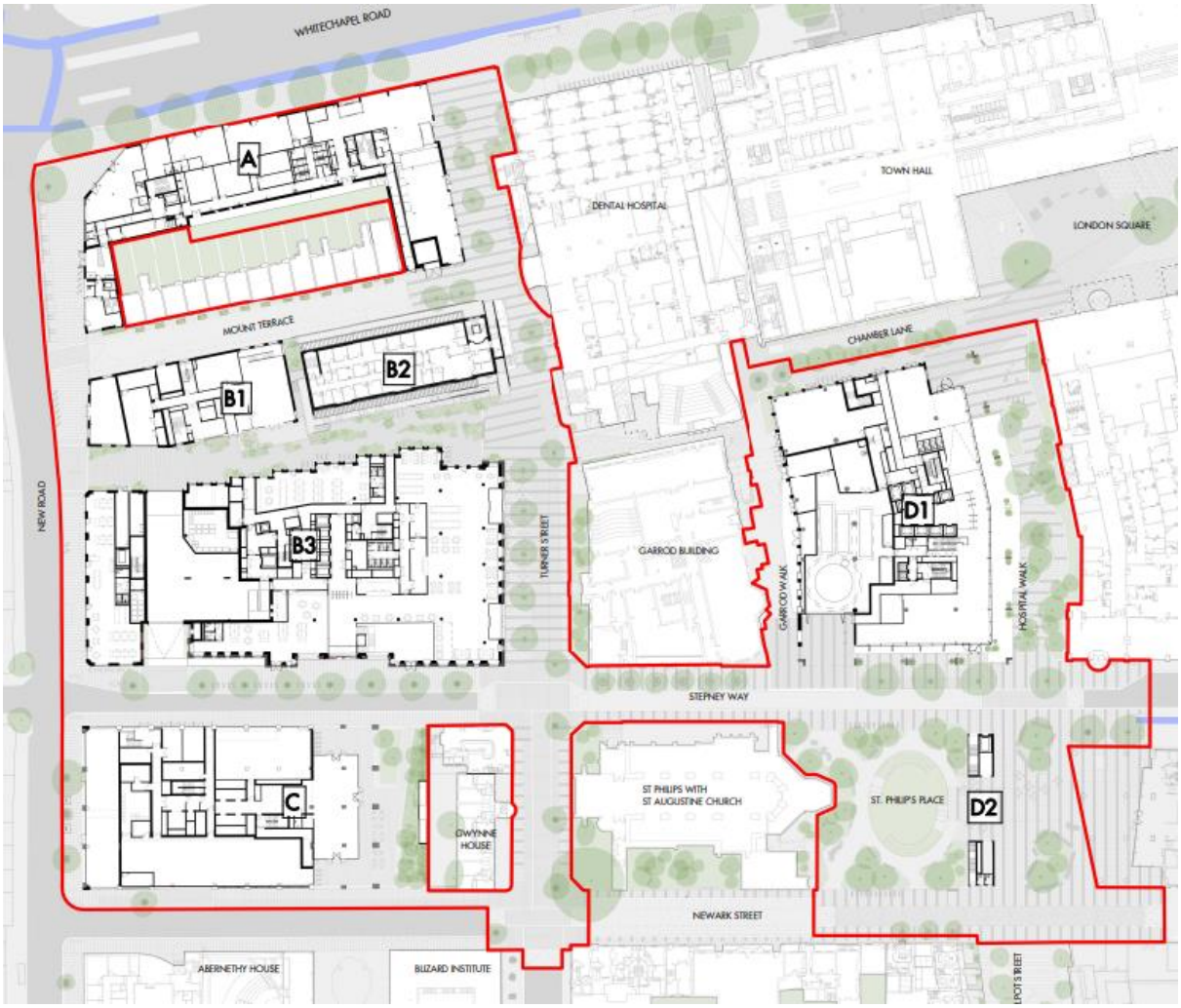
1.2 The site is located in the Whitechapel South Site Allocation, City Fringe Opportunity Area and the northern part of the site is in the Whitechapel District Centre. The entire site is also located in the Whitechapel Local Employment Location (LEL).

1.3 Most of the site is in the Former London Hospital Conservation Area and whilst there are no Listed Buildings within the red line plan, there are a number of listed buildings in close proximity including 22-34 Mount Terrace (Grade II), St Augustine with St Philip's Church (Grade II*), the former Royal London Hospital (Grade II and now the new Tower Hamlets Town Hall), properties on Newark Street, Philpot Street and Whitechapel Road (Grade II) a K2 telephone kiosk on Whitechapel Road and the King Edward VII Jewish Memorial Drinking Fountain (Grade II). The site is also in proximity to several conservation areas including Whitechapel Market Conservation Area to the north of Whitechapel Road, the Myrdle Street Conservation Area located to the west and the Ford Square Conservation Area to the south east.

1.4 The site includes several TPO trees and Stepney Way to the south of the site is identified as Green Grid running on an east/west axis. The site is also located in the Green Grid Buffer zone.

1.5 The site is comprised of several plots. Some are vacant and some are occupied by buildings.

1.6 The plan below shows the site boundaries and the location of each of the plots within it.



1.7 The plots and their surroundings are described below:

Plot A

1.8 Bounded by Whitechapel Road to the north, Turner Street to the east and New Road to the south, Plot A is vacant. It has been hoarded off and was last in use as car parking during COVID for the hospital use. This plot is within the Former London Hospital Conservation Area (CA).

1.9 Adjoining the site to the south of Plot A is numbers 22-34 Mount Terrace. The three storey residential properties within this terrace are all Grade II listed. They also sit within the London Hospital CA.

Plot B1

1.10 Located to the south of Mount Terrace, east of New Road and north of the former Pasteur Street, Plot B1 is occupied by the former boiler house and chimney.

Plot B2

1.11 The Ambrose King Sexual Health Centre and Graham Hayton Unit (providing HIV services) occupies this plot. The building on this site dates from the mid 1920s and is three stories plus part basement. The building is within the London Hospital CA.

Plot B3

1.12 This plot is located to the south of the former Pasteur Street, east of New Road, west of Turner Street and north of Stepney Way. It is occupied by the former Royal London Hospital outpatients department and its annexe.

1.13 The former outpatients department is of red brick construction with stone and terracotta details. It has a basement and is three stories in height above ground, with a number of turrets projecting above the predominant scale. The former outpatients department is located entirely within the London Hospital CA.

1.14 The Outpatients Annexe is a 1930s building four stories in height. Its principal elevation fronts New Road. The Annexe is not within a conservation area.

Plot C

1.15 Bounded by Stepney Way to the north, Newark Street to the south, New Road to the east and Gwynne House (residential) to the east, this plot is occupied by the former Royal London Hospital dental institute and Barts and The London Students' Association.

1.16 The existing buildings within this plot are not located in a conservation area, but the Samaritan Public House and Gwynne House which adjoin the site to the east are located within the London Hospital CA. The Samaritan is a neo-Georgian 1930s building whilst Gwynne House is a 1930s modernist five storey block of flats.

Plot D1

1.17 This plot lies to the rear/south of Tower Hamlets Town Hall, to the east of QMUL's Garrod Building, to the west of the Royal London Hospital and to the north of Stepney Way. The plot is vacant and hoarded off, though there is pedestrian access between Stepney Way and London Square to the western edge of the Royal London Hospital Building. The site falls entirely within the London Hospital CA.

Plot D2

1.18 Located to the south of Stepney Way and north of Newark Street this vacant plot lies between the Royal London Hospital building is to the east of this plot and the grade II* St Augustine with St Philip's Church is to the west. The site falls entirely within the London Hospital CA.

1.19 On the opposite side of Newark Street is a run of grade II listed buildings (numbers 28 to 42 (even) Newark Street) which form a group with St Augustine with St Philip's Church. There are also grade II listed terraces at 43-69 Philpot Street to the south of plot D2.

2. PROPOSAL

2.1 The table below sets out the quantum of each of the different uses that are proposed.

Floorspace	**Area**
Class E(g) space for flexible life science purpose uses	Up to 69,033 (GIA)
Flexible Class E supporting uses and Class F1 and Class F2 supporting uses (gallery/ exhibition/ community uses)	Up to 6,363 sqm (GIA)
F1(a) for research and development and teaching activities in the life science sector	Up to 2,820sqm (GIA)
Class E(b) café use with ancillary storage, and Sui Generis use (public toilets)	Up to 759 sqm (GIA)
Retained Ambrose King	2,002sqm (GIA)
Total:	**80,977sqm**

2.2 As described in section 1, the application is split into a number of plots. The overall size and scale of the buildings proposed on each of the plots is shown in the table below.

Proposed buildings		
Plot reference	**GIA (Sqm)**	**Height**
A	4,591	Ground + 2 storeys + plant
B1	2,954	Ground + 3 storeys
B2	No change to existing 2,002sqm GIA	No change proposed to existing height of Ground + 2 storeys + plant
B3	21,875	Ground + 6 storeys + plant
C	13,784	Ground + 5 storey + plant
D1	35,011	Ground + 12 storeys + plant
D2	759	Single storey pavilion
Total	**80,977**	

2.3 As set out in the description of development and shown in the table above, the use that will occupy most new floorspace across the development is that which will be used for life science purposes. Life science uses fall within Use Class E(g). Use Class E(g) are uses which can be carried out in a residential area without detriment to its amenity.

2.4 The life science led development that is proposed would be complemented by other uses through provision of space for uses falling within the following Use Classes:

- Use Class E (Commercial, Business and Service).
- Use Class F1 (Learning and non-residential institutions).
- Use Class F2 (Local community).
- Use Class E(b) (Sale of food and drink for consumption (mostly) on the premises)

2.5 The flexible Class E space and Class F1 and Class F2 space would total 6,363sqm GIA. This would be distributed thus:

- Plot A – Class E units along the ground floor frontage to Whitechapel Road including turning the corner onto New Road and also within a small unit at the junction of New Road and Mount Terrace. Ground floor Class F1 space to the eastern end of Plot A adjacent to Turner Street.
- Plot B1 – a single Class E unit at the western end of the proposed building fronting New Road.
- Plot B3 – flexible spaces on each of the buildings ground floor frontages as well as space within basement.
- Plot C - flexible Class E space within the basement as well as a unit along the New Road frontage and one fronting Stepney Way.
- Plot D1 – flexible Class E space fronting Stepney Way and on the north east corner facing London Square and a community space to the north west corner.
- Plot D2 – flexible Class E space in one part of the proposed pavilion building within the new public square.

2.6 In addition to the built development that is proposed, extensive public realm improvements are proposed on the site. This includes refurbishment of existing public realm and creation of new areas.

2.7 Where refurbishment is concerned this involves making the street level environment more pedestrian and cycle friendly and more visually attractive. This would be achieved by resurfacing in high quality materials, widening footways and tree planting as well as other soft landscaping features.

2.8 In terms of new areas of public realm these would comprise:

- A new public square between the Royal London Hospital building St. Augustine with St. Philip's Church, south of Stepney Way and north of Newark Street.

- A new north-south route in the line intended for the Green Spine, located to the west of the Royal London Hospital building and connecting Stepney Way to London Square to the rear of the Town Hall;

- A reinstated street between Turner Street and New Road. This route was formerly known as Pasteur Street, but has not facilitated public access for at least 15 years. The new route would be located to the rear/north of the new building on Plot B3 (the site of the former Outpatients department) and Plot B2 to the south of Mount Terrace.

- An area between Gwynne House and the new building on Plot C.

2.9 The axonometric diagram below gives a high level overview of the relationship between the built development on each of the plots as well as the different scales of development proposed on each of the plots. This is looking in a north-westerly direction across the site in the direction of the junction of Whitechapel Road / New Road / Vallance Road.

3. RELEVANT PLANNING HISTORY

3.1 Planning application ref: PA/04/00611:

Redevelopment and refurbishment of the Royal London Hospital.
Full planning permission granted 03/2005

4. PUBLICITY AND ENGAGEMENT

Pre-application community engagement

4.1 The application as originally submitted was accompanied by a Statement of Community Involvement (SCI). This outlined the engagement undertaken by the applicant team before the application was submitted. In addition, a Statement of Community Involvement Addendum was submitted with the suite of documents submitted as part of the 'addendum submission'. This outlines the engagement activities of the applicant that have taken place after submission of the planning application.

- At pre-application stage the applicant carried out three stages of consultation. In summary:
- Over 300 people responded to questions in a survey, mostly local residents
- Over 76,000 people reached via social media adverts
- Over 16,000 newsletters sent out to local residents and businesses
- Over 2,500 visitors to our consultation website 6 webinars held for the public to meet with the team and ask questions
- 17stakeholder meetings (both in person and online)

4.2 The SCI Addendum states that following submission of the application, the applicant continued with their engagement activities. This included:

- A competition for students from three local schools to create drawings which are now displayed on the hoardings of Plot A on Whitechapel Road. This included a visit to Queen Mary's Centre of the Cell for a class from each school, funded by the applicant.
- In-person engagement sessions around the area, speaking to local businesses to raise awareness of the project and engage with possible supporters.
- Hosting a stall and engaging with local residents at the Queen Mary Festival of Communities about the scheme, two years running, in June 2022 and June 2023.
- A 4-page newsletter sent to local residents, businesses and stakeholders, explaining the amendments that are being submitted as part of this application.
- Ongoing hosting of a consultation website with all project details.

4.3 In parallel with these activities, the applicant team engaged with political stakeholders at LB Tower Hamlets. This included:

- An in-person meeting with Mayor Lutfur Rahman and Cllr Kabir Ahmed.
- A site tour with Cllr Shafi Ahmed, Whitechapel ward councillor.
- A site tour with Cllr Abu Chowdhury, Cabinet Member for Jobs, Skills and Growth.
- A site tour with Cllr Maium Talukdar, Deputy Mayor.

Pre-application engagement with LBTH

4.4 The applicant sought pre-application advice from LBTH Development Management Service between January 2021 and November 2021.

Statutory Consultation

4.5 The application has been advertised twice – once early in 2022 after the application was first submitted and once in December 2023 following receipt of amended / updated drawings and documents including ES updates.

4.6 Letters were sent to 898 addresses surrounding the site notifying occupiers of the application. In addition, the application was publicised by display of site notices in the vicinity of the site and by publication of notices in the local newspaper.

4.7 In total, 35 letters of representation were received in support, 5 letters in objection (including one objection from NWTV Residents' Association (comprising residents living in New Road, Walden Street, Turner Street)) and 2 petitions in objection (one petition following each round of consultation). The two petitions contained a total of 63 individual signatures.

4.8 **Objections** to the proposal insofar as material planning considerations (including the objections cited in the petitions) are summarised below:

Principle

- Regeneration of the area is generally supported but this should not be to the detriment of local residents and their right to a peaceful home environment.

- Parts of the proposal are welcome, however the proposal needs to be considered as a whole.

Scale/mass

- The proposed building on Plot D1 is bulky and too tall monolith which will dwarf neighbouring buildings.
- The building is overbearing in both long and nearby views. It is asked that the scale is reduced.

Amenity

- The proposal is overdevelopment, would be overbearing and would detrimentally affect privacy.

- BRE guidelines for sunlight and daylight would be breached. Buildings would suffer loss of sunlight.

- It is asserted that there are some errors in the BRE daylight assessment relating to Mount Terrace.

- The asserted benefit of better outside amenity is contrary to the reality of the proposal reducing light and sunlight e.g. for patients seeking a break from treatment to go outside.

- There are concerns that noise from and location of plant has not been properly considered and that there will be amenity impacts arising from plant noise.

- Significant adverse effects will arise from dust, noise and vibration during construction.

- The roof terrace of Plot C overlooks Gwynne House but does not appear to incorporate mitigation measures e.g. a screen and no restriction on hours

- Lighting and seating need to be properly considered given existing ASB issues on and around the site.

- West facing Gwynne House properties currently enjoy the amenity afforded by sky, sun and light over the roof of the Students' Union and the lower sections of the former dental hospital.

- Concern that the new open space to the rear of Gwynne House will attract unwanted activity and cause disturbance.

- The development on Plot A would dwarf Mount Terrace

- Most of the dwellings on Mount Terrace would not benefit from the stepped elevation present in the mid-section of the new building parallel to Whitechapel Road.

Construction impacts

- The construction access and crane for Plot C should be moved further from Gwynne House.

- Construction hours for Plot C should be shortened from the industry standard to only taking place between 9 and 5.

- Lighting of the construction site should be kept to a minimum to protect the amenity of Gwynne House residents.

- Request that temporary measures are installed in Gwynne House to limit noise and dust ingress during works.

- Request that the public areas around the site are cleaned on a regular basis during construction.

- Concern that security to the rear of Gwynne House will be compromised once the existing buildings on Plot C are demolished.

- There is concern about the routeing of construction traffic within the small streets of the neighbourhood.

Heritage

- Block D1 will have detrimental impacts on the listed Town Hall and St. Phillips Church. Following reductions in height it remains of a scale that is out of character with the conservation area.

- Demolition of the Outpatients' annexe on New Road is thoroughly regrettable. The building has been allowed to rot.

- The scale of new development should be reduced to fit with the conservation areas, many streets of small houses (including listed Georgian houses) and Victorian buildings of modest scale.

- Objections raised by Historic England to the vertical extension of the Outpatients' building and loss of the 1930s annex are supported, as are their concerns that their concern that "the proposals largely strip the building of its architectural form and character" to the detriment of the conservation area.

Waste

- Insufficient consideration of waste matters.

- Waste storage and collection for Plot A and Mount Terrace residents will be affected.

- Moving bins from Plot A to B2 and B1 for collection is impractical and will potentially be noisy and obstructive particularly if carried out during office hours.

Architecture

- Replacement buildings on New Road (Plots B3 and C) appear bland and corporate. It is questioned whether these facades can be further articulated with greater sensitivity to the locality and conservation area.

Landscaping and public realm

- Landscape and public realm proposals are crucial to mitigate the lack of green space and poor air quality in the area.

- Further and more dense greening of the proposed spaces and the existing streets would be welcomed.

- It is asked that strict conditions are applied to ensure the delivery of the soft and hard landscape and lighting prior to occupation/in a timely manner, and which deal with the scenario that the plots may sold off individually. Maintenance of trees is also a concern

- The increase in activity, numbers of people and deliveries are likely to increase the pressure on public spaces.

- There is concern that TPO trees in the garden of Gwynne House will be affected by the development.

- Proposed planting will put the garden adjacent to the library in permanent shade and planting in the public realm will compete with existing planting in the library garden. The proposed trees will also affect sightlines and ability of other trees to survive/ grow.

- It is not understood why it is proposed to remove 4 Sargent cherry trees along the front of the Dental Hospital at the north end of Turner Street.

- York stone flags would be more appropriate for Mount Terrace, as a minimum for the footway to match remaining original flags.

Highways, transport and access

- Steps should be taken to ensure that all those involved in the construction of the development and those who work in the completed life sciences buildings use public transport or bikes to get to work.

- Traffic issues – will result in heavier traffic, parking issues and associated pollution.

- The vision to create a more pedestrian and cycle friendly street network is not compatible with the access needs of the hospital.

- Vehicle access to Mount Terrace will be affected.

- The gap between Plots B1 and B2 should be closed to prevent ASB.

- Service vehicle and emergency vehicle routing

Non-life science space

- In addition to new cafes on the campus, space should also be made available for small local shops

Representations supporting the proposal

4.9 The material planning considerations contained within the letters of support are summarised below.

- The application has transformational potential for the Borough's communities.
- It represents a unique opportunity to revolutionise the health, wealth, and educational landscape of Tower Hamlets.
- Collaboration between academic research, healthcare expertise, and industry innovation holds immense promise for addressing the pressing health challenges faced by the community.
- The establishment of a Life Sciences Cluster in Whitechapel will not only contribute to the advancement of healthcare but also serve as a catalyst for economic growth and social progress in the local community.
- The proposed Life Sciences Cluster provides an opportunity to create much-needed employment opportunities for residents.
- The development offers innovation that will reduce lasting inequalities in the diverse and deprived Borough and support healthy life expectancy
- The development will support an expanded Clinical Research Facility offering early access to treatment for residents.
- The development will connect to children across the borough's sixth forms, aiming to lift performance.
- Greener and more open urban space will be provided.
- Working in partnership the unique opportunity to deliver better health for the community must be grasped.
- The proposals laid out will be an important asset, building on the existing foundations of life science activity and support a world-leading life sciences environment in Whitechapel.
- The proposals will create much-needed life sciences space, for which there is an identified high demand across London.
- The application that will transform the area into a vibrant and world-leading new life sciences cluster in Whitechapel.
- Barts Health, Queen Mary University of London and other local partners have worked with NHS PS to develop the plans for a new life sciences campus in Whitechapel. The aim is to create a new internationally significant hub where clinical, academic and commercial partners can collaborate to develop new products and services that will improve health and wellbeing in Tower Hamlets, the UK and globally.
- The proposals would provide a much safer, permeable and welcoming environment for workers and visitors to the area.
- The site will support the ambitions in the NHS long term plan to bring together the benefits of medical advances, driven by research and innovation, to patients and the UK economy.

- The role of industry is crucial in taking proven ideas and converting them into scalable solutions (often known as 'bench to bedside') as the NHS and academia cannot do this alone.

- Putting excessive restrictions on the floorspace will threaten the flexibility of the space created, curtailing innovation by making the opportunity much less attractive and the flexible design approach is encouraged.

- A unique opportunity exists in Whitechapel with the existing co-location of a major teaching hospital and world leading clinical research and education to harness the unique strengths of the NHS and the wider life science ecosystem to create a world leading hub for the next generation of medical discovery, innovation and delivery.

- The development of a life sciences campus will ensure that research will quickly lead to improvements in health outcomes both for the diverse communities of east London and people all over the world.

- The proposed campus will need sufficient space for a range of life sciences functions, including research and teaching alongside high quality space for commercial life sciences partners. There will need to be scope for innovative start-ups to rapidly expand, develop and grow their business.

- The development will greatly enhance the ability to bring more health research related investment into the area with the new Elizabeth Line connectivity providing additional opportunity to unleash further investment.

- The proposed cluster provides an opportunity to create much needed commercial facilities around the Royal London.

- Many life sciences business want to locate in London but there is a dearth of high quality commercial life sciences office and laboratory space for small, medium and large companies. The proposals create the much-needed cutting edge built environment to support business location at scale.

- The proposal is forecast to create over 5500 new high quality jobs and create and extra £7-12m per year for the local economy and £9m a year in business rates.

- The cluster can create aspiration and opportunity for children of all age to pursue a future healthcare career. It will build and environment and ethos which ensures local children are inspired and enabled to see sciences as an accessible career path with clearly defined and supported pathways.

- The proposed development transforms the area around the flagship new Town Hall, creating an appealing, safe public realm with more green spaces, public meeting areas and attractive new cycle pathways. Enhanced street lighting helps address community concerns over safety and anti-social behaviour.

- The University has long-standing established working relationships with the Royal London Hospital and Barts Health NHS Trust, with a successful track-record of delivering life-changing health outcomes, including in support of underrepresented communities in healthcare research and education. The vision for the site will build and utilise these existing relationships.

- Whitechapel is a fantastic and unique location as it can provide access to data from a diverse patient population.

- The new buildings will activate the streets around the hospital, creating a new sense of place in an area where so many of the buildings are inward facing, and providing new public realm that patients, visitors and staff can enjoy.

- Access to meaningful, affordable workspace is essential for start-ups and small businesses. London desperately needs more developments to assist the growth of small business

- The proposed development around Whitechapel Road, which brings together in one place clinicians, scientists, researchers, modellers, entrepreneurs and patients to collaborate and innovate, is quite remarkable. It will engineer a substantially increased speed of research and therapeutics development as well as offering the opportunity to improve and address local health outcomes and inequalities for a diverse population.

- The proposal will transform five unused and rundown sites.

- The proposal is particularly significant for Tower Hamlet's growing and youthful demographic, offering access to new employment, apprenticeships and educational opportunities.

- The proposal will increase spend in the local area.

- The proposals will help to build on the existing innovation and enterprise taking place in Whitechapel, which is already a hub for academic life sciences and clinical activity, including Queen Mary University of London and Barts Health NHS Trust working closely in partnership as Barts Life Sciences, as well as the innovation centre at QMB.

- This Life Sciences initiative will support university-NHS-industry partnerships to support the next generation of new treatments that will be tested first at the Royal London Hospital. By seeking to adopt these interventions early for the benefit of local people, and introducing community targeted treatment programmes, this development will put an important focus on a community often underserved by research and its benefits.

- Whitechapel has the critical institutional foundations to support a dynamic Life Sciences Innovation Cluster of scale. The area has for centuries been home to Barts Health NHS Trust, the 2nd largest NHS Trust in the UK, and the Russell Group's Queen Mary University of London, one of the most cited Universities for medical research globally.

- Support the focus in the life sciences cluster being very much on equity and the health problems that matter to the people of Tower Hamlets and across east London.

- The expanded Clinical Research Facility at the Royal London Hospital will be one of the key attractors for businesses to locate and grow in Whitechapel.

5. CONSULTATION RESPONSES

External consultees

Cadent Gas

5.1 Requests an informative is attached to the decision notice, if approved, advising that Cadent Gas Ltd own and operate gas infrastructure in the area and that there may be a legal interest (easement and other rights) that restricts activity in proximity to Cadent Gas assets.

Department for Levelling Up, Housing & Communities (now known as Ministry of Housing, Communities and Local Government)

5.2 DLUHC acknowledge receipt of the environmental statement and have no comments to make on it.

Environment Agency

5.3 No objections. Recommends that the development secures Biodiversity Net Gain and that a precautionary approach is taken where contamination is concerned.

Greater London Authority

Land use principles

5.4 The uses proposed are strongly supported as part of a world-class life sciences cluster; however, this is subject to ensuring that the space is secured appropriately for life sciences use, an element of affordable workspace is included, and resolution of concerns about the impact of the scale of the scheme on the public realm and historic environment. Reprovision of the sexual health clinic on the site must be explored and further details provided on relocation arrangements.

Historic environment

5.5 Heritage benefits would be provided by the significantly improved public realm and the redevelopment of vacant plots/buildings; however, harm to the significance of heritage assets is identified from the proposed new buildings, in particular the scale/massing of Plot D1, which is contrary to London Plan Policies HC1 and D9. The applicant should consider means to reduce the level of harm. The less than substantial harm could potentially be outweighed by the public benefits proposed; however, these are not yet confirmed.

Urban design

5.6 Many aspects of the layout and design are supported; however, the proposal is contrary to London Plan Policy D9(B) as it is not within an identified tall building zone, and there are significant concerns that the scale and massing of Plot D1 results in a number of areas of non-compliance with Policy D9(C). As currently proposed, Plot D1 would not fully deliver the 'Green Spine' public realm strategy, which requires improvement.

Transport

5.7 Further information is required on electric vehicle charging, cycle parking, and relocation of a cycle hire docking station.

Climate change and environment

5.8 Further information is required on energy, whole life carbon, circular economy, green infrastructure, water-related matters, and air quality.

Health and Safety Executive

5.9 No comments as the site does not fall within any HSE consultation zones.

Historic England

5.10 Raise objection to the proposals particularly in terms of the proposed vertical extension to the Outpatient's building, the proposed 16 storey building at Plot D1 and the regrettable loss of the 1930's Annexe to the Outpatients department. It is noted that changes have been made to the proposal but this does not overcome initial objections raised. Such changes include a c.12m reduction in the height of the D1 building and changes to the materiality and massing of the proposed extension to the former Outpatients' Building. The proposals consequently continue to cause harm to the character and appearance of the conservation area and buildings within it. The harm to the conservation area is identified as the middle range of less than substantial and harm to the significance of the former Royal London Hospital through changes to its setting at the lower half of the less than substantial range. The harm is contrary to the intent of the NPPF policies for the conservation of significance of heritage assets, to which great weight should be afforded. Any harm to the significance of a designated heritage asset requires clear and convincing justification and the harm should be outweighed by the public benefits of the proposal.

Historic England – Greater London Archaeological Advisory Service

5.11 No objection subject to a condition being attached to the permission, if granted, to manage the archaeological impacts of the development.

London City Airport

5.12 No objection subject to a condition being attached to the decision notice, if approved, regarding crane and scaffolding details.

London Fire & Emergency Planning Authority

5.13 No comments received.

Metropolitan Police – Crime Prevention

5.14 No objections subject to a condition being attached to any permission requiring a Secured by Design strategy.

NATS (National Air Traffic Services)

5.15 No objection.

Natural England

5.16 No objection.

Network Rail

5.17 Request an informative is attached to the decision notice, if approved, advising the developer to contact Network Rail's Asset Management Team before commencing works on site in order to put arrangements in place to minimise risk to Network Rail's assets.

Royal Borough of Greenwich

5.18 No objections.

Thames Water

Waste water comments

5.19 If granted, request that a planning condition is attached to the decision notice requiring no occupation of any part of the development until:

- It has been demonstrated that foul water capacity exists off site to serve the development; or
- A development and infrastructure phasing plan has been agreed with the LPA. Where such plan is provided no occupation shall take place until any required foul water upgrades have been completed.

Surface water comments

5.20 If granted, request that a planning condition is attached to the decision notice requiring no occupation of any part of the development until:

- It has been demonstrated that surface water capacity exists off site to serve the development; or
- A development and infrastructure phasing plan has been agreed with the LPA. Where such plan is provided no occupation shall take place until any required surface water upgrades have been completed.

Water comments

5.21 Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. If granted, request that a planning condition is attached to the decision notice requiring no occupation of any part of the development until:

- It has been demonstrated that all water network upgrades required to accommodate the additional demand to serve the development have been completed; or

- A development and infrastructure phasing plan has been agreed with the LPA. Where such plan is provided no occupation shall take place until any required surface water upgrades have been completed.

Piling

5.22 The site is within 15m of a strategic sewer. Should permission be granted, then a piling method statement needs to be provided to detail measures that will be taken to prevent and minimise the potential for damage to subsurface sewerage infrastructure.

Other comments

- Measures should be incorporated within the development to minimise groundwater discharges to the public sewer. Thames Water request that an informative is attached to the decision notice, if granted, advising that a Groundwater Risk Management Permit is required from Thames Water.
- As required by Building Regulations Part H, the applicant should incorporate within their proposal protection to the property to prevent sewage flooding to deal with potential sewerage network surcharge to ground level during storm conditions.

The Victorian Society

5.23 Objects to the proposed alterations to the former Outpatients Department. The proposed façade retention would retain something of the building's exterior significance, but the legibility of the building would be lost. Any acceptable proposal will show greater sensitivity to the building's historic and architectural significance, as well as preserving its legibility as 3-dimensional building, rather than just a façade.

5.24 In principle the Society accepts the proposals for new buildings on the site. However, they are concerned both with the scale of what is proposed, the design detail and how this reacts within and beyond the site. The relationship of buildings B1 and B2 to the listed Mount Terrace is concerning and the horizontal emphasis of Plot C is at odds with the verticality of buildings opposite. Red brick could be overbearing.

Transport for London

Access and parking

5.25 Removal of the existing hospital car park on Plot A is welcomed. On-street parking within the site boundaries would be reorganised. Ten disabled user parking bays would be provided without affecting the total number of spaces. Provision of electric vehicle charging facilities should be explored.

5.26 Cycle parking would be provided in accordance with London Plan standards, which is welcomed. If granted, conditions should be attached to the decision notice requiring detailed design of the cycle parking and arrangements for its ongoing upkeep/maintenance.

5.27 The proposal would necessitate the relocation of the existing Cycle Hire Docking Station (CHDS) on New Road, currently towards the back edge of the footway to enable the redevelopment of Plot A. The docking station is already the sixth busiest in London. The development would increase demand on the cycle hire at this location, therefore TfL require service capacity / number of station increases. It also needs to be fully demonstrated that alternative location(s) for relocated/new docking stations are deliverable. Given that the CHDS requirements have not been resolved at application stage, TfL recommends that in

relation to this matter pre-commencement restrictions are put in place on any planning permission if approved.

5.28 *Trip generation*

5.29 It is anticipated that the local public transport network would be able to accommodate the additional demand associated with completed development. Given the proposal would be mostly car free, there would be no significant impacts on the Transport for London Road Network (TLRN) / local highway network.

Healthy Streets

5.30 The application has been accompanied by an Active Travel Zone (ATZ) assessment. Following review of this, TfL have confirmed that they are not seeking a contribution towards ATZ upgrade on the TLRN from the proposal; as Whitechapel Road (TLRN) is receiving upgrade works, benefiting from the government's Levelling Up funding.

Construction

5.31 If permission is granted a Construction Logistics Plan (CLP) should secured by planning condition. Measures will also be required to protect highway trees.

Travel Plan

5.32 If permission is granted, a full Travel Plan should be secured via a legal agreement under S.106 of the Town and Country Planning Act.

London Mayoral CIL

5.33 An appropriate Mayor of London CIL contribution should be secured from the proposed development towards Crossrail.

Transport for London – Infrastructure Protection

5.34 No objection in principle, though if permission is granted it is requested that a condition is attached to the decision notice requiring detailed design and method statements to be submitted and approved demonstrating that the proposed development will not affect London Underground infrastructure. It is also requested that an informative is added asking the developer to contact London Underground Infrastructure Protection in advance of submitting the details required by condition so that their input and advice can be incorporated into the submission.

Twentieth Century Society

5.35 Objects to the proposal due to the total loss of the Outpatients Annexe which it regards as a Non-Designated Heritage Asset and also contributes positively to the setting of the nearby Former London Hospital Conservation Area. The building is a distinctive interwar building which is a key part of the history of the London Hospital and its development in the early 20th century. The Society are of the view that the Annexe could be adapted and repurposed and its loss is not convincingly justified within the submission. The Society also notes the Annexe's former use as medical type building.

<u>Internal consultees</u>

LBTH Arboricultural Officer

5.36 The British Standard categorisations that have been given to each tree are acceptable.

5.37 Regarding tree loss, there are no objections to the removal of T17, T22 – T26, T38 – T39, T42 and T44 – T46 and believe their loss can be adequately mitigated through the new planting

proposed. There is also no objection to the transplantation of T18 – T21. However, the proposed removal of T37, T40 and T41 is not supported as it is not considered that the loss of these trees can be adequately mitigated.

5.38 Proposed tree protection measures and facilitation pruning outlined in the method statement are acceptable and will ensure construction will have a negligible impact on retained trees in accordance with the requirements of policy D.DH6 of the Tower Hamlets Local Plan 2031 (2020) and Section 197 of the Town and Country Planning Act 1990 (as amended). These measures should be retained in place for the duration of the construction works.

5.39 Regarding planting, there is a good mix of native and non-native species proposed, meeting an important Local Biodiversity Action Plan (LBAP) target and safeguarding against current and future pests and diseases. Due consideration has also been given to planting locations and the overall size and shape of the species chosen, ensuring post development pressures are mitigated and the trees can grow to their full proportions without regular or heavy pruning.

5.40 The proposed stock sizes are acceptable and will provide an instant amenity impact and ensure canopy cover loss is appropriately mitigated from an early stage. However, submission of a tree planting methodology in line with BS 8545 is also required and should describe a process for planting and maintaining young trees that will result in them successfully establishing in the landscape. This should include current and proposed utility and service runs, any proposed changes to the highway layout and a methodology for the successful transplantation of T18 – T21 and a 3-year replacement plan, which will see all trees which fail to establish replaced like for like.

LBTH Energy

5.41 Requirements are met as the applicant has followed the energy hierarchy and is proposing to offset residual emissions. If granted, conditions should be attached to the decision in relation to cooling requirements, safeguarding connection to future district heat network and full bio solar integration across the site. It would also be prudent to plan for excess heat from the proposed scheme. A waste heat utilisation strategy should therefore also form part of any permission. This will ensure that opportunities in relation to future Heat Zones are maximised.

LBTH Environmental Health

5.42 No objection to the proposed development on grounds of noise and vibration subject to conditions relating to noise from plant and restrictions on demolition and construction activities being attached to the decision if permission is granted.

5.43 No objection to the proposed development on the grounds of smell and pollution subject to conditions relating to the following being attached to the decision if permission is granted:

- Dust Management Plan and PM10 Monitoring Condition
- Kitchen Extract Standards for Commercial Uses
- Construction Plant and Machinery (NRMM)
- Emergency Generators' flues

LBTH Highways

5.44 Highways team note that the level of engagement has been good and overall the permeability through the site is to be improved and is welcomed. They are also supportive of the loss of hospital car parking bays and general reduction in traffic movement as a result. However, it is noted that LBTH advice has not been followed in respect of setting back plots B3 and C to provide a greater width of footway along New Road. The footway on that stretch is narrow, particularly around the bus stop. LBTH Highways are of the view that the footways at this location are not suitable for the existing footfall, let alone the increase in foot, wheeling and cycling which would be expected as a result of this development. As a result of the applicant

not addressing this and not providing adequate room for pedestrians, wheelers and cyclists Highways consider the proposal to be overdevelopment.

5.45 Notwithstanding the above, if permission is granted then the following should be provided or secured by way of condition or planning obligation:

- Legal agreement to ensure that employees / occupants cannot apply for a permit to park on the surrounding public highway.
- Further details of the cycling strategy to be supplied.
- Relocation of TfL cycle hire docking station on New Road to not impede the sight line of vehicles exiting Mount Terrace
- A full Delivery and Service Management Plan to be required by condition. Consolidation proposals to be worked up further and expanded.
- The agreement under S.278 of the Highway Act will need to ensure that highways design prioritises the needs of pedestrians and those who are visually impaired.
- Where basements are adjacent to the public highway they will need full technical approval from the Highways Structures Team
- LBTH Code of Construction Practice needs to be complied with.
- A comprehensive scheme of changes to the public highway is proposed and will be subject to an agreement under S.278 of the Highway Act.
- Full and updated versions of the current draft Demolition and Construction Management Plan and Travel Plan should be required via planning condition.

LBTH Biodiversity

5.46 Little existing biodiversity on the sites. Extensive bat surveys undertaken and no bat roosts found. Significant biodiversity net gain through green roofs and ornamental planting. Urban Greening Factor is sensible but is noted to be below the London Plan target for commercial development. A good range of nectar rich plants are proposed as well as a number of native tree species. Some species will need to be non-invasive forms and this can be secured by condition. Full details of the biodiversity mitigation and enhancement will be required at each phase and should be secured by condition.

LBTH Waste

5.47 Private waste collections are proposed which is acceptable as this is the proposal is for a commercial development. If permission is granted then a condition is recommended to require, where possible, consolidated waste collection arrangements. This would enable the same waste vehicle to collect waste from all plots as part of the same collection of that waste stream. This would minimise the number of waste vehicle trips across the development.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

- The London Plan 2021
- Tower Hamlets Local Plan 2031

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

London Plan (2021)

Chapter 1 Planning London's Future - Good Growth

GG1 Building strong and inclusive communities

GG2 Making the best use of land
GG3 Creating a healthy city
GG5 Growing a good economy

Chapter 2 Spatial Development Patterns

SD1 Opportunity Areas
SD6 Town centres and high streets

Chapter 3 Design

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D8 Public realm
D9 Tall buildings
D10 Basement Development
D12 Fire safety
D14 Noise

Chapter 5 Social Infrastructure

S1 Developing London's social infrastructure
S4 Play and informal recreation
S6 Public toilets

Chapter 6 Economy

E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E8 Sector growth opportunities and clusters
E9 Retail, markets and hot food takeaways
E10 Visitor Infrastructure
E11 Skills and opportunities for all

Chapter 7 Heritage and Culture

HC1 Heritage conservation and growth

Chapter 8 Green Infrastructure and Natural Environment

G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands

Chapter 9 Sustainable Infrastructure

SI1 Improving air quality
SI2 Minimising greenhouse gas emissions
SI3 Energy infrastructure
SI4 Managing heat risk
SI5 Water infrastructure
SI6 Digital connectivity infrastructure
SI7 Reducing waste and supporting the circular economy
SI12 Flood risk management

SI13 Sustainable drainage

Chapter 10 Transport

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

Tower Hamlets Local Plan 2031

Achieving sustainable growth

S.SG1 - Areas of growth and opportunity within Tower Hamlets
S.SG2 - Delivering sustainable growth in Tower Hamlets
D.SG3 - Health impact assessments
D.SG4 - Planning and construction of new development
D.SG5 - Developer contributions

Creating attractive and distinctive places

S.DH1 - Delivering high quality design
D.DH2 - Attractive streets, spaces and public realm
S.DH3 - Heritage and the historic environment
D.DH4 - Shaping and managing views
S.DH5 - World heritage sites
D.DH6 - Tall buildings
D.DH7 - Density
D.DH8 - Amenity

Delivering economic growth

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

Revitalising our town centres

D.TC1 - Supporting the network and hierarchy of centres
D.TC2 - Protecting retail in our town centres
D.TC3 – Retail outside our town centres
D.TC4 - Financial and professional services
D.TC5 - Food, drink, entertainment and the night-time economy

Supporting community facilities

S.CF1 - Supporting community facilities
D.CF3 - New and enhanced community facilities

Enhancing open spaces and water spaces

S.OWS1 - Creating a network of open spaces
D.OWS3 - Open space and green grid networks

Protecting and managing our environment

S.ES1 - Protecting and enhancing our environment
D.ES2 - Air quality
D.ES3 - Urban greening and biodiversity
D.ES4 - Flood risk
D.ES5 - Sustainable drainage
D.ES6 - Sustainable water and wastewater management
D.ES7 - A zero carbon borough
D.ES8 - Contaminated land and storage of hazardous substances
D.ES9 - Noise and vibration
D.ES10 - Overheating

Managing our waste

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

Improving connectivity and travel choice

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

Section 4 Delivering sustainable places

Sub-area 1: City Fringe
1.4 Whitechapel South Site Allocation

6.4 LBTH's Supplementary Planning Guidance/ Other Documents

- National Planning Policy Framework (2023)
- National Planning Practice Guidance
- GLA City Fringe Opportunity Area Planning Framework (2015)
- GLA SPG London's World Heritage Sites – Guidance on Settings
- LBTH Employment Land Review (2016)
- LBTH Planning Obligations SPD (2016)
- Historic England Advice Note 4 – Tall Buildings
- Historic England Good Practice Advice in Planning: 3 (2nd Edition) The Setting of Heritage Assets
- Former London Hospital Conservation Area character appraisal and management plan (Adopted October 2021)
- Whitechapel Market Conservation Area character appraisal and management plan (Adopted October 2021)
- Myrdle Street Conservation Area character appraisal and management plan (Adopted October 2021)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

i. Environmental Impact Assessment
ii. Land use
iii. Design
iv. Heritage
v. Amenity
vi. Landscape and biodiversity

vii. Highways, transport and servicing
viii. Environment
ix. Infrastructure
x. Local Finance Considerations
xi. Equalities and Human Rights

Environmental Impact Assessment (EIA)

7.2 The proposed development constitutes 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). The ES has been prepared by Trium Environmental Consulting LLP ('Trium').

7.3 The Council issued an EIA Scoping Opinion (ref: PA/21/01832) on 01/10/2021. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- socio-economics
- traffic and transport
- air quality
- noise and vibration
- archaeology
- built heritage
- daylight sunlight
- overshadowing
- wind microclimate
- greenhouse gases
- ground conditions
- townscape and visual impact assessment

7.4 The Council appointed Temple Group Consulting as competent expert to independently examine the ES, to prepare an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. The Council's EIA Officer and the Council's Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.

7.5 The ES has informed the planning assessment and relevant issues are discussed in the body of this report and adverse environmental effects have been identified. If planning permission is granted then, in accordance with the recommendations of the competent expert, mitigation measures would be secured by planning conditions and /or obligations.

Land Use

London Plan

7.6 The site is located within the City Fringe Opportunity Area. The London Plan establishes Opportunity Areas as those locations which are identified as significant locations with development capacity to accommodate new housing, commercial development and infrastructure, linked to potential improvements in public transport connectivity and capacity.

7.7 The City Fringe Opportunity Area Planning Framework (OAPF) separates areas within the OAPF boundary into core growth areas and wider hinterland. The application site falls entirely within the core growth area of the OAPF. In addition, the 'Old Royal London Hospital' is identified as a key site within the core growth area.

7.8 The OAPF provides commentary within the section on Whitechapel regarding life sciences campuses or clusters, noting the alignment with Crossrail of Imperial West at one end and Whitechapel at the other. These clusters contain a mix of world-class academic centres,

including Queen Mary, large NHS facilities with unparalleled access to data as well as public and private sector research facilities.

7.9 The OAPF goes on to state that whilst other locations such as Kings Cross have the potential to make a major contribution to strengthening the London life-sciences sector, the key opportunity within the City Fringe is at Whitechapel. It is stated that Whitechapel not only has significant potential to accommodate start-ups and businesses spilling out from Tech City, but it is already home to the Royal London hospital, Queen Mary University, the Blizzard Institute, Queen Mary Bio-innovation Centre and a number of smaller university and hospital uses. The remaining development sites of the old Royal London Hospital estate are close to these existing facilities and in close proximity to the Crossrail station.

Local Plan

7.10 Within the Local Plan, the site sits within the Whitechapel South site allocation. Acceptable land use requirements set out in the allocation include development which is employment-led (within the Local Employment Location, which this site is) providing suitable units for the needs of life science, medical, research and educational uses associated with the Med City. In terms of infrastructure requirements, a minimum of 1 hectare of strategic open space is required as well as re-provision of a sexual health facility (including HIV services).

7.11 Given the previous use of the buildings which would be affected by this proposal as well as the ongoing provision of sexual health clinic/HIV services in a building on the site, Local Plan Policy D.CF2 is of relevance. This requires that existing community facilities are retained unless it can be demonstrated that (a) there is no longer a need for the facility or an alternative community use within the local community, or (b) a replacement facility of similar nature that would better meet the needs of existing users is provided.

7.12 In terms of new employment floorspace, of principal relevance is Local Plan policy D.EMP2 which states that new or intensified employment floorspace will be supported within designated employment locations, the Tower Hamlets Activity Areas and identified site allocations.

7.13 Where provision of town centre uses is concerned, policy S.TC1 sets out the types of uses most appropriate to the range of centres within the borough. It expects district centres to act as vibrant hubs containing a wide range of shops, services and employment. It also expects new development within town centres to support the delivery of new retail and leisure floorspace to meet identified needs and to contribute positively to their function, vitality and viability. The supporting text demonstrates that Whitechapel has the highest capacity for new convenience and comparison retail floorspace of all town centres in the borough, with capacity for 2,262sqm and 3,105sqm of additional floorspace respectively. In addition, policy D.TC2 provides policy guidance for the development of retail within town centres. D.TC3 and D.TC5 sets out in which circumstances new retail, food and drink will be acceptable outside of town centres.

Vacant hospital buildings

7.14 While the majority of the site is vacant, the proposal still constitutes a substantial loss of community uses. Since 2012 the services that were carried out in the vacant hospital buildings have been provided in the new Royal London Hospital and therefore these buildings have been vacant for some time. The Hospital have been consulted on this application and in response to that consultation have not raised any issues in terms of the impact of the loss of vacant hospital buildings on their needs. It should also be noted that the applicant is the Department of Health and Social Care and NHS Property Services who will be acutely aware of existing needs. It is therefore reasonable to conclude that those facilities have been satisfactorily replaced with facilities of a similar nature or function. It is also reasonable to conclude that given the purpose built nature of the replacement facilities that they better meet the needs of users who accessed the services previously carried out in the now vacant buildings. The requirements of Local Plan policy D.CF2 are therefore complied with in respect of this aspect of the proposal.

Unbuilt hospital accommodation

7.15 It should also be noted that the permission for the new Royal London Hospital building granted under application ref: PA/04/00611 included new hospital accommodation on the site referred to in the current application as Plot D1. This would have been the new outpatients department housed within a five storey building, the height of which would have sat just below the main ridge line of the adjacent Garrod Building.

7.16 Clearly if permission were granted for the proposed life sciences development and the life science building on Plot D1 were constructed, then the building anticipated in permission ref: PA/04/00611 would not be able to be built. Similar to the aforementioned loss of the vacant community uses (in the form of the empty hospital buildings) the outpatients facilities have been incorporated within the Royal London Hospital building as it now exists. Given the time that has elapsed since the new hospital building was first brought into use it is reasonable to conclude that the outpatients facilities are being provided in a manner acceptable to the NHS and in a way which better meets the needs of its users i.e. the patients when compared to when services were provided in the now vacant outpatients building and its annexe (Plot B3 in the current application). As with the above discussion on the loss of the vacant hospital buildings, Officers are able to confirm that the Hospital were consulted on the current planning application and have in response to that consultation have not raised any issues in terms of the impact of the proposed development on Plot D1 affecting their current or future needs. There is therefore no conflict with Local Plan policy D.CF2 in terms of the unbuilt hospital accommodation.

Sexual health and HIV services

7.17 Included within the site boundary is the Ambrose King Sexual Health Centre and the Grahame Hayton Unit which provides specialist HIV services. The building within which these uses are located is referred to in the application as *Plot B2*.

7.18 The application as originally submitted proposed changing the use of the building and extending it with the new use to be contained within it to be for life science purposes.

7.19 As noted earlier in this report, an infrastructure requirement in the Local Plan Whitechapel South site allocation is that sexual health facilities on the site are re-provided if they are to be displaced from their current location.

7.20 No alternative provision was formally proposed as part of the application and potential options to relocate the facility to the Mile End hospital or within the existing Royal London Hospital were confirmed as unacceptable in principle to the Council's Public Health team. Consequently, it has been negotiated for both the sexual health and HIV services to remain in place as existing.

7.21 Officers note that *'Securing the longer-term future of the Sexual Health Clinic on Plot B2, allowing for its continued use by local residents'* is put forward by the applicant as a 'health and social value benefit' of the proposal. However, at the time of writing this report no provisions had been agreed with the applicant in relation to this use being retained. Officers therefore recommend that minimal weight is attached to this as a material consideration.

Proposed life science uses – Plots A, B1, B3, C and D1

7.22 The site is located entirely within the Whitechapel Local Employment Location. It also occupies a sizable portion of the Whitechapel South site allocation. The location of the site within both of these designations mean that the site is an appropriate location for employment uses in accordance with Local Plan policy D.EMP2. In addition, the provision of life science floorspace is in accordance with the land use requirements set out in the Whitechapel South site allocation.

7.23 Whilst the land use principle of life science floorspace is acceptable, it is important to consider how this is secured. As can be seen from the description of development the proposed life science use falls under Use Class E(g). Use Class E(g) is a subsection of wider Use Class E

which relates to 'Commercial, Business and Service' uses. Class E(g) allows for the following to be carried out:

(g) for—

(i)an office to carry out any operational or administrative functions,

(ii)the research and development of products or processes, or

(iii)any industrial process,

being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

7.24 The activities that can be undertaken under Use Class E(g) are broad and not sufficiently aligned with the more specific and specialist nature of activities that would take place within a life science development. It will therefore be necessary to place restrictions on the permission, if granted, to restrict the permitted use to a life science use (as per the description of development) as opposed to a broader Class E use.

7.25 It is apparent from the application that the intention is to create a life science cluster with the intention of improving human health. Indeed, the Planning Statement discusses the proposal being able to 'affect real change for local residents and wider LBTH residents' and being able to create the opportunity for 'meaningful health improvements'. It is clear from letters of support on the application, including by those working in the NHS, that the authors have understood the application to be proposing a life science development which will benefit human health, such benefit incorporating a significant local dimension.

7.26 Life science activities cover a very broad spectrum and includes areas beyond those concerned with human health. Given the overt expression of asserted benefits to human health that will flow from the development, it is essential that the scope of life science activities within the proposed buildings is appropriately controlled to ensure the human health benefits are realised.

7.27 A key objective of the Local Plan is 'Sharing the benefits of growth'. This includes the principle that growth must bring an improved quality of life, health benefits and reduce health inequalities. Without such limitation on the development, the proposal would potentially not deliver the asserted human health benefits (as life science uses beyond those dealing with matters of human health could be carried out) and would therefore fail to make proper provision for meeting the needs of the residents of Tower Hamlets, contrary to a key Local Plan objective.

7.28 Officers therefore recommend that the following definition is included within a planning condition if permission is granted:

"life science use for the purpose of this consent means the study of the structure and behaviour of living organisms~~,~~ with the primary purpose of directly aiding human health."

7.29 As stated above, life science uses are broad and it is to be noted that this could include the areas of biology, botany, zoology, microbiology, physiology, biochemistry, medical, clinical, biomechanics, med-tech, bio-tech. The specific areas are not known, and indeed do not need to be known at this stage and may well evolve in the future. The overriding consideration is that those specific activities are carried out with the primary purpose of directly aiding human health and this would be secured under the above definition.

7.30 It is recommended that an informative is included on the decision notice, if granted, stating the aforementioned uses would fall to be considered as acceptable under the above definition. Including such a definition within a legal agreement and requiring activities within the Use

Class E(g) floorspace to be carried out within this definition will ensure that the aforementioned objectives are satisfied, the land use requirements of the Local Plan are met and the benefits to human health realised. Officers consider including the above definition within the permission is of utmost importance and without this, or with a definition that is broader in scope, the proposal as a whole would be unacceptable.

Proposed life science uses – Plot C

7.31 During the course of the application Queen Mary University of London (QMUL) have expressed an interest in acquiring Plot C. It is understood that the building would predominantly facilitate university research activities and this would take up the majority of the floorspace in Plot C. Alongside this, one floor would be used exclusively for university teaching.

7.32 QMUL's interest in occupying Plot C is welcome not only in the context of the remainder of the development being speculative in nature but also in the context of their high performing and respected status and the good work that they already undertaken in the borough. QMUL has established links with providers such as Barts NHS Trust and in collaboration with them carries out valuable research to the benefit of delivering health outcomes.

7.33 Whilst it is not a material planning consideration, having QMUL on site is seen as positive as it will allow for an expansion of their valuable work. Their anchor presence within the development will also increase the attractiveness of the remainder of the development to prospective occupiers which is in accordance with the land use principles set out in the site allocation.

Life science use – health outcomes

7.34 Whilst as set out above the principle of life science as a land use is acceptable on this site, it is also important to consider how the existence of such a use can be of maximum benefit to the Borough, including dealing with how the human health benefits that permeate the application submission are realised.

7.35 In respect of this, Officers recommend that if permission is granted then the following is required:

Health Outcomes Strategy

7.36 A Health Outcomes Strategy is required as part of the permission (to be secured within a legal agreement). This would bring various operators together to target maximising local human health improvement outcomes from the operation of the development bringing lab to bedside type initiatives to benefit local residents, Barts Trust NHS patients and those registered with through engaging with LBTH primary care providers.

Health Strategy Framework

7.37 Alongside the Strategy a Health Strategy Framework would be required. This would detail how local health outcomes will be secured, measured and monitored to ensure stated benefits are realised. The Framework would need to include consideration of how the development will support the maintenance and promotion of good health and the reduction of health inequalities as well as the treatment of ill-health. Annual review of the Framework would be required by the Working Committee (described below) and an obligation to report to the Council as to whether the objectives of the approved framework are being met would be required.

Health Outcomes Working Committee

7.38 A Health Outcomes Working Committee would be required to be formed through the legal agreement. This would scope, monitor and review and update the scope of the health benefits

arising from the development. The Committee would need to be established throughout the lifetime of the development. It is anticipated that membership of the Committee would comprise as a minimum:

i. A representative of the Developer
ii. A representative of the Council, to include no less than a representative from LBTH public health team.
iii. A representative with relevant expertise and appointed in consultation and agreement with LBTH Public Health Team [or could broaden it out from Tower Hamlets Health Determinants Research Group.
iv. A representative from QMUL;
v. A representative from Barts;

Proposed uses - Community spaces

7.39 The proposed buildings show community spaces to be located in Plot A and Plot D1. Other than potential use of the space in Plot A as a life science gallery, the applicant has not proactively included as part of their application any detail as to what the proposed community spaces may be used for.

7.40 Clearly provision of community space is a potential benefit of the scheme given the scale and nature of the proposals under consideration. This is not only important in terms of embedding the proposal in the borough and making it less anonymous and more relevant and beneficial to the borough's residents but is also a factor which can be weighed in the balance by the decision maker against some aspects of the scheme which Officers have assessed as remaining deficient.

7.41 Officers have therefore spent considerable time filling this gap in the application and working with colleagues elsewhere in the Council to define and scope the use of these spaces. The outcome of this is the provision within the development of a 'Community Involvement Centre' and a community lab/education space. These are discussed below.

Community Involvement Centre

7.42 The Community Involvement Centre (CIC) would be a multi-purpose space to be provided within the development for community use, codesigned with local community members from groups at risk of poor health outcomes and groups who have historically been less able to participate in life sciences research.

7.43 The centre would provide adaptable space which would be used for purposes to be defined with residents through a public engagement process. This may include space for community-led public and patient involvement in research, research dissemination space, training, meetings and touch down space at peppercorn rents for community researchers, and volunteers working to coproduction principles in health and health determinants research.

7.44 The applicant has offered space on the ground floor of Plot D1 for this use. At this time Officers do not consider it necessary to tie down the exact location of the CIC within the development given the CIC will need to be delivered in a timely manner (as early in the delivery of the development as possible, even if that means that it is first provided in a temporary location within the site) and there is, at the time of writing this report, uncertainty around the way in which this development will come forward given it is speculative. Provisions for agreeing the location(s) of the CIC can be made within the legal agreement that would be required for this development if permission is granted. In approving the details of the CIC it would need to be demonstrated that:

- The CIC can provide a minimum of one accessible multi-purpose meeting room space capable of seating 40 people and two smaller meeting room spaces with kitchen and toilet facilities and adequate space for secure storage of prams and mobility aids.

- Life science occupiers within the development are committed to locally agreed coproduction principles in their research activities to enable equitable community participation in research by empowering underrepresented communities.
- The CIC would be usable for community researchers working in areas associated with wider health determinants such as housing, jobs, education and the local environment as well as health interventions and services.
- Funding of £2.5m is provided to enable community involvement in research. This funding would include (a) administration costs for the planned community involvement space, and (b) expansion of the Tower Hamlets Health Determinants Research Collaboration's community research coordination network to support a public health research agenda aligned with the Life Science Centre's Health Outcomes Strategy.

Community space – education, skills and associated activities

7.45 The Community Lab is needed to provide an opportunity for dedicated educators as well as scientists working within the proposed development to pass on their skills and knowledge to inspire the next generation of scientists. The Community Lab should be designed such to provide schools with access to industry standard life science lab space to gain first-hand experience of life science activities and allow children to develop their analytical skills and gain insight into curriculum choices that will form a good platform to establish a future career in life sciences and STEM more widely.

7.46 The applicant has suggested that the Community Lab could be accommodated within Plot A. Some high level layouts have been provided to show how the Community Lab (the former life science gallery which for the avoidance of doubt would be lost were this space in Plot A deemed to be the most appropriate space for the Community Lab) might be accommodated here. However, it has not been established as to whether the Plot A space could accommodate a broad range of life science related education activities suitable for varying age groups across primary and secondary provision or that the space is appropriate when considering factors such as safeguarding and security. Officers therefore recommend that the final location is agreed through an obligation in the required legal agreement should permission be granted. The obligation should also require that the space is provided and run for a minimum of 20 years and provided at peppercorn rent.

7.47 Alongside the requirement to deliver the Community Lab as a tangible public benefit and in order to share the benefits of growth there is also a need to provide a Community Education and Outreach Programme – targeting those in primary and secondary education in the borough's schools and in the borough's places of further education.

7.48 A Community Education Outreach Programme Strategy will be required to be submitted to and approved by the Council in writing in respect of both schools and adult community outreach programmes. The Strategy should be in place for a minimum continuous period of 20 years with provisions in place to provide certainty that the duration of this timeframe can be achieved.

7.49 To manage the Programme it is likely that two FTE Education and Outreach Managers/Education Liaison Managers will be needed in addition to those required to deliver the outreach activities (such as dedicated educators). The applicant has committed to providing the appropriate resources for delivery of the Programme and this will be secured through the required legal agreement, if permission is granted. At the time of discharging the obligation the developer would need to demonstrate that the outreach activities have significant reach into the borough, commensurate with the significant scale of the proposed.

7.50 In addition to the above the applicant has agreed to the following which will be secured in the legal agreement if permission were to be granted:

- A 'life science ambassador programme'. This would help support schools and learners through various initiatives such as providing 1:1 mentoring to students who needs support to work through a challenging aspect of study, providing e-mentor careers support, giving

'day-in-the-life' talks, explaining research techniques, advise on CV writing, run an interview techniques programme and work skills programme, supporting after school STEM clubs and support teachers knowledge of life sciences.

- A life science festival to be curated and delivered for the life of the development – aimed at the general public to showcase the role of life science activities and the benefits that flow from it.

- A Skills Escalator Programme which will coordinate across the masterplan areas such as school work experience, internships, adult work experience placements and graduate paid placements

Proposed flexible uses

7.51 Plots A, B1, B2 and B3 are within the Whitechapel District Centre. None of those parts of the site within the District Centre are located on primary or secondary retail frontages, though they do face primary and secondary frontages on Whitechapel Road and New Road respectively. In addition, the remaining plots lie outside of the Whitechapel District Centre and would also deliver flexible uses. The proposed Use Class for the flexible ground floor spaces is Class E, meaning they could be used for any commercial, business or service use.

7.52 Policy D.TC2 part 4 of the Local Plan (2020) states that outside of the Primary and Secondary Frontages within the District Centres, uses that do not require high levels of footfall (e.g. offices) and supporting town centre functions will be supported alongside retail uses. In terms of the plots outside of the District Centre, firstly it is noted these are adjacent to the district centre designation and are smaller retail units than what is available in the heart of the district centre. The applicant has submitted an impact assessment in line with requirements of policy D.TC3 and this is accepted. It is noted by officers that such uses are supported outside of the District Centre where they would not undermine the function of nearby town centres. Given such units will support the delivery of the Life Science campus and are scattered throughout the plots, this would not be the case here and would potentially be of benefit to the Whitechapel District Centre in bringing more business to the town centre itself.

7.53 Notwithstanding the principle of space for flexible uses is acceptable, it is to be noted that Officers have expressed concern to the applicant regarding the suitability of these flexible spaces to be used for retail use given some of their sizes and layouts. This is an unresolved issue. The applicant has not provided any information which demonstrates potential occupier interest, nor has any strategy been put forward to minimise the risk of lack of occupier interest and vacancies. One solution to this could be to engage a specialist operator to manage the ground floor commercial spaces as there are several that specialise in leasing space to local SMEs, which would support the objective of enhancing connections with the local community. Engaging a specialist operator would also allow the development to coordinate the ground floor uses across the site, ensuring that the tenants suit the spaces and engage well with the surrounding public realm. This would have been a high impact low-cost option. The benefits arising from the retail strategy alone will be less sufficient. However, in isolation, the lack of a specialist operator would not mean officers would recommend the scheme for refusal.

Public toilets

7.54 London Plan Policy S6 requires that large-scale developments that are open to the public and large areas of public realm should provide and secure the future management of free publicly accessible toilets suitable for a range of users.

7.55 Toilets are proposed within the pavilion building on Plot D2 (St. Philip's Square). If permission is granted then their provision and ongoing access and maintenance would be secured in a legal agreement attached to the permission.

Affordable workspace

7.56 Local Plan Policy D.EMP2 requires the provision of affordable workspace as part of major commercial and mixed-use development schemes. This must comprise at least 10% of the proposed floorspace, at least 10% discount below the indicative market rate for the location and for a minimum period of 10 years. In addition, the London Plan policy in relation to affordable employment space requires that affordable workspace is secured in perpetuity or for a period of at least 15 years.

7.57 In considering which floorspace the affordable workspace requirement applies to it is important to note that D.EMP2 only requires affordable workspace where the proposal is for *commercial* development. As noted earlier in this report, QMUL are intending to occupy Plot C. QMUL has charitable status and therefore would be excluded from the provision of affordable workspace in their plot. To ensure that affordable workspace policy requirements do not become inadvertently circumvented it will be necessary, if permission is granted, to include provision in the required legal agreement to ensure Plot C is occupied by QMUL on a non-commercial basis. If that situation changes then the provision of affordable workspace in a manner which is proportionate to that which has been secured on the wider site would be required.

7.58 In terms of the affordable workspace that is proposed within this application this would comprise provision of 10% of the non-Plot C Class E(g) NIA floorspace as affordable workspace i.e. the 'qualifying floorspace' comprising:

- Affordable fitted out incubator space (approximately 65% of qualifying floor space)
    - at least 40% wet lab space
    - balance to be provided as write-up and dry lab space
    - 20% discount to all in costs (i.e. fully inclusive of service charges/membership for AW tenants), compared to market rate for equivalent
- Entry Level office space (approximately 35% of qualifying floor space)
    - CAT A fit out
    - 50% discount to all in costs (i.e. fully inclusive of service charges/membership for AW tenants), compared to market rate for equivalent

7.59 Both types of affordable workspace are to be made available for a minimum of 25 years. Beyond 25 years the applicant has agreed to an additional 10 years of affordable workspace to be provided at 10% discount. It has also been agreed that if granted there will be provision within the required legal agreement for developer-led evidence based reviews to confirm occupancy and take up of the affordable workspace and, if robustly evidenced, from time to time adjust the above. This is considered preferable to space lying empty should there be fluctuations in demand for one use or another. It is not recommended that any approvals under this provision should be given where this results in a significant deviation from the above parameters.

<u>Land use – conclusion</u>

7.60 All of the proposed uses are acceptable and are compliant with the relevant policies that apply to this site, including the Whitechapel South Site Allocation. The proposed life science and university uses have the potential, particularly when considered in conjunction with the recommended community and health outcome requirements, to deliver benefits for the Borough as well as the region and potentially much further afield depending on the outcomes of research that will take place on the site. In addition, the affordable workspace offer is very good (though necessarily so given the heritage harm that is incurred by the proposed development and various other identified deficiencies) and will provide a variety of spaces with deep discounts to future occupants all of which will be over a significant length of time.

Design

Relevant planning policy

National

7.61 The NPPF requires the creation of high quality, beautiful and sustainable buildings and places which optimise the potential of sites to accommodate and sustain an appropriate amount and mix of development, whilst being sympathetic to local character and history. The NPPF states that LPAs should ensure that they have access to and make appropriate use of tools and processes for assessing and improving the design of development. This includes having regard to the outcomes from these processes, including any recommendations made by design review panels.

London Plan

7.62 Chapter 3 of the London Plan contains a suite of policies designed to ensure all new development is high quality. Policies D3, D4, D8 and D9 are of particular relevance to this application.

7.63 Policy D3 sets out the requirement for a design-led approach through consideration of the form and layout, experience and quality and character of development proposals. Policy D4 is concerned with delivering good design and sets out requirements relating to design analysis, development certainty and design scrutiny (which includes making use of design review, with referrable proposals having undergone at least one design review early on in their preparation before a planning application is made) and maintaining design quality. Policy D8 relates to public realm. It encourages new public realm in appropriate locations and sets out various requirements which aim to ensure that new public realm is well designed and fit for its intended function(s). Policy D9 sets out impacts that tall building proposals should address. These include visual impacts (long, mid and immediate views), consideration of spatial hierarchy, architectural quality, avoiding harm to heritage assets and their setting, glare, light pollution, access, servicing, economic impact, wind, daylight, sunlight, noise and cumulative impacts.

Local Plan

7.64 Policies S.DH1 and D.DH2 of the local plan seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. Policy D.DH6 of the Local Plan considers building heights and tall buildings to ensure that proposals for tall buildings are located in accordance with a spatial hierarchy and satisfy a range of criteria.

7.65 Proposals which include tall buildings but which are not located in Tall Building Zones are expected to comply with the exception criteria set out in Policy D.DH6. In summary, the exception criteria are that proposals must:

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

7.66 As noted earlier in this report, the site falls within the Whitechapel South Site Allocation. The Allocation includes a number of ‘design principles’ that development within the boundaries of the allocation will be expected to address. The principles are set out in full in the assessment that follows.

Design review

7.67 During the pre-application phase on 14 June 2021 the applicant presented their proposal to the Council's design review panel, at that time named CADAP – Conservation and Design Review Panel and now replaced by the Quality Review Panel.

7.68 The Panel commented that the overall scale of the development was too significant to be presented in one meeting, and that the complex proposal needed to be broken down into a series of more focused meetings. The Panel therefore encouraged the applicant to return with more focused sessions looking at the various plots. In addition, the Panel were of the view that there was too much floorspace being proposed on too small a site, and assurance was sought that the development was a life science development and not a general office space.

7.69 Notwithstanding the in-principle concerns regarding how the proposal was presented and the quantum of development proposed, the comments of the Panel are summarised below:

- Heritage: Not enough attention was given to the wider heritage of the hospital and the case had not been made for demolition of the outpatients building. Heritage led aspects of the proposals need further development.

- Public realm:

    - The structure of the masterplan looked good.
    - More understanding of ground floor uses is required.
    - Overshadowing of London Square needs to be better presented.
    - Concerns about the move away from the Green Spine and narrowness of 'Hospital Walk' (the route between D1 and the Royal London Hospital) creating an unattractive place.
    - Servicing strategy needed to be better understood.
    - Microclimate and wind studies would be needed.

- Form and massing:
    - Massing of proposed buildings was very large and uncomfortable, with Plot D1 being the most difficult to deal with.
    - Concerns over potential harm to the Grade II listed Town Hall.
    - Concerned about the potential overshadowing of London Square.
    - The effects of the proposed form and mass on wind, daylight, sunlight and overshadowing needs to be understood.
    - The proposal should create a diverse range of buildings across the site, avoiding the architecture of standard commercial buildings.

- Sustainability: Embodied carbon would need to be considered.

7.70 In addition to review by CADAP, during the course of the application planning, design and conservation Officers met with the applicant team to discuss changes to the proposal as originally submitted. This was with the aim of improving the design, form and layout of the development and improving its relationship to its surroundings including in relation to heritage assets (conservation areas, listed and locally listed buildings). The culmination of these meetings was the submission of amended proposals which were consulted on late in 2023.

7.71 Noting CADAP's request to have the proposal referred back to them and the London Plan requirement for proposals to be referred for design review at least (emphasis added) once, Officers advised the applicant that they should present the proposal (as amended) back to LBTH's design review panel for their further comment.

7.72 Whilst Officers cannot insist that the proposal is referred back to LBTH's design review panel, it would clearly have been far preferable had the applicant team engaged more fully in the design review process as this would have given an additional level of scrutiny to what is proposed. Without this having taken place there is a gap in the design review process and it

is not possible to say with absolute certainty that the highest quality possible is being proposed on this sensitive site.

Whitechapel South site allocation design principles

7.73 The Officer assessment against each of the design principles within the Site Allocation is provided below.

Design principles – criterion a

7.74 Criterion a states that development will be expected to:

Respond positively to the heritage assets and existing character, scale, height, massing and fine urban grain of the surrounding built environment, including the setting of the London Hospital Conservation Area

7.75 Key context information in relation to the site and heritage matters is:

- Plot A is located within the Former London Hospital Conservation Area and comprises an area of car parking that wraps around three sides of the grade II listed Mount Terrace properties. The Whitechapel Market and Myrdle Street conservation areas lie to the immediate north and west respectively.

- Plot B contains the former Outpatients Department, which is within the London Hospital Conservation Area. The plot also contains the former Outpatients Department annexe and boiler house, which lie just outside of the conservation area.

- Plot C contains the former Institute of Dentistry and is located between the Former London Hospital and Myrdle Street conservation areas.

- Plot D contains two vacant sites, separated by Stepney Way, which are located within the Former London Hospital Conservation Area. The site to the south of Stepney Way is immediately adjacent to the grade II* listed former St Augustine with St Philip's church.

7.76 The proposed development would result in buildings that would have some challenging relationships with adjacent streets and spaces, due to elements of their scale mass and design.

7.77 Following submission of the application, Officers raised concerns about a number of elements of the proposal. These resulted in the submission of various updated drawings and documents referred to by the applicant as 'the addendum submission'. Officer assessment of the proposals for which permission is sought is set out below.

Plot A

7.78 The plot wraps around three sides of the late eighteenth/early nineteenth century Mount Terrace, the properties within which are Grade II listed. Mount Terrace was originally longer at its eastern end. Other currently vacant parts of the site were also occupied by terraced properties – one terrace along the site frontage to Whitechapel Road and a terrace of four properties fronting New Road.

7.79 The proposed building on Plot A would adjoin either end of Mount Terrace and complete the perimeter block to all sides – Whitechapel Road, New Road and Turner Street.

7.80 The scale of the proposed building at both ends is broadly the same as Mount Terrace properties. Additionally, the closest part of the new Plot A building has been designed to be of a height and width that is the same as the Mount Terrace dwellings. Whilst the fenestration arrangement on this part of the building does not seek to replicate that of the terraced properties it has been designed such that it would provide a sympathetic yet interesting transition between new and old.

7.81 A small flexible use commercial unit is proposed on the corner of Mount Terrace and New Road. This would assist in providing a degree of animation to the street which, notwithstanding concerns about the size and layout of some of the retail units including this one, is important given the location of this part of the site in the Whitechapel District Centre.

7.82 The overall scale of Plot A would strike a good balance between respecting the presence and scale of the listed Mount Terrace properties and providing an appropriate and contextually scaled building which acknowledges its presence within a District Centre.

7.83 In terms of how the Plot A building would respond at street level to its location in a District Centre, the ground floor of Plot A would have a high degree of activation by virtue of provision of flexible commercial units to over half of the frontage to Whitechapel Road and glazed frontage into the lobby for the proposed life sciences space within this building as well as the community space proposed at the eastern end. Amendments secured during the application phase improved scale and robustness of the ground floor frontages, with the proposals as now submitted being high quality.

7.84 For these reasons the proposed development on Plot A has been assessed as responding positively to heritage assets and existing character, scale, height, massing and fine urban grain of the surrounding built environment, including the Former London Hospital Conservation Area within which Plot A is located. Officer's overall assessment of the development proposed for Plot A is that it satisfies the requirements of criterion 'a' of the Whitechapel South Site Allocation.

Plot B1

7.85 This plot is located on the south side of Mount Terrace, between New Road and the Ambrose King Centre and Graham Hayton Unit on Plot B2.

7.86 When on Mount Terrace the proposed building would be read from street level as three storeys in height with a parapet height set above that of the Mount Terrace houses. There would also be a fourth storey which would be set back from the north elevation, which would not be readily visible at street level except for when at the east or west ends of Mount Terrace. The effect of this set back is that for street level experience of this building will be that it is three storeys opposite a three storey terrace (albeit the commercial floor to ceiling height is greater than that of the residential properties). This is an appropriate response to the context formed by the presence of the listed buildings.

7.87 The southern elevation would read as between three and four storeys on its southern elevation and no parts of this would be set back. The scale as it would appear here would provide a comfortable transition to the larger building proposed to the south on Plot B3 (former outpatients buildings).

7.88 The southern elevation has been designed to have a regular fenestration arrangement across first and second floor levels facing Mount Terrace. The proposed rhythm responds to that of Mount Terrace and is an appropriate response to the setting of the listed houses of Mount Terrace.

7.89 The proposed building is, however, less successful at ground floor level. A consequence of not having consolidated servicing arrangements on this site is that the building would have a large expanse of inactive frontage to Mount Terrace since the back of the loading bay/waste storage area, a substation and cycle store would all be provided at ground level. Similarly, the south elevation to former Pasteur Street (proposed 'Turner Yard') would be undermined by the presence of the loading bay entrance.

7.90 Officers have also expressed concerns regarding non-back of house areas at ground floor. To the western end of the building facing New Road a small 'flexible space' is proposed. It is unclear what this would feasibly be used for as it is adjacent to the loading bay with no possibility of a connection into the remainder of the building. Notwithstanding, the provision

of the retail strategy (discussed earlier in this report) will go some way to alleviating these concerns.

7.91 At the eastern end of the building ground floor life science space is proposed, which would help to enliven that end of the building. However, the southern elevation would be significantly compromised by the aforementioned proposed loading bay entrance.

7.92 The proposed building would respond positively to the scale, height and massing of heritage assets. However, for the reasons set out above regarding the poor manner in which the building addresses the surrounding streets at ground level it is concluded that Plot B1 would be less successful in responding to the existing character and fine urban grain of the surrounding built environment.

Plot B2

7.93 This plot is the building within which the Ambrose King Centre and Grahame Hayton Unit are located. When this application was first submitted it was proposed to alter and extend this three storey 1920s building. However, as explained earlier in this report this would have conflicted with the requirements of the site allocation since no alternative provision of sexual health / HIV services was proposed as part of the application. As such within the amended application submission, the buildings remain and no physical alterations or extensions are proposed to the building on Plot B2.

7.94 Whilst that is the case, Officers have observed that the Ambrose King Centre and Grahame Hayton Unit building could benefit from some remedial works to its exterior as it currently has a somewhat run down appearance. The building is located within the site boundary and would be surrounded by new built development and public realm as part of this proposal. If the building were to remain in its current state, the intended comprehensive and masterplanned appearance of the final development would be diminished.

Plot B3

7.95 The proposal for this plot involves the demolition of the outpatients department building with the exception of the southern and eastern elevations and a section of the north elevation where Turner Street turns the corner into former Pasteur Street. In addition, the Outpatients Department Annexe would be demolished in its entirety.

7.96 The proposed development of Plot B3 is discussed in more detail in the heritage section of this report, though in relation to whether the proposal for this plot addresses the requirements of criterion a of the Whitechapel South site allocation, Officers note that:

- Historic England objected to the proposal as originally submitted and have maintained their objection as part of the reconsultation following submission of the amendments.
    - As originally submitted, part of Historic England's overall objection was based on concern about the scale of the proposed new structure behind the retained elevations, and the way it unbalances the composition. The loss of the Annexe was also noted as regrettable.
    - Following amendments to the proposal, Historic England stated that the proposal would continue to cause harm to the character and appearance of the conservation area, noting that the proposal would largely strip the building of its architectural form and character associated with its original use as well as largely losing historic fenestration and glazing patterns on the ground floor east elevation.
- LBTH's Conservation Officer has concluded that:
    - The proposal would undoubtedly cause significant harm to the Outpatients Building itself and harm to the Former Royal London Hospital Conservation Area.
    - The loss of the distinctive Outpatients Annexe building would cause harm to the setting of the former London Hospital Conservation Area, especially with regard to the setting of the Former Outpatients Building.

7.97 Officers agree with the conclusions of the assessments made by Historic England and LBTH's Conservation Officer on the proposals for Plot B3. Notwithstanding, it is acknowledged that through the life of this application some positive changes were made to the design of the new build elements of this proposal. This included breaking down the originally proposed monolithic north elevation by introducing steps in the elevation. This change has echoes of the north elevation of the former outpatients building that would be demolished if this proposal were to go ahead. This means that the proposal now responds more positively to heritage assets and the grain of the Conservation Area than as originally submitted. In addition, the architectural treatment of the elevations has been refined and now presents itself as a much more bespoke and less generic response. This is considered positive given that the new build elements of this proposal would be introduced in a sensitive historic area.

7.98 Whilst there are some positive elements of the proposals for this plot, because of the degree of demolition that is proposed and the scale of the replacement building Officers overall assessment of the development proposed for Plot B3 is that it does not fully satisfy the requirements of criterion 'a' of the Whitechapel South Site Allocation.

Plot C

7.99 As noted earlier in this report, there is an existing building on Plot C – the former dental hospital and students' union. The existing 1960s building has been carefully designed such that the eaves height of its lower section takes reference from and responds to the scale of historic buildings around the site. Similarly, the rhythm of vertical columns along its frontage takes cues from the rhythm of Georgian buildings in the vicinity.

7.100 On the opposite side of Newark Street, the development between New Road and Turner Street comprises the Queen Mary Innovation Centre and the Blizard Institute. Though there are two taller elements, these present to Newark Street as slender elements. The majority of the existing built frontage along the south side of this section of Newark Street reads as four stories in height, this being not markedly different to the predominant built scale in the locality. In addition, relief is provided by the public square where the neuron pod is located.

7.101 In contrast to the existing situation on Plot C where a taller building element sits above a more modestly scaled podium, the proposed Plot C building would present a sheer wall of development to the street. The Plot C building would have an overbearing and harmful impact on Newark Street and Stepney Way by presenting this wall of development sitting on the back of the pavement with no set back.

7.102 Consideration also needs to be given to the potential of Plot C development to have a detrimental impact on the character and appearance of neighbouring streets, which would include harm to the setting of the Myrdle Street Conservation Area on the opposite side of New Road.

7.103 The height of the Plot C building has been reduced during the course of this application. This means that the shoulder height of the building would have a less dominant presence in the streetscene compared to that originally submitted. There have also been changes to the elevational treatment including by introduction of vertical columns on upper floors to break down the original proposed horizontal emphasis of the building. Together, these changes result in a building which now better reflects the prevailing character of New Road, and particularly the Myrdle Street Conservation Area.

7.104 Whilst some improvements have been secured to the Plot C building through the course of the application, Officers conclude that overall criterion 'a' of the Whitechapel South site allocation is not fully complied with because of the identified issues that remain with regard to the overbearingness of the proposed building on this plot.

Plot D1

7.105 The proposed development of Plot D1 is discussed in more detail in the heritage section of this report, though in relation to whether the proposal for this plot addresses the requirements of criterion a of the Whitechapel South site allocation, Officers note that:

- Historic England objected to the proposal as originally submitted and have maintained their objection when reconsulted following submission of the amendments.
    - As originally submitted, part of Historic England's overall objection was based on concern about the proposed building being informed by the modern hospital buildings further east rather than the character of the surrounding conservation area. Historic England stated that this would be particularly noticeable in the view from Whitechapel Road, where the building would dominate the setting of the former Whitechapel Hospital (now the Town Hall) and in some views would appear as a dense backdrop to the Grade II* listed St. Augustine with St. Philip's Church.
    - Following amendments to the proposal, part of Historic England's updated objection stated that the proposal would continue to cause harm to the former Whitechapel Hospital and conservation area.
- LBTH's Conservation Officer has concluded that the proposal would cause harm to listed buildings in proximity and conservation areas including the Former London Hospital Conservation Area in which the site sits and nearby conservation areas.

7.106 The height of Plot D1 would be 65m. This compares to 80m for the new Royal London Hospital building and 29m for the new extension of the former Royal London Hospital building now home to the Tower Hamlets Town Hall. The spire of the listed St Augustine with St Philip's Church has a height from ground of 30m.

7.107 In a north-south direction along the proposed Hospital Walk, the building would extend for 68m in length. In an east-west direction it would extend for 45m length.

7.108 As can be readily understood from the above dimensions, the proposed D1 building is of a significant scale. Its scale and mass are more comparable to the new Royal London Hospital than the fine urban grain of the surrounding built environment.

7.109 Officers acknowledge that post-submission the proposed D1 building was reduced in height. However, taking cues for scale from the Royal London Hospital Building is not the appropriate response in this situation. The circumstances surrounding the Royal London Hospital were entirely different. Whilst the Hospital building is not without its issues in terms of relationship to the surrounding area, including heritage assets, the significant and tangible public benefits associated with that development would have been factors carrying significant weight in the determination of the Hospital proposal.

7.110 Whilst the Royal London Hospital is clearly a prominent building in the vicinity of the application site, it does not define the existing character, scale, height, massing and fine urban grain of the built environment in this location. Those attributes are defined by lower buildings such as those seen on the Whitechapel Road frontage (including the Town Hall), the former outpatients department building and outpatients annexe, Gwynne House and terraced residential properties. The Plot D1 building is clearly entirely out of scale and character with these low-rise surroundings that form the predominant character of the surrounding built environment. For these reasons Officers conclude that criterion 'a' of the Whitechapel South site allocation is not fully complied with in relation to Plot D1.

Design principles – criteria b, c, c, e, f, g and h

7.111 These criteria relate to movement, connections, public realm and open space. They state that development will be expected to:

b. Restore and/or enhance connections between neighbouring strategic sites, particularly north of Whitechapel Road and ensure the streetscape and the wider context, including design and character, are addressed.

c. Create a sense of place set around a public square behind the former Royal London Hospital building and new public square immediately to the east of St Augustine with St Philip's Church to positively integrate the life sciences and research hub with the new civic centre and the green spine.

e. Walking routes and spaces which are accessible to cyclists should be supported through the Green Spine, but should not jeopardise its role and function as a publicly accessible open space.

f. Create a sense of place and improve access to and enjoyment of the Green Spine to promote healthy living.

g. Repair the fragmented urban form to create a legible, permeable and well-defined movement network.

h. Facilitate the delivery of consolidated interconnected open spaces to form the Green Spine which will link Whitechapel District Centre to Commercial Road through the following:

i. Provision of new and improved green open space (the Green Spine) stretching from Philpot Street to the new civic centre. It should be linear in nature and provide a direct visual link across its length.
ii. Buildings adjacent to the Green Spine should make a positive contribution to reinforce north-south legibility with permeable routes and visual links through the new development.
iii. Existing consented open space which has yet to be implemented on site is an integral element to the provision of one hectare of strategic open space and should be re-provided. Where opportunities exist, development will be expected to consolidate and integrate the consented open space with the new Green Spine to maximise its multi-functional use.

The Green Spine – policy background

7.112 The Green Spine is identified as a means through which Local Plan Key objective 2 – Sharing the benefits of growth – will be implemented. The Green Spine would contribute to this by providing for environmental net gains, promoting community cohesion through accessibility of spaces and places and by bringing an improved quality of life, health benefits and reduction in health inequalities. The Green Spine is one of the Borough's Green Grid projects and an initiative which would contribute to an enhanced network of open spaces in the borough. The Green Spine is identified in the Local Plan 'Vision for City Fringe' as something that will provide a focal point for leisure and community/social activities.

7.113 The Local Plan envisages the Green Spine to be a linear open space running from Commercial Road up along Philpot Street to the new civic square behind the Town Hall. The Local Plan Whitechapel South Site Allocation diagram shows the Green Spine as part of the Green Grid proposals for Whitechapel. Whilst the diagram is for illustrative purposes, it gives an indication as to the scale and ambition for this piece new green infrastructure.

7.114 In addition, the City Fringe Opportunity Area Planning Framework (OAPF) includes provision for 'Priority public realm and open space improvements' in the same alignment as the Local Plan Green Spine. Under the Strategic Design Principles for this it is stated that *'A north-south linear park should form the spine of the campus and provide a generous green open space to the wider community. Development along this space is expected to reflect its importance both in building height and ground floor uses. It is important that this park has a strong presence on Whitechapel High Street and a creative approach to how this can be achieved through the Hospital Building will be required.'*

Figure 5.16 from the OAPF shows the strategic principles for Whitechapel. This has been included in Appendix 2.

The Green Spine planning application proposals

7.115 The Local Plan diagram envisages that the Green Spine would pass through two areas of the application site:

- Between the eastern edge of the Plot D1 building and the western edge of the Royal London Hospital building (referred to by the applicant as 'Hospital Walk').
- Between St. Augustine with St. Philip's Church and the western edge of the Royal London Hospital building (where the Local Plan requires a new public square).

7.116 In terms of the section next to the Plot D1 building, there is an existing narrow north-south pedestrian connection running between London Square and Stepney Way adjacent to the western edge of the Royal London Hospital. The proposed Hospital Walk would also follow a north-south alignment, but with proposals to widen it and offer other improvements over the existing situation.

7.117 Throughout the course of the application, the proposal for Hospital Walk has been amended to try and address some of the Officer level concern about the width, alignment and quality of this space.

7.118 The 'Hospital Walk' section of the Green Spine would now have a width of around 16 metres to around 19 metres at ground and first floor levels. This additional width was achieved by introducing a double storey colonnade which has the effect of widening the space at ground and first floor levels as well as improving sight lines. At upper levels the space between the building would also vary according by a greater degree, according to the profile of the adjacent building. The addition of the colonnade and the increased width would have the additional effect of improving sight lines across this space, which partly addresses Officer concerns about the kink in the alignment that was originally proposed. However, it remains the case that the success of this new space would be compromised by its overall width and siting between two buildings of significant scale.In addition, the proposed Plot D1 building would affect the new public space (London Square – which forms the northernmost part of the Green Spine) immediately to the south of the new Town Hall. The scale of the Plot D1 building would result in this space feeling enclosed and oppressive. It would also limit sunlight exposure into London Square.

7.119 As part of the wind mitigation strategy Hospital Walk would feature trees planted in a combination of raised planters and containers. Other planting would be in raised beds, needed to ensure that there is sufficient soil depth due to the presence of basements below.

7.120 The width and alignment of this section of the Green Spine are not consistent with the diagrams in the above referenced documents. However, the provision of a significantly improved north-south connection across this part of the site would ultimately provide a key missing piece of the Green Spin which is undoubtedly a public benefit.

7.121 In terms of the Green Spine where it would pass through the new public square to the east of St. Augustine with St. Phillip's Church, this would sit more comfortably with the aspirations for this new piece of infrastructure in terms of its scale (by virtue of it being integrated with the new public square), directness, visibility and ability to be used in a multifunctional way. It is, however, noted that the Plot D1 building would have a looming presence over the new square to the east of the listed former Church. To a limited degree this would be detrimental to the attractiveness of this section of Green Spine.

7.122 Officers do, however, note that the landscape plans are somewhat misleading as they indicate an area outside of the application site around the Queen Alexandra statue to be paved in Yorkstone flags, consistent with the paving proposals in the adjacent part of the new public square. Any landscaping matters within the red line would be controlled by condition should permission be granted.

Design principles – criterion d

7.123 The remaining criterion from the Whitechapel South Site Allocation design principles is criterion d which states that development will be expected to maximise the provision of family homes.

7.124 The proposed development does not include residential within its proposed mix of uses. This is acceptable within the context of the land use mix set out in the Site Allocation and noting that the application site forms part of a wider site allocation where residential development has come forward (Silk District) as well as the opportunity for residential development as other sites come forward in the vicinity.

Whitechapel South Site Allocation design principles – conclusion

7.125 Some aspects of the proposed development respond positively to the heritage assets and the existing character, scale, height, massing and fine urban grain of the surrounding built environment including the setting of the Former London Hospital Conservation Area. However, he majority of the plots are proposed to be developed in a manner which does not fully meet the design principles of the Site Allocation. The overall development would appear over-scaled and out of character with the built environment attributes of most positive character in and around the site.

7.126 In addition, the scale and layout of the development coupled with the proposed routing and landscaping arrangements is such that the proposals would not fully deliver the Site Allocation design principles relating to public realm. This is most evident around the 'Hospital Walk' section of the Green Spine in relation to the ability of the proposals for this space to create the sense of place that is required by the Allocation. It is, however, acknowledged that the application is proposing a new area of public realm following the alignment envisaged for the Green Spine in the Site Allocation.

7.127 Officers conclude that the proposed development as a whole would not fully address the design principles of the Local Plan Whitechapel South Aite Allocation. The identified deficiencies will need to be balanced against the benefits that will be delivered by the proposed development by the decision maker.

Tall buildings

7.128 The London Plan and Local Plan both require a plan-led approach to the provision of tall buildings. Accordingly, the Local Plan has identified areas in which tall buildings are acceptable in principle, known as Tall Building Zones (TBZ). The application site is not within one of the borough's TBZs. The proposal therefore falls to be considered against the exception criteria set out in Local Plan Policy D.DH6.

7.129 The exception criteria require that in addition to demonstrating compliance with various criteria under part 1 of the policy, proposals will be required to demonstrate how they will:

a. be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas;
b. address deficiencies in the provision of strategic infrastructure;
c. significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
d. not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.

7.130 The Officer assessment against each of the exception criteria is provided below.

Tall buildings policy exception criterion 'a'

7.131 The site has a PTAL of 6a and 6b. This means the site benefits from the highest levels of public transport accessibility. It is also close to and partly within the Whitechapel District Centre and also within the City Fringe Opportunity Area. For these reasons the proposal accords with exception criterion 'a'.

Tall buildings policy exception criterion 'b'

7.132 The Green Spine is, in principle, capable of being considered 'strategic infrastructure' since it would comprise public open space which would serve more than the immediate area.

7.133 Officers assessed, above, the adequacy of the proposed Green Spine against the Local Plan Site Allocation design principles. This includes the width and alignment of the space adjacent to Plot D1 as well as its quality being seriously impaired by being located between two tall buildings. The characteristics of the proposed Green Spine in the form of Hospital Walk would not result in the linear park that is envisaged by the OAPF. Its character would be that of an enclosed passage rather than an attractive multifunctional strategic open space capable of addressing the key objectives required of it by the Local Plan.

7.134 Whilst from an urban design perspective there is clearly scope for improvement to some elements of the proposed 'Hospital Walk' section of the Green Spine i, in terms of the provision of strategic infrastructure this part of the proposal together with the proposed St. Philip's Square are such that it can be concluded that exception criterion 'b' is complied with.

Tall buildings policy exception criterion 'c'

7.135 The site is partially within the Whitechapel District Centre (Plots C and D2 and most of D1 fall outside of its boundaries, the remainer is within). The existing centre is characterised by a bustling high street along Whitechapel Road. The new Town Hall has created a rejuvenated historical landmark within the District Centre, and a renewed civic and visual focal point within the area. Improvements to Whitechapel Station in advance of the opening of the Elizabeth Line have enhanced the presence of the station within the street. When all of these factors are taken into account, Officers are of the view that the area is already highly legible and does not require development in the form of tall buildings to strengthen this. Indeed, for reasons explained elsewhere in this report, the proposed building on Plot D1 would undermine the prominence of the listed Town Hall. For these reasons the proposal does not meet the requirements of exception criterion 'c'.

Tall buildings policy exception criterion 'd'

7.136 Existing landmark buildings around the site are the new Royal London Hospital and the Tower Hamlets Town Hall (i.e. the listed former Royal London Hospital). The scale and massing of the Plot D1 building would create a poor composition with the other buildings within its context and undermine the prominence of the Royal London Hospital building and the Tower Hamlets Town Hall. For these reasons the proposal does not meet the requirements of exception criterion 'd'.

Tall buildings policy exception criteria - conclusion

7.137 The site is located within a highly accessible location and is providing strategic infrastructure. Two of the exception criteria are therefore being met. however, the proposal, would weaken legibility in the area and undermine the prominence and integrity of existing landmark buildings. The proposal would therefore not meet the exception criteria for tall buildings outside of defined Tall Building Zone.

Local Plan Tall buildings policy – other criteria

7.138 Though the proposal does not comply with the exception criteria, it is still necessary to consider the proposals against part 1 criteria of Policy D.DH6

7.139 In terms of scale, Plot D1 is the largest building and therefore potentially has the greatest impacts. The proposed Plot D1 building would exhibit proportions similar to the new Royal London Hospital building, would dominate views of the surrounding lower rise buildings and would not mediate between the two scales of development.

7.140 Therefore instead of making a positive contribution to the townscape of the area, by helping to mediate between the scale of the Royal London Hospital and the lower rise buildings of the adjacent conservation areas, the building on Plot D1 would exacerbate the impact of the hospital by bringing large scale development much closer to the lower rise townscape and increasing the harmful and overbearing impact. The dominance of the proposed building is exacerbated by it being closer to Whitechapel Road than the taller elements of the adjacent new hospital building.

7.141 Other tall buildings on the site are Plot B3 (the plot of the former outpatients building / annexe) extending to 35.8m in height and the Plot C building extending to 32.4m in height. The scale of these buildings has been discussed above in relation to the Whitechapel South Site Allocation design principles, where it was concluded that these buildings would not meet criteria a Whilst Officers acknowledge that the site is within a highly accessible location and an Opportunity Area, this does not outweigh the harm caused by the incompatible scale, mass and volume of the Plot B3 and Plot C buildings with the sensitive heritage and townscape context of the surroundings.

7.142 In terms of the street level experience this is compromised by the proposed non-consolidated servicing arrangements. The effect of this is that there is a proliferation of service bays across the site, rather than one central bay that serves the entire development. This is an extremely poor solution for servicing and not one that would be expected within a development that covers a significant part of a Site Allocation.

7.143 The Plot D1 building features a very large servicing bay in the southwest corner, facing onto the listed church and new public square. The way in which this servicing arrangement would dominate the relationship between the building and public realm would be detrimental to the character of the area. Officers note that the landscape plans show that the area between the service bay door and the public highway would be paved in Yorkstone setts to match the area beyond the building envelope. On plan this has the effect of making the public realm appear more generous than it would be on the ground, since in reality it would not be possible or desirable to use the area within the building envelope outside of the loading bay door as an additional area of public realm.

7.144 The southern frontage of the proposed building on Plot C would be dominated by a large servicing bay, which would be detrimental to the visual appearance of the immediate area. The scheme amendments include incorporating three glazed display bays to the ground floor façade. These will help to add some visual interest and will to some degree will help mitigate the impact of the loading bay. The detailed design of these display bays could be controlled by condition to help maximise their contribution to the appearance of the public realm. Notwithstanding, the combination of the loading bay entrance and the areas of wall sitting in front of it significantly undermine the quality of the street address of this elevation, even with the proposed areas for display.

7.145 Other instances of the servicing arrangements undermining the quality of the street frontages are in relation to Plots B1 and B3. The deficiencies of Plot B1 have been discussed earlier in this report. In relation to Plot B3 two service bay entrances are proposed in order that vehicles enter through one door (from the south) and leave via the other (to the north, onto former Pasteur Street – referred to by the applicant as Turner Yard). Not only is the number, location and size of these service doors detrimental in terms of the street address, the arrangement would undermine the success and usability of Turner Yard. It has been highlighted elsewhere in this report that a drawing showing the swept path analysis between Plots B1 and B3 states on an annotation 'If service yard occupied, vehicle can be unloaded from Turner Yard. Vehicle can turn once service yard vacated.' This would significantly compromise the quality and function of what is supposed to be a new high quality piece of public realm and is another negative consequence of the non-consolidated servicing arrangements that are proposed.

7.146 Beyond the issue of the impact of the non-consolidated servicing arrangements on the street level address of the proposed buildings, it is also apparent that some of the proposed building frontages will be relatively inactive, or it is unclear how active the frontage will be. Some plots

feature flexible uses at ground floor, which makes it difficult to understand the degree to which the scheme will provide active frontage in various places.

7.147 In addition, there are other sections of flexible ground floor uses that present similar challenges including on the eastern edge of plot A, the western section of plot B1, the western section of plot C along with sections of the northern and southern frontage of plot D1. The frontages of B1 and C that face onto New Road are particularly concerning because they propose standalone spaces that are isolated from the rest of the building circulation.

7.148 It is also unclear how much the entrance/reception areas will contribute to the provision of active frontage. Like the proposed flexible uses, these are shown to feature glazed frontages with entrances. However, the degree to which these spaces will provide active frontage will depend on the detailed design and internal configurations which are not known at this stage.

7.149 The matter of ensuring a high degree of active frontage was extensively discussed with the applicant team through the course of the application. Officers are concerned to prevent situations such as occurred at the Queen Mary Innovation Centre where there used to be a coffee shop on the corner of New Road and Walden Street, but there is now a 'flu camp' with inactive frontage.

7.150 Notwithstanding these concerns a reasonable level of mitigation could be provided by attaching conditions to the permission, if granted, relating to degree of active frontages to be retained. This would include in relation to frontages which serve entrance lobbies which not only would address the above issues, but would also ensure areas of public realm such as that outside Plot C / Gwynne House would be adequately overlooked which will assist with the prevention of antisocial behaviour. The applicant has also agreed to a retail strategy. Within this it is expected that the matter of maintaining attractive commercial frontages is addressed.

7.151 In terms of whether the proposed architecture is exceptional, innovative and sustainable as required by D.DH6, it would have been beneficial to have received further comments on the proposal from LBTH's design review panel.

Design - conclusion

7.152 Insofar as applicable to the above analysis, Officers conclude that the proposal does not accord with the criteria set out in Local Plan Policy D.DH6.

7.153 Other criteria within part 1 of D.DH6 relating to designated townscapes, heritage assets, historic skylines and amenity impacts these are discussed in other sections of this report.

7.154 The identified deficiencies in the design of the proposed development will therefore need to be weighed against any benefits arising from the development (discussed later in this report).

Heritage

7.155 The Council has a statutory duty to consider a proposal's impact on heritage assets, including listed buildings and their settings and conservation areas. This is contained in Sections 66(1) and 72(1) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is reflected in national, regional and local policy and guidance.

7.156 Section 16 of the NPPF entitled "Conserving and enhancing the historic environment" contains guidance in consideration of development proposals and their effect on the historic environment. Section 16 of the NPPF is consistent with the aforementioned statutory duty in requiring that determining planning authorities give great weight to an assets conservation.

7.157 Paragraph 203 of the NPPF states that in determining planning applications local planning authorities need to take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.158 Paragraphs 208 to 209 set out the process for where a proposal leads to substantial or less than substantial harm to the significance of a heritage asset and the effect of an application on non-designated heritage assets.

7.159 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

7.160 Local Plan Policy S.DH3 requires that development proposals preserve or, where possible, enhance the borough's designated and non-designated heritage assets. This requirement applies to both above and below ground assets as well affects considerations of setting.

Former London Hospital Conservation Area

7.161 As the name for this CA suggests, it is focused on the special architectural and historic interest of the former Grade II Royal London Hospital complex and its environs. The Conservation Area character appraisal and management plan 2021 (CAMP) notes that whilst there are some residential terraces in the CA, namely those on Mount Terrace, Philpot Street and Walden Street, the CA is largely characterised by detached or stand-alone institutional buildings mostly associated with the hospital use.

7.162 A plan showing the boundary of the CA as well as listed and locally listed buildings contained therein is included in Appendix 2.

7.163 In terms of how the proposed development affects this CA, this is from a combination of the plots being located entirely within it, partially within it or adjacent to the CA i.e. within its setting.

7.164 Plots A, B2, D1 and D2 are located entirely within the CA boundaries. Plots B2 and C are located outside though immediately adjacent to the CA, and therefore affect the setting of the CA. Plot B3 is part-in and part-out of the CA (the former Outpatients Department Annexe being the part that is not within the CA, and thus affects the setting of the CA.

Whitechapel Market Conservation Area

7.165 This CA runs along the north side of Whitechapel Road, taking in the historic frontage between Cambridge Heath Road to just beyond Valance Road, as well as areas to the north of the railway line.

7.166 The CAMP notes that the Whitechapel Road frontage is significant because it is a sustained stretch of fine grain historic buildings.

7.167 A plan showing the boundary of the CA as well as listed and locally listed buildings contained therein is included in Appendix 2.

7.168 None of the proposed development is located within this CA. Potential impact is therefore limited to setting only.

Myrdle Street Conservation Area and Ford Square Conservation area

7.169 The heart of the Myrdle Street CA is located to the west of the Former Royal London Hospital CA on the opposite side of New Road, though the CA also extends southwards down to Canon Street Road. Original buildings in the CA do not exceed six storeys, and most do not exceed four storeys. A key element of the significance of this CA is that areas of development within the CA were carried out by the Royal London Hospital. The Ford Square Conservation area to the southeast is a small tightly bound conservation area to the south of Stepney Way. The

character appraisal notes that the conservation area maintains its consistent historic scale which comprises low rise two to four storey residential terraced housing.

7.170 A plan showing the boundary of the Myrdle Street CA and the Ford Square CA as well as listed and locally listed buildings contained therein is included in Appendix 2.

7.171 None of the proposed development is located within either of these CA's. Potential impact is therefore limited to setting only.

Assessment of the effect of the proposed development on heritage assets

Plot A

7.172 As noted above Plot A is located within the Former London Hospital Conservation Area. The Whitechapel Market Conservation Area is to the north on the opposite side of Whitechapel Road and Myrdle Street CA is to the east on the opposite side of New Road.

7.173 The plot wraps around three sides of the late eighteenth/early nineteenth century Mount Terrace which is listed at grade II. The site was previously occupied by an earlier nineteenth century terrace which played an important role in the streetscene by extending the scale of northern façade of the Royal London Hospital westwards.

7.174 The site is currently occupied by a surface car park which creates a gap in the street frontage and increases the visual presence of the unattractive bulk of the Dental Hospital adjacent to Turner Street, which occupies the site of the former Alexandra Wing which formed part of the London hospital.

7.175 The surface car park is harmful to the character and appearance of the London Hospital Conservation Area, the setting of the Whitechapel Market Conservation Area to the north and the setting of the Grade II listed Mount Terrace. A development of a suitable scale and form on this site therefore has the potential to enhance the character and appearance of the Former Royal London Conservation Area and Whitechapel Market Conservation Area and enhance the setting of Mount Terrace and the wider setting of the listed Tower Hamlets Town Hall to the east of Plot A.

7.176 Development of the site offers the opportunity to (i) knit the listed Mount Terrace back into the surrounding urban fabric, (ii) improve the relationship of the west end of the listed Mount Terrace with New Road (and Myrdle Street CA) by means of a sympathetic development and (iii) form a coherent junction between Mount Terrace and Turner Street by the erection of a sympathetically scaled building at the eastern end of the terrace.

7.177 Although in parts the scale of the Plot A development is larger than the historic scale of development that would have been on this site, for the reasons set out earlier in this report it is considered that the scale of the proposal is appropriate in terms of its visual relationship with Whitechapel Road, Turner Street and New Road. The proposed development on this plot helps to bridge the gap between the London Hospital CA and the part of the Whitechapel Market CA to the west of New Road, thus helping to re-create a more coherent street scene. This is a very positive aspect of the application proposals as a whole.

7.178 Together with consideration of the beneficial effect of repairing the historic urban grain, the development of Plot A would enhance the Former London Hospital CA, enhance the setting of both the Whitechapel Market CA and Myrdle Street CA and enhance the setting of the Grade II listed Mount Terrace. In addition, the proposals for plot A would improve the setting with the Grade II listed former Royal London Hospital and listed properties at the corner of New Road and Whitechapel Road by repairing the streetscene with an appropriate scale to their immediate surrounds. Overall plot A is seen to provide benefit and enhancement to the heritage assets identified which includes the Royal London Hospital listed building, the Former

London Hospital Conservation Area and setting of listed properties at New Road/Whitechapel Road, Mount Terrace and nearby conservation areas.

Plot B

7.179 Plot B contains the former Outpatients Department and the Outpatients Annexe (Plot B3), the Ambrose King Centre (Plot B2) and Boiler House (Plot B1). The Former Outpatients Building and Ambrose King Centre are located within the Former London Hospital CA.

The Former Outpatients Building

7.180 The former Outpatients Building is a non-designated heritage asset and a positive contributor to the Former London Hospital Conservation Area.

7.181 The exterior of the Outpatients Building is composed of three tall storeys in red brick with a glazed brown brick base. The upper floor and turrets incorporate bands of contrasting coloured brick. The building is robustly detailed, most of the fenestration appears to be original and the external elevations appear to be little changed.

7.182 The existing Outpatients Building is similar in scale and materiality to the Garrod Building situated across Turner Street. Both buildings reflect the historic importance of the Royal London Hospital as one of Britain's most important hospitals. Both buildings sit well together in CA views along Stepney Way and Turner Street and form an interesting group with the Good Samaritan Public House and the listed church of St Philip. The buildings are sympathetic elements in views from Fieldgate Street within the Myrdle Street CA where they provide a beneficial visual foreground to the great mass of the new multi-storey Royal London Hospital.

7.183 The Outpatients Building plays an important part in the wider setting of the Grade II* listed former St Philip's Church.

7.184 The Outpatients Building is a highly significant CA building. The CA appraisal includes the building amongst those that make a positive contribution to the CA and notes that '*Although not statutorily listed, this building is integral to the significance of the conservation area due to its prominence, position in the group and handsome Edwardian elevations, which are still recognisable despite some later additions such as the large entrance canopy and external pipework. Although not statutorily listed, the former Outpatients Department is one of the principal historic hospital buildings that underpin the reason for the conservation area designation.'*

7.185 It forms one of the chief survivors of the historic Royal London Hospital complex (along with the Grade II listed former hospital and the adjacent Garrod Building) and it is evidence of the long history and historic importance of the hospital.

7.186 As proposed, the demolition of all but the south and east facades of the building would undoubtedly cause harm to the building itself and harm to the Former London Hospital Conservation Area.

7.187 The design of the additions to the partially retained facades has been subject to revision during the course of meetings at pre-application and application stage. However, the application is ultimately still proposing to introduce a significant amount of new floorspace on this site which can only feasibly be achieved by building upwards. This results in the architectural integrity of the retained parts of the host building being severely compromised by the very large and bulky new build elements of this proposal, those elements visually overpowering the partially retained facades.

7.188 In addition, harmful changes are proposed to the ground floor of the retained facades. The harmful changes include the loss of the ground floor window frames to Stepney Way including the particularly distinctive areas of glazing around the doors located at the foot of the stair towers, either side of the main entrance. The harmful changes also include the removal of the

two distinctive, single storey canted bay windows facing Turner Street which were designed to light surgeon's rooms located at the heart of the two suites of rooms which formed the surgical department. It is proposed to replace the bay windows and the narrow windows to either side of them with large areas of glazing incorporating sliding glass doors.

7.189 As noted in the consultation responses section of this report, Historic England object to the proposed development. A key aspect of their objection is the near total demolition of the historic building but for the south and east elevations where historic fenestration and glazing patterns to the ground floor are largely lost, as well as the scale of the proposed new structure behind these elevations and the way it unbalances the composition.

Outpatients Annexe

7.190 The building makes a distinguished and positive contribution to the setting of the Former London Hospital CA. The building also makes a positive contribution to the Myrdle Street CA which includes buildings on the west side of New Road, opposite the Annexe. The building is a non-designated heritage asset.

7.191 The building has suffered from lack of maintenance for some years and this detracts from its current appearance. However, it should be noted that Paragraph 202 of the NPPF (2023) states that 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'

7.192 In heritage terms, the loss of this distinctive building would cause harm to the setting of the former London Hospital CA, especially with regard to the setting of the Former Outpatients Building. Historic England, who object to the application overall, consider that the distinctive Annexe building contributes positively to the setting of the CA and its loss to be regrettable.

7.193 Notwithstanding harm caused by loss of the Outpatients Annexe, the replacement building is considered to have a neutral impact on views along New Road with some slight harm to the views along Fieldgate Street/Stepney Way due to the impact of the proposal on the retained turrets of the Outpatients.

The former Boiler House (Plot B2)

7.194 The Boiler House is not located within a CA. At the time of the application the existing structures on the site included a large metal flue/chimney erected 'post-1973' (Heritage Statement) to replace a 1920's brick chimney. This has now been removed, which is beneficial as it caused harm to the setting of the Former London Hospital Conservation Area.

7.195 The site also includes a two-storey building with a raised central section which dates from the 1920's. Whilst this is considered to be of some merit, its removal and replacement with a suitably designed building has the potential to enhance the setting of the Former London Hospital Conservation Area, the Myrdle Street CA and the listed properties of Mount Terrace.

The Ambrose King Centre (Plot B2)

7.196 The Ambrose King Centre is located within the Former London Hospital Conservation Area. As amended, the proposal includes no changes to the existing Ambrose King Centre on Plot 2. The retention of the building is welcomed but the building would benefit from external renovations. This is particularly important in the context of the planned improvements to public realm across the site and new development that is proposed on other plots. Were improvements not carried out this would undermine the masterplanned approach to the proposed development.

7.197 The means by which such improvements could be secured has been raised with the applicant as a matter that could be dealt with via a S.106 legal agreement if permission were to be granted. The applicant team have however rejected this suggestion. Officers consider this, to a degree, will undermine the success of the scheme once it has been completed.

Plot D1

7.198 The proposed Building D1 is located within the Former London Hospital Conservation Area. The listed Tower Hamlets Town Hall stands to the north and the Garrod Building (considered to be non-designated heritage asset) stands to the west. The buildings which formerly stood on the site of the proposed Building D1 were demolished some years ago.

7.199 Building D1 would rise above Tower Hamlets Town Hall which is listed (as the' Former London Hospital') at Grade II. The main (north) facade of the listed building faces Whitechapel Road. The hospital building was begun in 1751. The building was adapted and extended over the next two and half centuries until the institution moved to the new hospital to the south of the site. The main facade illustrates the evolution of the hospital. The basement and lower three floors of the main body of the building belong to the original 1751 building with early twentieth century additions above. The boldly projecting chapel was added to form a new centre piece in 1890. More recently the former hospital buildings were altered and extended to form the new Tower Hamlets Town Hall which opened in 2023.

7.200 LBTH Conservation Officers observe that it is difficult to over emphasise the importance of the axial view of the main façade of the Town Hall from the north side of Whitechapel Road (as seen in View 44, copy included in Appendix 2. The impressive chapel block is viewed behind the beautifully detailed Edward VII monument (listed at Grade II); the generous broad pediment of the former chapel reflecting that which featured on the 1751 building. Since it was added to the front of the hospital in the late nineteenth century, the former chapel has been the key feature of the public face of the building. The arches beneath the chapel formed the historic main entrance to the hospital and are now the main entrance to the new Town Hall. The former chapel block served as a visual symbol of the old London Hospital and it already plays the same role with regard to the new Town Hall, at the heart of civic life in Tower Hamlets.

7.201 In the proposed view across Whitechapel Road by the Edward VII monument elements of the new hospital tower are visible to the left of the central axis of the pediment but they are lower than the apex of the pediment with the tallest parts of the new hospital set further away from the listed Town Hall than would be the case with Building D1. As proposed, Building D1 would rise up to a greater height than the apex of the pediment. It would introduce a visually prominent element directly above the right hand side of the pediment which would be visually uncomfortable and would still serve to undermine the overall visual primacy of the pedimented central section of the building. The extent to which the existing tall Royal London Hospital block hinders the ability of the viewer to appreciate the architectural form of the chapel as part of the grand former hospital facade is more limited than is the case with the application currently under consideration.

7.202 View 41 ('Whitechapel Road by number 291', copy included in Appendix 2) shows a view of almost all the main facade of the listed former hospital. As existing, the new hospital intrudes on the view at the extreme right but it is still possible to appreciate much of the rich historic skyline of the former hospital building unencumbered by development behind.

7.203 It is noted that the extension added to the former hospital when it was converted to the Town Hall was purposely kept low to minimise its impact on the historic skyline and setting of the listed hospital. In the proposed view, despite some reduction in height, remodelling and changes in tonality, the Plot D1 building would rise up between the new hospital and the chapel of the former hospital in a more prominent location (closer to the most historic parts of the hospital) than the existing hospital tower. The proposed building on this Plot could easily be perceived by the viewer as being physically connected to the listed former hospital. In this view Block D1 is a visually intrusive element which hinders the ability of the viewer to fully appreciate the full impact and extent of the grand listed facade.

7.204 In View 45 ('Whitechapel Road, junction with Court Street', copy included in Appendix 2), the Plot D1 building is still very prominent, rising above the listed Town Hall.

Other Views

7.205 The various buildings within the proposal have an impact on numerous views of heritage assets including the following:

- The proposed Building D1 has a harmful impact on the setting of other heritage assets and conservation area views including in View 63 (Philpot Street / School of Community and Health Sciences, copy included in Appendix 2) where it has an overbearing impact on the early Victorian listed terraces of Philpott Street and Views 64 (Green Spine, south of Newark Street) and 65 (Newark Street, by Floyer Building', copy included in Appendix 2) where amendments haven't addressed the Council's concerns with regard to the overbearing relationship of Building D1 on the Grade II* listed Church of St Augustine with St Philip's as it brings the huge, intrusive scale of the new Royal London Hospital much closer to the listed church.
- In View 65, the upper parts of the Grade II* listed former St Augustine with St Philip's Church are currently viewed against the sky, unconstrained by other development in the background. As proposed, Building C would rise to the left of the church and Building B3 would rise to the right. The two buildings would reduce the visual impact if the very impressive silhouette of the church and thereby harm the ability of the viewer to fully appreciate its special architectural and historic interest.
- In View 35 ('Turner Street/Ashfield Street, copy included in Appendix 2) In the existing view, the Royal London Hospital is off to the right allowing the scale and form of the CA buildings on Turner Street to be appreciated. In the proposed view, Block D1 would bring the huge scale of the existing Royal London Hospital tower much closer to Turner Street and visually crush the smaller conservation area buildings, imposing itself on the former Church of St Augustine with St Philip's.

Archaeology

7.206 The application site sits within an area of rich archaeological resource. It is within an Archaeological Priority Area (Mile End). Archaeological significance of the site focuses on the possible Civil War fort location in or near to the site, the development and dismantling of the Whitechapel Mount, and evidence of human burials from the early hospital's various cemeteries, as well as contributions to the understanding of the medieval and later development along the high road.

7.207 The impact of the development on archaeological interests has been the subject of substantial discussion between the applicant and the Greater London Archaeological Advisory Service (GLAAS) during the course of the application. Consultation between the applicant and GLAAS resulted in updated archaeological information being provided within the 'addendum submission'. This includes a foundation design having been provided for the proposed building on Plot A.

7.208 In response to the second round of consultation following the addendum submission, GLAAS confirmed that having reviewed the updated information they now have no objections to the proposed development. This is subject to a condition being attached to the permission, if granted, requiring an archaeological Written Scheme of Investigation to be approved. This would cover a programme and methodology of site investigation, recording, possible delivery of related public benefits and post investigation assessment, analysis, publication and dissemination.

7.209 The conclusion of GLAAS is consistent with the outcome of the review by Temple. Accordingly, if permission is granted Officers recommend that the condition recommended by GLAAS is attached to the decision and that the drawings in relation to Plot A foundation design form part of the permission. This will ensure that mitigation is in place to protect archaeological interests.

Heritage conclusion

7.210 A large number of views have been produced in order that the effects of the proposal on above ground assets can be understood and assessed. Those referred to above have been highlighted to illustrate some of the effects of the proposed development.

7.211 Whilst matters relating to below ground heritage have been satisfactorily resolved through the course of the application, the above assessment highlights that from the perspective of above ground heritage whilst the proposed development would result in some benefits it would also result in harm. This includes harm to the setting of the former Royal London Hospital building (Tower Hamlets Town Hall) and St. Augustine with St. Philip's Church, harm arising from the extensive demolition that is proposed to the Outpatients Building and the total demoltion of the Outpatients Annexe, and harm to the character and appearance of the Former London Hospital Conservation Area. Historic England, who object to this proposal, judged the harm to the London Hospital Conservation Area to be in the middle range of less than substantial and harm to the significance of the former Whitechapel Hospital through changes to its setting as being in the lower half of the less than substantial harm range.

7.212 It will therefore be necessary to weigh the identified harm against the public benefits associated with the proposed development. This is addressed later in this report under 'Planning Balance'.

Amenity

7.213 Local Plan Policy D.DH8 requires that development protects and where possible enhances or increases the extent of the amenity of new buildings and their occupants as well as the amenity of the surrounding public realm.

7.214 The Policy states that development must:

a. maintain good levels of privacy and avoiding an unreasonable level of overlooking or unacceptable increase in the sense of enclosure;

b. ensure new and existing habitable rooms have an acceptable outlook;

c. ensure adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development;

d. not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development and not resulting in an unacceptable level of overshadowing to surrounding open space and private outdoor space; and

e. not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

Daylight, sunlight and overshadowing

7.215 The explanation text to Policy D.DH8 sets out that a sunlight and daylight assessment must accompany all major planning applications and that this should follow the methodology set out in the most recent version of Building Research Establishment's (BRE) 'Site layout planning for daylight and sunlight' guidance and the British Standard Code of Practice for daylighting.

7.216 In this respect, the planning application has been accompanied by a Daylight, Sunlight and Overshadowing Report ('the Report') prepared by GIA Chartered Surveyors. The Report was updated in autumn 2023 when the application 'addendum submission' was made ('the Addendum Report'). Both the Report and the Addendum Report have been prepared against the methodologies set out in the 2011 version of the BRE document 'Site layout planning for daylight and sunlight'. Whilst the Local Plan states that assessments should follow the methodology in the most recent edition of the BRE guidance, it would be unreasonable to change the document against which the proposal is being assessed part way through the determination period. In addition, it is noted that the updated 2022 edition of the guidelines do not change the way in which impacts to neighbours are assessed.

7.217 In addition to the Report and Addendum Report referred to above, Chapter 12 of the Environmental Statement has undertaken a review of environmental effects associated with daylight, sunlight, overshadowing, solar glare and light pollution. An addendum to the originally submitted ES was provided at the time of the addendum submission. Where Chapter

12 is concerned this updates the review of environmental effects to take into account any changes arising from the amendments to the application since it was originally submitted. The applicant has also submitted an Internal Overshadowing Assessment to examine the effect of the proposed development on publicly accessible open spaces within the site.

7.218 Where daylight and sunlight within buildings is concerned, the documents have made an assessment of the proposal against the Vertical Sky Component (VSC), No Sky Line (NSL) and Annual Probable Sunlight Hours (APSH) measures.

7.219 The VSC requires a calculation to be made of the reduction in total amount of skylight at the centre of each main window. If the result of the VSC calculation is greater than 27% then enough daylight should still be reaching the window of the existing building. The guidelines advise that any reduction below this level should be kept to a minimum. The guidelines go on to state that if the VSC with the new development in place is both less than 27% and less than 0.8 times its former value, then occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear more gloomy and electric lighting will be needed more of the time.

7.220 The NSL calculation can be used where room layouts are known to assist in understanding the impact of daylight distribution in the existing buildings. Areas beyond the no sky line, since they receive no direct daylight usually look dark and gloomy compared to the rest of the room, no matter how bright it is outside. The guidelines advise that if, following construction of the new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.8 times its former value this will be noticeable to the occupants, and the room will appear poorly lit.

7.221 In relation to the APSH measure, 'probable sunlight hours' means the total number of hours in the year that the sun is expected to shine on unobstructed ground. The guidelines recommend that interiors where occupants expect sunlight should receive at least one quarter (25%) of APSH and between 21 September and 21 March at least 5% of APSH ('winter probable sunlight hours' – WPSH).

7.222 The following properties surrounding the site have been identified as sensitive in relation to daylight and sunlight:

- 22-34 Mount Terrace (residential)
- 26-36 (evens), 40 and 42 Newark Street (residential)
- 57-69 Philpot Street (odds) (residential)
- 1-21 Gwynne House (residential)
- 77-83 (odds), 87-97(odds), 103-107, 117 and 121 (Flats 1-24) New Road (residential)
- 135 New Road – 142 Whitechapel Road (residential)
- 136, 199, 205, 211-213, 215, 217, 219, 223-225, 227-229, 237-239 Whitechapel Road (residential)
- 87 Turner Street (residential)
- 105-107 Fieldgate Street (residential)
- 12 and 13 and 23-28 Fieldgate Mansions (Romford Street) (residential)
- Royal London Hospital (Healthcare)
- Floyer House (Student accommodation)
- 36A-38 Newark Street (Hotel)

7.223 In terms of overshadowing of spaces outside of the application site, this has been considered in relation to the private rear gardens of residential properties at 22-34 Mount Terrace, the private courtyard and roof terrace at 1- 21 Gwynne House and the public amenity space at London Square.

7.224 With regard to internal overshadowing (i.e. overshadowing of open space within the application site) the submitted assessment has considered effects on the following spaces:

- The proposed 'Turner Yard' (this is the open space on the line of former Pasteur Street).
- The northern section of Turner Street between Whitechapel Road and Mount Terrace (referred to by the DSO consultant as 'Turner Street North')

- Part of Turner Street to the east of the former outpatients department building. This has been referred to by the DSO consultant as 'Turner Street South'.
- The new public space east of St. Philip with St. Augustine Church St. Philip's Place/west of Royal London Hospital/south of Stepney Way/north of Newark Street. This is referred to by the DSO consultant as 'St. Philip's Place'
- The new route between the Royal London Hospital building and the proposed Plot D1 building on the site, connecting Stepney Way and London Square. This has been referred to by the DSO consultant as 'Hospital Walk'.

7.225 The BRE guidance recommends that at least half of amenity areas (gardens and open spaces) should received at least two hours of sunlight on 21 March.

7.226 In relation to interpretation of the results of the development against the BRE guidelines, the magnitude of effects have been categorised as follows:

Effect satisfies the BRE guidelines	**Effect does not satisfy the BRE guidelines**		
	0.79 to 0.70 times former value i.e. 20.01% to 29.99% reduction	0.69 to 0.60 times former value i.e. 30.01% to 39.99% reduction	<0.60 times former value i.e. more than 40% reduction
	Low magnitude of change	Medium magnitude of change	High magnitude of change

Effect on neighbouring properties – daylight

22 – 34 Mount Terrace

7.227 These three-storey terrace houses are not located within the application site but are enclosed by it on all sides. To the south of the houses on the opposite side of Mount Terrace are Plots B1, B2 and B3. Plot A wraps around them to the north, east and west. These houses currently benefit from an open outlook to the north over a former car park between them and Whitechapel Road. Land to the east and west is also currently open. The fronts of house numbers 22-27 face onto the three storey plus basement Ambrose King Building. Numbers 28-30 face onto the collection of buildings that served as the hospital boiler house. These are single storey except for a two storey building set into the site away from Mount Terrace, adjacent to the Ambrose King Building. Numbers 28-30 therefore currently benefit from a predominantly open outlook to the south.

7.228 For the Mount Terrace properties 133 windows were tested against the VSC measure. Of those tested:

- 30 meet the BRE criteria (negligible change)
- 25 would experience a 20-20.9% reduction (low magnitude of change)
- 39 would experience a 30-39.9% reduction (medium magnitude of change)
- 39 would experience a greater than 40% reduction (high magnitude of change)

7.229 In terms of the NSL measure, 96 rooms were assessed. The results were:

- 38 rooms would meet the criteria of 0.8 times former value (negligible change)
- 11 would experience a 20-20.9% reduction (low magnitude of change)
- 7 would experience a 30-39.9% reduction (medium magnitude of change)
- 40 would experience a greater than 40% reduction (high magnitude of change)

7.230 The fact that these properties face on to open land to the rear and some enjoy a relatively open aspect to the front means that the impact on these properties appears disproportionately great. In addition, the open aspect to the side of the end houses (numbers 22 and 34) mean that these properties experience some of the greatest effect For example a first floor bedroom at umber 22 would have its VSC reduced from 15.4% to 4% with NSL reducing from 97.1% to 11.6% and at 34 Mount Terrace the VSC for a basement kitchen would reduce from 10.2% to

5.3% with the NSL reducing from 82.4% to 14.5%.. Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced at the Mount Terrace properties, but in large part this is due to the existing openness of the site.

26-36 (evens), 40 and 42 Newark Street (residential)

7.231 For these properties 54 windows were tested against the VSC measure. Of those tested:

- 35 would meet the BRE criteria
- 8 would experience a 20-20.9% reduction (low magnitude of change)
- 11 would experience a 30-39.9% reduction (medium magnitude of change)

7.232 In terms of the NSL measure, 41 rooms were assessed. The results were:

- 26 rooms would meet the criteria of 0.8 times former value (negligible change)
- 7 would experience a 20-20.9% reduction (low magnitude of change)
- 6 would experience a 30-39.9% reduction (medium magnitude of change)
- 2 would experience a greater than 40% reduction (high magnitude of change)

Of these properties, numbers 36, 40 and 42 Newark Street would be the properties that do not meet the BRE criteria. Number 36 has 15 windows that do not meet the VSC criteria and 12 windows that do not meet the NSL criteria. However, number 36 is a hotel where there would be less expectation for daylight. Where the houses at numbers 40 and 42 are concerned none of the effects would be no greater than a medium magnitude for change

57-69 Philpot Street (odds) (residential)

7.233 These properties satisfy the BRE guidelines in terms of daylight.

1-21 Gwynne House (residential)

7.234 This property is a five storey block of flats located to the east of Plot C. It has windows/rooms to the rear of the building (west elevation) that face directly onto the site of Plot C (currently occupied by the former dental hospital) and windows on the front facing east towards Plot D1.

7.235 Of the 84 windows that were tested against the VSC measure:

- 52 meet the BRE criteria (negligible change)
- 11 would experience a 20-20.9% reduction (low magnitude of change)
- 17 would experience a 30-39.9% reduction (medium magnitude of change)
- 4 would experience a greater than 40% reduction (high magnitude of change)

7.236 In terms of the NSL measure, 84 rooms were assessed. The results were:

- 58 rooms would meet the criteria of 0.8 times former value
- 6 would experience a 20-20.9% reduction (low magnitude of change)
- 7 would experience a 30-39.9% reduction (medium magnitude of change)
- 13 would experience a greater than 40% reduction (high magnitude of change)

7.237 Due to the proximity of Gwynne House to Plot C and the distance between Gwynne House and Plot D1, where effects are experienced these are predominantly to the rear elevation. It is also noted that building as a whole has a unique architectural form with the front elevation in particular having overhanging walkways which restrict the ability of daylight to penetrate in the existing scenario.

7.238 Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced at Gwynne House.

77-83 (odds), 87-97(odds), 103-107 New Road (hotel) and 117 New Road

7.239 These residential properties are located above commercial premises on New Road in buildings between three and four storeys in height. The buildings face east across New Road onto Plots B2, B3 and C.

7.240 Of the 138 windows that were tested against the VSC measure:

- 62 meet the BRE criteria (negligible change)
- 50 would experience a 20-20.9% reduction (low magnitude of change)
- 14 would experience a 30-39.9% reduction (medium magnitude of change)
- 12 would experience a greater than 40% reduction (high magnitude of change)

7.241 In terms of the NSL measure, 103 rooms were assessed. The results were:

- 57 rooms would meet the criteria of 0.8 times former value (negligible change)
- 16 would experience a 20-20.9% reduction (low magnitude of change)
- 11 would experience a 30-39.9% reduction (medium magnitude of change)
- 19 would experience a greater than 40% reduction (high magnitude of change)

Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced at the above referenced New Road residential properties. It is noted some of the windows and rooms assessed are a hotel development and therefore the use of this property is more transient in nature than the residential uses.

121 (Flats 1-24) New Road (residential)

7.242 These properties satisfy the BRE guidelines in terms of daylight.

135 New Road – 142 Whitechapel Road (residential)

7.243 These residential properties are located above commercial premises on Whitechapel Road, next to the junction with New Road. Plot A is located east of these properties on the opposite side of New Road.

7.244 Of the 10 windows that were tested against the VSC measure all 10 would meet the BRE criteria (negligible change).

7.245 In terms of the NSL measure, 8 rooms were assessed and all 8 would meet the criteria of 0.8 times former value (negligible change).

7.246 Having regard to the above, it is concluded that the proposed development will not result in noticeable changes to the daylight that is currently experienced at these residential properties.

136, 199 205, 211-213, 215, 217, 219, 223-225, 227-229, 237-239 Whitechapel Road (residential)

7.247 These residential properties are located above commercial premises on Whitechapel Road, next to the junction with New Road with Plot A being the closest development plot to them.

7.248 Of the 69 windows that were tested against the VSC measure all 69 would meet the BRE criteria (negligible change).

7.249 In terms of the NSL measure, 53 rooms were assessed and all 53 would meet the criteria of 0.8 times former value (negligible change).

7.250 Having regard to the above, it is concluded that the proposed development will not result in noticeable changes to the daylight that is currently experienced at these residential properties.

87 Turner Street

7.251 This is the building that houses the Good Samaritan public house, located to the south of Plot B3 (the former outpatients department) and to the east of Plot C (the site of the former dental hospital). The building is two storeys in height and has accommodation in the roof space served by dormer windows. A total of 14 windows serving the habitable rooms at first and second floors have been assessed.

7.252 Of the windows that were tested against the VSC measure:

- 7 meet the BRE criteria (negligible change)
- 4 would experience a 20-20.9% reduction (low magnitude of change)
- 2 would experience a 30-39.9% reduction (medium magnitude of change)
- 1 would experience a greater than 40% reduction (high magnitude of change)

7.253 In terms of the NSL measure, 7 rooms were assessed. The results were:

- 4 rooms would meet the criteria of 0.8 times former value (negligible change)
- 2 would experience a 20-20.9% reduction (low magnitude of change)
- 0 would experience a 30-39.9% reduction (medium magnitude of change)
- 1 would experience a greater than 40% reduction (High magnitude of change)

7.254 It is noted that at first floor, whilst there are some low impacts in VSC, the retained NSL's are compliant with BRE. The third and fourth floor levels would notice the highest impact in terms of loss of VSC and NSL given this is where the medium to high magnitude of change in both VSC and NSL is experienced.

7.255 Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced at the uppermost floor levels at the residential properties above the Good Samaritan public house.

105-107 Fieldgate Street (residential)

7.256 The residential units at these addresses are located above commercial premises on Fieldgate Street. 105-107 Fieldgate Street are located towards the eastern end of Fieldgate Street, close to the junction with New Road.

7.257 A total of 9 windows serving the habitable rooms at first and second floors have been assessed.

7.258 Of the windows that were tested against the VSC measure all 9 windows meet the meet the BRE criteria.

7.259 In terms of the NSL measure, 8 rooms were assessed. All 8 rooms would meet the criteria of 0.8 times former value.

7.260 Having regard to the above, it is concluded that the proposed development will not result in noticeable changes to the daylight that is currently experienced at these residential properties.

12 and 13 and 23-28 Fieldgate Mansions (Romford Street) (residential)

7.261 These four storey residential properties are located on Romford Street, to the west of the application site. Those which are broadly west of the proposed Plot C building (on the site of the former dental hospital) have been assessed.

7.262 A total of 87 windows serving habitable rooms have been assessed. Of the windows that were tested against the VSC measure all meet the BRE criteria.

7.263 In terms of the NSL measure, 85 rooms were assessed. The results were:

- 76 rooms would meet the criteria of 0.8 times former value (negligible change)
- 6 would experience a 20-20.9% reduction (low magnitude of change)
- 3 would experience a 30-39.9% reduction (medium magnitude of change)

- 0 would experience a greater than 40% reduction (high magnitude of change)

7.264 Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced at these residential properties.

Royal London Hospital (Healthcare)

7.265 Whilst the majority of impacts have been assessed in relation to residential properties, the BRE guidelines also establish that they may be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight. Hospitals are one such example of this. The applicant has therefore modelled the effects of the proposed development on the Royal London Hospital.

7.266 A total of 194 windows serving relevant rooms have been assessed.

7.267 Of the windows that were tested against the VSC measure:

- 110 meet the BRE criteria (negligible change)
- 9 would experience a 20-20.9% reduction (low magnitude of change)
- 12 would experience a 30-39.9% reduction (medium magnitude of change)
- 63 would experience a greater than 40% reduction (high magnitude of change)

7.268 In terms of the NSL measure, 114 rooms were assessed. The results were:

- 84 rooms would meet the criteria of 0.8 times former value (negligible change)
- 4 would experience a 20-20.9% reduction (low magnitude of change)
- 3 would experience a 30-39.9% reduction (medium magnitude of change)
- 23 would experience a greater than 40% reduction (high magnitude of change)

7.269 The impacts on the hospital building are largely as a result of the development of plot D1 from a car park to a tall building. There is limited separation distance between the D1 building and the hospital and the massing obstructs daylight at the upper floor levels of the building.

7.270 Having regard to the above, it is concluded that the proposed development will result in noticeable changes to the daylight that is currently experienced within the Royal London Hospital.

Floyer House (Student accommodation)

7.271 Floyer House is a five storey student hall of residence located to the south of Newark Street.

7.272 A total of 90 windows serving habitable rooms have been assessed.

7.273 Of the windows that were tested against the VSC measure:

- 69 meet the BRE criteria (negligible change)
- 12 would experience a 20-20.9% reduction (low magnitude of change)
- 9 would experience a 30-39.9% reduction (medium magnitude of change)
- 0 would experience a greater than 40% reduction (high magnitude of change)

7.274 In terms of the NSL measure, 70 rooms were assessed. The results were:

- 58 rooms would meet the criteria of 0.8 times former value (negligible change)
- 3 would experience a 20-20.9% reduction (low magnitude of change)
- 3 would experience a 30-39.9% reduction (medium magnitude of change)
- 6 would experience a greater than 40% reduction (high magnitude of change)

7.275 It is noted that the building is used as student accomodation and therefore slightly more transitory in nature. Having regard to the above, it is concluded that the proposed development will result in some noticeable changes to the daylight that is currently experienced within those parts of Floyer House that have been assessed.

36A-38 Newark Street (Hotel)

7.276 Similar to hospitals, hotels are cited in the BRE guidelines as a use where occupants have a reasonable expectation of daylight.

7.277 A total of 16 windows serving habitable rooms have therefore been assessed.

7.278 Of the windows that were tested against the VSC measure:

- 3 meet the BRE criteria (negligible change)
- 7 would experience a 20-20.9% reduction (low magnitude of change)
- 4 would experience a 30-39.9% reduction (medium magnitude of change)
- 2 would experience a greater than 40% reduction (high magnitude of change)

7.279 In terms of the NSL measure, 8 rooms were assessed. The results were:

- 2 rooms would meet the criteria of 0.8 times former value (negligible change)
- 4 would experience a 20-20.9% reduction (low magnitude of change)
- 1 would experience a 30-39.9% reduction (medium magnitude of change)
- 1 would experience a greater than 40% reduction (high magnitude of change)

7.280 It is noted that 2 windows facing a low magnitude of change in VSC serve a winter garden; however, the NSL is compliant. In addition, there is an overhang at first floor level which means the two windows facing a high magnitude of change have existing external features which limit their ability to receive light in the existing scenario. The resultant NSL into the room is of a low magnitude. In addition, officers note that the use is a hotel and the transient nature of those occupiers. Having regard to the above, it is concluded that the proposed development will result in some noticeable changes to the daylight that is currently experienced within this building.

Effect on neighbouring properties – sunlight

136, 138-140, 142, 199, 205, 211-213, 215, 217, 219, 223-225, 227-229, and 237-239 Whitechapel Road, 97, 103-107, 121 (Flats 1-24) and 135 New Road, 26 Newark Street, 22 Mount Terrace, 105-107 Fieldgate Street, 36A -38 Newark Street, 67 and 69 Philpot Street, Floyer House

7.281 These properties all meet the BRE criteria for annual probable sunlight hours (APSH) and the winter probable sunlight hours (WPSH).

1-20 Gwynne House

7.282 A total of 43 windows in Gwynne House were assessed to establish the impact of the proposed development against the APSH and WPSH sunlight measures.

7.283 Of the windows that were tested 40 meet the BRE criteria. For the 3 windows which do not meet the criteria transgression were against the APSH measure as follows:

- 2 would experience a 30-39.9% reduction (medium magnitude of change)
- 1 would experience a greater than 40% reduction (high magnitude of change)

7.284 It is noted that the affected windows would meet the criteria in relation to WPSH and that the affected windows would retain 24% APSH – marginally below the 25% stated in the guidance.

23-34 Mount Terrace

7.285 A total of 81 windows were assessed at 22-34 to establish the impact of the proposed development against the APSH and WPSH sunlight measures.

7.286 Of the windows that were tested 40 meet the BRE criteria. For the 41 windows which do not meet the criteria:

- Against the APSH measure:

    - 2 would experience a 30-39.9% reduction (medium magnitude of change)
    - 1 would experience a greater than 40% reduction (high magnitude of change)
- Against the WPSH measure
    - 38 would experience a greater than 40% reduction (high magnitude of change)

7.287 As noted earlier in this report, the BRE guidelines are that a window is to receive more than one quarter of APSH *including* at least 5% of APSH in the winter months for the room to be considered to still receive enough sunlight.

7.288 Given the transgressions highlighted above, it is concluded that for the above referenced Mount Terrace properties there would be a noticeable loss of sunlight. For the majority of the houses this would be most noticeable during the winter months.

87 Turner Street

7.289 A total of 4 windows were assessed at this residential property to establish the impact of the proposed development against the APSH and WPSH sunlight measures.

7.290 Of the windows that were tested 1 meets the BRE criteria. For the 3 windows which do not meet the criteria:

- Against the APSH measure:
    - 1 would experience a 20-20.9% reduction (low magnitude of change)
    - 2 would experience a greater than 40% reduction (high magnitude of change)
- Against the WPSH measure:
    - 2 would experience a greater than 40% reduction (high magnitude of change)

7.291 This property would therefore experience a noticeable loss of sunlight throughout the year.

Royal London Hospital

7.292 A total of 89 windows in the Hospital were assessed to establish the impact of the proposed development against the APSH and WPSH sunlight measures.

7.293 Of the windows that were tested 53 meet the BRE criteria. For the 36 windows which do not meet the criteria:

- Against the APSH measure:
    - 4 would experience a 20-20.9% reduction (low magnitude of change)
    - 4 would experience a 30-39.9% reduction (medium magnitude of change)
    - 28 would experience a greater than 40% reduction (high magnitude of change)
- Against the WPSH measure:
    - 15 would experience a greater than 40% reduction (high magnitude of change)

7.294 The Royal London Hospital would therefore experience a noticeable loss of sunlight throughout the year.

<u>Effect on outdoor amenity space – private</u>

22-32 Mount Terrace

7.295 On 21 March the rear gardens, located to the north of these houses, are cast in shadow in the existing baseline condition. With the exception of one of the gardens, the proposed development would result in no alteration in the percentage of the area which would see at least two hours of direct sunlight on 21 March.

33 Mount Terrace

7.296 The back garden to this property currently experiences 6% of the total area receiving at least two hours of sunlight on 21 March. Once the proposed development is completed, 100% of this area would be lost meaning that none of the garden would see at least two hours of direct sunlight on 21 March.

34 Mount Terrace

7.297 The back garden to this property currently experiences 26% of the total area receiving at least two hours of sunlight on 21 March. Once the proposed development is completed, 100% of this area would be lost meaning that none of the garden would see at least two hours of direct sunlight on 21 March.

Gwynne House courtyard

7.298 The courtyard to the rear of Gwynne House currently sees 9% of the area receiving at least two hours of direct sunlight on 21 March. Once the proposed development is completed, 67% of the total area of the courtyard would receive at least two hours of direct sunlight on 21 March.

Effect on outdoor amenity space – publicly accessible

London Square

7.299 In the existing baseline condition, 39% area of London Square would achieve at least two hours of direct sunlight on the 21 March – already below the BRE guidance that half of an open space should receive two hours sun on ground on 21 March. The scale of the Royal London Hospital to the south of London Square is the main reason for the impact on the existing level of sunlight into London Square.

7.300 When the proposed development is complete, London Square would experience a 100% reduction in the total area which would see at least two hours of direct sunlight on 21 March.

Turner Street north

7.301 This space is the northern section of Turner Street between Whitechapel Road and Mount Terrace.

7.302 The submitted Internal Overshadowing Assessment has identified that 34% of this area would receive more than two hours of direct sunlight. Whilst it does not meet the BRE guidelines of half of the area achieving more than two house of sun on ground, the Assessment notes that 12 days later on 2 April this area would comply with the BRE guidelines. This additional level of analysis is useful to understand the degree to which this space does not comply with the BRE guidelines.

Turner Street South

7.303 This space is the part of Turner Street to the east of the former outpatients department building and to the west of the QMUL Garrod Building.

7.304 The submitted Internal Overshadowing Assessment has identified that 97% of this area would receive more than two hours of direct sunlight on 21 March. This area therefore complies with the BRE guidelines. Further, the Assessment identifies that this area would exceed the BRE guideline minima and would see three hours sun on ground on 21 March.

Plot C pocket garden

7.305 This is the proposed space between Gwynne House and Plot C.

7.306 The submitted Internal Overshadowing Assessment has identified that over 97% of this area would receive more than two hours of direct sunlight on 21 March. This area therefore complies with the BRE guidelines. Similar to Plot C pocket garden, the Assessment identifies that this area would exceed the BRE guideline minima and would see three hours sun on ground on 21 March.

St. Philip's Place

7.307 This is the new public space east of St. Philip with St. Augustine Church St. Philip's Place/west of Royal London Hospital/south of Stepney Way/north of Newark Street.

7.308 The submitted Internal Overshadowing Assessment has identified that 96% of this area would receive more than two hours of direct sunlight on 21 March. This area therefore complies with the BRE guidelines.

7.309 The Assessment goes on to identify that St. Philip's Place is the main piece of public realm within the development and, at in excess of six hours of direct sunlight within the majority of the area on 21 March, considerably exceeds the BRE guideline minima.

Turner Yard

7.310 This is the open space on the line of former Pasteur Street to the north of Plot B3 on the site of the former Outpatients Department / Outpatients Annexe.

7.311 The submitted Internal Overshadowing Assessment shows that none of this space would meet the BRE guidelines two hours sun on ground on 21 March. The Assessment states that 'due to Turner Yard being a narrow pedestrian street running east/west, it is to be expected that in an urban context, lower sun access would be seen at ground level.

7.312 *Hospital Walk*

7.313 This space is the new route between the Royal London Hospital building and the proposed Plot D1 building on the site, connecting Stepney Way and London Square. It forms the northern section of the Green Spine.

7.314 The submitted Internal Overshadowing Assessment shows that 19% of this space would meet the BRE guidelines two hours sun on ground on 21 March. The part of the space that would comply with the BRE guidelines is at the southern end closest to Stepney Way.

7.315 The Assessment states that 'owing to the scale of massing surrounding Hospital Walk, and the relative distance between the two buildings either side, lower sunlight access is seen at ground level'.

<u>Light pollution</u>

7.316 The Environmental Statement has considered the effects of light pollution on sensitive receptors around the site. All of the buildings assessed would, both before and after 23:00 hours, meet the Institute of Lighting Professionals meaning that direct, long term effects would be negligible.

7.317 Notwithstanding, in the interests of neighbourliness it is recommended that if permission is granted a condition is attached to the decision requiring prior to occupation of each plot a scheme is approved in relation to the control and operation of the proposed lighting within the buildings during periods of limited or non-occupation.

<u>Solar glare</u>

7.318 An assessment of solar glare has been submitted with the application which has identified one adverse effect to view point N1 (Vallance Road). There is the potential for some glazing within the proposed development to cause glare to the detriment of road users. In accordance with the recommendation of LBTH's appointed competent expert, Temple, it is recommended that if permission is granted a condition is attached to the decision requiring the installation of low reflectance glass for the windows causing the solar reflection to point N1.

<u>Daylight, sunlight and overshadowing conclusion</u>

7.319 The scale and complexity of the application site means that the proposed development results in multiple and widely varying impacts.

7.320 The site benefits from not being surrounded by a particularly large number of residential properties. However, as can be understood from the above assessment the impacts on some of these properties from the proposed development will be very noticeable. In terms of overall

compliance with the BRE criteria, this is 64.6% against the VSC measure, 73.4% for the NSL measure and 83.3% for APSH. The effect of non-compliance with the BRE guidelines will be particularly experienced by the residents of Mount Terrace, Gwynne House and the residential properties on the upper floors of buildings on New Road opposite Plot C who will experience major effects in relation to daylight.

7.321 In terms of sunlight to residential properties that have been assessed the impacts would be greatest to Mount Terrace residents.

7.322 With regard to sunlight to open spaces within and adjacent to the site the effect of the development is widely varied depending which part of the site is being considered. Officers consider the level of overshadowing to London Square to be an extremely negative consequence of the proposed development. Similarly, the level of sun on ground on 'Hospital Walk' is very poor and will undoubtedly undermine the success of this space in the terms which were envisaged by the relevant policies and guidance pertaining to the Green Spine. Notwithstanding these particularly negative and undesirable aspects of the proposal, Officers note that the new public square adjacent to St. Augustine with St Philip's Church would receive extremely good levels of sunlight. In addition, as noted earlier in this report spaces such as that outside Plot C to the rear of Gwynne House would receive very good levels of sunlight. The siting of Plot C and delivery of this space would also result in beneficial effects for the residents of Gwynne House.

7.323 The identified negative effects of the proposed development on some residential properties and on some of the gardens and open spaces within and adjacent the site are regrettable. However, the negative consequences that have been identified must be balanced against the fact that the application site forms part of a Local Plan Site Allocation where a significant quantum of development is expected to come forward. Given the existence of some cleared plots on the site and the relatively low scale of other parts of the site any redevelopment which seeks to optimise the potential of the site will always result in negative effects.

7.324 Whilst negative daylight, sunlight and overshadowing effects would arise as a result of this development, this needs to be weighed against the benefits of the proposal. This is discussed later in this report under 'Planning Balance'.

<u>Privacy, outlook and enclosure</u>

7.325 In terms of privacy, the standards set out in the Local Plan relate to effects that are experienced between habitable rooms. Given there is no residential proposed within this development, the privacy considerations set out in 1.a of Policy D.DH8 do not apply.

7.326 Notwithstanding Officers note that there are a number of external private amenity areas proposed across the various plots which have the potential to create overlooking or perception of overlooking of residential properties surrounding the site. In the event that permission is granted it is recommended that conditions are attached to the decision requiring installation of physical measures to ensure there is no unreasonable impact on neighbouring residential properties from the high level external amenity areas. This applies to Plot A and its relationship to Mount Terrace and Plot C and its relationship to Gwynne House.

7.327 With regard to outlook and enclosure, the supporting text to Policy D.DH8 states that 'Applicants or developers will need to give careful consideration to the layout and massing of buildings to ensure that the new development does not result in an increased sense of enclosure and loss of outlook'.

7.328 The principal possible effects on outlook and enclosure would arise from:

- Plot A in relation to Mount Terrace
- Plot B3 in relation to buildings on the opposite side of New Road
- Plot C in relation to Gwynne House

7.329 In relation to Plot A, as noted earlier in this report the Plot is currently vacant. Even a modest scale of development on this Plot will be very noticeable to residents of this terrace, who are

likely to have become accustomed to an open and unrestricted outlook to both the rear and the sides.

7.330 Amendments to the scale and form of the proposed Plot A building have been secured through the course of the application. These changes have resulted in an improved relationship between the proposed Plot A building and the Mount Terrace houses and gardens. Whilst this will still be a marked change to their existing situation, Officers are of the view that this is acceptable when balanced against other key policies such as the site forming part of a Site Allocation, being in an Opportunity Area and the desirability of providing clear definitions and enclosure through building frontage – as required by Local Plan Policy D.DH2 – and such as will be created by the proposed Plot A building. Plot A is a prominent site and reintroducing built development on it, including a high degree of active frontage, will be positive for the area and clearly outweigh any harm to the outlook or sense of enclosure that may be perceived by Mount Terrace residents.

7.331 In relation to Plot B3 and the impact on buildings on the opposite side of New Road, it is to be noted that the western part of this Plot is occupied by the former Outpatients Annexe. The proposed replacement building on this part of the site is of a similar scale. Whilst there is a taller element beyond this, the set back from the New Road frontage would mean that the there would be no unacceptable impacts in terms of unacceptable increase in the sense of enclosure. In addition, the majority of the New Road frontage of Plot B3 would be looked onto by the New Road Hotel where there is the not the same expectation for outlook as with residential properties.

7.332 With regard to Plot C and its relationship to Gwynne House, it is to be noted that the existing building that occupies the site (the former dental hospital and the Barts Students' Union at the eastern end) is built immediately up to the boundary of Gwynne House. The proposed development, whilst taller, would be moved away from the boundary with Gwynne House and some open space would be provided between the boundary and the proposed new building. Overall, Officers consider that the proposal will result in an improved outlook and less sense of enclosure than the existing situation.

Privacy, outlook and enclosure conclusion

7.333 The proposed development will result in some impacts to residential properties that are adjacent to the site. Where potential impacts on privacy are concerned these can be adequately controlled by planning condition. Where impact on outlook and sense of enclosure are concerned, having regard to the scale and form of development and the existing pattern of development or otherwise on the site these may be perceived most negatively by Mount Terrace residents. However, Officers are of the view that the correct balance has been struck between the scale and form of the development so that it does not unacceptably affect these residents and the need to acknowledge the fact that the site is within an Opportunity Area and forms part of a Site Allocation. Overall, Officers are satisfied that the proposed development will not result in unacceptable impacts in respect of privacy, outlook and sense of enclosure.

Noise and Vibration

7.334 Review of the relevant noise and vibration information by both Temple and LBTH Environmental Health has concluded that noise and vibration impacts can be acceptably controlled via planning conditions. In accordance with the recommendations of these specialists it is recommended that conditions are attached to the permission, if granted, in relation to restrictions on demolition and construction activities, noise from plant and kitchen extract standards.

Construction Impacts

7.335 The application is supported by a draft Construction Environmental Management Plan (CEMP). This outlines measures to be put in place to minimise the environmental, amenity and safety impacts of the development during the demolition and construction phase. If permission is granted then it is recommended that a condition is attached to the decision requiring approval of a CEMP. This is necessary as this is a largely speculative development

that is likely to come forward on a plot-by-plot basis and the details to inform a final Plan are not known in full at planning application stage (for example contractors are not known and agreements with LBTH Highways and TfL are not in place)

7.336 In addition to the above, the Council's Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace towards Development Co-ordination and Integration. This is required in order that the Council can effectively manage the impacts of construction activity both on-site and within the surrounding streets and spaces. This includes dealing with cumulative effects which may arise when other developments across the borough are taken into account. The Applicant has agreed to pay the required contribution, and this would be secure through the S106 legal agreement.

Wind microclimate

7.337 The application has been accompanied by information on wind microclimate and this has been reviewed by Temple. The outcome of this review is that the proposals are largely acceptable.

7.338 During the course of the application, it was identified a point that had been tested adjacent to Plot B3 was incorrect. Here, the applicant suggested that the comfort level being suggested by Temple on behalf of LBTH was not appropriate since the area is proposed to be used for 'flexible fair weather outdoor seating'. Given seating in this area would be temporary (i.e. would not form part of the proposed landscaping/public realm) the position of the applicant is accepted and this matter is resolved.

7.339 In addition, conditions around Plot D1 have been identified as requiring additional mitigation in the form of tree planting, a raised planter and low level planting. This can be secured by planning condition if permission is granted. The mitigation will need to be in place before the development is full complete to ensure the exceedances that have been identified are mitigated before any detriment could occur.

Landscape and Biodiversity

7.340 Policy G1 of London Plan requires green infrastructure to be incorporated into new development whilst Policy G5 requires major development proposals to contribute to the greening of London by including urban greening and incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Policy G5 requires that Boroughs develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening in new developments. For developments that are predominantly commercial a target score of 0.3 is recommended. London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively and should aim to secure net biodiversity gain.

7.341 Local Plan Policy D.ES3 requires major development to provide net gains in biodiversity that contribute to Local Biodiversity Action Plan (LBAP) objectives. Where trees are concerned, D.ES3 requires protecting and increasing the provision of trees. If loss or impact on tress is considered acceptable then replacements are to be provided on an at least one-for-one basis.

7.342 There is little existing biodiversity or greening on the sites therefore the proposed development presents an opportunity to secure enhancements.

7.343 Information presented with the application as originally submitted showed that the development could achieve an Urban Greening Factor (UGF) score of 0.218. Changes that have been made since the application was submitted have resulted in an improvement to the UGF score to 0.227.

7.344 The submitted information has been reviewed by the Council's Ecology and Biodiversity Officer who, whilst noting that the score is well below the London Plan target for commercial development, has confirmed that the UGF calculation is appropriate.

7.345 In terms of Biodiversity Net Gain, the relevant report contained within the application suggests that there will be significant net gain through green roofs and ornamental planting. Given the extensive green roof proposals across the site, there is potential for these to be of significant

biodiversity value. Planting at street level also has significant potential to contribute, particularly to nectar-rich plants.

7.346 The application contains sufficient information to be satisfied that the requirements of the relevant policies are met as closely as possible. If permission is granted then the final details of biodiversity mitigation and enhancements are recommended secured through a condition attached to the decision.

7.347 In terms of the impact of the development on existing trees on the site this has been considered by LBTH's Arboricultural Officer. The Officer has confirmed that the categorisations given to each tree are acceptable. With regard to In regard to tree loss, the Arboricultural Officer has no objections to the removal of T17, T22 – T26, T38 – T39, T42 and T44 – T46 and considers that their loss can be adequately mitigated through the new planting proposed. The Arboricultural Officer also has no objection to the transplantation of T18 – T21. However, the Arboricultural Officer does not support the proposed removal of T37, T40 and T41 as in their view their loss cannot be adequately mitigated. T37 is located to the rear of the Garrod Building where the service bay to Plot D1 is located. T40 and T41 are located on Plot A.

7.348 In relation to proposed protection measures and facilitation pruning outlined in the method statement accompanying the application, this will ensure construction will have a negligible impact on retained trees in accordance with the requirements of policy D.DH6 of the Tower Hamlets Local Plan 2031 (2020) and Section 197 of the Town and Country Planning Act 1990 (as amended). These are to be retained in place for the duration of the construction works.

7.349 The Arboricultural Officer has also confirmed that there is a good mix of native and non-native species proposed, meeting an important LBAP target and safeguarding against current and future pests and diseases. Due consideration has also been given to planting locations and the overall size and shape of the species chosen, ensuring post development pressures are mitigated and the trees can grow to their full proportions without regular or heavy pruning.

7.350 Proposed stock sizes are also confirmed by the Arboricultural Officer as being acceptable as these will provide an instant amenity impact and ensure canopy cover loss is appropriately mitigated from an early stage. However, Submission of a tree planting methodology in line with BS 8545 is also required and should describe a process for planting and maintaining young trees that will result in them successfully establishing in the landscape. This should include current and proposed utility and service runs, any proposed changes to the highway layout and a methodology for the successful transplantation of T18 – T21 and a 3-year replacement plan, which will see all trees which fail to establish replaced like for like.

7.351 It is evident from the above views of LBTH Arboricultural Officer that the proposal has some significant benefits. The proposals will provide welcome greening to the area which will not only be aesthetically pleasing but will also improve biodiversity in the locality.

7.352 The lack of Arboricultural Officer support for the removal of a number of T37, T40 and T41 is noted. However, where tree T37 is concerned the layout of the proposed development means that this tree cannot be retained. The tree is located in what the applicant describes as a critical location for service access to Plot D1. This is perhaps true in the context of the design that has been put forward however it remains unclear whether the optimum solution of consolidating servicing on the site could have resulted in a sortition which would have meant retention of this tree was possible.

7.353 Where the trees on Plot A are concerned, Officers are of the view that the benefits of developing Plot A – in terms of repairing the fragmented street scene at this location and enhancing the setting of the adjacent Mount Terrace and in turn, the benefits this will bring to the conservation area – are sufficient to outweigh the harm arising from the loss of the trees.

7.354 Overall, whilst it is regrettable that T37 is not able to be retained Officers are satisfied that that the applicant has made sufficient effort to retain trees on the site. Thirty of the 39 on site are to be retained. In addition, Officers are of the view that in considering the acceptability of the

loss of some trees on the site, great weight should be given to the fact that 143 new trees are to be planted across the site. This is significantly beyond the one-for-one minimum set out on policy and is considered to be acceptable.

Highways, Transport and Servicing

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

Trip generation

7.356 The Transport Statement and Transport Statement Addendum have assessed the likely trip generation associated with the proposed development. The Transport Statement Addendum has reassessed the figures provided within the original Transport Statement to take into account the post-submission reductions in floorspace.

7.357 It is estimated that in the AM peak there will be a total 1,025 two-way trips. Of these, trips by public transport are expected to comprise 421 trips by underground, 213 trips by rail, and 155 bus trips.

7.358 The site has a PTAL of 6a, reflecting it being served by an excellent range of public transport services, including the Elizabeth Line, District Line, Hammersmith and City Line, London Overground and numerous bus routes. TfL have raised no concerns with regard to the local public transport network being able to accommodate the additional demand. In terms of the vehicular impact to the Transport for London Road Network and the local highway network the development would be car free, including removal of the existing car parking bays, with no impacts having been identified by either TfL or LBTH Highways. Trip generation impacts are therefore considered acceptable.

Cycle Parking.

7.359 A total of 1,110 long-stay spaces will be provided which include a range of cycle parking types to cater for all users. The long-stay cycle parking will be supported by showers and lockers, in accordance with the guidance set out in the London Plan.

7.360 In terms of short-stay cycle parking spaces, 184 spaces would be provided in the public realm areas in the form of 92 Sheffield Stands, to cater for visitors. The number of cycle parking spaces is an increase of 56 spaces over the London Plan minimum requirements.

7.361 Although general plans have been supplied there is no cycle strategy included in the submission which details the access to the stores and how this links with existing and proposed cycle infrastructure. In addition, whilst the proposals numerically meet the standards there are a number of deficiencies with the arrangements shown on the submitted drawings, including:

- The proposed cycle stores are very large, with some being located in building basements. From a security perspective it is usually preferable for the required number of spaces to be provided within a series of smaller stores.

- Where stairs are proposed (even as a secondary route) these should contain channels to aid cyclists moving their bikes and should be of a suitable gradient. It is not clear whether these could be provided on all stairs into the bike stores.

- The applicant has not addressed ease of access to the bike store in Plot A for those travelling in any direction other than east to west along Whitechapel Road (access to the store being through the front of the Plot A building).

- Proposed access arrangements to the basement cycle store in Plot C are poorly designed. From the street three doors would need to be passed through before reaching a lift to the basement. The lift to the basement would have a dual use, it also functioning as the goods lift for the upper floors of the building. At times this shared use will inevitably result in a reduction in ease of access to the cycle parking spaces. Should a cyclist wish or need to

use the stairs instead (which is quite probable given the lift to the basement would not be for the exclusive use of cyclists) then a total of nine doors would need to be passed through to reach the cycle store (six at ground floor and three at basement level). Further, the staircase to the basement has a return landing on it which would make it difficult for cyclists and their bikes to pass each other on the stairs.

- For Plot B3 whilst a dedicated cycle lift is proposed which would benefit from easy access from the street, the alternative access by stairs is constrained by being provided with a return which does not appear to have been enlarged to aid cyclists passing on the stairs with their bikes.

- The scale of the proposed building on Plot D1 is such that any basement bicycle store should have a ramped access so that cyclists can cycle directly into the basement. This has not been provided. The proposed access is one lift and one staircase. Officers are concerned that at peak usage times no ramped access and access to only one lift may not prove convenient or conducive to cycling in terms of wait times. In addition, some of the cycle parking for Plot D1 is located at basement level on Plot D2, remote from (though connected by tunnel) to Plot D2.

7.362 Beyond consideration of cycle parking within the proposed buildings, it is necessary to consider the impacts of the proposed development on TfL cycle hire provision in the locality.

7.363 There is an existing cycle hire docking station (CHDS) at the back edge of the footway on New Road. Were the development to go ahead it would be necessary to move this given the existing position would be in front of ground floor retail space in the proposed Plot A building. The applicant is proposing to move the existing cycle hire hub in New Road from the back of the footway to the kerbside at the junction with Whitechapel Road. However, they have not demonstrated that this location is feasible from the perspective of consideration of underground services.

7.364 In addition, the proposed location would impede the sight line of vehicles exiting Mount Terrace. It is noted that the applicant has suggested the removal of a number of cycle bays may be required to provide the required sightlines. However, this would run counter to the need to increase the number of cycle spaces in this location and is clearly not a solution that prioritises encouraging sustainable modes of travel.

7.365 At present neither TfL nor LBTH Highways have confirmed that the proposed New Road CHDS arrangement would be safe and satisfactory. Further, no provision has been made within the application for the expansion of TfL cycle hire provision in this location. Employment projections for this site project an upper level of 4,180 FTE staff to be based in the completed development. It is unacceptable to not increase cycle hire provision in this location to mitigate the additional demands that will arise on this development. TfL cycle hire in this location is already in very high demand and includes heavy use by staff of the Royal London Hospital, including significant demands by Hospital staff who work antisocial hours.

7.366 Having regard to the above considerations it is concluded that arrangements for access to the site by cycle are deficient in a number of areas. With regard to provision for cycles within the proposed buildings the deficiencies in their design need to be weighed against wider benefits arising from the proposed development.

7.367 In terms of the unresolved issues around the TfL cycle hire provisions Officers recommend that these are dealt with via condition that will be required for this development if permission is to be granted. A sum of money is also agreed towards improving cycle hire provisions and will be secured in the legal agreement.

Car Parking

7.368 The new development proposed for the site is to be car-free. In addition, the development of Plot A would involve the removal of some car parking associated with the hospital, which was installed during the Covid period. Having regard to both these factors, the operational development would result in an overall reduction in vehicular traffic movement associated with the site.

7.369 The applicant is proposing five additional Blue Badge bays across the development site on the public highway. Four would be on Stepney Way (two outside Plot B3 and two outside Plot D1) and one would be on Newark Street outside Plot C. LBTH Highways have commented that this provision seems low, especially when those on the public highway could be used by any Blue Badge holder and not just those who are users of the development. It is, however, noted that there are also eight existing Blue Badge holder spaces on Turner across which would remain (though provided in a different arrangement to the east side of Turner Street only). On balance the level of Blue Badge parking is considered to be acceptable.

Servicing

7.370 All servicing is proposed to take place in dedicated areas with none taking place on the public highway. Some consolidation between buildings would take place. In summary:

- Plot A servicing area is consolidated with Plot B1.
- Plot B1 is provided with a service /loading bay inside the building, accessed from the south side of the building from proposed 'Turner Yard' (former Pasteur Street. Access to and from this bay would require manoeuvring on Turner Yard to allow for vehicles to enter from and leave on to New Road in forward gear. An annotation on the swept paths in relation to Plot B1 notes 'If service yard occupied, vehicle can be unloaded from Turner Yard. Vehicle can turn once service yard vacated.' i.e. it is anticipated that there will be occasions where the service yard is not available for a vehicle to access. Whilst Turner Yard would be publicly accessible it would remain as private land.
- Plot B2 servicing would remain as existing from Turner Street and controlled via existing Barts Health Trust hospital operations.
- Plot B3 would be provided with a service yard within the building. Access would be taken from Stepney Way and egress to the north onto Turner Yard.
- Plot C would be provided with a service yard within the building. Access would be taken from Newark Street. Swept path information provided in the application shows that vehicles could manoeuvre within the bay, allowing for entering and leaving in forward gear.
- Plot D1 would be provided with a service yard within the building. Access would be taken from Newark Street. A vehicle turntable would be provided within the loading bay so that vehicles could enter and leave in forward gear. The swept path information shows that there will be occasion where a vehicle entering Plot D1 needs to temporarily wait for an exiting vehicle to pass. This would take place in an open area off the public highway set beneath the main body of the building.

7.371 Though LBTH Highways have commented that they welcome the consolidation arrangements that are proposed, they wish to see the proposals for consolidation go further and take place across the whole site. The aim of this would be to help reduce multiple vehicle trips across the site and reduce the number of vehicles on the network.

7.372 The optimum solution would be for such consolidation to take place via a servicing hub facility. Explanations have been provided as to why the applicant considers this is not feasible. This includes future tenant requirements and health and safety concerns. Officers accept that transporting potentially hazardous materials via the footways could be a cause for concern, however Officers consider that it has not been satisfactorily evidenced as to why such a high value development could not provide for consolidated, managed and secure servicing arrangements below street level i.e. via connected basements.

7.373 If permission were granted a full Delivery and Service Management Plan would be required by condition. This could be drafted as to require consolidation proposals to be worked up further. However, given the applicant's current position on this and their overall approach to dealing with each plot as a discrete entity it is questionable as to whether the Plan would yield material benefits to overall servicing demands. This, together with the urban design deficiencies (discussed earlier in this report), arising from the proposed servicing

arrangements, lead Officers to conclude that the proposed servicing arrangements are not the optimum solution that a development of this scale should be able to achieve. These deficiencies will therefore need to be weighed against the overall benefits that will flow from the proposal as a whole.

Waste

Commercial waste collection

7.374 The proposed development is for commercial units which would be serviced by external waste collection contractors. Private contractors can adapt to varying needs e.g. by ensuring that waste collection vehicles would be sized appropriately for waste collection. Swept path analysis has been submitted which shows access for collections would be via Turner St, Newark Street and Stepney Way. The development is designed such that the on-site management team will be responsible for ensuring that commercial waste collection is undertaken responsibly and safely. In principle these factors are all acceptable.

7.375 Whilst that is the case, LBTH Waste have commented that where possible, a consolidated waste collection arrangement should be conditioned, such that the same waste vehicle will collect waste from all plots as part of the same collection of that waste stream. The aim of this would be to minimise the number of waste vehicle trips across the development. As a principle this is desirable and it is recommended that a condition is attached to this effect should permission be granted.

Impact on Mount Terrace waste collection arrangements

7.376 The residential properties on Mount Terrace are outside of the application site, though the site boundary wraps around these houses and their gardens on all sides. The existing waste collection arrangement for these properties is via Eurobin (four in total – two for recycling and two for general waste). The bins are currently located beyond the easternmost house on Mount Terrace. Land ownership information submitted with the application shows this land to be in the ownership of Barts.

7.377 If the development were to be approved, then alternative waste collection arrangements would be needed for the Mount Terrace residential properties. This is because the position in which the bins are currently stored would be adjacent to part of the new Plot A building, with this particular part of Plot A proposed to house access to a substation as well as ground floor windows to the community space at the eastern end of Plot A. The existing arrangement could not continue as access to the substation could be obstructed from a health and safety perspective and it is unlikely that the developer would allow the Eurobins to be stored in front of windows into their new Plot A building.

7.378 This matter has been raised with the applicant and they have proposed an alternative location on the southern side of the street, to the east of the emergency access barrier. It would have been preferable for a more considered solution to this issue and for the bins to have been located within the built form of development. However, Officers accept that the existing situation is unusual and presumably results from the fact that Mount Terrace is a private road with barriers at either end.

7.379 On balance and having regard to the existing arrangements, the proposed solution is considered to be acceptable albeit it is unfortunate to have Eurobins stored externally on newly improved public realm.

Public Realm

Highway works

7.380 The application includes changes to Stepney Way. Currently Stepney Way is two-way from New Road up to the Royal London Hospital, where it then changes to one way eastbound only beneath/between the hospital building. This involves making this road one-way for its length (eastbound entry only from New Road, no west bound exit onto New Road as exists currently).

7.381 LBTH Highways are supportive of this proposal as it will contribute to lower levels of traffic in general through the area as well as improving the local environment for pedestrians and

cyclists. It is, however, noted that the one way proposals would inhibit the direct onward travel of cyclists who are travelling west via the existing cycle contraflow route on Stepney Way (underneath/between the hospital building). The proposed changes to the highway network will not impact on existing routing for emergency vehicles accessing the Royal London Hospital.

7.382 In addition, if permission were granted then Turner Street would be made one-way for traffic (south bound only) between Stepney Way and Newark Street. This will facilitate the provision of wider footways either side incorporating the existing loading and parking bays. Newark Street, between Turner Street and New Road will also be made one-way for traffic, westbound. Similarly Newark Street east of Turner Street would become a one-way street with a defined carriageway width of approximately 6m. The footway on the northern side of the street (alongside Plot C) will be widened and incorporates the existing bays

7.383 Traffic calming measures to reduce speed are also proposed on highways within the site. If permission were to be granted, then the proposed changes would be subject to a comprehensive agreement under S.278 of the Highways Act, with works carried out by LBTH to the authority's standards. It should be noted, however, that the applicant is proposing flush kerbs in some areas and this is not supported by the highway authority. Such an arrangement would not be acceptable for anyone who is visually impaired and fully flush footway / carriageway on the public highway will not be carried out under the S.278 agreement.

7.384 Whilst the Stepney Way proposals would create more space for pedestrians on highway land, the proposal is less successful on New Road. The applicant has been requested to move the building line of those buildings fronting New Road back to improve the current narrow footways along the eastern side of New Road. These footways will be subject to increased footfall as a result of the development and are currently narrowed even further by bus stops and cycle stands. The applicant, however, has not taken this on board and has designed to the existing building line. LBTH Highways have advised that the existing footways are not suitable for the increase in footfall that is expected during the operational phase of the development.

7.385 Whilst there would clearly be some deficiencies in the respect of highway works, Officers consider that these need to be balanced against the public realm works as a whole such works being assessed as an overall benefit flowing from the proposal.

Non-highway works

7.386 Significant areas within the site are not public highway, but will be subject to public realm improvement works. The submitted plans show that the proposed approach to public realm is intended to result in a cohesive appearance across the site. This is an appropriate response.

Permeability

7.387 Permeability through the site, off the public highway, is to be improved. In principle this is welcomed. However, as noted earlier in this report there are a number of deficiencies in proposals from a place shaping/urban design perspective – most notably the proposals for the green spine to the east of Plot D1.

Active Travel Zone

7.388 The applicant has carried out an Active Travel Zone (ATZ) assessment and has provided a number of recommendations, including lighting improvements and the provision of tactile paving at crossings.

7.389 TfL have confirmed that no ATZ works are required to highways under their control.

Highways, Transport and Servicing conclusion

7.390 In certain respects the proposed development does not present the optimum solutions in relation to proposed highway, transport and servicing arrangements. The applicant's desire to largely treat each unit as a discrete entity has not assisted with the issues that have been

identified. Some betterment on deficient areas will be able to be achieved through the recommended transport/highway related conditions and planning obligations.

7.391 Notwithstanding the deficient areas Officers do acknowledge that the completed development will deliver substantial improvements to the public realm across the site. This benefit along with other benefits flowing from the development will need to be weighed against the identified deficiencies in the proposals. This is discussed later in the report under 'Planning Balance'.

Environment

Energy and Environmental Sustainability

7.392 The Local Plan requires non-residential development post-2019 to be zero carbon with this being achieved through a minimum 45% reduction in regulated carbon dioxide emissions and the remaining regulated carbon dioxide emissions to 100% to be offset through a cash in lieu contribution.

7.393 Policy SI2 of the London Plan also requires major development to be net zero-carbon. The London Plan requires that an energy hierarchy is followed to reduce greenhouse gas emissions in operation and minimise both annual and peak energy demand.

7.394 The London Plan also requires that non-residential development achieves 15% of the carbon reductions beyond Part L from energy efficiency measures alone. Clearly a key aspect of achieving carbon reductions is via energy efficiency measures. To ensure such measures are applied in a consistent manner, the Local Plan requires that energy efficiency measures are based on BREEAM (Building Research Establishment Environmental Assessment Method) standards. For new non-residential development providing floorspace of greater than 500sqm the Local Plan requires proposals to meet at least BREEAM 'Excellent' standards.

7.395 The table below summarises the regulated carbon dioxide savings from each stage of the energy hierarchy for the site for both the originally submitted proposal and for the amended proposal under the 'addendum submission'.

	Regulated non-domestic carbon dioxide savings			
	Tonnes CO2 per annum		**%**	
	Original submission	Addendum submission	Original submission	Addendum submission
Be lean: savings from energy demand reduction	109.3	122.2	9%	11%
Be clean: savings from heat network	0.0	0.0	0%	0%
Be green: savings from renewable energy	358.3	326.4	30%	29%
Total cumulative savings	467.6	448.7	40%	40%
Annual savings from offset payment	716.0	672.7	-	-
	Tonnes CO2			

Cumulative savings for offset payment	21,481	20,181	-	-
Carbon offset (cash in lieu) contribution £	2,040,667	1,917,257	-	-

7.396 As can be seen from the above table, the proposal does not meet LBTH's requirement for 45% reduction in CO2. Similarly, the proposal does not meet the 15% requirement savings from energy demand reduction, though Officers do note that there has been an increase since the original submission.

7.397 The applicant's Energy Statement Addendum explains that the significant carbon reductions have been achieved against the challenge of a very high energy use from life science wet laboratories, noting that were the buildings to be standard offices the reductions would be greater.

7.398 At first sight it may appear concerning that the borough's basic requirements are not being met for this proposal. However, the GLA's 15 June 2022 'Note to accompany GLA Energy Assessment Guidance 2022' states '*non-residential developments may find it more challenging to achieve significant on-site carbon reductions beyond Part L 2021 to meet both the energy efficiency target and the minimum 35 per cent improvement. This is because the new Part L baseline now includes low carbon heating for non-residential developments but not for residential developments. However, planning applicants will still be expected to follow the energy hierarchy to maximise carbon savings before offsetting is considered.'*

7.399 Notwithstanding, it appears that the requirements of the 'be clean' strand of the hierarchy have not fully been addressed. The London Plan requires the reduction of carbon emissions through the use of zero or low-emission decentralised energy prioritising connection to district heating and cooling networks and utilising secondary heat sources.

7.400 The supporting text to London Plan Policy SI2 states that where development is proposed in Heat Network Priority Areas this should follow the heating hierarchy in Policy SI 3 – Energy Infrastructure. The GLA's Heat Map confirms the site is within a Heat Network Priority Area therefore the requirements of SI 3 must be considered.

7.401 Whilst the requirement to produce an energy masterplan cannot be imposed upon the developer (as these are intended to cover much larger areas), it is noted that such masterplans should identify major heat loads, opportunities for future connections, secondary heat sources including waste heat and opportunities for futureproofing utility infrastructure networks to minimise the impact from road works.

7.402 Given the site is within a Heat Network Priority Area and would itself generate waste heat, it appears that there is a significant missed opportunity with the development to either connect into a future network or itself supply waste heat to a future network.

7.403 The GLA Energy have commented that correspondence from the applicant which is attempting to justify interconnection with the hospital is out of date. This is therefore an outstanding item. GLA Energy have also requested that the applicant provides a drawing robustly demonstrating the insurmountable constraints for interconnectivity between the blocks and where this is proved feasible to propose safeguarded pipe routes, with the design showing that connections have been minimised.

7.404 Officers are concerned that this information has not been provided and thus that every opportunity has not been taken to reduce carbon emissions. Linked to this, a large part of the applicant's asserted benefits of the proposed scheme are the public realm works that are proposed on the site. The effect on road works from installing infrastructure is noted in Policy SI 3. Officers are concerned of the impact on public realm of installing infrastructure at a later date. Not only would this cause unnecessary inconvenience for those living, working and travelling through the area but it may also be problematic in terms of sourcing of materials and

quality of workmanship for reinstatement as well as wasteful where materials are dug up and cannot be reused.

7.405 Overall, whilst Officers are concerned that the proposal does not appear to have exhausted every opportunity to minimise current and future carbon emissions from the site it is acknowledged that the guidance notes potential difficulties in achieving this on commercial developments. Notwithstanding, Officers consider that this item alone would not form a recommendation for refusal of the application and that some potential betterment on the situation can be achieved through planning conditions and planning obligations should the development be found to be acceptable in all other respects and permission granted. In addition it is to be noted that irrespective of the above considerations the proposal would ultimately be the equivalent of zero carbon since it would be liable to pay a carbon offset contribution to fund off-site carbon reduction schemes. It would also be compliant with LBTH's BREEAM requirement, in that the Energy Statement confirms that the development would gain sufficient credits to achieve the required 'Excellent' rating.

7.406 Having regard to the foregoing, if permission is granted then it is recommended that the following forms part of the decision:

- Provision for future connection to district heat network (via S.106 agreement)
- Provision of a waste heat utilisation strategy (via S.106 agreement)
- Pre-commencement planning condition requiring provision of drawings to demonstrate the safeguarding design for future district heat network connection per block
- Pre-commencement planning condition requiring further PV provision (including via biosolar arrangement)
- Pre-commencement planning condition requiring outstanding concerns in relation to Be Lean Energy efficiency to be addressed
- Pre-commencement planning condition requiring up-to-date correspondence with Barts regarding supply of heat to the proposed development

Air Quality

7.407 Matters relating to air quality have been assessed within the submitted Environmental Statement. The information has been reviewed by LBTH's externally appointed competent expert, Temple, as well as the GLA and LBTH Environmental Health. The information relating to air quality has been found to be acceptable by the relevant experts. To ensure that the development meets the appropriate air quality standards, in accordance with the advice of the relevant experts it is recommended that conditions are attached to the decision, if permission is granted, relating to the following:

- Dust Management Plan and PM10 Monitoring
- Kitchen Extract Standards for Commercial Uses
- Construction Plant and Machinery (NRMM – low emission standards)
- Emergency Generator flu Locations
- Air Quality and Dust Management Plan
- Measures to reduce the cumulative impact of the emergency generators
- Demolition Method Statement (DMS)
- Construction Method Statement (CMS)
- Construction Environment Management Plan
- Travel Plan
- Compliance with emissions parameters
- Car-free provisions

Greenhouse Gases

7.408 Matters relating to greenhouse gases (GHG) have been assessed within the submitted Environmental Statement. The information has been reviewed by LBTH's externally appointed competent expert, Temple, as well as the GLA.

7.409 The information assessed the likely significant effects of the Proposed Development on GHG emissions by estimating those associated with aspects across the project lifecycle. The GHG

assessment follows a Whole Life Carbon (WLC) approach, deriving its data from the separate WLC Assessment, as well as the operational transport assessment and the separate energy strategy

7.410 In terms of mitigation, Temple's review has concluded that this could be adequately addressed through the measured embodied within the development as well as conditions and obligations pertaining to matters such as:

- Compliance with an approved CEMP
- Waste Management Plan
- Demolition Method Statement
- Construction Method Statement
- Travel Plan and car free
- Energy

7.411 In addition, the GLA have assessed the Whole Life Cycle Carbon (WLC) Assessment in their stage 1 referral response. The GLA have confirmed that they have no further comments and no further actions are required by the applicant at the planning stage – all previous queries having been responded to. In accordance with the GLA's advice Officers recommend that should permission be granted then a condition should be attached to the decision in relation to the post-construction WLC assessment.

Flood Risk and Drainage

7.412 A Flood Risk Assessment and a SuDS (Sustainable Drainage Strategy) Strategy Report have been submitted with the application.

7.413 The site lies within Flood Zone 1, which is an area assessed as having 1 in 1000 or less annual probability of river or sea flooding (<0.1%). The site has been assessed as being at very low probability of flooding from fluvial and tidal sources. It is also assessed as being at low risk of flooding from sewers and other drainage networks as long as they are adequately maintained.

7.414 The site has been assessed as being at low risk from groundwater sources, subject to a suitable waterproofing strategy at basement level. The ES review has confirmed that such mitigation is already embedded in the proposal. The site has also been assessed as being at low risk from surface water flooding and it does not lie within a critical drainage area.

7.415 The site does not currently cause flooding to adjacent sites and sustainable drainage measures are proposed to be incorporated within the proposed development. Therefore, the risk to adjacent properties will be adequately mitigated.

7.416 The sustainable drainage proposals are to reduce the surface water discharge from the proposed development to greenfield rates. In order to achieve this the proposed attenuation features for the development will comprise of a combination of attenuation systems within the building footprints in the form of blue roofs and storage tanks, located above basement level in order to achieve a gravity discharge into the surrounding public sewer and within the external landscaped area in the form of permeable paving and geo-cellular tanks to achieve a gravity discharge into the surrounding public sewers. External landscaped areas will be attenuated outside building footprints within permeable pavements and geo-cellular tanks which would allow a gravity connection into the public sewers.

7.417 A schematic SuDS layout has been provided however final detailed SuDS proposals will need to be approved by LBTH in due course. This is recommended to be secured by planning condition should permission be granted. Subject to this, the proposal would be acceptable with regard to flood risk, sustainable drainage, sewerage and water supply and use and as such accord with relevant policy and guidance as set out in the NPPF, Policies 5.12, 5.13 of the London Plan and Policies D.ES4, D.ES5 and D.ES6 of the Local Plan.

Ground conditions

7.418 Information submitted with the application covers the matters of groundwater, human health, unexploded ordnance (UXO), ground gas and volatile and semi-volatile organic compounds. Al effects arising from such have been found within the Temple's review of the Environmental Statement to be acceptable subject to conditions being attached to the permission, if granted, requiring the following:

- Construction Phase Plan
- Construction Environmental Management Plan
- Materials Management Plan
- Further Ground Investigation for geotechnical purposes in plots yet to be demolished to allow production of a Geotechnical Design Report. Additional ground gas monitoring to facilitate recommendations of ground gas protection measures
- Remediation Method Statement, inclusive of potable water pipe specification
- Detailed UXO Risk Assessment
- Verification Report to verify implementation and success of remedial measures
- Piling Risk Assessment.
- Assessment on the location and depth of London Underground and Royal Mail assets.

Planning Balance

7.419 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'.

7.420 As stated in the Heritage section of this report, Historic England judged the harm to the Former London Hospital Conservation Area to be in the middle range of less than substantial and harm to the significance of the Grade II listed former Whitechapel Hospital through changes to its setting is in the lower half of the less than substantial harm range. Officers have no reason to disagree with this assessment. The harm is principally as a result of:

- The near total demolition of the historic free neo-Jacobean style Edwardian former Outpatients building but for the south and east elevations, where historic fenestration and glazing patterns to the ground floor are largely to be lost.
- The proposed vertical extension to the' building the remaining elements of the former Outpatients building.
- The loss of the 1930s Outpatients Annexe building.
- The scale of the proposed building on Plot D1 which remains of a scale out of character with the surrounding conservation area, dominating the roofline of the former Whitechapel Hospital building

7.421 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".

The key public benefits are:

a. Delivery of space for life science use and establishment of a new life science cluster in Whitechapel, with measures to be put in place to maximise local health outcomes.

b. Delivery of a new research and teaching building for QMUL.

c. New employment and training opportunities through both the construction and end use phase, including up to 4,180FTE staff in the completed development and training and apprenticeship opportunities in both phases.

d. Provision of community space including a Community Involvement Centre and space for education activities on site.

e. A STEM outreach programme.

f. Provision of high quality affordable workspace, substantially beyond the minimum requirements in development plan policies and planning obligations SPD

g. New and enhanced public realm including strategic infrastructure in the form of a new section of Green Spine and the provision of a new public square adjacent to St. Augustine with St. Philip's Church and associated improvements to permeability.

h. Improved levels of activity and animation at street level which in turn can lead to improved feelings of safety for users.

i. Repair of the somewhat fragmented built form on the site.

j. An enhanced setting to the grade II listed Mount Terrace and the grade II* listed St. Augustine with St Philip's Church.

7.422 Officers are of the view that the public benefits identified under points a, b and c are matters which carry substantial weight having regard to the health and economic outcomes that will flow from them.

7.423 Officers consider that the public benefits identified under points d, e and f carry significant weight since they will ensure that the proposed development directly benefits local residents and ensures that the benefits of growth are shared in line with Local Plan policy objectives.

7.424 Officers assess the public benefits identified under points g, h, I and j to carry moderate weight since the proposals that lie behind these benefits are in certain respects deficient (as outlined elsewhere in this report).

7.425 Overall Officers' assessment is that the package of public benefits taken as a whole carries substantial weight which is sufficient to outweigh the harm that has been identified to heritage assets. Consequently, the proposal passes the 'paragraph 208' test.

7.426 In addition to the above balancing exercise, it will have been noted throughout this report that Officers consider the proposals to be deficient or harmful in a number of areas. This includes in the areas of cycle access, the non-consolidated servicing arrangements, daylight, sunlight and overshadowing impacts, failure to comply with tall buildings policy, urban design shortcomings for the proposed Green Spine, concerns over active frontages and the general scale of the proposal within the townscape.

7.427 Notwithstanding, Officers have assessed the above benefits as carrying sufficient weight to outweigh the identified deficiencies and harm.

Infrastructure Impact

7.428 It is estimated that the proposed development would be liable for Mayor of London CIL of approximately £4,738,500 (exclusive of indexation).

7.429 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.

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

- £323,908 towards construction phase employment skills training
- £1,705,440 (TBC) towards end-user phase employment skills training
- £17,280 toward carbon emission off-setting
- £1,917,257.00 toward carbon emission off-setting
- £180,000 towards development co-ordination and integration

Human Rights & Equalities

7.431 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.

7.432 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. The applicant is also delivering an enhanced public benefits package to offset impact and harm caused by the proposal.

7.433 The proposal will establish a new life science cluster for research and development as well as the creation of employment and training opportunities and potentially up to 4,180 FTE jobs. Affordable workspace will also be secured by the legal agreement which goes beyond Planning Obligations requirements.

7.434 The proposed development would provide for disabled workers and visitors to the site by providing safe and dignified access arrangements. Around the site, improvements are made to the wider public realm including delivery of publicly accessible open space. The proposal also includes the delivery of the Green Spine in line with policy requirements.

7.435 The proposal will also deliver a range of health benefits in line with Local Plan policy objectives in terms of growth bringing an improved quality of life and reduce health inequalities. Such health benefits include a *Health Outcomes Strategy and* Health Strategy Framework alongside a Health Outcomes Working Committee. Outcomes flowing from this are expected to include maintenance and promotion of good health and the reduction of health inequalities as well as the treatment of ill-health.

7.436 Finally, two new community facilities will be provided which will be accessible to residents, including those of school age.

7.437 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) £ 323,908 towards construction phase skills and training
b) £1,705,440 (TBC) towards end-user phase employment skills training
c) £2,500,000.00 towards wellbeing, women's health and community research
d) £1,917,257.00 toward carbon emission off-setting
e) £180,000 towards development co-ordination and integration
f) £220,000 towards TfL cycle hire provision
g) £100,000 towards monitoring the legal agreement

8.3 Non-financial Obligations

a) Establishment of a group to foster collaboration between various stakeholders on a variety of topics, including reporting updates against agreed relevant strategies; exact Terms of Reference for the group to be confirmed in the detail of the s106 agreement

b) Reasonable endeavours to facilitate access to employment; as follows:
   - 25% local procurement
   - 25% local labour in construction phase
   - 25% local labour in end use phase
   - 61 construction phase apprenticeships

- Pathways into life sciences provisions (including provision of two officer posts (one senior and one junior) for a period of 10 years to support primarily young residents (primary, secondary and college) and their parents/carers understand the employment opportunities flowing from the development)

c) Affordable Workspace

i) Provision of 10% of the qualifying NIA as Affordable Workspace comprising:

Affordable fitted out incubator space
- approximately 65% of qualifying floorspace
  - at least 40% wet lab space
- balance to be provided as write-up and dry lab space
  - 20% discount to all in costs (i.e. fully inclusive of service charges/membership for AW tenants), compared to market rate for equivalent

Entry Level office space
- Approximately 35% of qualifying floorspace
- CAT A fit out
- 50% discount to all in costs (i.e. fully inclusive of service charges/membership for AW tenants), compared to market rate for equivalent

ii) To be provided for a minimum of 25 years and subject to periodic review

iii) Provision of entry level office space for an additional 10 years after the initial 25 year period, Based on 10% of the qualifying NIA floorspace with 10% discount below the average market rate.

iv) Plot C to be excluded from Affordable Workspace requirements subject to restrictions providing for that Plot to be occupied on a non-commercial basis.

d) Education and Outreach - Science Technology, Engineering and Maths (STEM) provisions

i) Approval of Community Education Outreach Programme Strategy

ii) Provision of a dedicated "Community Lab" and learning space
- A free to use fitted out and equipped space on the ground floor of Plot A
- Peppercorn rent
- Minimum of 20 years

iii) Commitment to providing the appropriate resources for the delivery of the STEM activities.

iii) Establish life science ambassador programme.

iv) Annual life science festival for life of development.

e) Community Involvement Centre

i) Provision of a "Community Involvement Centre" accessible to the public and community groups:
- To be provided on the ground floor of Plot D1 CAT B fit out
- Peppercorn rent arrangements
- Minimum of 20 years
- Dedicated flexible community space comprising meeting rooms, co-working space, kitchen and WCs
- Life science occupiers to provide commitment to locally agreed coproduction principles (reasonable endeavours)

f) Skills Escalator

i) Creation of a bespoke Skills Escalator Programme to coordinate the following across the masterplan:
   - School work experience
   - Internships
   - Adult work experience placements
   - Graduate paid placements

g) Campus Strategy (to include details of an enterprise support programme and life science SME networking space).

h) 40% or 19,513sqm (whichever is the greater) of NIA to be designed as wet lab capable.

i) Provision of a retail strategy to manage active frontages .

j) Provision and ongoing maintenance of public toilets and water fountains.

k) Phases to be defined by reference to a plan appended to the legal agreement. Construction phasing plan also to be appended to the agreement.

l) Delivery of St Phillip's Square/Public Realm Delivery Strategy (including backstop trigger , provisions for future maintenance and S.278 works).

m) Health Outcomes Strategy and Health Strategy Working Committee

n) Public realm access and management.

o) Provision of public art.

p) Sponsoring and managing of cultural events programme for St Phillips Square.

q) Architect retention.

r) Provision for future connection to district heat network.

s) Provision of waste heat utilisation strategy

t) Travel Plans

u) Incorporation of Legible London way-finding

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

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

8.6 **Planning conditions**

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.

3. Occupation in accordance with life science definition (Class E (g)) as follows: *"Occupation for life sciences (as defined) unless otherwise approved in writing by the LPA".*
4. Development to be undertaken in accordance with ES mitigation measures
5. Restrictions on Demolition and Construction Activities
6. Undertaking tree/shrub clearance outside of bird nesting season
7. Maximum Containment Level 2 laboratory use
8. Limitation of external noise from plant
9. Kitchen Extract Standards for Commercial Uses
10. Energy and sustainability standards
11. Hours of use
12. Hours of use of the terrace
13. Restriction on telecommunications apparatus

Pre-commencement

14. Confirmation of Code of Construction Practice compliance
15. Conservation Area demolition
16. Method statement and structural information regarding retention of original facades on Plot B3
17. Demolition Method Statement (DMS).
18. Construction Plant and Machinery (NRMM)
19. Basements – highway protection
20. Measures to protect controlled waters including basements
21. Tree protection details
22. Submission of a tree planting methodology in line with BS 8545
23. Archaeological WSI, results dissemination and outreach (in consultation with GLAAS)
24. Assessment of location, depth and protection of LU and Royal Mail assets
25. Detailed design and method statement (in consultation with TfL)
26. UXO risk assessment (detailed)
27. Remediation Method Statement and Production of a Verification Report.
28. Materials Management Plan.
29. Geotechnical ground investigation and production of Geotechnical Design Report
30. Additional ground gas monitoring to facilitate recommendations of ground gas protection measures
31. Detailed Circular economy statement
32. Crane and scaffold details (in consultation with London City Airport)
33. Details of phasing

Pre-superstructure works

34. Materials (details, samples, mock up panels)
35. Emergency generators flues
36. Plant – full details
37. Biodiversity, including bio solar
38. Site waste management plan
39. Sustainable drainage details and strategy
40. Details of cycle hire docking station reprovision

Pre-occupation

41. Secured by Design certification (plot by plot)
42. Whole Life Carbon assessment post construction information (for each building)
43. Cooling demands (for each building)
44. Landscaping and management details, including to achieve UGF score of at least 0.227 and wind mitigation .
45. Deliveries and Servicing Management Plan

46. Erection (and details of) privacy screen on Plot C to protect amenity of Gwynne House residents
47. Erection (and details of) privacy screen on Plot A to protect amenity of Mount Terrace residents
48. Installation of low reflectance glass for the windows causing the solar reflection to point N1.
49. Travel Plan
50. Measures to reduce the cumulative impact of the emergency generators
51. Consolidated commercial waste arrangements
52. Detailed lighting strategy
53. Lights off scheme
54. Cycle parking
55. Majority active ground floor frontages and detailed design display bays

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Sitewide Plans
WCR00-AAM-XX-00-DR-AR-07000 Site Location Plan P2
WCR00-AAM-XX-RF-DR-AR-07001 Masterplan - Existing / Demolition Masterplan P3
WCR00-AAM-XX-00-DR-AR-07002 Masterplan - Proposed Ground Floor Plan P3
WCR00-AAM-XXRF-DR-AR-07003 Masterplan - Proposed Roof Plan P3

Sitewide Elevations
WCR00-AAM-XX-ZZ-DR-AR-07200 Site Elevations - Whitechapel Rd Existing & Proposed P3 WCR00-AAM-XX-ZZ-DR-AR-07201 Site Elevations - New Road East Existing & Proposed P3 WCR00-AAM-XX-ZZ-DR-AR-07202 Site Elevations - Turner St West Existing & Proposed P3 WCR00-AAM-XX-ZZ-DR-AR-07203 Site Elevations - Stepney Way North Existing & Proposed P2 WCR00-AAM-XX-ZZ-DR-AR-07204 Site Elevations - Stepney Way South Existing & Proposed P2 WCR00-AAM-XX-ZZ-DR-AR-07205 Site Elevations - Newark St North Existing & Proposed P2 WCR00-AAM-XX-ZZ-DR-AR-07206 Site Elevations - Mt Terrace South Existing & Proposed P3 WCR00-AAM-XX-ZZ-DR-AR-07207 Site Sections - North/South Existing & Proposed P3
WCR00-AAM-XX-ZZ-DR-AR-07208 Site Sections - North/South Existing & Proposed P2

Plot A
WCRA0-AAM-XX-00-DR-AR-07100 Proposed Ground Floor Plan P2
WCRA0-AAM-XX-01-DR-AR-07101 Proposed Level 01 Plan P2
WCRA0-AAM-XX-02-DR-AR-07102 Proposed Level 02 Plan P2
WCRA0-AAM-XX-03-DR-AR-07103 Proposed Plant / Terrace Level Plan P2
WCRA0-AAM-XX-RF-DR-AR-07104 Proposed Roof Plan P2
WCRA0-AAM-XX-ZZ-DR-AR-07200 Proposed North, West & East Elevation P2
WCRA0-AAM-XX-ZZ-DR-AR-07201 Proposed South & South Courtyard Elevation P2
WCRA0-AAM-XX-ZZ-DR-AR-07300 Proposed Sections AA & BB P2
WCRA0-AAM-XX-ZZ-DR-AR-07301 Proposed Sections CC&DD P2
WCRA0-AAM-XX-ZZ-DR-AR-07400 Bay Study - Whitechapel Road Main Entrance / North East P2
WCRA0-AAM-XX-ZZ-DR-AR-07401 Bay Study - Whitechapel Road / North West P2
WCRA0-AAM-XX-ZZ-DR-AR-07402 Bay Study - Turner Street / South East P2
WCRA0-AAM-XX-ZZ-DR-AR-07403 Bay Study - New Road / West P2
WCRA0-AAM-XX-ZZ-DR-AR-07404 Bay Study - Courtyard / South P2
WCRA0-AAM-XX-ZZ-DR-AR-07405 Bay Study - New Road Building
WCRB1-GTA-XX-ZZ-DR-AR-07406 Bay Study – Turner Street / East P1

Plot B1
WCRB1-GTA-XX-B1-DR-AR-07099 Proposed Basement Plan P2
WCRB1-GTA-XX-00-DR-AR-07100 Proposed Ground Floor Plan P2
WCRB1-GTA-XX-01-DR-AR-07101 Proposed Level 01 Plan P2
WCRB1-GTA-XX-02-DR-AR-07102 Proposed Level 02 Plan P2
WCRB1-GTA-XX-03-DR-AR-07103 Proposed Level 03 Plan P2
WCRB1-GTA-XX-RF-DR-AR-07104 Proposed Roof Plan P2
WCRB1-GTA-XX-ZZ-DR-AR-07200 Proposed West & East Elevations P2
WCRB1-GTA-XX-ZZ-DR-AR-07201 Proposed North and South Elevation P2
WCRB1-GTA-XX-ZZ-DR-AR-07300 Proposed Section A-A P2
WCRB1-GTA-XX-ZZ-DR-AR-07301 Proposed Section B-B P2
WCRB1-GTA-XX-ZZ-DR-AR-07400 Bay Study - New Road / West P2
WCRB1-GTA-XX-ZZ-DR-AR-07401 Bay Study - Mount Terrace / North P2
WCRB1-GTA-XX-ZZ-DR-AR-07402 Bay Study - Turner Yard / Main Entrance South P2

Plot B2/B3
WCRB3-AAM-XX-B1-DR-AR-07089 Existing Basement Plan with Demolition P2
WCRB3-AAM-XX-00-DR-AR-07090 Existing Ground Floor Plan with Demolition P2
WCRB3-AAM-XX-01-DR-AR-07091 Existing First Floor Plan with Demolition P2
WCRB3-AAM-XX-02-DR-AR-07092 Existing Second Floor Plan with Demolition P2
WCRB3-AAM-XX-03-DR-AR-07093 Existing Third Floor Plan with Demolition P2
WCRB3-AAM-XX-ZZ-DR-AR-07290 Existing Elevations with Demolition - North & East P2
WCRB3-AAM-XX-ZZ-DR-AR-07291 Existing Elevations with Demolition - South & West P2

WCRB3-AAM-XX-B1-DR-AR-07099 Proposed Basement Plan P2
WCRB3-AAM-XX-00-DR-AR-07100 Proposed Ground Floor Plan P3
WCRB3-AAM-XX-01-DR-AR-07101 Proposed Level 01 Plan P3
WCRB3-AAM-XX-02-DR-AR-07102 Proposed Level 02 Plan P3
WCRB3-AAM-XX-03-DR-AR-07103 Proposed Level 03 Plan P3
WCRB3-AAM-XX-04-DR-AR-07104 Proposed Level 04 Plan P3
WCRB3-AAM-XX-05-DR-AR-07105 Proposed Level 05 Plan P3
WCRB3-AAM-XX-06-DR-AR-07106 Proposed Level 06 Plan P3
WCRB3-AAM-XX-07-DR-AR-07107 Proposed Level 7 Plan - Plant P3
WCRB3-AAM-XX-RF-DR-AR-07108 Proposed Roof Plan P2
WCRB3-AAM-XX-ZZ-DR-AR-07200 Proposed North Elevation P2
WCRB3-AAM-XX-ZZ-DR-AR-07201 Proposed East Elevation P3
WCRB3-AAM-XX-ZZ-DR-AR-07202 Proposed South Elevation P2
WCRB3-AAM-XX-ZZ-DR-AR-07203 Proposed West Elevation P3
WCRB3-AAM-XX-ZZ-DR-AR-07300 Proposed Section A-A - East - West P2
WCRB3-AAM-XX-ZZ-DR-AR-07301 Proposed Section B-B - North - South P2
WCRB3-AAM-XX-ZZ-DR-AR-07302 Proposed Section C-C - Main Entrance Void P2
WCRB3-AAM-XX-ZZ-DR-AR-07400 Bay Study - Turner Yard / North P2
WCRB3-AAM-XX-ZZ-DR-AR-07401 Bay Study - Turner Street / East P2
WCRB3-AAM-XX-ZZ-DR-AR-07402 Bay Study - New Road / West P2
WCRB3-AAM-XX-ZZ-DR-AR-07403 Bay Study - Stepney Way / Main Entrance South P2
WCRB3-AAM-XX-ZZ-DR-AR-07404 Bay Study - Turner Street / Main Entrance East P2
WCRB3-AAM-XX-ZZ-DR-AR-07405 Bay Study - Stepney Way / Main Entrance North P2

Plot C
WCRC0-GTA-XX-B1-DR-AR-07099 Proposed Basement Plan P2
WCRC0-GTA-XX-00-DR-AR-07100 Proposed Ground Floor Plan P2
WCRC0-GTA-XX-01-DR-AR-07101 Proposed Level 01 Plan P2
WCRC0-GTA-XX-02-DR-AR-07102 Proposed Level 02 - 04 Plan P2
WCRC0-GTA-XX-05-DR-AR-07103 Proposed Level 05 Plan - Terrace P2
WCRC0-GTA-XX-06-DR-AR-07104 Proposed Level 06 Plan P2
WCRC0-GTA-XX-07-DR-AR-07105 Proposed Level 7 Plant P2
WCRC0-GTA-XX-RF-DR-AR-07106 Proposed Roof Plan P2
WCRC0-GTA-XX-ZZ-DR-AR-07200 Proposed North Elevation P2
WCRC0-GTA-XX-ZZ-DR-AR-07201 Proposed East Elevation P2
WCRC0-GTA-XX-ZZ-DR-AR-07202 Proposed South Elevation P2
WCRC0-GTA-XX-ZZ-DR-AR-07203 Proposed West Elevation P2
WCRC0-GTA-XX-ZZ-DR-AR-07300 Proposed Section A-A - East - West P2
WCRC0-GTA-XX-ZZ-DR-AR-07301 Proposed Section B-B - North - South P2
WCRDC0-GTA-XX-ZZ-DR-AR-07400 Bay Study - Stepney Way / North P2
WCRDC0-GTA-XX-ZZ-DR-AR-07401 Bay Study - Stepney Way / North P2
WCRDC0-GTA-XX-ZZ-DR-AR-07402 Bay Study - Stepney Walk/ Main Entrance East P2
WCRDC0-GTA-XX-ZZ-DR-AR-07403 Bay Study - Newark Street / South P2
WCRDC0-GTA-XX-ZZ-DR-AR-07404 Bay Study - Newark Street / South P2
WCRDC0-GTA-XX-ZZ-DR-AR-07405 Bay Study - New Road / West P2
WCRDC0-GTA-XX-ZZ-DR-AR-07406 Entrance Glazing Assembly P2

Plot D1
WCRD1-AAM-XX-B1-DR-AR-07009 Proposed Basement Plan P2
WCRD1-AAM-XX-00-DR-AR-07100 Proposed Ground Floor Plan P2
WCRD1-AAM-XX-01-DR-AR-07101 Proposed Level 01 Plan P2
WCRD1-AAM-XX-02-DR-AR-07102 Proposed Level 02 - 04 Plan P2
WCRD1-AAM-XX-05-DR-AR-07103 Proposed Level 05 Plan P2
WCRD1-AAM-XX-06-DR-AR-07104 Proposed Level 06 – 07 Plan P2
WCRD1-AAM-XX-07-DR-AR-07105 Proposed Level 08 Plan P2
WCRD1-AAM-XX-08-DR-AR-07106 Proposed Level 09 - 10 Plan P2
WCRD1-AAM-XX-11-DR-AR-07107 Proposed Level 11 Plan P2
WCRD1-AAM-XX-12-DR-AR-07108 Proposed Level 12 Plan P2
WCRD1-AAM-XX-16-DR-AR-07109 Proposed Level 13 - Lower Roof Plant P2
WCRD1-AAM-XX-RF-DR-AR-07110 Proposed Level 14 - Roof Plan P2
WCRD1-AAM-XX-ZZ-DR-AR-07200 Proposed North Elevation P2

WCRD1-AAM-XX-ZZ-DR-AR-07201 Proposed East Elevation P2
WCRD1-AAM-XX-ZZ-DR-AR-07202 Proposed South Elevation P2
WCRD1-AAM-XX-ZZ-DR-AR-07203 Proposed West Elevation P2
WCRD1-AAM-XX-ZZ-DR-AR-07301 Proposed Section AA P2
WCRD1-AAM-XX-ZZ-DR-AR-07302 Proposed Section BB P2
WCRD1-AAM-XX-ZZ-DR-AR-07303 Proposed Section CC P2
WCRD1-AAM-XX-ZZ-DR-AR-07304 Proposed Section DD P2
WCRD1-AAM-XX-ZZ-DR-AR-07400 Bay Study - Stepney Way / South P2
WCRD1-AAM-XX-ZZ-DR-AR-07401 Bay Study - Hospital Walk / East P2
WCRD1-AAM-XX-ZZ-DR-AR-07402 Bay Study - Garrod Walk / West P2
WCRD1-AAM-XX-ZZ-DR-AR-07403 Bay Study - Terrace / East P2
WCRD1-AAM-XX-ZZ-DR-AR-07404 Bay Study - Terrace & Balconies / West P2
WCRD1-AAM-XX-ZZ-DR-AR-07405 Bay Study - Stepney Way Main Entrance / South P2
WCRD1-AAM-XX-ZZ-DR-AR-07400 Bay Study - Stepney Way / South P2
WCRD1-AAM-XX-ZZ-DR-AR-07401 Bay Study - Hospital Walk / East P2
WCRD1-AAM-XX-ZZ-DR-AR-07402 Bay Study - Garrod Walk / West P2
WCRD1-AAM-XX-ZZ-DR-AR-07403 Bay Study - Terrace / East P2
WCRD1-AAM-XX-ZZ-DR-AR-07404 Bay Study - Terrace & Balconies / West P2
WCRD1-AAM-XX-ZZ-DR-AR-07405 Bay Study - Stepney Way Main Entrance / South P2

Plot D2
WCRD2-AAM-XX-ZZ-DR-AR-07100 Proposed Plans - Basement, Ground and Roof P2
WCRD2-AAM-XX-ZZ-DR-AR-07201 Proposed Elevations P2
WCRD2-AAM-XX-ZZ-DR-AR-07202 Proposed Elevations P2
WCRD2-AAM-XX-ZZ-DR-AR-07301 Proposed Sections P2
WCRD2-AAM-XX-ZZ-DR-AR-07302 Proposed Sections P2

Landscape drawings
WCR00-CML-XX-ZZ-DR-LS-07900 Proposed Public Realm Plan Rev P7
WCR00-CML-XX-ZZ-DR-LS-07901 Proposed Public Realm Context Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07902 Proposed Landscape Levels Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07903 Proposed Paving Arrangement Rev P4
WCR00-CML-XX-ZZ-DR-LS-07904 Proposed Boundary Treatments, Kerbs & Edges Rev P4
WCR00-CML-XX-ZZ-DR-LS-07905 Proposed Furniture and Fixtures Rev P4
WCR00-CML-XX-ZZ-DR-LS-07906 Proposed Tree Removal Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07907 Proposed Tree Planting Plan Rev P6
WCR00-CML-XX-ZZ-DR-LS-07908 Proposed Planting Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07909 Proposed Growing Medium Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07910 Land Ownership Plan Rev P4
WCR00-CML-XX-ZZ-DR-LS-07911 Proposed Urban Greening Factor Rev P4
WCR00-CML-XX-ZZ-DR-LS-07913 Proposed Public Realm (Outside Redline) Rev P4
WCR00-CML-XX-ZZ-DR-LS-07914 Phasing Plan P4

Other application documents

Original Submission
Planning Statement including Draft S106 HoT's
Air Quality Assessment
Biodiversity Survey and Report and Ecology Statement
Construction Environmental Management Plan
Daylight/Sunlight Assessment
Regeneration/ Economic Impact/ Community Benefits Statement
Energy Assessment and Overheating Mitigation
Environmental Statement, including Townscape and Visual Impact Assessment
Fire Statement
Flood Risk Assessment
Utilities Statement
Health Impact Assessment

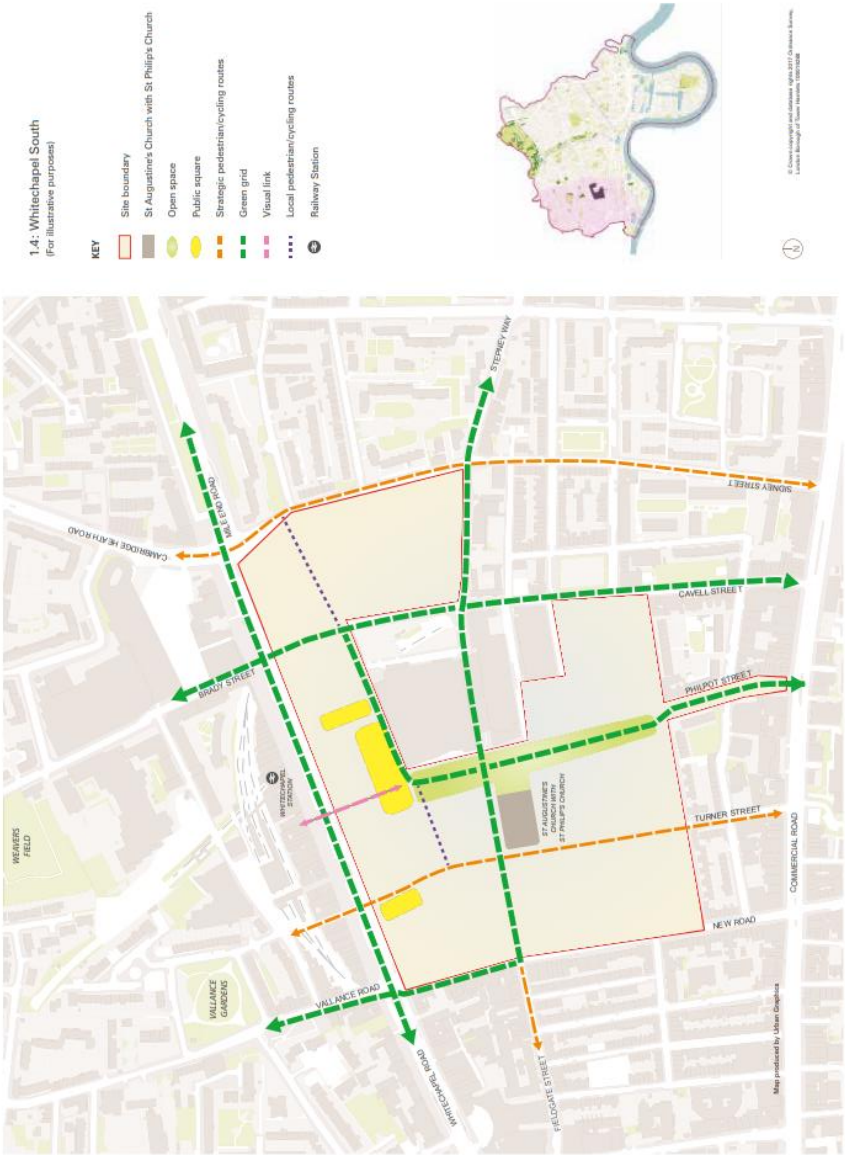
Heritage Statement
Land Contamination Assessment
Noise Impact Assessment and Mitigation Details
Statement of Community Involvement
Site Waste Management Plan
Drainage Strategy and SuDS Report
Transport Assessment including details of servicing, parking and access
Travel Plan
Arboricultural Impact Assessment and Method Statement
Ventilation and Extraction Details
Wind Impact Assessment
Whole Life Carbon Assessment
Circular Economy Statement (Rev 07)
Sustainability Statement
Equalities Impact Assessment

Addendum
Planning Statement Addendum
Heritage Impact Statement Addendum
Environmental Statement Addendum, including Townscape and Visual Impact Assessment Addendum
Site Waste Management Plan Addendum
Travel Plan Addendum
Transport Assessment Addendum
Drainage and SuDS Strategy Addendum
Flood Risk Assessment Addendum
Overshadowing Assessment Addendum
Daylight and Sunlight Assessment Addendum
Energy Assessment Addendum
Whole Life Carbon Assessment Addendum
Circular Economy Statement Addendum
Sustainability Statement Addendum
Fire Statement Addendum
Utilities Statement Addendum

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES AND BACKGROUND INFORMATION

Whitechapel South site allocation extracted from Local Plan (2020)



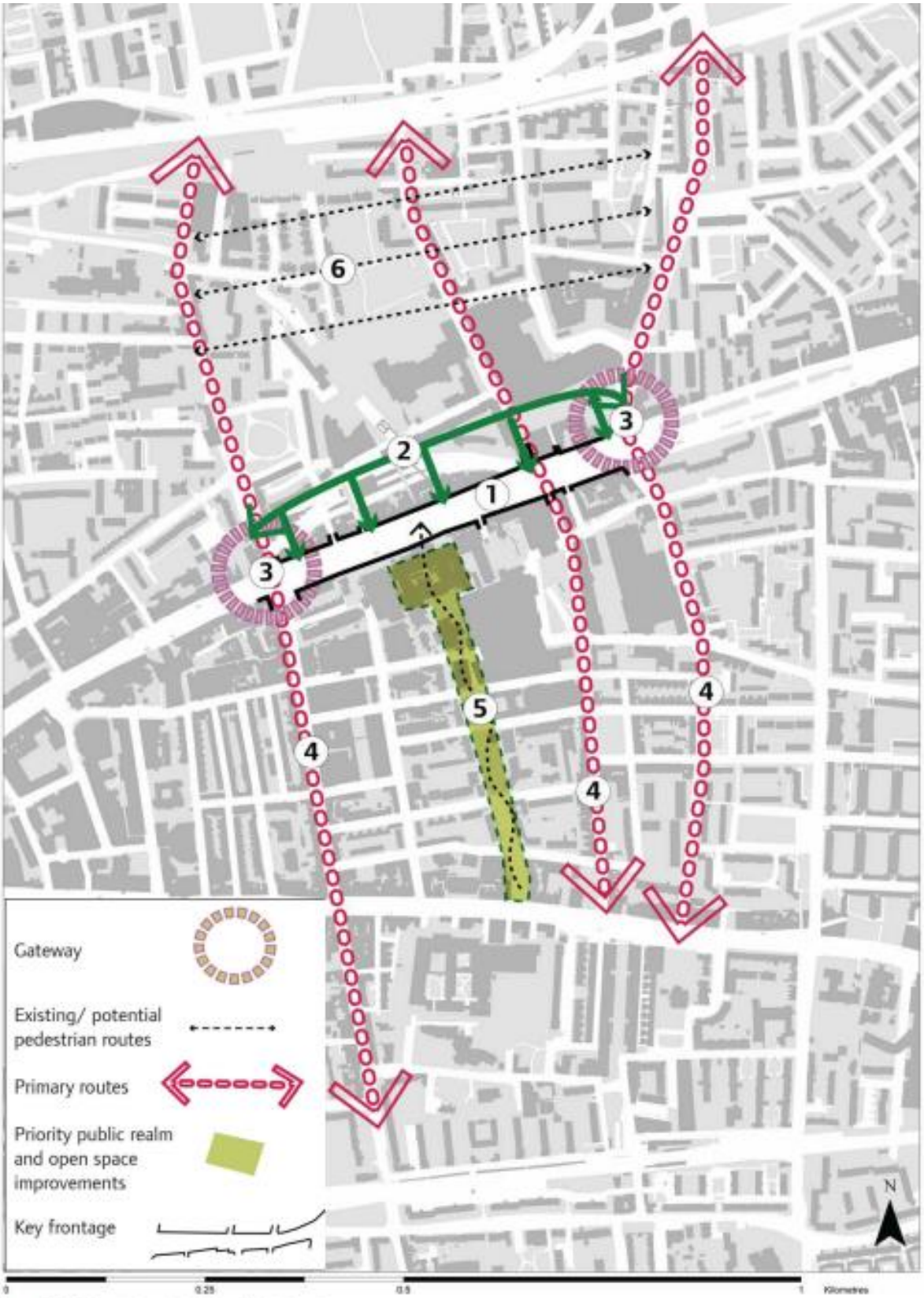
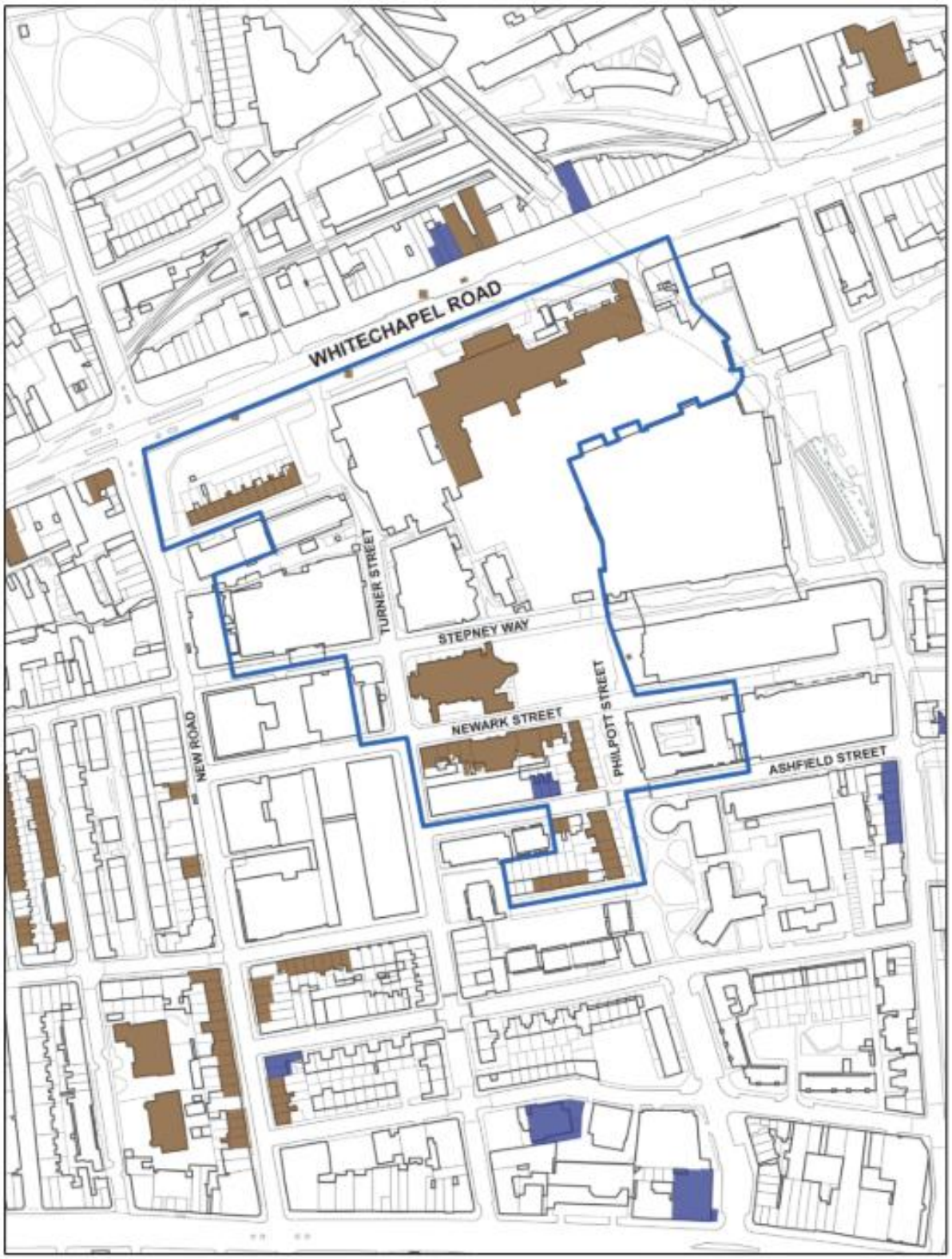


Figure 5.16 *Strategic principles for Whitechapel*



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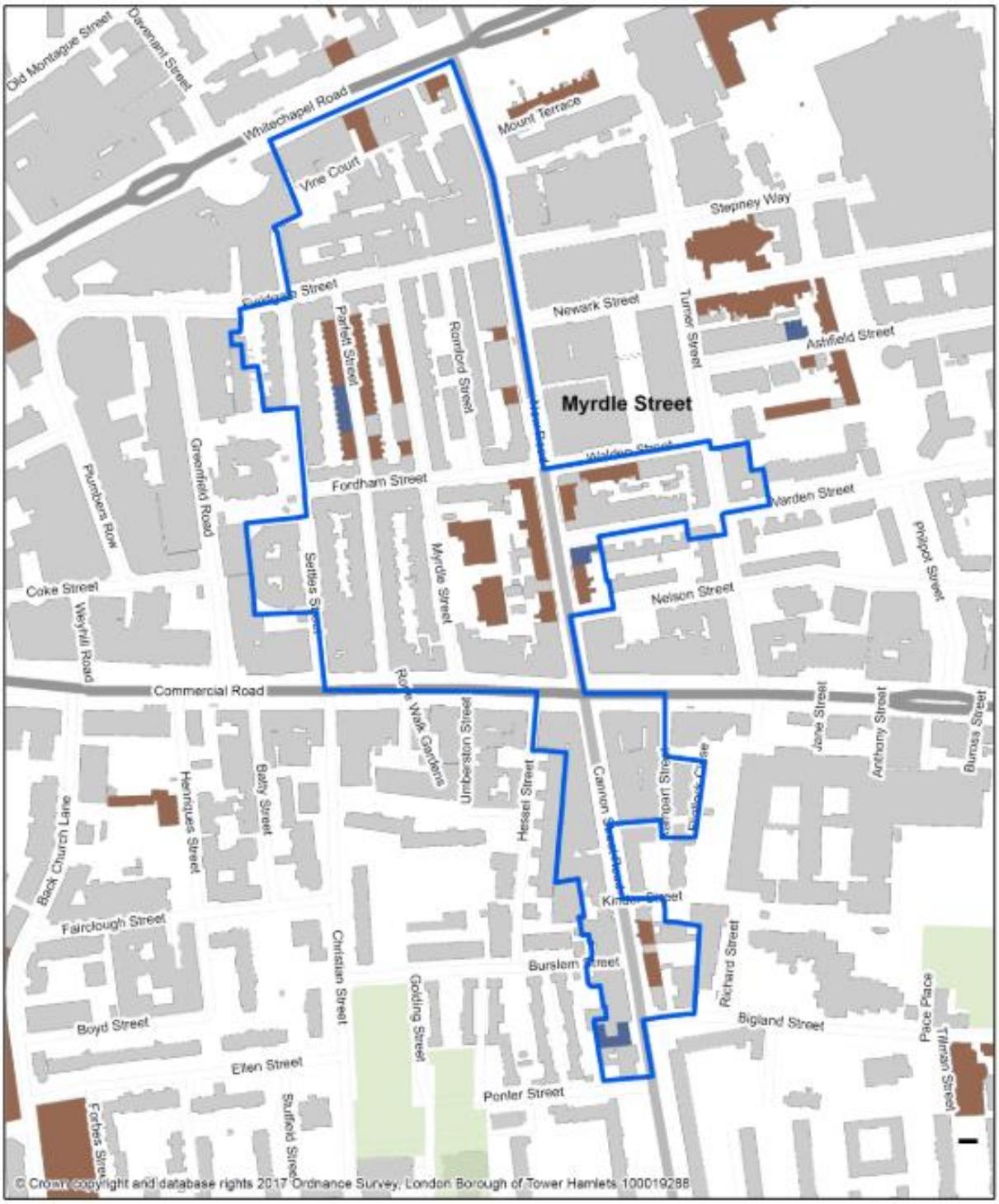
FORMER LONDON HOSPITAL CONSERVATION AREA

Conservation Area

Statutory Listed Buildings

Locally Listed Buildings

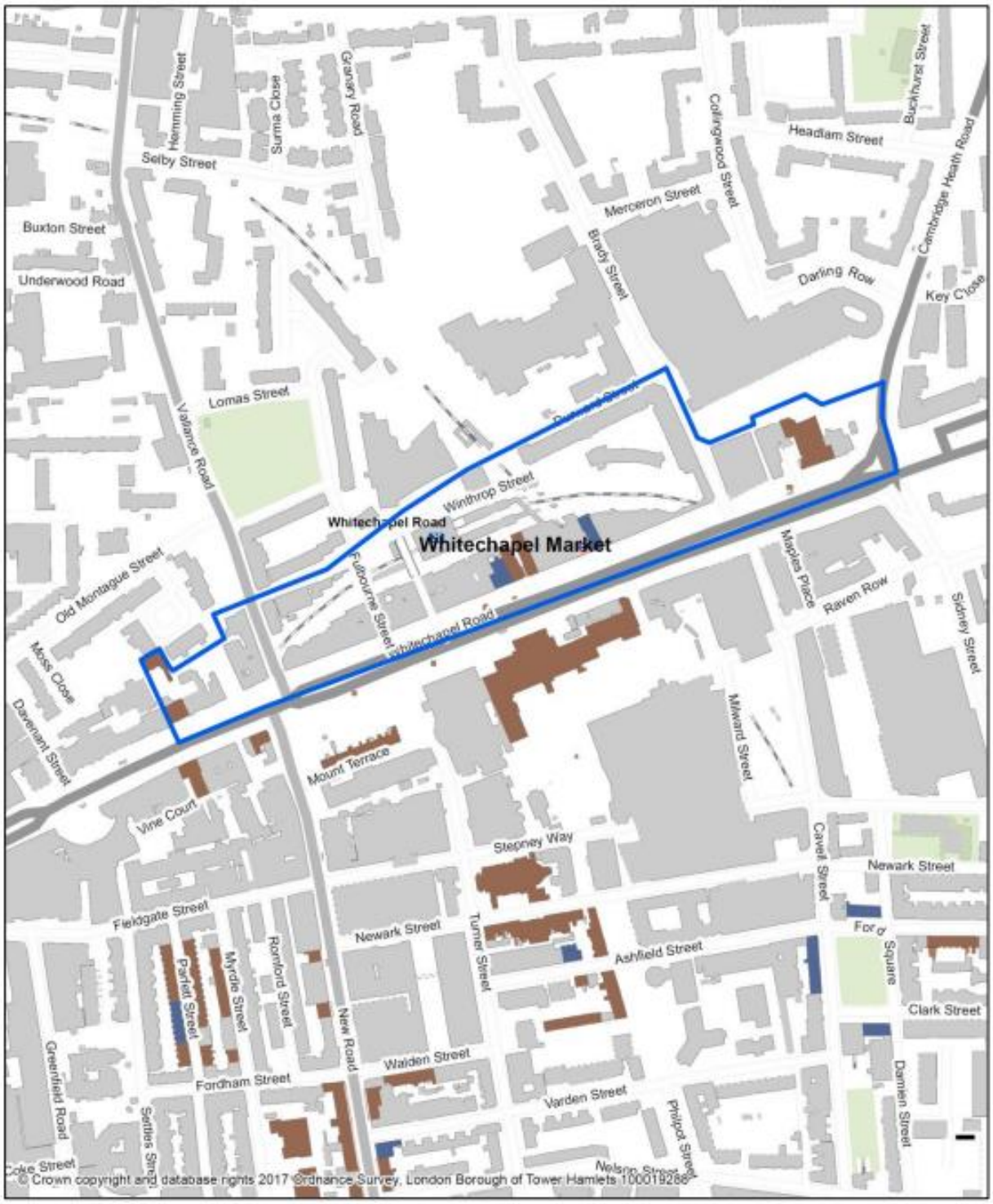


MYRDLE STREET CONSERVATION AREA

Conservation Area

Statutory Listed Buildings

Locally Listed Buildings

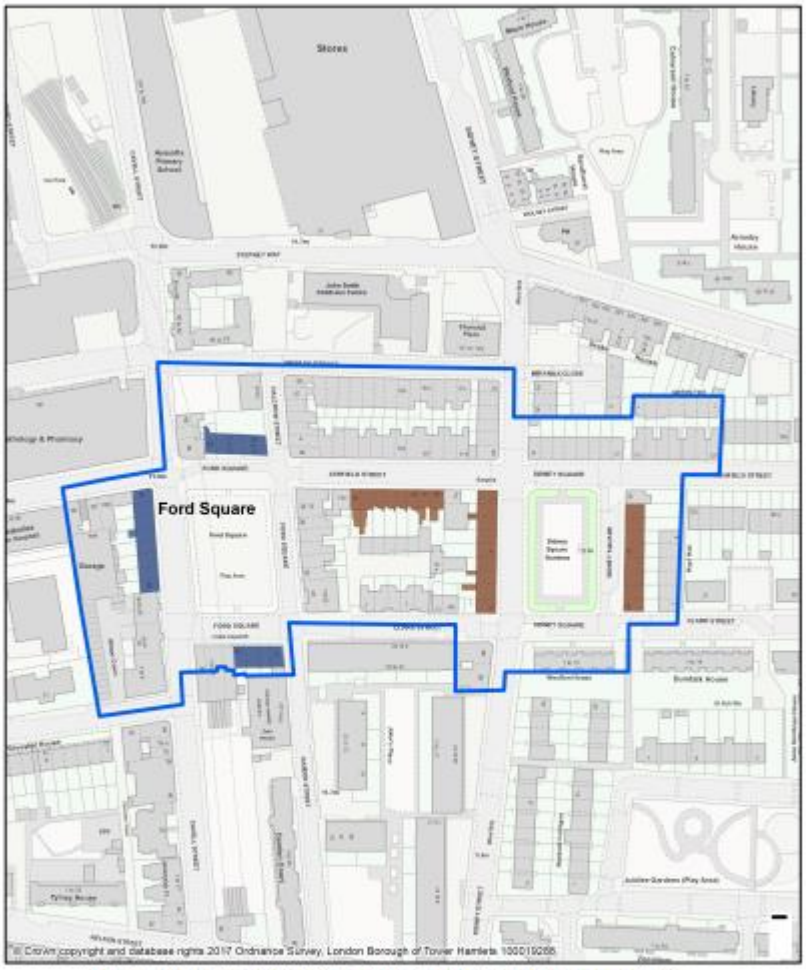


WHITECHAPEL MARKET CONSERVATION AREA

Conservation Area

Statutory Listed Buildings

Locally Listed Buildings



FORD SQUARE SIDNEY SQUARE CONSERVATION AREA

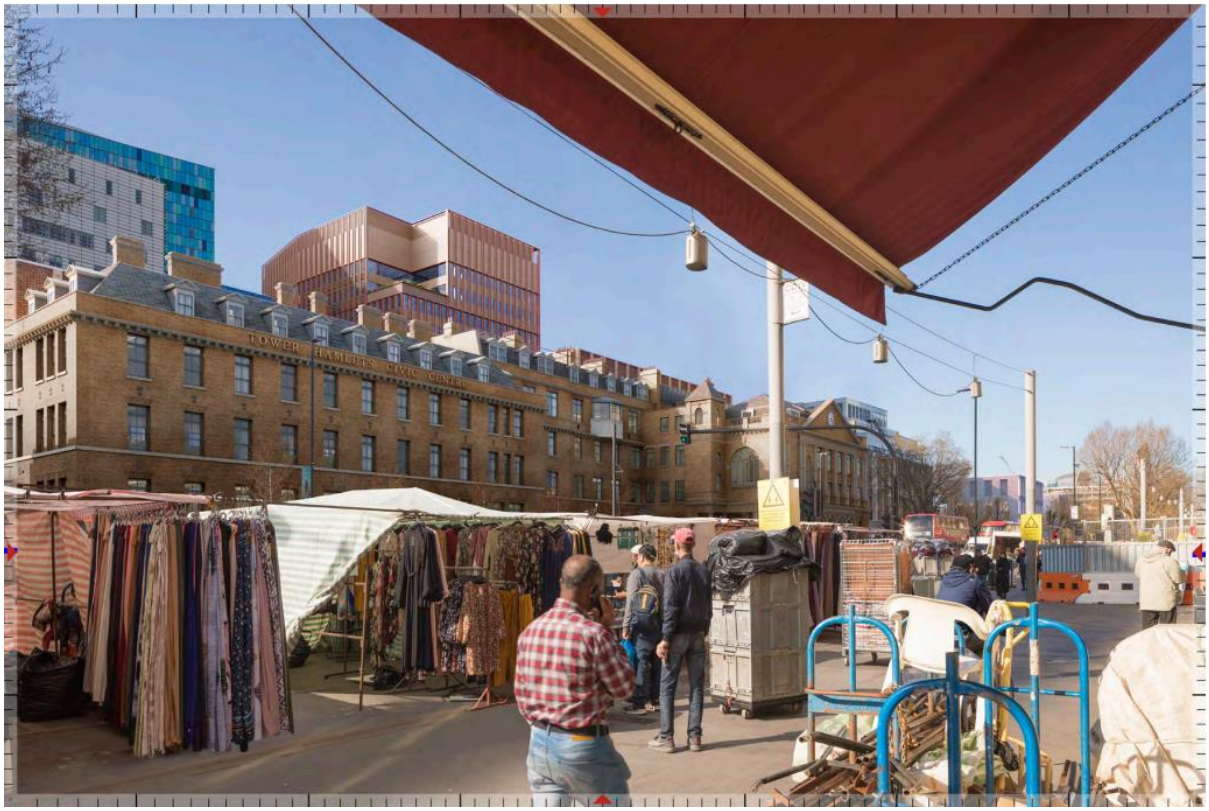
Conservation Area

Statutory Listed Buildings

Locally Listed Buildings

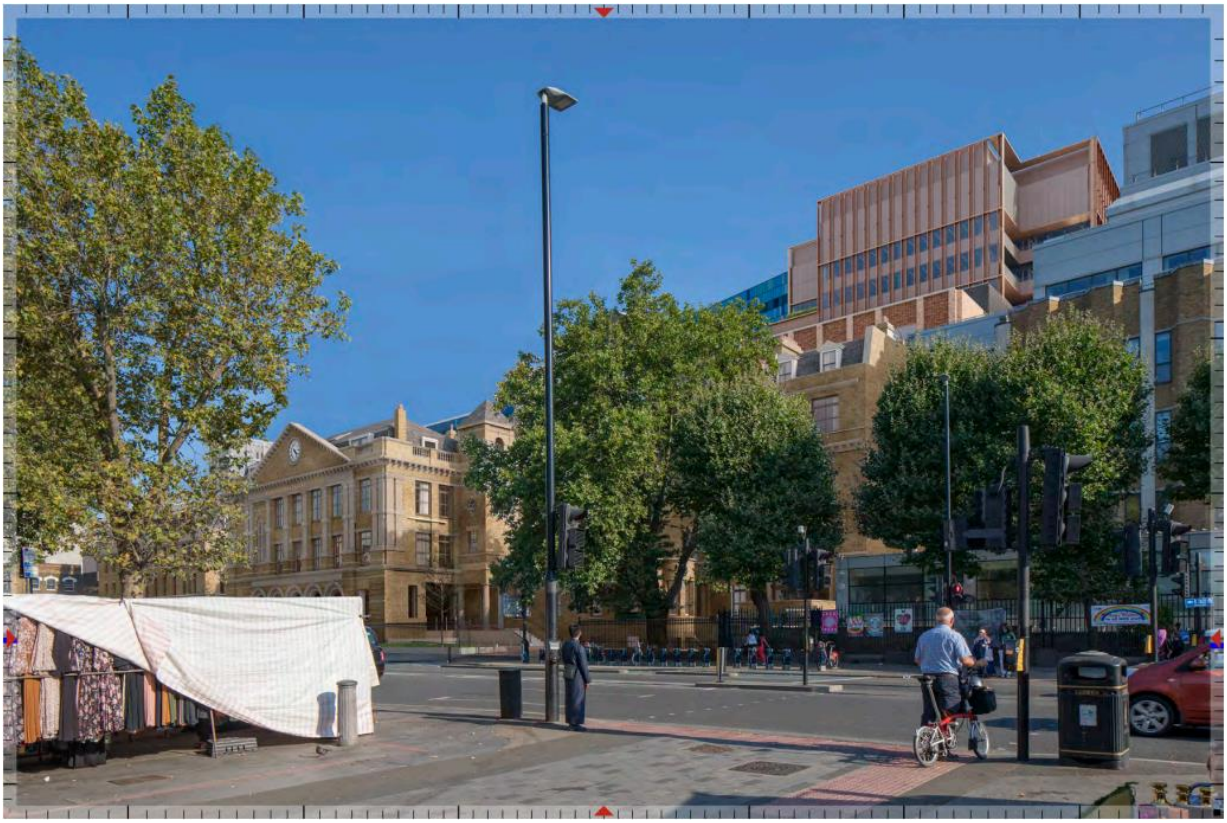
View 35 – Existing – Turner Street / Ashfield Street

View 35 – Proposed – Turner Street / Ashfield Street



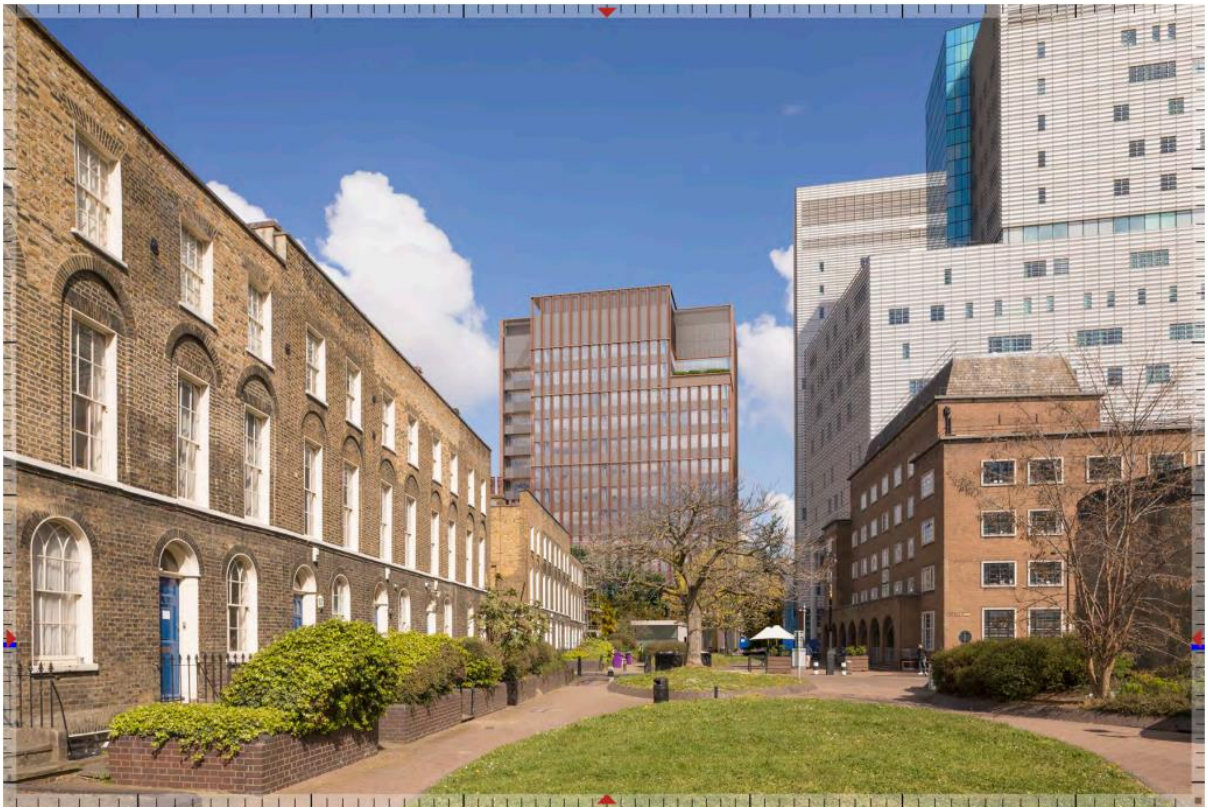
View 41 – Proposed – Whitechapel Road, by number 291

View 44 – Proposed – Whitechapel Road, by Eduard VII monument



View 45 – Proposed – Whitechapel Road, Junction with Court Street

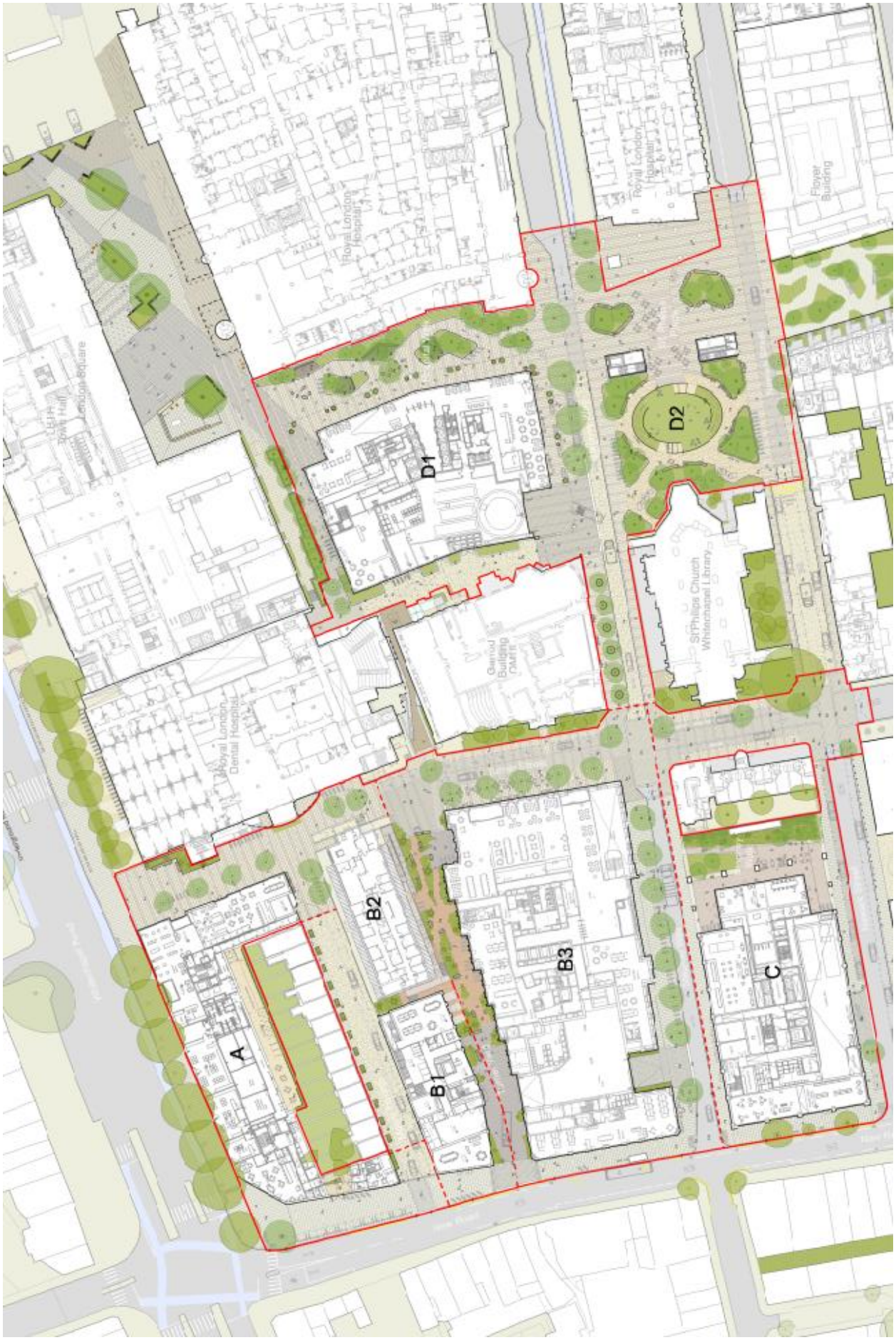
View 45 – Proposed, winter – Whitechapel Road, Junction with Court Street



View 63 – Philpot Street / School of Community and Health Sciences

View 64 - Green Spine, south of Newark Street

View 65 – Newark Street, by Floyer Building



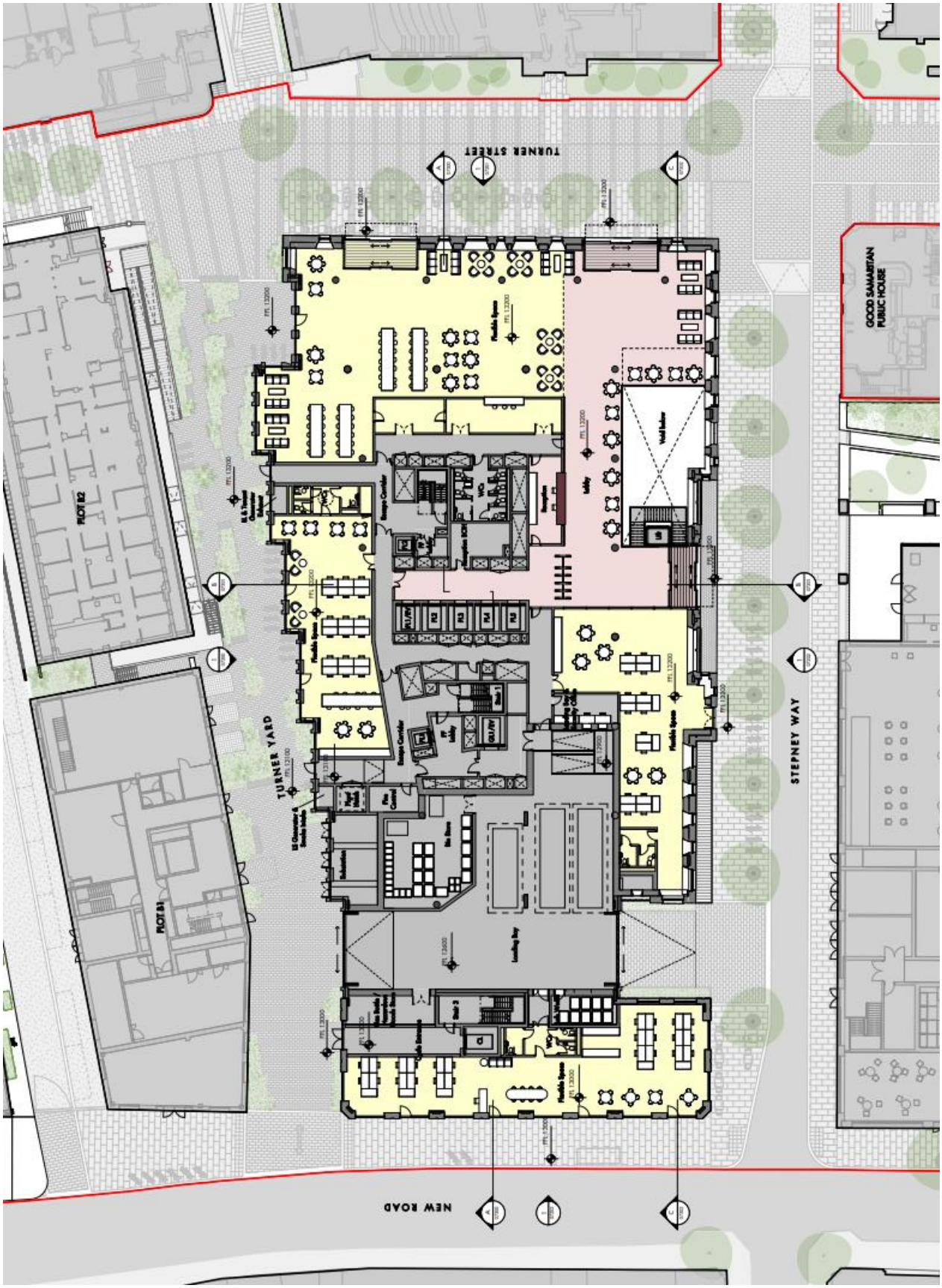
Proposed public realm plan

Plot A ground floor plan

Plot A north, west and east elevations

Plot B1 ground floor plan

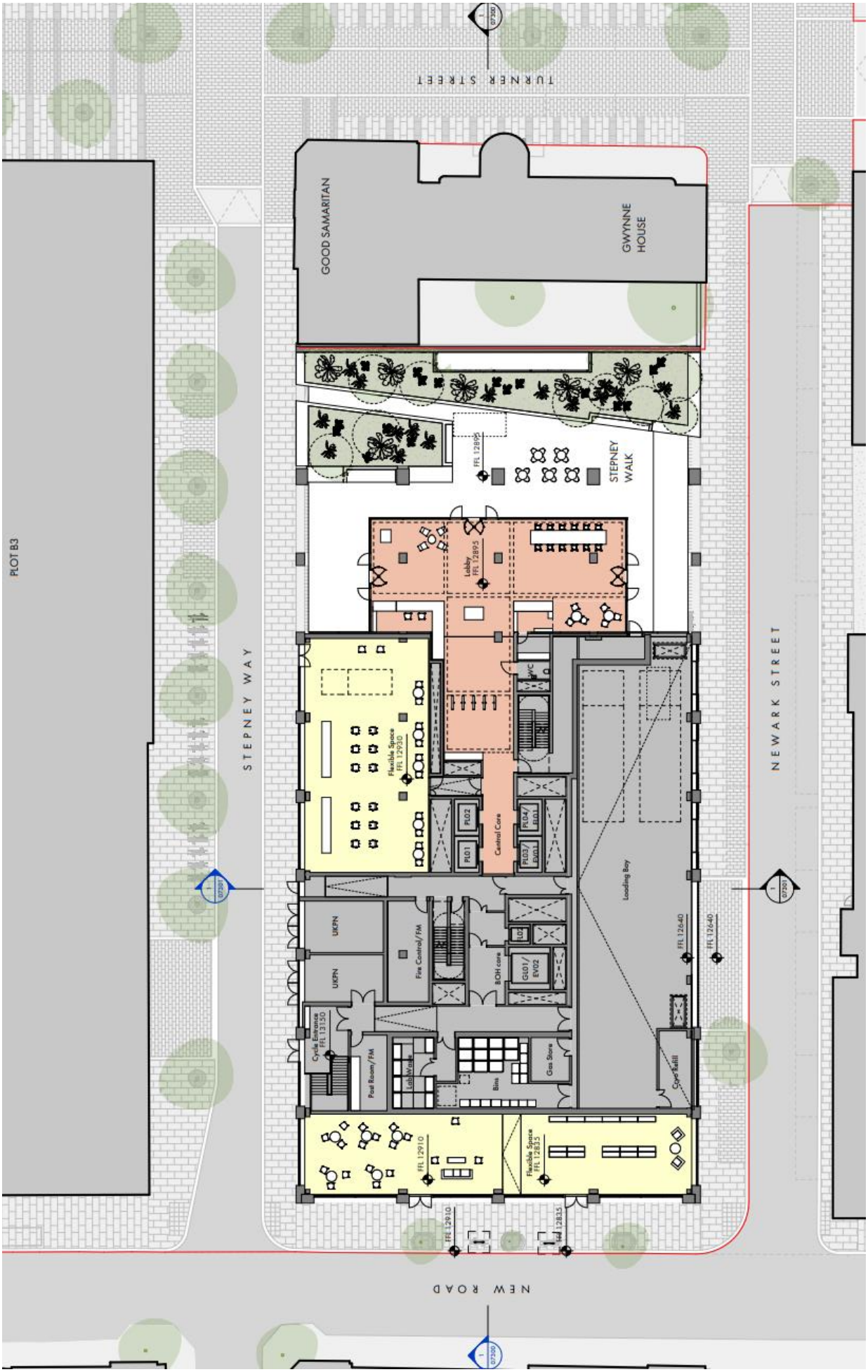
Plot B1 north and south elevations



Plot B3 ground floor plan

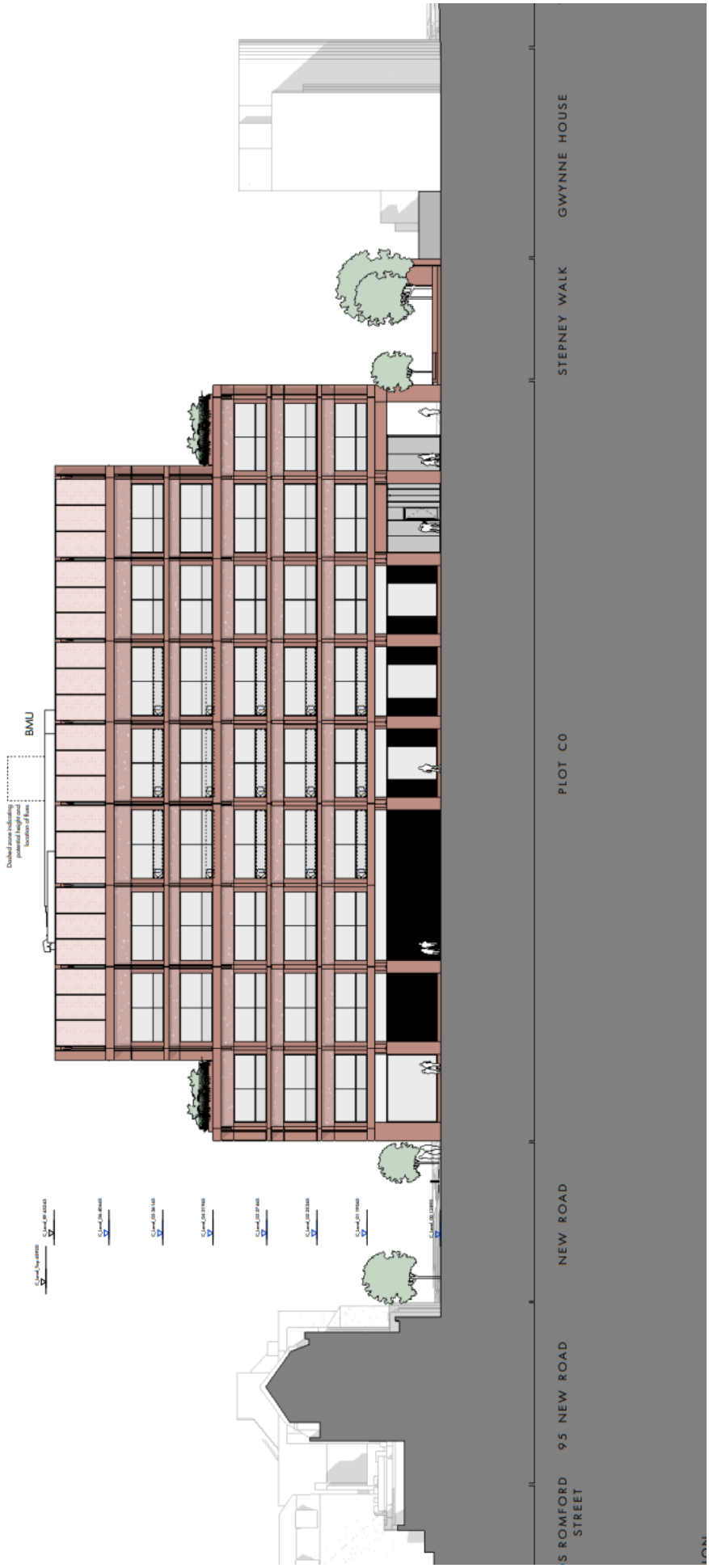
Plot B3 proposed south elevation

Plot B3 proposed east elevation

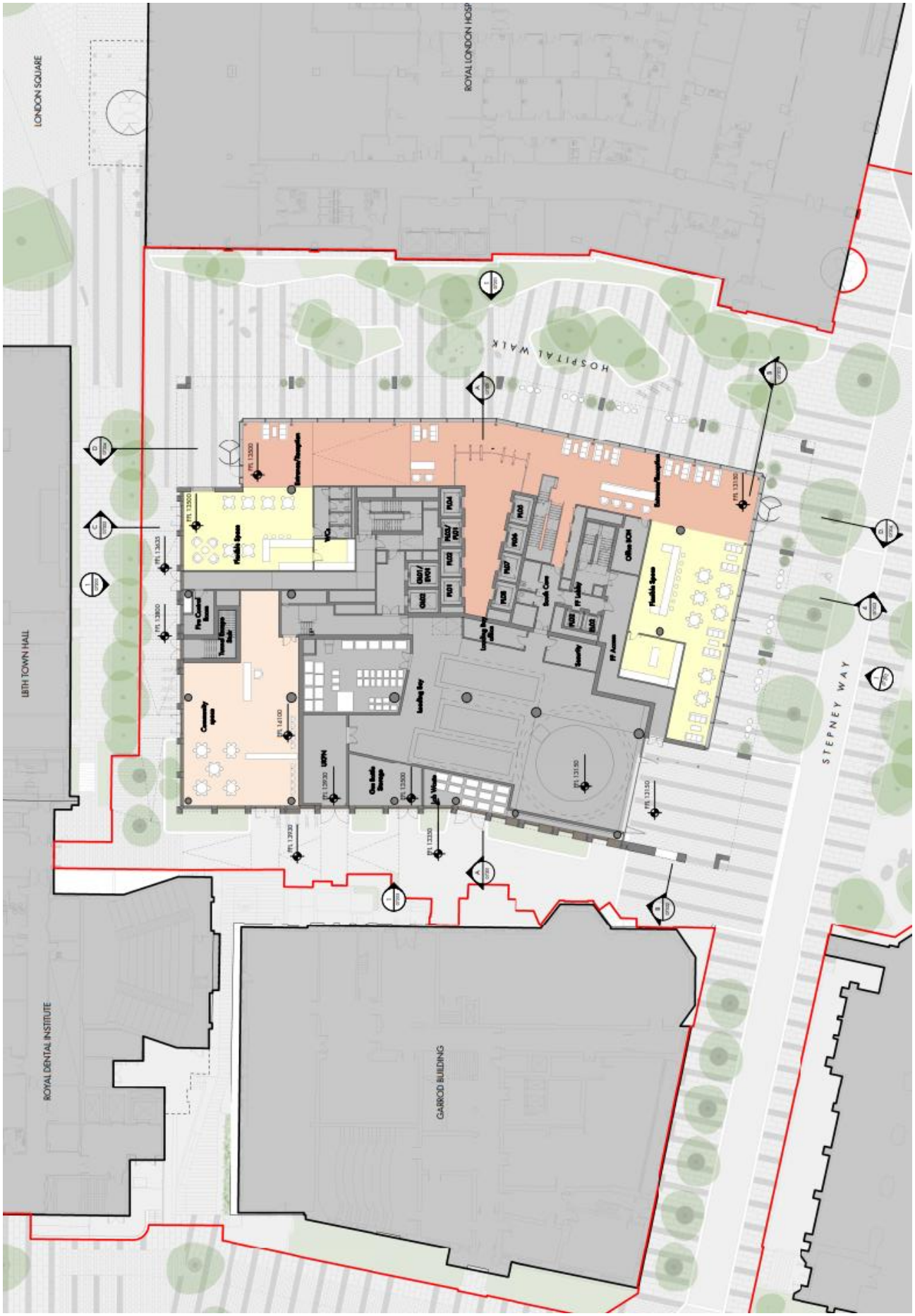


Plot C proposed ground floor plan

Plot C proposed east elevation

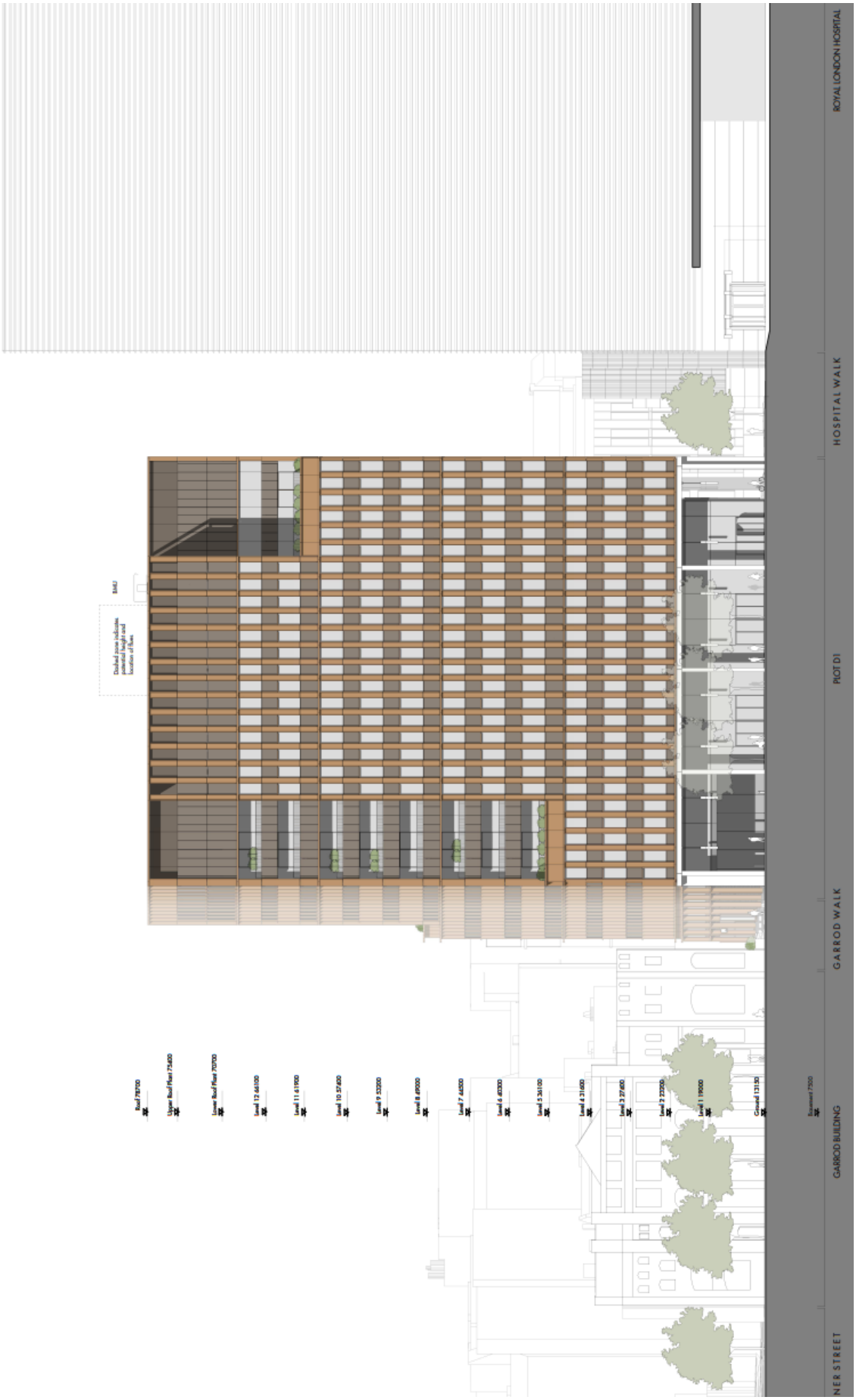


Plot C proposed south elevation

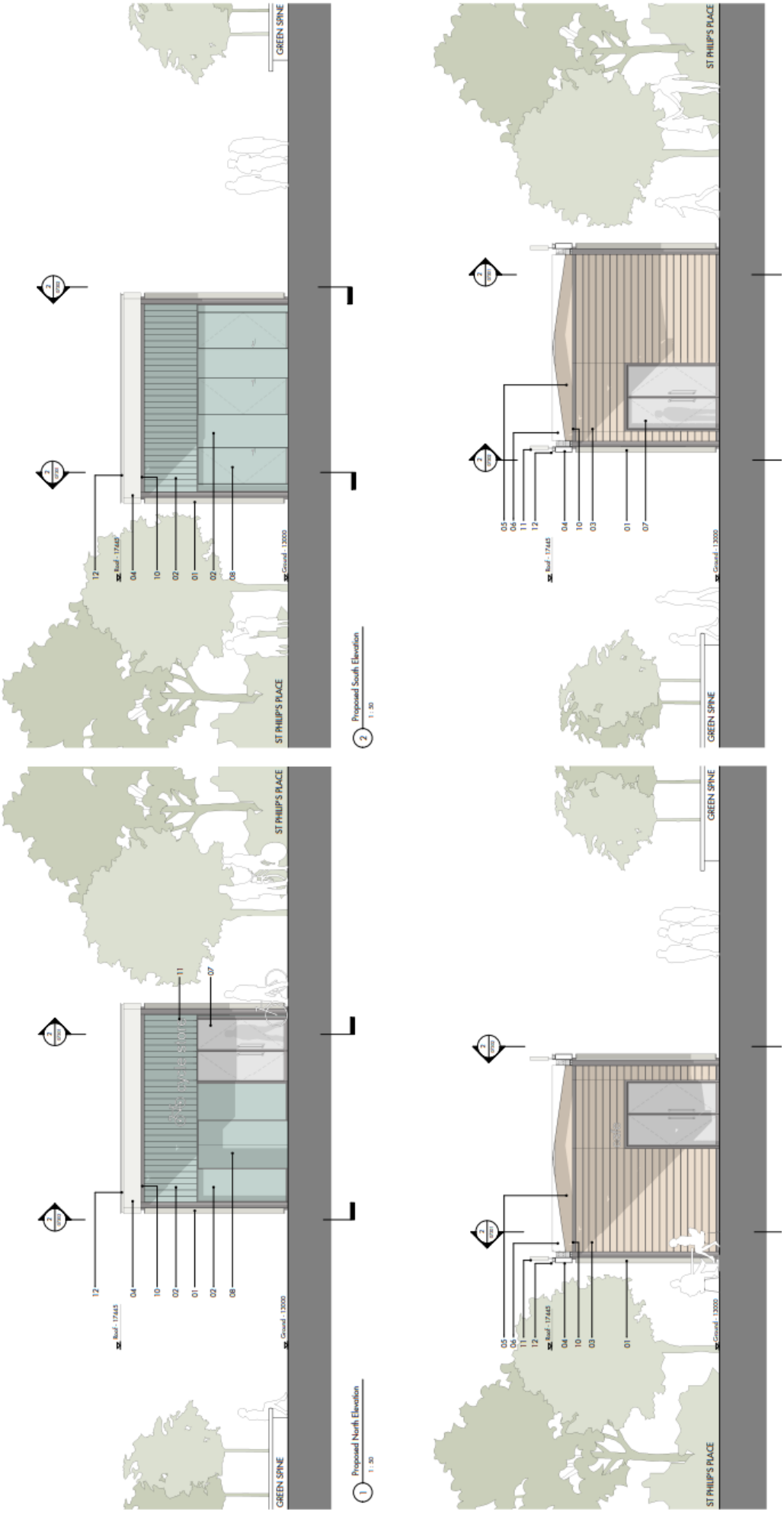


Plot D1 proposed ground floor

Plot D1 north elevation



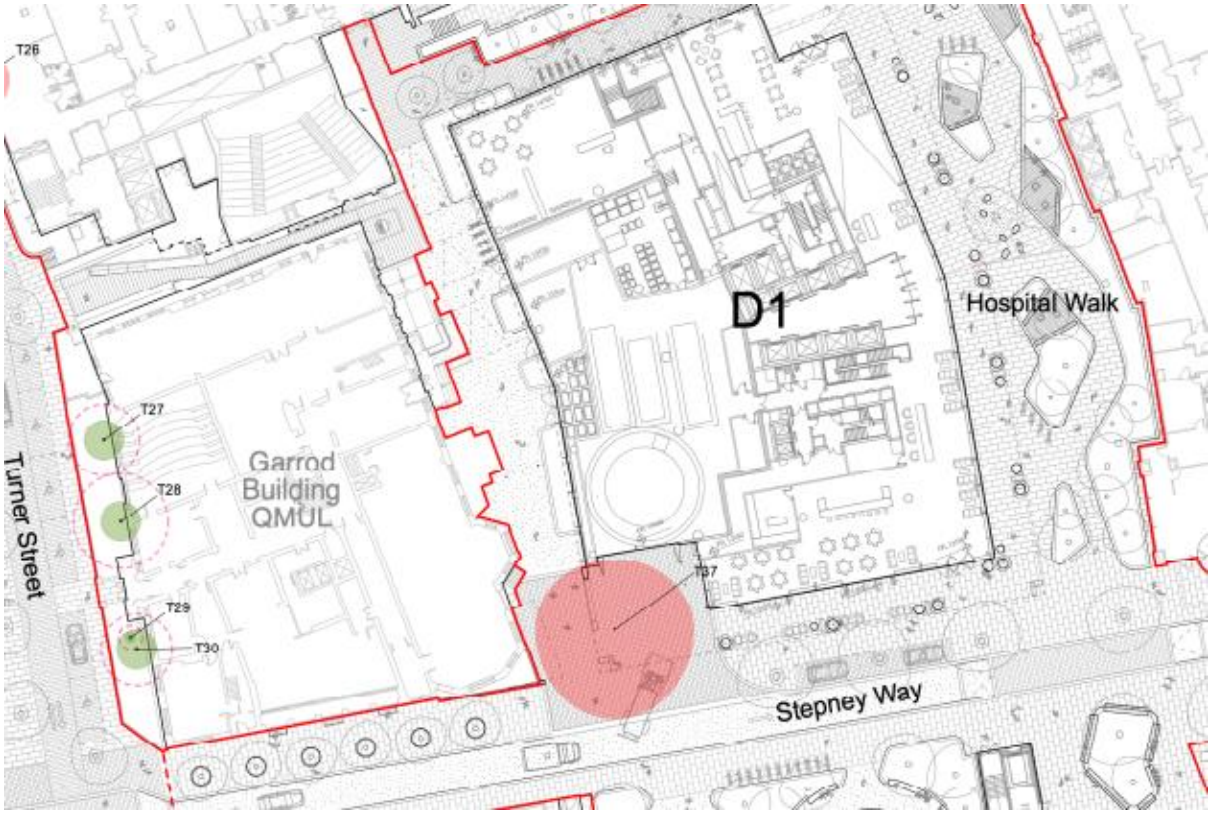
Plot D1 proposed south elevation



Plot D2 elevations

Figure 26: Scenario 01: Daylight Significance Criteria

Figure 27: Scenario 02: Sunlight Significance Criteria



Trees to be removed shown in red

STRATEGIC DEVELOPMENT COMMITTEE 28th August 2024

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

Application for Planning Permission *click here for case file*

Reference	PA/23/02375
Site	Former Westferry Printworks, 235 Westferry Road, London.
Ward	Canary Wharf
Proposal	Comprehensive and phased mixed-use redevelopment comprising 1,358 residential units (Class C3), secondary school (Class F), commercial, business and services E(a)-E(g)(i), community uses (Class F), Police Base (Sui Generis) car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works. The application is accompanied by an Environmental Statement.
Summary Recommendation	Grant planning permission subject to conditions and planning obligations to be secured in a S106 legal agreement.
Applicant	Westferry Development Ltd
Architect/agent	PLP Architecture/DP9
Case Officer	Nelupa Malik
Key dates	- Application registered as valid on 16/01/2024 - Letter sent to neighbours on 19/01/2024 - Press notice published 25/01/2024 - EIA Reg 25 consultation 22/05/2024 - EIA Reg 25 press notice published 30/05/2024 - EIA Reg 25 consultation 10/06/2024 - EIA Reg 25 consultation press notice published 13/06/2024

EXECUTIVE SUMMARY

The application site comprises the vacant former Westferry Printworks site which is bounded by the Millwall and West India Docks from south to north east with the southern boundary of the site running along the northern boundary of Millwall Outer Dock. The site is bounded by Westferry Road (A1206) to the west, Greenwich View Place Business Park to the east and to the north by Tiller Road which provides an east-west connection between Mellish Street and Westferry Road. To the south of Tiller Road and immediately north of the application site are residential properties along Claire Place, Starboard Way and Omega Close. The application site measures 6.15 hectares.

The application proposes the comprehensive redevelopment of the site and seeks planning permission to deliver 1358 residential units, a 1200 pupil capacity secondary school and 6164.1sqm of commercial floorspace (excluding the school). There will be 12 building plots within the masterplan (excluding the school). The school component of the scheme will comprise a main school building and a separate sports block. The school grounds will also accommodate 2 x MUGAs (Multi Use Games Area) and a sports pitch. The scheme will be a detailed 4-phased development that is expected to have a construction programme of approximately 7 years commencing from 2024, subject to planning permission.

The application has undergone the statutory public consultation exercise and two rounds of public consultations under Regulation 25 of the Environmental Impact Assessment Regulations 2017. In total, 1025 representations have been received of which 968 representations submitted are in favour of the proposals and 51 representations submitted are against the proposals.

In land use terms, the site falls within the Isle of Dogs and South Poplar Opportunity Area where residential use is promoted. The site has a designated site allocation under the Local Plan which identifies housing to be an appropriate land use. The site allocation also seeks the provision of a secondary school to be delivered on the site. The provision of new housing will contribute to the broader regeneration of this Opportunity Area and assist in the delivery of new housing and as such the residential-led mixed use development is considered to be acceptable in principle.

The application proposes to provide 979 homes in the Market tenure, 120 homes in the Intermediate tenure and 259 homes in the Affordable Rent tenure. There would be a range of unit sizes and occupancy levels across all three tenures and the overall unit mix will result in departures from the preferred unit mix as set out in the Local Plan. However, the proposal seeks to maximise larger family housing in the Affordable Rent tenure.

The scheme proposes 35% affordable housing based on habitable rooms under the London Plan Fast Track route thus no Financial Viability Assessment is required. . The tenure split for the affordable housing will be 70%:30% in favour of Affordable Rent to Intermediate and would therefore be policy compliant.

The scheme would meet Development Plan standards for internal floorspace, communal amenity space and private amenity space. The scheme will also deliver policy-compliant levels of wheelchair accessible or adaptable housing designed to Part M4(3) standards equating to 10%. The remaining 90% of units will be designed to Part M4(2) standards in accordance with local and national planning policy requirements.

The scheme does not provide policy-compliant levels of children's play space, proposing 4,759sqm against a policy target of 5,538sqm. The Applicant considers that the scheme is over-providing children's play provision as the scheme includes the MUGAs and the sports pitch (equating to 1,997sqm) which it claims form part of the play provision. Officers do not accept that these area can be included for reasons detailed in the main body of this report. On this basis, the scheme is considered to fall short of the minimum required play provision by 779sqm. It is recognised, however, that the MUGAs and sports pitch provide wider regeneration benefits to the scheme. Whilst the provision of play space falls short, Officers consider that the play provision proposed across the masterplan (not including the school site) will create stimulating environments and would be accessible by all members of the community. On balance, Officers find the provision of play space to be acceptable.

The proposal comprises 12 tall buildings (excluding the school) across the masterplan however the site falls within the Millwall Inner Dock Tall Building Zone (TBZ) and is considered to accord with the design principles of this TBZ by ensuring that building heights step down from the Canary Wharf cluster of buildings and from Marsh Wall.

The height, scale and massing of the development will result in material reductions to daylight and sunlight received to neighbouring buildings. However, the site falls within an Opportunity Area, and the densities proposed would meet the National Planning Policy Framework objective of significantly boosting the supply of housing and optimising housing delivery. As a consequence, where higher density developments are proposed, reductions in daylight and sunlight to neighbouring properties would normally be expected and are balanced against the wider regeneration benefits arising from a scheme.

The site does not fall within a Conservation Area nor does it include any listed buildings. Officers consider that the scheme would result in less than substantial harm to the Royal Naval College and by association to the Maritime Greenwich World Heritage Site, Tower Bridge and the former St Paul's Presbyterian Church. However, this harm is considered to be outweighed by the public benefits of the proposal as detailed within the main body of this report.

The scheme would deliver good-quality architecture, public realm and landscaping and biodiversity net gain which is supported and welcomed by Officers. The scheme would also deliver a site-wide on-site reduction in carbon dioxide emissions of 71%. The school will achieve a BREEAM rating of 'Excellent' whilst the remaining non-residential components of the scheme will achieve a BREEAM rating of 'Very Good'.

The scheme will deliver strategic infrastructure in the form of 2.08 hectares of public open space (including areas designated for play within public open space). This would substantially exceed the site allocation requirement of 1 hectare for this site.

The site has a moderate Public Transport Accessibility Level (PTAL) of 3 and the proposal would be 'car free' with the exception of 146 accessible car parking space. This will comprise 136 spaces (equating to 10%) allocated to the residential component of the development, 2 spaces allocated to the school and 8 spaces allocated to the other non-residential components of the development. The 'car free' nature of the development is supported. Cycle parking will also be provided in accordance with London Plan requirements.

The application has been accompanied by an Environmental Statement (ES), which has been reviewed by Council Officers in conjunction with Temple and has been found to be adequate.

Overall, the application has been assessed against the development plan comprising of the Council's adopted policies contained within the London Borough of Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (January 2020) and the London Plan 2021. The application has also been assessed against the National Planning Policy Framework and all other relevant material considerations.

There are aspects of the proposals that would not comply with detailed policies in the development plan. However, the proposal complies with the development plan as a whole. There are considerable benefits arising from a comprehensive approach to regeneration, housing delivery, improvements to connectivity and place-making, Officers recommend that planning permission should be granted subject to conditions, planning obligations and any direction by the Mayor of London.

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

Planning Applications Site Map PA/23/02375

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

TOWER HAMLETS

London Borough of Tower Hamlets

Scale : 50m grid squares

Date: 28th August 2024

1. SITE AND SURROUNDINGS

1.1 The application site measures 6.15 hectares and formerly comprised the Westferry Printworks site within the Isle of Dogs. The former printworks became redundant in 2012 and the building that previously occupied the site has since been demolished and the site cleared. The site is irregular in shape and located to the north west of Millwall and West India Docks which is designated as a Site of Importance for Nature Conservation (SINC). The southern boundary of the site runs along the northern boundary of Millwall Outer Dock whereby a dockside towpath extends along the edge of Millwall Outer and Inner Docks. The site is bounded by Westferry Road (A1206) to the west, Greenwich View Place Business Park to the east and to the north by Tiller Road which provides an east-west connection between Mellish Street and Westferry Road.

1.2 Greenwich View Place Business Park is occupied by data centres and business uses with buildings rising to 10-storeys on the corner of Millwall Outer and Inner Docks. To the north of the site lies the Tiller Leisure Centre and residential properties ranging in height from 2 to 3-storeys at Claire Place and Omega Close. Directly south of the leisure centre lies the Barkantine Energy Centre. Starboard Way which is also located to the north of the site accommodates flatted developments ranging between 4 to 10-storeys. To the north west at the western end of Mellish Street are 21-storey 1960s constructed blocks of flats comprising the Barkantine Estate. Further north is a number of tall building developments along Marsh Wall with One Canada Square and the associated Canary Wharf cluster of tall buildings further beyond.

Figure 1: Aerial view of the application site

1.3 The Docklands Sailing and Watersports Centre (DSWC) occupies 235a Westferry Road immediately south of the site and uses Millwall Dock for leisure purposes. Opposite the site and on the south side of Millwall Outer Dock are 4-storey 1980's low-rise flatted residential blocks along Arden Crescent. The north western portion of the site abuts the termination of Millwall Dock Road. To the west of Millwall Dock Road lies a 4 storey commercial building which occupies the corner of Millwall Dock Road and Tiller Road and directly west of this and abutting the far north western corner of the application site lies Caravel Close, a 3-4 storey residential flatted development.

1.4 The site has two points of access: the primary access is from Westferry Road at the western end of the site with a secondary access point at the bottom of Millharbour at the eastern end of the site. On the opposite side of Westferry Road and directly facing the western boundary of the site lies Arnhem Wharf Primary School.

1.5 The site does not lie within a Conservation Area, nor are there any listed buildings within the site boundary. Conservation Areas within the Isle of Dogs but not within the immediate proximity of the site include the Chapel House and Island Gardens Conservation Areas to the south east, the Coldharbour Conservation Area near South Dock to the north east and further north west and nearer to the Limehouse Basin lie the West India Dock and Narrow Street Conservation Areas. The Chapel House Conservation Area is closest in terms of proximity to the site and is sited some 450 metres south of Millwall Outer Dock.

1.6 The closest listed building to the site is the Grade II former St Paul's Presbyterian Church on Westferry Road which is sited 260 metres to the south.

1.7 The site has a PTAL (Public Transport Accessibility Level) of 3 on a scale of 0-6b where 0 is the worst. The site is some 0.4 miles from Crossharbour DLR Station which is north east of the site via Glengall Bridge. Island Gardens DLR Station is between approximately 1-1.3 miles away to the south of the site whilst Canary Wharf Underground, Elizabeth Line and DLR stations and Heron Quays DLR Station are between approximately 1-1.2 miles north of the site.

1.8 The site has the following key designations:

- Site Allocation 4.12 Westferry Printworks[1]
- Isle of Dogs and South Poplar Sub Area
- Isle of Dogs Neighbourhood Planning Area
- Isle of Dogs and South Poplar Opportunity Area
- Millwall Inner Dock Cluster Tall Building Zone
- Archaeological Priority Area Tier 3
- New Green Grid Buffer Zone
- Area of Deficiency of Access to Nature
- Flood Zone 3

2. PROPOSAL

Background

2.1 The application site has planning permission which was granted in 2016 (under planning application reference PA/15/02216) for the comprehensive redevelopment of the site to provide a mixed-use scheme including buildings ranging between 4-30 storeys in height comprising: a secondary school, 722 residential units, retail uses, flexible restaurant and café and drinking establishment uses, flexible office, financial and professional services uses, community uses, car and cycle basement parking, associated landscaping, new public realm and other necessary enabling works. This application was approved by the Mayor of London following the then Mayor exercising his power to become the determining authority for the planning application. This planning permission (the "extant" planning permission/consent) provides 20% affordable housing based on habitable rooms (140 units). The extant planning permission has been implemented by virtue of the excavation of the outline of the large basement. In addition to this, some site-wide infrastructure has been installed. The consented masterplan layout and its southern elevations can be seen in the images below.

[1] It should be noted that the site, whilst not within Millharbour South Site Allocation (Site Allocation 4.7), abuts that land allocation.

Figure 2: Extant planning permission masterplan

Figure 3: Consented scheme South Elevations

2.2 In 2018, the Applicant submitted a revised planning application that sought to amend the extant scheme by increasing building heights to provide 1,524 residential units. The masterplan principles generally remained as per the extant planning permission. However, in addition to the increased height of buildings, this amended scheme also sought to incorporate an additional tower referred to in this planning application as tower 5/T5. Following a failure to determine the application within statutory time limits, on 26 March 2019, a non-determination appeal was submitted to the Planning Inspectorate (PINS) by the Applicant. The procedure agreed for the appeal was a public inquiry. In April 2019, PINS advised that the Secretary of State for Housing, Communities and Local Government (the Secretary of State) had directed that he would be determining the appeal himself.

2.3 The public inquiry was held in August and September 2019, following which, in November 2019, the Inspector recommended that the appeal be dismissed. On 14 January 2020, the Secretary of State allowed the appeal, contrary to the Inspector's recommendation.

2.4 The Council challenged the Secretary of State's decision by judicial review. The Secretary of State conceded the claim before it proceeded to a hearing, with the High Court approving the agreement reached between the Council and the Secretary of State that the grant of planning

permission should be quashed and the Applicant's planning appeal redetermined. Following a re-opened public inquiry in May 2021, the appeal was dismissed on 18 November 2021. The appeal was dismissed on the following grounds (in summary):

- The effect of the scale, height and massing of the proposed development on the character and appearance of the surrounding area.
- The effect of the proposal on the settings of the Maritime Greenwich World Heritage Site and the Grade I listed Tower Bridge.
- Mix of tenure types and unit sizes: the scheme would not make adequate provision for family housing or maximise the provision of family homes in accordance with site allocation 4.12 (Westferry Printworks).
- The proposal would not make adequate provision for the viability reviews that are necessary to ensure that affordable housing is maximised.

Proposal

2.5 This application seeks planning permission for the comprehensive and phased mixed-use redevelopment of the site to provide 1,358 residential units (Class C3), a secondary school (Class F), commercial, business and services (Class E(a)-E(g)(i)), community uses (Class F), a police base (sui generis), car and cycle basement parking, associated landscaping, new public realm and other necessary enabling works. The proposed masterplan (ground level) can be seen in the image below.

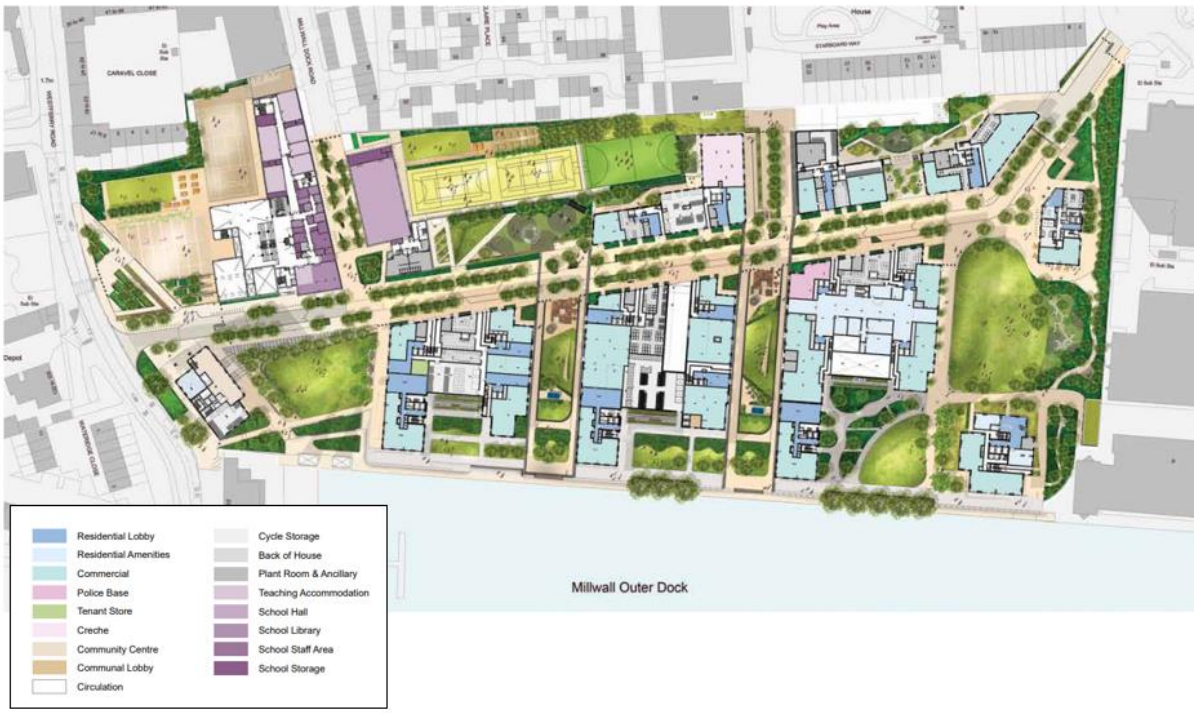

Figure 4: Proposed masterplan

2.6 The scheme proposes the following quantum of gross internal floorspace (GIA):

Land Use	Quantum (GIA sqm)
Residential (Use Class C3)	165,951.1 sqm
Secondary School (Use Class F)	10,532 sqm
Community Use (Use Class F2)	220.3 sqm
Flexible Commercial Business + Services (Use Class E)	
Classes E(a) to E(c)	3,921.7 sqm
Class E(b)	1,432.7 sqm
Class E(f)	349.5 sqm
Class E(g)(i)	76.5 sqm
Police Base (Sui Generis)	163.4 sqm

Table 1: Proposed quantum of floorspace in GIA

2.7 The proposed masterplan adopts the key layout principles established under the extant planning permission. The proposal comprises two school buildings and twelve residential buildings with areas of public open space and communal amenity space at ground level. Buildings within the proposed masterplan are identified as gateway buildings E1 and W1, waterfront tower buildings T1-T4, courtyard buildings C1-C3 and northern buildings N1-N3. Building E1 is a new building introduced to the masterplan and the northern buildings comprised 2 buildings under the extant planning permission.

Figure 5: CGI of proposed development looking north

2.8 The gateway buildings mark the western and eastern access points to the masterplan (Westferry Road and Millharbour). The waterfront towers are situated along the southern edge of the masterplan facing the dock front. The courtyard buildings sit just behind the waterfront towers and physically connect to T1-T3 at ground floor level. The northern buildings are located along the northern part of the masterplan. The school is proposed to be located in the northwestern corner of the site and includes a main school building fronting Westferry Road and a separate sports block with associated playing fields, 2 x MUGAs (Multi Use Games Area) and a football pitch. The school will have the capacity to accommodate 1200 children (900 aged between 11-16 years and 300 post 16 years). The layouts of the buildings within the masterplan can be seen in the image below.

Figure 6: Layout and names of buildings within the masterplan

2.9 The main vehicular and pedestrian access to the site would be via Westferry Road with a secondary access at Millharbour. As per the extant planning permission, an east-west route identified as the 'Boulevard' runs through the site whereby the gateway buildings, courtyard buildings and waterfront towers are positioned to its south and the northern buildings positioned north of the Boulevard. The towers increase in height from west to east with T4 identified as being the 'landmark' building within the masterplan. Two north-south pedestrian routes identified as the Eastern and Western Spines connect the Boulevard to the towpath which will be upgraded and altered as part of the proposals. The eastern and western spines also provide residential entrances to the courtyard and towers (T1-T3). No vehicular access is proposed via the north-site routes. A large basement will be constructed below towers T1-T4 and the courtyard buildings C1-C3 which will accommodate car and cycle parking, plant rooms and other back of house areas. The scheme proposes to provide 146 accessible car parking spaces, the majority of which would be provided in the large basement. The basement is accessed from the Boulevard and the access route sits in between the T2/C2 and T3/C3 cluster of buildings. A much smaller semi-basement/undercroft is proposed beneath the building plots of buildings N1-N2 which will provide 12 of the blue badge spaces.

Figure 7: Key routes within the masterplan.

2.10 Buildings across the masterplan will range between 4-31 storeys with buildings generally increasing in height from north to south and west to east. The tallest residential building within the masterplan will be tower T4 reaching a maximum height of 31 storeys whilst buildings N1 and N2 will have the lowest height range between 4-10 storeys. The school building will reach a maximum height of 5 storeys. A replacement substation is also proposed in the far southeastern corner of the site that measures 6.30m x 18.84m and 4.30m in height. The distribution of height (in storeys) across the masterplan can be seen in the image below. A detailed assessment of height, scale and massing is provided in the main body of this report.

Figure 8: Distribution of height (in storeys) across the masterplan

2.11 The remainder of the site comprises areas of public realm, public open space, children's play and communal amenity spaces. The two gateway buildings (E1 and W1) are positioned at the main access points which lead to areas of large public open space (identified as Park East

and Dockside Gardens respectively). To the west, the footpath along Westferry Road leads to a new plaza (Westferry Plaza) outside of the new secondary school.

2.12 On the northern side of the Boulevard there are two landscaped areas proposed. The first area, Boulevard Green, lies directly west of building N3 and south of the school playing fields and is a multifunctional green space incorporating MUGA areas. The second area, between buildings N1 and N2, is a landscaped area of communal amenity space and play space. Further landscaping, areas of public realm and children's play space are proposed to the south of the Boulevard in the Eastern and Western spines. To the south of the Boulevard are Promenade Place and the Promenade.

2.13 To assist in activating the different areas of public open space and public realm a variety of commercial and community uses are proposed at ground level to maximise active frontage. Commercial uses include the provision of a community centre on the upper ground floor of building W1 and a crèche proposed on the ground floor of building N3. A Police Base is also proposed within the masterplan however this is not a public-facing use whereby members of the public could, for example, report a crime.

2.14 Full details of the proposed development and the evolution of the detailed design of the proposal are described within the Applicant's Design and Access Statement. The assessment of design and appearance is provided in the main body of this report.

Figure 9: CGI of relationship between waterfront towers and courtyard buildings and architectural details.

Phasing

2.15 The proposed development will be constructed in four phases as identified in the phasing plan below.

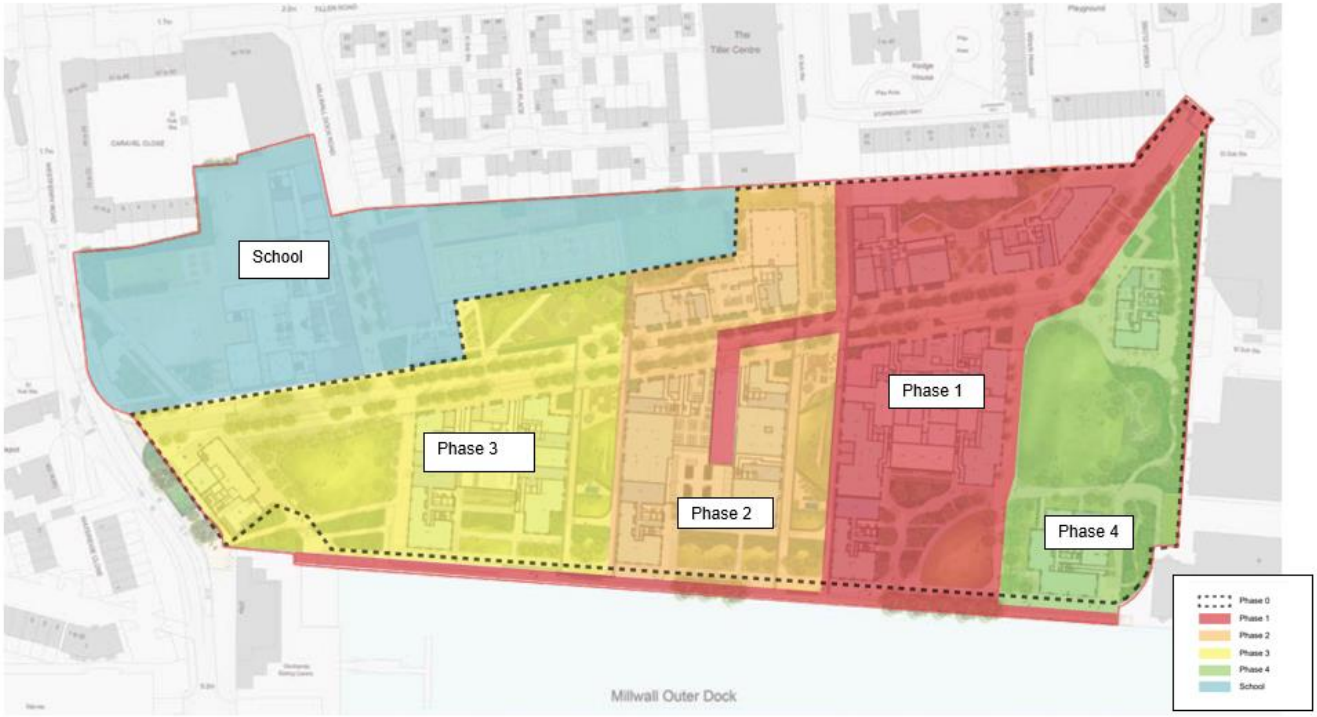

Figure 10: Proposed phasing strategy

2.16 Phase 0 (Year 0 would be 2024) which covers a period of 30 months would comprise the enabling works to complete the basement box.

2.17 Phase 1 would commence in year 1 (2025) and would cover a period of 26 months. Phase 1 will deliver buildings N1, N2, T3 and C3 to provide 459 homes of which 100 would be affordable.

2.18 Phase 2 would commence in year 2 (2026) and would cover a period of 29 months. Phase 2 would deliver buildings N3, C2 and T2 to provide 394 homes of which 96 would be affordable.

2.19 Phase 3 would commence in year 3 (2027) and would cover a period of 28 months. Phase 3 would deliver buildings C1, T1 and W1 to provide 230 homes of which 128 would be affordable.

2.20 Phase 4 would commence in year 4 (2028) and would cover a period of 32 months. Phase 4 would deliver buildings T4 and E1 to provide 275 homes of which 55 would be affordable.

2.21 The school will come forward separately from the phasing outlined above as the school will be constructed by the Department for Education (DfE). However, as set out in the submitted Environmental Statement, the school is anticipated to be constructed between year 0 and Year 2 (2024-2026) thus will be constructed in parallel with phases 1 and 2 of the wider masterplan.

3. RELEVANT PLANNING HISTORY

Application Site (Key Applications Only)

3.1 PA/22/02317/NC – Request for Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), in respect of the construction of a residential mixed-use scheme ranging between ground plus four to 30 storeys (approximately +110,90m Above Ordnance Datum (AOD)), comprising approximately 1,200 residential units, approximately 23,000m^2 of non-residential uses (likely to include retail, community uses and flexible workspace), public open space including parkland and improved access to the dockside, and enables the delivery of a secondary school. Scoping Opinion Issued 21/12/2022.

3.2 PF/20/00196 – Pre-application request for the erection of a temporary building for the purposes of a residential marketing suite, associated with the redevelopment of the site. Pre-application letter issued 26/10/2020.

3.3 PA/18/01877/R – Comprehensive mixed-use redevelopment comprising 1,524 residential units (Class C3), shops, offices, flexible workspaces, financial and professional services, restaurants and cafes, drinking establishments (Classes B1/A1/A2/A3/A4) and community uses (Class D1) car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works. Appeal Dismissed 18/11/2021.

3.4 PA/15/02216/A1 – Demolition of existing buildings and structures at the former Westferry Printworks site and the comprehensive mixed use redevelopment including buildings ranging from 4-30 storeys in height (tallest being 110m AOD) comprising: a secondary school (Class D1), 722 residential units (Class C3), retail use (Class A1), flexible office and financial and professional services uses (Class B1/A2), community uses (Class D1), car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling work. The application is accompanied by an Environmental Impact Assessment. Approved by the Greater London Authority 04/08/2016.

Neighbouring/Nearby Sites (Key Applications Only)

3.5 PA/23/02097 (1 Selsdon Way) – Demolition of existing buildings and erection of a building up to 35 storeys, comprising residential (Class C3) uses, flexible Community Hub (Class E / F1), landscaping, public realm, plant, cycle storage, servicing and other associated works. This application is accompanied by and Environmental Statement. Application registered.

3.6 PA/20/02218 (Bellerive House) – Demolition of existing building and redevelopment to provide 151 residential units (Use Class C3) in a building of 25 storeys, including basement car parking, cycle parking, access, landscaping and associated works. Appeal dismissed 18/08/2021.

3.7 PA/20/01208 (3 Turnberry Quay, 4-10 Pepper Street, Balmoral House, 12 Lanark Square) - Demolition of the existing buildings and erection of a residential-led mixed use building providing residential units (Use Class C3), flexible community/commercial use floorspace (Use Class D1/B1), retail floorspace (Use Class A1/A3), landscaped amenity space, car parking, cycle parking and associated works. Application refused 27/01/2021.

3.8 PA/19/02534/A1 (Asda: 151 East Ferry Road) – A hybrid planning application (part detailed, part outline) for the demolition of existing buildings and the comprehensive, mixed-use, re-development of the site, comprising a maximum of 218,991sqm (GEA) of floorspace. Full details are submitted for 526 residential units (Class C3), flexible commercial floorspace, including a new food store (17,087sqm GIA - A1-A4/B1/D2), a primary school (D1), community uses (D1), public bus parking and a site-wide basement, with associated uses as part of the development including car parking (up to 410 spaces), cycle parking, and an energy centre. Building heights would range between a maximum of 17.4m AOD (3 storeys above ground level) and 60m AOD (15 storeys above ground level). Creation of new vehicular and pedestrian access and public realm works, including all ground floor hard and soft landscaping and other works incidental to the proposals, including a programme of interim works (which include a temporary multi-storey car park with 349 car parking spaces and a temporary access lobby to the retail food store). (Detailed Component)
Outline permission (with layout, scale, appearance and landscaping at upper levels being reserved) is sought for up to 111,137sqm GEA above podium level, comprising of between 1217 and 1446 residential units (C3), with associated private and communal podium amenity and landscaping, within four buildings with maximum heights ranging between up to 45.850m (AOD)/12 storeys and up to 115.50m (AOD)/32 storeys. (Outline Component)

This application is accompanied by an Environmental Statement. Permitted 01/07/2024.

3.9 PA/16/03518/A3 (49-59 Millharbour, 2-4 Muirfield Cresence and 23-39 Pepper Street) – Demolition of existing buildings at 49-59 Millharbour, 2-4 Muirfield Crescent and 23-39 Pepper Street and the comprehensive mixed use redevelopment including two buildings ranging from 26 storeys (90.05 AOD) to 30 storeys (102.8 AOD) in height, comprising 319 residential units

(Class C3), 1,708sqm (GIA) of flexible non-residential floor space (Classes A1, A3, A4 and D1), private and communal open spaces, car and cycle parking and associated landscaping and public realm works. The application is accompanied by an Environmental Statement. Appeal allowed 22/01/2018.

4. PUBLICITY AND ENGAGEMENT

Pre-application

4.1 The scheme has evolved through pre-application discussions with Planning Officers between June 2022 and November 2023. Two iterations of the scheme based on the principles of the 2016 planning permission have been considered during the course of the pre-application process. The first pre-application scheme (pre-app scheme 1) sought to deliver 1200 units and 7% affordable housing and sought to retain the consented height of all the towers. The second pre-application scheme (pre-app scheme 2) sought to increase the height of all the buildings within the masterplan to deliver 35% affordable housing and evolved into the scheme being considered under this report.

4.2 During the pre-application process the scheme was presented before the Council's Quality Review Panel in November 2022. The Panel Members raised the following summarised comments on the pre-application scheme:

- The panel noted that the masterplan was relatively fixed but wanted to know what changes have been made to the approved scheme.
- The panel noted that there was lots of open space but all the spaces were 20m wide or more and felt that it would be good to develop more of a hierarchy of spaces.
- The panel challenged the Applicant to develop spatial variety.
- The panel noted that there were lots of gaps in the masterplan and suggested more character built in around the spaces which need activities, or enclosure or definition.
- The panel noted that in planning terms the scheme was essentially the consented scheme with additional height.
- The panel noted that the character that is proposed is not quite being achieved and that there was no solid terrace of buildings to define the Boulevard as would be expected. They were concerned that within the B blocks the majority of frontages are back of house.
- The panel questioned the height, noting that within the courtyard blocks the increase in height was fine and makes sense but that does not necessarily require the height of the towers also to increase. The relationship between the towers and the Boulevard would not be lost by increasing the height of the courtyard buildings.
- The panel noted and questioned the substantial change in the bulk of the buildings. They stressed that it was essential that embodied and operational carbon is the driver for design and added that there needs to be more work to improve the efficiencies of the stair core.
- The panel felt that they did not understand the narrative behind the landscape and public realm.
- The panel sought more clarity on the impact of the wind on the landscape spaces and public realm.
- The panel considered that there needed to be a clearer understanding of the identified spatial character areas as the images shown felt very generic and overly formal. They noted that all the spaces within the masterplan felt similar. The panel felt that other uses could be accommodated across the site such as allotments or communal uses.

- The panel felt that there was an opportunity to make the Boulevard an exemplar street in sustainability terms which would have biodiversity impacts.

- The panel questioned the isolated location of the affordable housing and stated that they thought this was the wrong approach.

- In summary, the panel concluded that sustainability and the need for an environmentally focused approach to design was required across the site. There was a need for a stronger and richer character within the buildings and landscape and a hierarchy of space to be developed. The panel welcomed the activity at ground floor level but were concerned that the basement being built out was restricting the overall masterplan and the opportunity to make improvements across the entire site.

4.3 Following further evolution of the scheme, the proposals were presented again before the Quality Review Panel in September 2023. The following summarised comments were made by the panel:

- The panel felt that their comments from November 2022 were still relevant with regards to understanding the sense of place, identity, character areas and hierarchy of spaces. The panel still did not consider that they had a sufficient understanding of how the Boulevard would function and that they needed more detail to understand how the street would be experienced.

- The panel noted that there would be less space overall because of the additional tall building proposed (building E1).

- The panel noted that in the courtyards the daylight and sunlight into those spaces looked pretty shady, expressing concerns as to how pleasant those spaces would be.

- The panel remained concerned about the approach to activity and design along the Boulevard, sustainability and wind microclimate.

- The panel felt that the landmark tower should be very legible and did not consider this to be a landmark tower but simply 4 towers stepping down from east to west. They suggested that this interfered with the legibility of the marker building and the importance of its townscape role. They stressed that either the materials or scale of the building needed to be different to make it a landmark.

- The panel felt that there needed to be more variety and variation in the architectural language. They commented that the architecture was too rigid however they noted that E1 was an interesting building and quite special as an arrival building.

- The panel were confused as to where the Art Deco reference came from given the lack of Art Deco buildings in the immediate or surrounding context.

- The panel questioned the use of concrete panels in the school design noting that the carbon involved from the use of such materials.

- In summary the panel appreciated the amount of work undertaken but that it needed to be broken down and shown in much more detail. The panel concluded that there was a need for much more information and much more focused sessions for each part/phase of the proposals.

Statement of Community Involvement

4.4 The application has been accompanied by a Statement of Community Involvement (SCI) which details the Applicant's engagement with the local community prior to submission of the planning application. The Applicant has identified that they have engaged with a range of stakeholders between June 2022 and November 2023. Stakeholders identified include the

Docklands Sailing and Watersports Centre (DSWC), The Isle of Dogs and South Poplar Community Development Panel, the Department for Education and Canary Wharf College.

4.5 The SCI reports that a dedicated website was set up so that those interested parties who were unable to attend in-person events could keep up-to-date with the pre-application process.

4.6 A public exhibition took place between 27th and 29th September 2023 at the DSWC. Ahead of the exhibition, approximately 3399 invitations were distributed to local residents. The exhibition covered topics including design and layout of buildings, landscaping, open space and public realm, biodiversity and sustainability and environment.

4.7 The Applicant also took part in two community forums facilitated by Officers. The community forums were held in November 2022 and September 2023. The SCI reports that over 80 people attended each of the forums. Key themes during the first forum centred around housing, school, community facilities, commercial floorspace, open space, highways, construction, amenity impact and planning.

4.8 Questions on housing included a focus on the nature of the affordable housing provision, housing mix and tenure, a discussion around over-development and residential density. Questions were also raised with regards to the school in terms of design, construction and delivery.

4.9 The second community forum provided a presentation by the Applicant which addressed issues raised in the first community forum. Some new matters were also raised including the retention of trees on Tiller Road, impacts on water pressure, impact on biodiversity and raising the temperature of the water in the dock, impacts on the sailing centre and the impact of the school on Westferry Road.

Statutory publicity on the application

4.10 Upon validation of the planning application, the Council sent out consultation letters to 6820 nearby owners and occupiers on 19th January 2024. An advert was posted in the press and site notices were displayed around the site. Two rounds of overlapping consultations under Regulation 25 of the Environmental Impact Assessment Regulations 2017 were carried out in June 2024.

4.11 In total 1025 representations have been received with 968 in favour of the proposals and 51 objecting to the proposals.

General comments on the proposals

4.12 General comments received on the application, neither declaring support nor objection for the proposal, can be summarised as follows:

- Support redeveloping the site, however more affordable housing should be built and the site shouldn't have been left as a brownfield site for so long.
- It should be a condition of any planning permission to be granted to ensure that a new secondary school and public sports facilities are built (and that out of school hours the facilities should be open to the public).
- The lease for the school must be signed before any future negotiations related to the site or the site must be compulsory purchased if the developer does not sign the school lease.
- Do not support the provision of new houses but support the provision of a new school, however, also need a new doctors' surgery.
- The site needs an additional secondary school not just the relocation of Canary Wharf College.
- The existing leisure centre facilities do not provide enough low-cost access on the Island and do not have the capacity to add more users to its already overstretched facilities.

- Dedicated parks of an agreed minimum size (not pocket parks) complete with children's play facilities, basketball and football training areas and an outdoor fitness area for use by the local communities are required.
- Access to another library facility should be provided. The current Cubitt Town Library is the only one below Canary Wharf.
- The area already suffers from anti-social behaviour and gang issues because of a lack of access to meaningful, affordable places for young people. Adding more residents will only increase this burden.
- Need more nurseries as the waiting lists for all existing nurseries are very long.

Support for Proposals

4.13 The representations in support of the proposal are summarised as follows:

- General support for more housing and affordable housing to tackle housing crisis.
- The development will tackle deprivation by providing essential amenities and economic growth.
- The scheme will provide 379 new affordable homes and 35% affordable housing.
- Support the delivery of more social homes as rent levels are unaffordable.
- General support for scheme as there is not enough Council housing.
- General support for the proposal with no specific reasons cited.
- General support for better conditions.
- Support the provision of new schools and educational opportunities including more state schools.
- Existing schools are overcrowded and there aren't enough secondary schools.
- Support new sports facilities.
- Support the provision of more parks, playgrounds and public and community spaces.
- Support the provision of more shops, restaurants, cafes and workspaces and convenience shopping.
- Support the provision of more jobs.
- Would like to see more doctors' surgeries, healthcare centres, dentists and police facilities.
- The development has a superior design to the extant consent.
- Development will be a betterment for the community.
- The current state of the undeveloped site has long been an eyesore for the community. The proposed development offers a fantastic opportunity to transform this area into a vibrant and thriving hub that enhances local landscape and addresses pressing issues within the community.
- The development will alleviate the strain on local rent prices and introduce additional housing options, creating a more balanced and affordable living environment for residents.
- Support bringing life back to a waste ground that has laid empty for over 7 years.
- Support the provision of more nature, biodiversity, green spaces and greenery.

- Development is needed and it will be good for everybody in the area.
- There will be more accommodation for local residents and school places for local children.
- 3-4 bedroom homes are welcomed.
- Represents the investment that is needed to make Tower Hamlets more attractive to live.
- It is important to have a school not far where children can feel safe and therefore building more homes with a school will be a great advantage for the community. Children can attend after-school activities and bond with their neighbours.
- Vibrant waterfront development.
- Support the provision of more infrastructure.
- The development will enhance social cohesion and community integration.

Objections to Proposals

4.14 The objections to the proposal are summarised as follows:

Density and Overdevelopment

- The scheme is blatant over-development of the site. The independent Inspector for the two inquiries arrived at this conclusion twice previously. The current application is too dense and too high.
- The first application was more proportionate to the local area with more green space, soft play area and felt more liveable.
- The consented application is the maximum size of development that could feasibly be accommodated on this plot of land.
- There are currently proposals to develop Kleins Wharf directly opposite Westferry Printworks to deliver up to 450 homes. The two schemes will place too high a burden on the neighbourhood.
- The scheme has not considered the cumulative impacts of all approved developments which are nearby. Without taking a view of all these developments together, the true extent of the impact of massing and scale on the area cannot really be properly understood.

Character

- The extraordinary increase in people living in the development will disrupt the character of the area, enjoyment of the urban farm, the biodiversity of the dock's wildlife, the architecture of existing properties and shops and reduces the amount of green space available to residents of the island.
- More urban development will make the Island a less pleasant area to live.
- Same concerns remain as per the previous scheme.
- The proposal does very little to address the local character of the area and makes little effort to provide a community space for the public.
- The development feels like an isolated estate rather than a community hub which it needs to be.

Height and Scale

- The proposal conflicts with the local planning framework for the Isle of Dogs. Tower blocks are considered more appropriate in Canary Wharf and the northern part of the Isle of Dogs.

- Out of character with the surrounding area. The four enormous tower blocks are far in excess of the height of any nearby building and will blight the dock.

- General objections to the heights across the development and particularly the towers.

- Even the lower C blocks are above average height level.

- It would have been better to have a row of mid-height (4-5 storeys) blocks lining the banks of the Dock (similar to the homes found in Copenhagen lining the banks of the river), rather than the very tall towers that are currently proposed.

- Taller towers should be half the height of what is proposed.

- Tillier Road which is closest to the site is a low-rise street with a mix of houses and flats that are 1-4 floors high with one block of flats which is 10 floors high. The proposal will not look and feel proportionate to the immediate surrounding area. The proposal is still too high in the residential towers and consists of too many tower blocks in the design.

- The plan does not follow the general principle of "Step Down" from Canary Wharf to the water.

- Tower W1 immediately adjacent to Westferry Road is far taller than any other building along the road-front prior to Canary Wharf and immediately adjacent areas.

- It is not clear if the developer has made a 3D model available. The scheme should not be approved unless those making the decision have been able to view a 3D model and used it to assess the impact of density, massing and scale on the local area.

Appearance

- The façade cladding and colour choice bear very little resemblance to the heritage and character of the Docklands area. The development resembles a 60's grey concrete council housing estate.

- This is a missed opportunity to add some colour and character to the area.

- Design and architecture is bland.

Heritage

- The view from the Greenwich Observatory towards Canary Wharf would be destroyed as would the Canary Wharf Skyline.

Daylight/Sunlight Impacts

- The development will fail to meet recommended guidelines for daylight/sunlight for within the development.

- One third of the external spaces will suffer overshadowing and receive less than 2 hours of sunlight and will be gloomy and windswept.

- The development will result in significantly adverse impact in respect of daylight and sunlight on adjoining properties.

- The sun travels from southeast to the southwest for most of the year. The towers will undoubtedly carry a shadow for most of the year.

- Residential properties particularly in Claire Place will be significantly affected by loss of sunlight.

Transport

- Traffic control will be risky and dangerous for pedestrians.
- Pressure on existing DLR, bus services and local river taxis, cars and bikes.
- There is little or no capacity on existing buses to accommodate the additional persons resulting from the development.
- The addition of the secondary school would also make travel in both directions very difficult.
- There is no road safety audit submitted with this planning application.
- There is not enough parking on the development and what is being proposed is insufficient.
- There is a lack of parking spaces for school and drop-off of children; there needs to be more than just private parking.
- There needs to be a plan for transport. The waste collection services are already overwhelmed.
- There are insufficient transport links at present. The roads are considerably congested and there are only two routes into the Isle of Dogs. The development will only accelerate the degradation of the roads.
- Queries raised as to who qualifies as blue badge holders.
- Servicing vehicles will be large. The width of the Boulevard and the absence of a turning circle will encourage service vehicles to exit via Millharbour.
- The Millharbour entrance should be sealed and made available for emergency purposes only.
- There would be access issues for emergency services.
- Detailed consideration and analysis must be given to the locations of the much-needed zebra crossings to be located on Westferry Road. This needs to serve schools and bus stops in either direction, but the management of the speed of traffic is essential.
- The development takes no account of the current serious challenges of parents needing to bring their children to Arnhem Wharf Primary School by car and the parking challenges that result. The creation of a new secondary school, whilst welcomed and needed, will add to this really difficult situation.
- Off-street underground delivery bays should be accommodated that are high enough for supermarket home delivery vans or lorries undertaking removals or appliance/furniture delivery as well as waste collection.
- All delivery vehicles should be prevented from stopping on Westferry Road, particularly in relation to building W1.
- How will e-bike and e-scooter access to the site be managed?

Construction

- How are giant HGVs going to safely travel around tiny streets? What is the impact of this traffic on the Island as there is only one main road?

- This is not a phased project and 8 continuous years of work is going to deteriorate the quality of living.

- Concerns regarding the impact of pollution, both air and noise on Millharbour Road.

- There needs to be a full commitment to engage properly with the local community during any construction phase. There should be regular public meetings where residents can raise their concerns and there should be weekly communications from the site explaining what works are due to take place.

- During construction, the dockside along Millwall Dock must remain open; it is a vital travel route for residents.

- The phasing of the development should be changed. All the development around the school is due to happen at the end of the construction. This should be at the beginning. With the current phasing, the construction will be taking place adjacent to the school at precisely the time the school is occupied.

<u>Environment</u>

- Having a development next to the dock and the main road will interfere with the overall environment and hurt local wildlife as well as the local community.

- It will impact negatively on the environment and local well-embedded leisure pursuits such as the sailing club, other water-based leisure pursuits and accommodation such as the boats that are surrounding the dock presently.

- Noise and disturbance from construction activity will impact on the health of residents and increase levels of insomnia, morbidity and mortality, heart disease, high blood pressure, mental health and cancer.

- There will be problems with wind and impact to the sailing centre from the taller towers particularly.

- The developer must be required to make a substantial contribution to the Docklands Sailing and Watersports Centre (DSWC) so that it can comfortably overcome the enormous challenge that the development will create.

- Concerns about the proposed heat pump system which will extract cooler water from Millwall Dock and return it to the docks at a higher temperature and the impact this will have on fish and other species living in the docks as a result of these raised temperatures.

- Increased temperatures will trigger toxic algal blooms in the summer. This has happened before in the Millwall docks and poses a potentially large threat to water quality. Toxic water would endanger watersports activities and swans and ducks that inhabit the docks.

- The development will reduce air quality.

- There is not enough green and public open space to serve this development. Green space being provided in developments often have signs saying ‘no ball games’ making these spaces unusable by children or are fenced off.

- The design of the buildings should incorporate shading to prevent overheating of the many south-facing residential units, without the need to revert to unsustainable levels of air-conditioning.

- There is currently a problem with litter created by this development. This will be left to pile up.

Crime

- Crime and anti-social behaviour have risen over the years in the Island as land has been developed by private developers.

- The development will increase anti-social behaviour including illegal parking.

School

- There is a lack of commitment and clarity from the developer as to when the school lease will be signed. There is no assurance in the planning process for this.

- The school is being used as a ransom to obtain planning permission.

- There is no detail in the planning application about when the developer will sign the lease for the school.

- At the public community forum which was attended by Council officers prior to the submission of the planning application, the developer made a commitment that they would sign the school lease before the Strategic Development Committee meeting to consider the application. However, this is not detailed in the public consultation documents.

- Before Strategic Development Committee it needs to be made clear when the lease will be signed and under what circumstances and what the enforceable consequences will be for not signing.

- It should be conditioned that the lease is signed (based on the 2016 s106 agreement at least) should planning permission be granted and before any new s106 is negotiated.

- Concern that Canary Wharf College Secondary School will close because of the lack of a permanent large site and the impact of the Selsdon Way redevelopment of the car park.

- The Council should compulsorily purchase the site if the school lease is not signed.

- How will the school provide for a healthier lifestyle when there is so little space to play? 2 MUGAs and one 5-a-side pitch will not provide for an enriching curriculum.

- The school site is too small and challenging with insufficient local playing fields for team sports.

- The external pitches will need floodlighting for community use which will be detrimental to the adjacent houses.

Other

- The submitted Infrastructure Assessment is not adequate; there is no plan for how capacity for sufficient electricity, water supply and sewage capacity will be achieved. These utilities are under pressure.

- The development is driven by developer profit.

- The development is not sustainable in this location.

- There are insufficient amenities proposed. There are already not enough NHS dentist or doctor slots, schools are at capacity and the development will likely put strain on the emergency services who are already at breaking point.

- Increase in population of the local area without having the necessary services in place to accommodate all occupants.

- Concerns that an independent company has been pressurising residents to sign a form of approval and support for the development.

- Parents of children at Canary Wharf College have been advised by the trust leadership to support the development proposals. There is concern about the close relationship between the trust leadership and the developer. This does not represent the best interests of children.

- Compulsory purchase powers should be utilised to enable construction of the school to go ahead without blind consent to the development plans.

- The scheme will more than double the number of residents from the project originally presented.

- During community engagement with the developer there was a promise to come back to residents with questions that were raised. Residents have not been notified of the answers even though contact details were left.

- The scheme proposes more houses than what was agreed.

- There is no guarantee of the delivery of public services such as GPs that are needed.

- The new homes are not going to be affordable for local residents to purchase and there is a risk that a lot of the homes will remain empty.

- The development is likely to result in unjust service charges.

- There is no evidence that there is enough electricity, water and sewage supply to support the proposed development.

- The development is missing a sport centre with a public pool and a supermarket. Residents need an adequately priced supermarket to meet the daily living needs of Island residents. Access to Asda is likely to be impacted by the redevelopment of the site.

- Adequate provision for the collection and removal of waste and recycling needs to be included in the Westferry Printworks site including adequate bin stores underground where waste collection vehicles can access and load the waste underground.

- The scheme should only be allowed planning approval if the legal structure of the residential units is commonhold or share of freehold. Neighbouring sites are successfully managed by the leaseholders and Westferry Printworks should be no different.

- There needs to be a commitment to the provision of proper leisure facilities (sports centre, library and youth club) on the Island that are open to the public at all hours.

- The scheme should make provision for knocking down or modernising Tiller Road gym and then use space from the site to create a proper sized indoor sports and leisure facility for the population of the Island.

- Trees along Claire Place estate should be replaced.

4.15 Representations were also received from Robert Ogden Indescon Developments Ltd (ROID) who owns the long leasehold interest of Greenwich View Place, immediately adjacent to the site. The key issues and objections raised on behalf of ROID are summarised as follows:

- Considers that there are a number of missing documents and inconsistencies between the materials submitted and throughout the application and would question the robustness of the various assessments submitted.

- The Applicant has stated that the proposed development does not supersede any existing consents but the application materials explain that the delivery of the basement pursuant to permission PA/15/02216/A1 has commenced to the extent that sheet piling has been installed and the proposed development has been designed to integrate that implemented permission. If PA/15/02216/A1 is not superseded, the application material should demonstrate how the two permissions can be implemented contemporaneously in accordance with the findings of the Hillside judgement (November 2020).

- There is little detail around the type of retail space that will come forward in a particular commercial unit within a building or phase. The quantum assessed in the Town Centre Use Impact Assessment differs from that assessed within the Transport Assessment.

- Neither the Statement of Community Involvement nor the Planning Statement does not report comments received and acted upon during design development. In spite of 80 people attending both local forums and public exhibitions there is no representation of the issues raised by local people.

- The number of parking spaces proposed is inconsistent between the different planning application documents. There is nothing in the planning statement or elsewhere to suggest that the commitment for spaces to be let to 'blue badge' holders only will be secured by condition to ensure that residential car parking is not used by commercial uses.

- It is acknowledged that some of the basement structure exists already by virtue of the implementation of application PA/15/02216. However, delivering a basement of this magnitude and with this many spaces, leaving them empty seems wasteful. Also requiring visitors to park on surrounding roads impacting existing residents and occupiers is unacceptable.

- There is limited parking for gateway buildings E1 and W1 and none at all for N3 and E1. Information as to how accessible parking will be made available for mobility-impaired residents of the affordable accommodation must be provided.

- The EVCP proposed for basement parking will be a potential fire hazard and should be addressed robustly prior to determination.

- There has been no comprehensive drawing schedule submitted for approval. Public Realm drawings have been referred to but are not available on the Council's website. Drawings are badly labelled and difficult to align.

- No east-west sections through the masterplan have been provided and the elevations that have been submitted do not show the interface with the basement. East-west sections should be provided including through buildings E1 and T4.

- There is no assessment of the trees and hedges lining the eastern boundary of the proposed development site between Westferry Printworks and Greenwich View Place (GVP).

- The proposed site plan shows the location of a structure to the south-east corner of the site abutting the boundary with GVP however on the Design and Access Statement this is shown as public open space. It should be made clear in the planning application materials if the structure houses electricity substations. Its location would not be acceptable as it

located on the shared boundary between Westferry Printworks and GVP and would compromise the linkages between the sites. Details of its external appearance should also be provided.

- The application boundary may include some of the land forming part of GVP. It is also noted that formal notice was not served on the owner of GVP.

- It is noted that the development is proposed to be phased from west to east with the school coming forward in the first phase alongside the basement. Thereafter the central elements of the masterplan are proposed to come forward, largely serviced from Westferry Road. Phases 3 and 4 then comprise the delivery of the westernmost and easternmost plots, with the latter being accessed by construction traffic from Millharbour. It is not clear why the phasing has been chosen and it is proposed that a more logical sequence would be to deliver the masterplan east to west accessed at all times from Westferry Road.

- Millharbour is a single carriageway and there is usually unregulated parking on both sides of the road along its entire length and a roundabout at the southern end with a cycle docking station. It is considered that Millharbour is not suitable for construction traffic for a site of the size of Westferry Printworks, particularly given the three other sites consented but not yet fully active at the southern end of Millharbour. Use throughout the Masterplan construction, even after 3pm on work days, is unacceptable. Would request that a revised construction phasing and logistics plan is tested to evidence an improved environment for affected neighbours whereby construction traffic is managed entirely via Westferry Road.

- It is noted that off-site holding areas are proposed for construction vehicles waiting to access the site. Would seek confirmation that the holding area will be located away from Millharbour and accesses to GVP.

- The Transport Assessment provides insufficient information to evidence that the servicing of phases 1 and 2 can be achieved whilst construction of the later peripheral phases is underway.

- There are insufficient servicing bays incorporated within the masterplan based on the number of servicing vehicles expected to visit the site.

- The Boulevard is designated as the central servicing spine however the majority of the retail floorspace and food and beverage space is located away from the Boulevard. Trolleying of goods from van to store will be necessary adding burden on the service parking provision within the site. Consideration should be given to removing all service bays from the Boulevard and relocating them to the basement area.

- If articulated lorries are allowed to be on the site then swept path analysis should be provided showing how they turn around within the site and exit via Westferry Road. Use of Millharbour for large service vehicles is unacceptable.

- Track plots are provided demonstrating that service vehicles, including waste removal vehicles, can turn around at the roundabout on Millharbour. Significant volumes of service vehicles turning around at the roundabout could compromise access to GVP and neighbouring properties.

- Nature of proposed workspace referenced in the Commercial Demand Strategy is not clear. If it is intended for art-makers they may require vehicle access and therefore, this requirement should be assessed.

- No visitor parking is proposed however local parking provision is over-subscribed. It is not clear how lack of visitor parking provision is managed without impacting on existing neighbours. It is suggested that visitor parking should be provided in the basement.

- The design quality is insufficient and the proposed colour palette is bland and buildings lack an appropriate degree of articulation between horizontality and verticality.

- There is insufficient evidence within the submission of the actual quality of the spaces and public realm. Details of the types and sizes of trees proposed should be provided and details of fixtures and fittings within the public realm should also be made known.

- The masterplan should facilitate permeability and access to neighbouring sites so that high-quality development can be fully integrated.

- It is not clear why BREEAM Excellent cannot be achieved for all non-residential uses.

- There is no reference to achieving compliance with the Home Quality Mark as required by the Isle of Dogs Neighbourhood Plan (2021).

- Design should be tenure blind however it is noted that building E1 which is affordable has the lowest number of solar PV panels on the roof, which could disproportionately affect its energy efficiency and the cost of utilities for occupants.

- The affordable accommodation residents will be required to carry their waste to bin stores located on the Boulevard and in some instances the horizontal walk distances exceed the maximum 30m set out in the Building Regulations.

- The location of building E1 significantly reduces the area of open space to the east of the masterplan compared to the 2016 consent. It is considered that the lack of specific open space for the affordable blocks should be addressed. It is not clear how access to the communal courtyards within C1 and C2 will be secured for the long term as these spaces appear to underpin the communal open space provision for the gateway buildings and the northern plots.

- It is noted that play space for the 5-11 and 12+ age groups relies heavily on access to the school sports field and associated courts.

- There is no specific commitment for the school to be delivered by September 2026 as stated in the Planning Statement. Confirmation is required as to how delivery will be secured by a specific date to allow GVP to properly assess the likely impact of the proposed phasing of development and construction traffic and service vehicle movements during the interim phase.

<u>Further response to Reg 25 Consultation</u>

- Continues to object to the planning application on various grounds. Still concerned about the limited information provided about the external appearance of the substation and its location which will impede integration of any future residential-led mixed use redevelopment with GVP.

- The timing of the delivery of the school is fundamental to the proposed construction phasing plan. There is still no specific commitment for the school to be delivered by a particular date. It would seem counter-intuitive to request that a school be built and occupied whilst significant construction works are being undertaken around it with implications for safety, health, noise and air quality.

- Millharbour is not suitable for construction traffic for a site the size of Westferry Printworks, particularly given the three other sites consented but not yet fully active at the southern end of Millharbour. Use of Millharbour throughout the masterplan construction, even after 3pm on work days, is unacceptable.

- Off-site holding areas must be located away from Millharbour and accesses to GVP.

- There is still insufficient detail about the type of retail space that will come forward to determine the servicing requirements. There is also continued resistance by the applicant to use the basement to hold servicing vehicles.

- It has been explained that there are barriers at each end of the Boulevard to prevent the central spine from becoming a school drop off/pick-up point, but there is no specific information as to where these facilities will be provided.

- The proposed commitment to consult on the extension of the existing Controlled Parking Zones will not prevent pick-up and drop-off from occurring on Millharbour even if the extension is agreed. The Boulevard is exactly where this type of facility should be accommodated and the barriers must be removed to allow the free flow of traffic, including that which erroneously enters Millharbour.

- The on-site management team is fundamental to the operation of the estate. This commitment must be secured by condition to ensure the amenity of existing residents and occupiers of surrounding streets.

- Unless the extensive basement is redesigned to accommodate visitor parking and servicing vehicles and the Boulevard is opened to accommodate school pick-up/drop-off, the development would be unacceptable.

4.16 Representations have been received from George Green School and these are summarised as follows:

- The proposal to include a secondary school appears to contradict the borough's assessment of secondary school places required. The Planning for School Places 2023/24 Review and Recommendations notes that secondary school pupil numbers within the Borough are expected to remain steady in the short term however continuing decline in the pupil population will inevitably present a challenge for school sustainability in the primary sector over the next planning period and in the secondary and post-16 sectors in the longer term.

- George Green School would question the wisdom in building a 1200 pupil secondary school when the borough will likely have a decrease in student numbers.

- Given the document references an additional 'Elite 6th form' being explored by the borough, the school are concerned that this will have a detrimental effect on funding and resources for other secondaries in the borough.

- Whilst it is acknowledged that Canary Wharf College 3 (CWC) needs a suitable location, George Green School object to the size of the proposed secondary school on the site and would request the Planners to consider options for a smaller school more akin to the current establishment of CWC and without a sixth form.

- Given the needs George Green School has for significant investment in its estate, and a rebuilding scheme paused by the Mayor, the school are concerned about the impact a new secondary building on the Isle of Dogs will have without improvements in the estate at George Green's.

4.17 The Royal Yachting Association (RYA) initially objected to the application on the following summarised grounds:

- The RYA's main concern is the impact on the wind regime across an area that is used for training young and novice sailors. The RYA consider that the approach taken to wind modelling for similar developments elsewhere has been questioned by planning inspectors. It is unclear in this case how the trigger values for defining "significant" impact have been derived. An adverse impact on the wind regime, particularly increased turbulence, will place the club's continued use of parts of their sailing area at risk, with associated potential loss of income, and of opportunities for youth and adult sailing in this location.

- The Council should seek clarity both on the wind modelling assumptions, and on mitigations offered by the developer to reduce the impact of wind regime changes on DSWC.

Further comments to Reg 25 Consultation

- The RYA initially maintained their objections however they subsequently confirmed that as the Docklands Sailing and Watersports Centre had now reached an agreement with the Developer which has been signed, on this basis the RYA withdraws its objections.

5. CONSULTATION RESPONSES

External Consultees

Active Travel England

5.1 Given the role of Transport for London, Active Travel England will not be providing detailed comments on development proposals in Greater London.

Cadent Gas

5.2 No objections to proposal.

Canal and River Trust

5.3 The Canal and River Trust have provided a detailed representation concerning matters relating to the following: the structural integrity of the Millwall Outer Dock; the impact on the character and appearance of Millwall Outer Dock; and wind impacts on the water-based use of Millwall Outer Dock. Comments from the Trust have been summarised as follows:

5.4 The Trust notes that the plans indicate the intention to develop a basement level approximately 12m from the northern dock wall of Millwall Outer Dock. Excavation adjacent to the Trust's assets can cause undermining and collapse, lead to the creation of leakage pathways and inundation. These pose risks to navigation both in terms of water resources and potential collapse of supporting structures. The Trust requests that, if planning permission is granted, conditions are imposed requiring a survey of the dock walls and details of how the structural integrity of Millwall Outer Dock will be protected.

5.5 In terms of height and materiality, the Trust considers that the increase in height of the towers along the dockside will be unlikely to have a dramatic additional impact, visually or physically, directly upon users of the docks. The Trust has no comments to make on the impact on wider, and possibly more sensitive, long-distance views, which other consultees are likely to be in a better position to express opinions on. The architectural language seems appropriate as does the materiality.

5.6 The CRT notes in Chapter 14b Acquatic Ecology of the ES that the impact of anticipated shading of the dock space is expected to be negligible.

5.7 Supports the proposals for the waterside park, the provision of public open space adjacent to the waterfront, the dockside park and improved links to Millharbour.

5.8 The landscape-led masterplan and approach to reconnecting the wider area to the waterside is welcomed, with the provision of green spines, generous open space and increased permeability and opportunities for connectivity. The proposals should be reviewed at planning condition stage to consider opportunities to provide additional inclusive access points along the promenade and additional detail setting out the approach to materiality and wayfinding for these features.

5.9 The CRT acknowledges that the best course of action is to remove the 8 existing London plane trees along the waterside and replace with mature trees of a similar future stature and amenity value.

5.10 Would like to see clarification of hard landscape material specification as there is a discrepancy between the description of the resin-bound gravel in the public realm proposals and the colours shown in the CGIs. Further landscape details should be secured via condition.

5.11 Condition requested for further details of exterior lighting and lighting should be designed in a way that limits light spill over the water space.

5.12 CRT trust that the Council will seek the views of the DSWC and assess whether it is possible to mitigate the impact on sailing conditions and, if it is possible, secure the appropriate mitigation in relation to the proposed scheme.

5.13 There is an existing agreement with the CRT's Utilities Team for site drainage and surface water discharge to Millwall Dock.

5.14 The CRT request to be consulted on the Construction Environmental Management Plan (CEMP) to be secured by planning condition.

5.15 The proposal will incorporate the use of the dock water to transfer energy for the development's heat pump. The modelling showed that there was very little effect on dock water temperature.

5.16 Recreational use of the waterspace of Millwall Outer Dock is currently limited to sailing, canoeing and other water sports. There is potential to complement these activities with other forms of visitor attractions that provide a tangible connection with the once vibrant commercial life of the dock and an enhanced appreciation of its maritime cultural heritage.

5.17 CRT encourage waterside developments to consider the feasibility of using the docks to transport materials and waste as part of construction of the site. This should be secured via condition.

5.18 Conditions have been requested in relation to the submission of a waterway wall survey, details of measures to protect Millwall Outer Dock, details of hard and soft landscaping and a landscape management plan, details of lighting and waterborne transport feasibility.

City of London

5.19 No objection

Docklands Sailing & Watersports Centre (DSWC)

5.20 The DSWC have not formally submitted representations for this planning application. However, correspondence has been received stating that the DSWC confirm that notification of the planning application was received. The DSWC has been discussing the current application with the applicant both before and since its registration. This has included an assessment of the wind impact, facilitated by the applicant. It is anticipated that the DSWC will reach an agreement on measures needed to address the proposed development's impact on the DSWC's operations in the near future.

5.21 The DSWC's representations will depend on the outcome of those discussions. The DSWC request that they be permitted to make representations up to 21 days before the application is considered by Members but will advise the Council of the position before that if they are able.

Environment Agency

5.22 No objections subject to conditions being imposed requiring the submission of remediation strategy and verification plan, written consent for any piling, deep foundations, or other intrusive groundworks, submission of monitoring and maintenance plan and a verification report in respect of land contamination.

Greater London Authority – Stage 1 Referral

5.23 Land Use Principles: The principle of the residential-led mixed use redevelopment of this large, cleared brownfield site within an opportunity area is established and strongly supported.

5.24 Affordable Housing: The proposed scheme would deliver 35% affordable housing, by habitable room, on a tenure split of 70/30 in favour of London Affordable Rent. The proposal would meet the requirements for the Fast-Track Route and is supported.

5.25 Urban Design and Heritage: The site is located within an area identified for tall buildings and the site layout is broadly supported. The scheme would result in less than substantial harm to various heritage assets, including the Maritime Greenwich WHS. This harm will be weighed in the planning balance at the Mayor's decision-making stage.

5.26 Transport: A contribution towards Crossharbour DLR station is required, alongside bus capacity mitigation. Concerns have been identified surrounding access and circulation through the site and how this would facilitate safe and comfortable cycling and pedestrian routes, including links to existing and future pedestrian and cyclist routes. The significant number of disabled persons parking spaces is not acceptable and this space should be allocated to a sustainable land use from the outset. Further public realm, highways works and contributions have been identified and must be secured.

5.27 Other issues on sustainable development and environment also require resolution prior to the Mayor's decision-making stage.

5.28 Tower Hamlets Council are advised that the application does not yet comply with the London Plan and possible remedies set out in the Stage 1 report could address these deficiencies.

Historic England (GLAAS) – Archaeology

5.29 The planning application lies in an area of archaeological interest. This Tier 3 Archaeological Priority Area has potential to contain both paleoenvironmental evidence and evidence of prehistoric human activity such as that identified at nearby Atlas Wharf. A buried prominence beneath the site is likely to have been a dry and habitable location within the wider marsh since prehistory and multiperiod activity can be expected at the site, including activity associated with the Chapel House 18th century settlement. Parts of the dock complex are listed, reflecting the national importance of the docks and their role in the international mercantile supremacy of London until they closed in the 1980s. Numerous industrial archaeology remains survive relating to this period.

5.30 The main impact from the proposed development will be the further excavation for basements, revised distribution of piled foundation locations and associated drainage and servicing, especially in the areas which differ in layout from the previously consented scheme.

5.31 Earlier advice provided to the LPA concluded the development impacts of the updated scheme are similar in archaeological terms to those of the scheme previously granted consent at the site, and can be managed with conditions.

5.32 The applicant has submitted an updated desk-based assessment which also includes an updated geoarchaeological deposit model as an appendix. The assessment adequately summarises the significance and potential of the site and complies with current policy, standards and guidance. The site has been sufficiently evaluated previously to make an informed recommendation.

5.33 The significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition. Recommends that a condition be imposed requiring the submission of a written scheme of investigation.

Historic England – Buildings

5.34 Consider these new plans to be an improvement on the previous application for the site which was refused at appeal stage, and broadly similar to the consented scheme in terms of the impact on the historic environment.

5.35 The visual impact of these new proposals on the historic environment is set out in the Built Heritage, Townscape and Visual Impact Assessment. The impact of the proposed development from the Maritime Greenwich World Heritage Site (particularly LVMF view 5A.1 from the General Wolfe Statue), and from London Bridge towards Tower Bridge (particularly LVMF 11B.1) appears similar to that viewed at pre-application stage. The reduction in height of the proposed building T5 from 27 to 15 storeys is noted and has slightly reduced the visual impact in both these views, and this is a welcome change.

5.36 Taking account of the approved development for the site, and the location of the proposed development within the Council's Tall Building Zone and site allocation (Westferry Printworks 4.12), Historic England do not wish to raise any significant concerns about this specific scheme.

5.37 Historic England would however take the opportunity to reiterate general concerns about the creep of tall building development further south within the Isle of Dogs and the potential for further encroachment on the setting of the Maritime Greenwich World Heritage Site. The Council's Local Plan Policies concerning tall buildings and heritage should be taken into account in determining this application.

Health and Safety Executive (HSE) Gateway One

5.38 Following a review of the information provided in the planning application, HSE are content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

5.39 However, HSE has identified some matters that the Applicant should try to address, in *advance of later regulatory stages*.

5.40 It will be for the applicant to demonstrate that the means of escape is capable of being safely and effectively used at all material times, including during firefighting operations, and that the proposed performance-based solution(s) provides an equivalent level of fire safety to that of code compliance.

5.41 A habitat or green roof may constitute a fire hazard as it requires a regular management and maintenance regime. It will be for the applicant to demonstrate that the proposed green roofs are viable in relation to fire safety. This will be subject to further consideration at a later regulatory stage.

5.42 The plans indicate that the design includes residential apartments that incorporate open plan kitchen facilities. Cooking facilities should be located at the most remote part of the flat to protect the means of escape.

5.43 The basement and level 00 plans indicate considerable car parking and cycle storage areas. It is advisable to consider the risk to fire safety due to the presence of electric vehicles (EV) as they contain lithium-ion batteries. It will be for the applicant to demonstrate that the proposed fire safety design standard is suitable and that the proposed development complies with building regulations at subsequent regulatory stages.

5.44 Where the installation of photovoltaic panels is proposed it should be noted that fire safety standards require suitable support of cabling to avoid obstruction of escape routes and firefighting access due to the failure of fixings. Consideration should be given to ensuring that all power supplies, electrical wiring and control equipment is provided with appropriate levels of protection against fire. This will be subject to further consideration at a later regulatory stage.

<u>Updated Comments to Reg 25 Consultation</u>

5.45 HSE notes the additional information regarding the secondary school. HSE has assessed this application in terms of fire and rescue service vehicle access to the relevant buildings(s) located adjacent to the proposed school building to ensure that suitable fire service access and parking remains available at all times. Following a review of the information, HSE is

content with the fire safety design of the proposed development, to the extent that it affects land use planning.

London City Airport

5.46 No objections subject to the imposition of conditions requiring the submission of a Bird Hazard Management Plan, landscaping scheme, details of obstacle lights on buildings over 100m above ground level and details for the erection of cranes.

London Fire Brigade

5.47 Detailed comments have been provided on matters concerning evacuation lifts; access and facilities for the fire and rescue service; proposed vertical means of escape design; green roofs; photovoltaic cells; cycle storage and car parking. These are areas of consideration that would need to be addressed by the project design team.

London Underground/DLR Infrastructure Protection

5.48 No comments to make on the application.

London Borough of Greenwich

5.49 No objections.

Metropolitan Police – Designing Out Crime Officer

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

NATS

5.51 The proposed development does not conflict with NATS safeguarding criteria therefore there are no safeguarding objections to the proposal.

Natural England

5.52 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 therefore have no objection.

NHS North East London

5.53 The NHS would be seeking a s106 capital contribution of £4,699,614 attributed to the increase in residential properties proposed in the development.

Port of London Authority (PLA)

5.54 The PLA has no in principle objection to the proposed development.

5.55 It is considered in line with policy SI15 (Water Transport) of the London Plan (2021) that full, detailed consideration of the use of navigable waterways for the transportation of construction and/or demolition materials which would likely displace a significant number of HGV movements from the local highway is included as the design progresses. It is therefore considered that this requirement is ensured through an appropriately worded planning condition.

5.56 With regard to passenger transport, it is noted that nearby riverbus services at Canary Wharf and Masthouse terrace piers are referred to within the submitted Framework Travel Plan. Whilst this is welcomed it is recommended that the final Residential Travel Plan Framework (RTP) specifically refers and promotes these services and associated timetables as part of the provision of travel information for all new site residents. This must be reflected in any associated planning condition for the production of a final RTP for the development.

5.57 The PLA considers that it must be ensured that there are no negative impacts on the operation of the Dockland Sailing and Watersports Centre (DSWC). It is noted within the submission that the applicant is working directly with the DSWC to identify a set of measures that will secure the long-term future and viability of the DSWC following the completion of the development. This set of measures should be clearly set out and agreed as part of the development.

5.58 As part of the promenade design adjacent to the dock. it is considered that further information is provided on the provision of any appropriate riparian lifesaving equipment (such as life buoys, grab chains, access ladders, etc).

5.59 It should be ensured, as part of the wayfinding strategy for the site, that pedestrian and cycle links to the nearby Thames Path to the west are also included and promoted as part of the development.

5.60 In principle it is welcomed that the proposed phasing strategy specifies that the external landscaping bordering Millwall Outer Dock, and the pedestrian link between Millharbour and Millwall Outer Dock, are to take place as part of phase one of the overall development.

Sport England

5.61 Sport England objects to this application and requests mitigation for the water sports centre and amendments to the school proposals to better facilitate use of the school's sports facilities by the community.

5.62 Sport England's position remains that due to the impact on the Sailing and Watersports Centre the proposals conflict with London Plan policies. Sport England considers that the Council should continue to seek mitigation from the developer to reduce the impact on the watersports centre. It is not clear from the application documents reviewed what is being offered with this application to address the adverse impact on sailing and the watersports centre resulting from this development.

5.63 Open Space: For such a large development with so many residents (who will not have their own gardens) the spaces provided are not large and there is no large green space to accommodate sports activity safely. There are water trees, footpaths and homes that would make it very difficult to use what is provided as a kick about area.

5.64 Secondary School: As there is little open space elsewhere on the development it is essential that the school's multi use games area and the school hall are made available for community use. The planning application indicates that these will be made available but more information is required on the details (for example, the location of fences and access). It is helpful that the sports hall and MUGA have their own access to facilitate out of hours access.

5.65 In the winter it gets dark at 4pm so it would be reasonable to allow lighting of at least one of the MUGAs so that the local community can have some evening use, even if these hours were to be limited to reduce impact on local residents. It is essential that facilities are provided to meet the needs of the 3,259 people living in this development that have no gardens and limited space to play and exercise.

5.66 Sports Hall Design: Sport England have reviewed the plans for the school sports hall and we request that these are amended. Sport England's recommended dimensions for a school sports hall supporting community use are: 34.5m x 20m x 7.5m with a GIA of 690sqm. Storage should be a minimum of 12.5% of the floor area. If the hall is also to be used for exams then additional storage should be allowed for desk/chair storage, so it is recommended that the hall is enlarged.

5.67 It is recommended that the changing room layout is also reviewed in line with Sport England guidance. It is good that you cannot look directly into the changing rooms, but the layout looks difficult to navigate. It is also difficult to comment on the plans without the benches being shown. It is helpful that cubicle showers are included but will the accessible shower be provided within the accessible changing spaces? Without the details it is difficult to comment

on their design. Details of the flooring are also important, for example gymnastics, netball etc require sprung floors.

5.68 Artificial Pitch Design: As this is a secondary school it would be preferable for the games courts to be larger pitches. There are 2 MUGAs proposed and a single 5-a-side pitch. Details of the surfaces of the pitches have not been included. The applicant should be required to provide these. Will these facilities be fenced? These facilities should be adjusted to meet the recommended Sport England guidance. In particular, the 5-a-side artificial pitch should measure 37 x 18.5m and include recesses for goal storage.

5.69 Active Design and Active: Recommends that the design of the planning application is reviewed against the detailed checklist contained within 'Active Design' (2023) guidance for assessing the design of development proposals to ensure that they create an active environment.

5.70 CIL: Sport England would encourage the Council to consider sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport. Ensuring that the school sports hall and multiuse games area are open for community use will help to meet need generated by the development.

5.71 Sport England requests that conditions are imposed to secure community use hours of the sports hall facility and further design details of the sports hall, multi-use games area and artificial pitch.

Updated Response to Reg 25 Consultation

5.72 Sport England upholds its objection to this proposal for reasons set out in their original response. Sport England may withdraw their objection if further amendments are made to the proposals for the school sports facilities and mitigation is provided for the impact on the watersports centre.

Thames Water

5.73 No objections to surface water network capacity or foul water sewage network infrastructure capacity. Thames Water have requested conditions requiring the submission of a Piling Method Statement, details that all water network upgrades required to accommodate the additional demand to serve the development have been completed; or a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. A further condition has been requested prohibiting the building over or construction within 5 metres of strategic water mains unless information detailing how the developer intends to divert the asset/align the development so as to prevent the potential for damage to Thames Water infrastructure have been submitted and approved.

The Gardens Trust

5.74 Do not wish to comment on the proposals at this stage, however this should not signify The Gardens Trust's approval or disapproval of the proposals.

Transport for London (Detailed Stage 1)

5.75 TfL's detailed Stage 1 key comments are summarised as follows:

5.76 Healthy Street Transport Assessment & Active Travel Zone: TfL welcome that the proposal is supported by a Healthy Streets TA and associated daytime and night-time ATZ assessment. TfL have assessed the routes and have detailed where improvements should be provided.

5.77 Pedestrian, Cyclist and Vehicular Access: The proposed pedestrian and cyclist access would be gained via points surrounding the site. A key concern is over the feasibility of the access point via Starboard Way. Whilst the application has designed the site to facilitate this access point this route would face an issue of an existing resident's car park. This route is a key link to improve the permeability of the site and clarity is sought over the realistic delivery of this link and its detailed design.

5.78 Vehicular access would be gained from Westferry Road and Millharbour for blue badge holders and servicing vehicles. The access would be controlled via bollards at various points on the site. TfL consider that the Applicant should amend the servicing strategy to prevent vehicular access from Millharbour. Westferry Road provides a better function and access to cater for the majority of servicing trips.

5.79 School access would be gained via Westferry Road and Millwall Dock Road to the north. Further details on how access would be managed and controlled via school times should be provided. Public realm works along Millwall Dock Road should be clarified.

5.80 The development of the site presents an opportunity to open up active travel connections on the Isle of Dogs, including providing public access to the dockside. The applicant needs to demonstrate how the site would link up to existing and future pedestrian and cyclist routes. At present the scope of works is very limited and does not reflect the scale of opportunity presented by the development of this strategic site.

5.81 Highway Works and Public Realm Improvements: The proposal would deliver a new east-west link from Westferry Road to Millharbour, referred to as 'The Boulevard', a private street permeable to pedestrian and cyclist movements. Whilst the opening up of the site will provide public realm and green spaces which align with Healthy Street principles, public access in accordance with the Public London Charter should be confirmed.

5.82 In terms of the realignment of Westferry Road, the proposed design remains as per the implemented planning consent. The design includes the proposed relocation of an existing bus infrastructure and is not supported in its proposed form due to operational and pedestrian safety concerns. A full Designer's Response to the stage 1 Road Safey Audit should be supplied with recommendations integrated into the detailed design.

5.83 At present, no improvements to Millharbour are proposed which, given the size and scale of the proposed application, is a missed opportunity and design should be drawn up and reviewed prior to determination to incorporate an improved environment which is fit for purpose and supports increased active travel and safety for all road users.

5.84 TfL recommends that contributions/works in kind for off-site highway improvements including to support walking and cycling are secured by the Council, to be informed by the ATZ assessment, Isle of Dogs OAPF and Local Connections Study.

5.85 TfL would expect the applicant to contribute towards wayfinding on site and within the area via upgrading existing Legible London signage, and/or providing additional signage if deemed required by the Council.

5.86 Public Transport Impact: The scale of these proposals will increase demand considerably at Crossharbour DLR station and a contribution proportionate to that previously secured for this and other sites in the vicinity will need to be secured. A financial contribution (£2,621,250[2]) towards Crossharbour Station and to bus services in the region of £300k is required.

5.87 Car Parking & Controlled Parking Zone: The applicant is proposing a total of 146 blue badge spaces. Noting that a basement space has already been delivered under the extant consent, the applicant should be allocating the space to active travel or innovative sustainable travel solutions from the outset. TfL considers that the over provision of blue badge is not acceptable on this occasion and has the potential to undermine the car-free nature of the development and fails to optimise the site. TfL has previously cited examples of how the basement space could be better utilised including as a sustainable last mile delivery hub for e-cargo bikes. A Parking Design and Management Plan should be secured via condition and all spaces should have an Electric Vehicle Charging Point (EVCP) from the outset.

5.88 TfL recommends the Council secures a contribution which would provide the option to consult on and implement and necessary extension of the CPZ within the vicinity.

[2] It should be noted that TfL have agreed a revised figure of £1,186.600 for the DLR contribution.

5.89 Other Comments: TfL requires exemplar cycle facilities to be provided and cycle parking must demonstrate compliance with the LCDS. TfL requests a financial contribution of £220,000 and land safeguarded within the site to provide an additional docking station as part of any permission. A travel plan should be secured within the S106 agreement. The Delivery and Servicing Plan should be updated to review the servicing trips and to ensure that the number of servicing vehicles is robust.

5.90 TfL also has concerns over the feasibility of the proposed operation; it is noted that access to the site would be restricted via traffic bollards and the applicant is proposing access one way through the site (west to east or east to west). Delivery and servicing vehicles will likely wish to enter and egress via the same access point however currently turning facilities do not appear to have been considered. The use of Millharbour as a main access point should be reconsidered in consultation with the local highway authority. The proposal needs to also demonstrate safe operation of access point from Westferry Road, allowing vehicles to enter and egress the site in forward gear.

5.91 A final Construction Logistics Plan should be secured via planning condition.

Transport for London (Crossrail)

5.92 No comments to make on the application.

Internal Consultees

LBTH Air Quality

5.93 No objection subject to the imposition of conditions requiring the submission of a Dust Management Plan, the carrying out of PM10 monitoring, details of kitchen extraction for commercial uses and details of all plant and machinery to be used during construction.

LBTH Affordable Housing

5.94 LBTH affordable housing team sought clarity on whether the proposal is fast-track whilst welcoming a slightly higher delivery of family sized units in the affordable rented tenure. However they noted slight deviation in policy with regards to the provision of one and two bed unit with the intermediate tenure, and a policy shortfall in the number of family sized units with the private tenure. They also noted that the Council does not have a policy to support studio units with the private tenure.

5.95 They commented that there is a requirement for all family sized affordable rented units to benefit from a separate kitchen area and this has not been met, however welcomed the overprovision of family sized affordable rented units within Phase 1 of the scheme. Within the private element of this phase they again noted a lack of policy for studio sized units, a slight over provision of 1 bed units, and a significant under provision of family sized units. They also noted that one of the blocks (C2) did not meet the GLA policy which limits the number of units per core to eight.

5.96 They queried whether the scheme meets the Councils preferred rental policy of 50% London Affordable Rent, and 50 % Tower Hamlets Living Rent in the affordable rent split and whether the developers are in partnership with a Registered Social Landlord who is on the Councils preferred list.

5.97 With regards to wheelchair units, they noted that the wheelchair units within the intermediate tenure will not be allocated via the common housing register. Within the affordable rented tenure they commented that the wheelchair units will need to benefit from two double bedrooms, as the wheelchair user is likely to be a child needing space for additional equipment. The also commented that details of the units will have to be provided at a scale of 1:50 for the purposes of Occupational Health comments and requested for this to be conditioned. They also commented on Fire Safety and the requirements to meet Part M, however these matters are addressed elsewhere in this report.

5.98 They queried how wheelchair users will fully access the parking areas and whether or not there will be drop-off points for wheelchair users where their blocks do not benefit from basement parking. They also sought an allocation of parking spaces for the affordable rented wheelchair units.

5.99 From a design perspective, they queried:

- the refuse arrangements, the design of the open/play space, and single aspects units in the affordable tenure,
- the open space in relation to the school will be used and managed and how this relates the overall provision of amenity/playspace,
- whether the Met Police Secure by Design Officer has been consulted, and
- residential space standards for each unit.

5.100 All these matters are addressed elsewhere in this report.

LBTH Arboricultural Officer

5.101 There are 8 trees recorded in the submitted AIA, all with a BS categorisation of B. These trees are located on the towpath and are owned and managed by the Canal & River Trust. They are not recorded on the AIA as being protected with TPO's, although I believe they are.

5.102 The rationale for their proposed removal is due to damage caused to the towpath from root growth. These trees offer important amenity value as individual trees and collectively and we would not support their removal for the reasons outlined above.

5.103 Whilst there is evidence of damage to the towpath caused from tree root growth, an alternative engineering solution should be sought to mitigate any trip hazards.

LBTH Energy and Sustainability

5.104 The Energy Officer is satisfied with the proposed Energy Strategy subject to securing the required carbon off-setting contribution, connection to a district heating network and BREEAM excellent rating for all commercial units exceeding 500sqm in floor area.

LBTH Growth & Economic Development

5.105 Based on the build cost of the development there is an obligation to provide 135 apprenticeships during the construction phase.

5.106 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets.

5.107 20% of goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.

5.108 A financial contribution of £651,826.40 is required to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new developments.

5.109 End-use phase of the development will require a contribution of £99,796.13 towards the training and development of unemployed residents in Tower Hamlets.

5.110 The developer should exercise best endeavours to ensure that 20% of the end-user phase workforce will be local residents of Tower Hamlets and a minimum of 1 apprenticeship opportunity.

LBTH Health Impact Officer

5.111 It is unclear when healthy design elements such as play areas and cycle parking will be delivered, if management plans are needed, etc. The Health Chapter should also include a

recommendation to carry out future monitoring of health impacts of the proposal. Due to the strategic scale of this development, this is an important consideration.

5.112 Construction: Due to the long-term nature of the construction project it is recommended that meanwhile uses are designed into the site phasing strategy, such as temporary open and play spaces, community food growing etc.

5.113 Employment and Income: It is appreciated that the applicant has agreed additional enhancement measures that include employment initiatives within the s106 agreement for the construction phase. However, there is nothing secured for the completed development. Can job opportunities for local people be secured via s106, particularly around community centre, community food growing on the site and commercial units?

5.114 Child Play Space: It is recommended that there should be SEND provision within child playspaces.

5.115 Housing Provision: In terms of daylight/sunlight, are affordable units disproportionately affected by rooms with lower levels of daylight? And / or are there units where majority of rooms have daylight levels < BRE recommendations?

5.116 Diet and Nutrition / Healthy Food: Can it be secured via planning for any café/restaurants to sign up to the council's Healthier Catering Commitment and Food for Health awards?

5.117 Food Growing: It is suggested the growing area will provide opportunities for residents, including children, to learn about food growing. It should not be assumed that this will happen organically. Additional measures should be put in place to ensure the growing area is accessible to all residents, particularly those that do not ordinarily get involved with food growing and from a variety of tenancies to promote community cohesion. An educational programme would help residents learn about food growing and may provide a job to a local resident.

5.118 Open Space, Leisure and Play Space: The site allocation in the Local Plan mentions contributions to the green grid, not just links to it. Can the proposal make contributions to the surrounding grid, in particular to improve access to existing green spaces and public transport, particularly while new parks are yet to be delivered?

5.119 Applicant to advise when each open space will be accessible in relation to completion of residential units. A range of high-quality open spaces should be available to residents upon moving in. The open spaces should be made welcoming to neighbouring residents through community events, signage and urban design.

5.120 Inclusive urban realm: How will inclusivity of the proposed development be ensured and then monitored? Monitoring is advised to ensure the open spaces are well-used by a mix of tenancies, and mitigation measures put in place if not the case.

5.121 Community Identity and Social Participation: How will community identity and social participation across all tenancies and the wider community be monitored? How will social value be monitored? Monitoring is advised so that mitigation measures can be put in place if participation from certain groups is lacking.

5.122 Will Central Hub in Building C3 be accessible to tenants of affordable units?

5.123 Retail and food spaces will likely be unaffordable to low-income families in and around the development, if left to market forces. Can community café uses/affordable offerings be secured, for instance as a way of activating vacant units upon completion of development?

5.124 Can training opportunities for workers in commercial floorspace be secured via planning? For instance, the GLA's Good Work Standard.

5.125 Noise and Vibration: Can the applicant advise whether noise from the podium on 1F units has been considered, and how this will be mitigated through management of these spaces?

LBTH Health and Safety

5.126 Construction Phase: The development should comply with the Construction (Design and Management) Regulations 2007 specifically in order to secure the incorporation of safety matters in the development from the start, including the production of a "Health and Safety File" for the client and future users(s).

5.127 The Health & Safety File constitutes a record of the health and safety information for the project's client or end user and the responsibility for its preparation and up keep rests with the Planning Supervisor.

5.128 It is considered desirable for the Planning Supervisor to discuss the Health & Safety file with the client early on in the project and the contents of the file will vary according to the complexity of the project but typically will include;

a) record of as built drawings and plans;
b) general details of the construction methods and materials;
c) details of the structure's equipment and maintenance facilities;
d) operating and maintenance manuals supplied by contractors and equipment manufacturers;
e) procedures for cleaning;
f) information relating to the location and type of emergency systems and firefighting equipment, etc.

5.129 The Applicant will be required to comply with various legislative requirements in respect of matters relating to workplace health and safety, asbestos, use of cooling towers and evaporative condensers and special treatment licences.

LBTH Land Contamination

5.130 No objection subject to the imposition of a condition requiring the submission of a remediation scheme, a site investigation scheme, a verification plan, a monitoring and maintenance plan and a post-completion verification report.

LBTH Noise and Vibration

5.131 Vol 3 ES noise chapter and 'Appendix: Noise and vibration' in ES Volume 3: Technical Appendices were reviewed. I have the following comments on noise and vibration aspects:

5.132 Section 2.3 in Annex 10 of the Appendix to Vol 3 in ES Volume 3: Technical Appendices: Any acoustic characteristic content i.e. tonality and intermittence etc is found in measurement of noise sources (such as system from data system and power plant) affecting T4 and N3 etc. Please explain and document. Also please ensure noise mitigation measures for receptors are in place.

5.133 Section 3.3.3 in Annex 10: LBTH Local Plan requires 10 dB below background as design criterion for fixed plants. Please explain why 5 dB above prevailing background is acceptable. Any noise impact to future receptors? Please also review the proposed glazing requirement and ensure BS8233 is met for future noise-sensitive receptors.

5.134 Please provide a map showing the key fixed plant sources and a preliminary inventory of its sound power data.

5.135 Table 2.8 in Annex 10: Some locations such as W1 will be affected by traffic noise from A1206 etc. Please also adopt use of Rw +Ctr[3] to show noise compliance.

5.136 Last para of section 2.8 in Annex 10: Does only T4 need enhancement? Please advise. Please review and confirm noise mitigation measures in all proposed noise-sensitive receptors are sufficient.

5.137 Table 2.10 is missing. What are the details of the level of enhancement likely to be required?

5.138 Annex 8: Noise Contour Plots (Construction Noise) Max label in Annex 9 is >= 65 dBA. Please add/adjust label colour bands to suitably distinguish noise level in Table 11.14.

LBTH Occupational Therapists (OT)

5.139 Initially requested that some of the Affordable Rented units identified as 3B4P units be changed to 2B4P units however this would have had policy implications elsewhere across the scheme. Following the Applicant's suggestions that the living rooms of these units were reduced to increase the single bedroom sizes, the OT Team's preference were that the units remained as per submitted.

LBTH SUDS (Flood and Water Management)

5.140 Flood Risk: A Flood Risk Assessment (FRA) has been submitted. With the development being located within a flood zone 3a, the site has a 1in100 or greater annual probability of river flooding (>1%), and a 1in200 or greater annual probability of flooding from the sea (>0.5%) in any given year. Consequently, the development is protected to a high standard by the Thames tidal flood defences and third-party river walls. However, there are still risks associated with a breach of defences. Therefore, the development is required to implement flood mitigation measures throughout the development to protect residents and users of the building from potential flood risk.

5.141 The mitigation measures should include but not be limited to: no residential accommodation or vulnerable uses on the ground floor or within the basements, all finished floor levels (FFL) and electrically sensitive and critical infrastructure throughout the site be set 300mm above the TE2100 threshold to improve the site's overall flood resilience. However, the FRA states that FFL will vary throughout the site due to the site's topography and where the FFL are below the TE2100 breach level no sleeping accommodation has been proposed and additional flood mitigation measures have been suggested but not specified nor committed to within the current FRA. Additionally, it must be noted that the current proposed FFL and overall site layout with regards to floor levels etc appear to have been initially agreed by the Environment Agency on pre-application consultation. However, they will need to be consulted again as they raised concerns around the FRA they reviewed being outdated (2014 FRA version).

5.142 Furthermore, as the ground floor level of the site will mainly comprise of a secondary school, commercial retail space (Class E), residential entrances and entrance lobbies and no residential accommodation are proposed on the ground floor this will reduce the overall flood risk vulnerability of the site. However, as the northwestern and northeastern part of the development will be below the current and future breach levels with potential flood depths of over 2.5m respectively. Therefore, it is a must that the development incorporates a resilient means for safe access/egress with designated evacuation routes and provides adequate safe haven areas on upper floors. A Flood Warning and Evacuation Plan (FWEP) will need to be in place for the lifetime of the development and this should be secured by condition.

5.143 Groundwater Flood Risk - Basement: The submitted FRA appears to have not adequately addressed the site's groundwater flood risk as no consideration has been given to groundwater levels nor groundwater flow routes. The site is situated in an area that has the potential for elevated levels of groundwater flood risk.

[3] RW means the Weighted Sound Reduction Index and Ctr is an adjustment factor which is used to account for low frequency noise.

5.144 Furthermore, the development proposal incorporates a very large basement underneath nearly the whole development which serves buildings C1, C2, C3, T1, T2, T3, and T4. However, the applicant has only briefly referred to the proposed basement. Therefore, we have no way of assessing the potential effect this will have on the local area. This is further compounded by residual flood risks associated with the adjacent Millwall Outer Dock located along the southern boundary of the site. For that reason, a basement impact assessment will need to be completed and secured via condition. This must assess how the proposed basement will impact groundwater on or around the site and must provide adequate detail with regards to the groundwater flood risk and potential mitigation measures.

5.145 Surface Water Flood Risk: The FRA states there are surface water flood risks associated with the northwestern and northeastern sides of the development with both being classified as 'High Risk areas' with potential flood depths of up to 2.5m. Consequently, the northwestern part of the site falls within a designated Critical Drainage Area (CDA) which aligns with the surface water findings. Therefore, the site will need to guarantee safe provisions are put in place to guarantee no surface water flooding occurs on site nor within the wider catchment area because of any overland flows leaving the site.

5.146 Sewer Flood Risk: The FRA confirms that there has been historic sewer flooding within the vicinity of the site, but has given no further approaches to mitigate sewer flood risk from the site. Consequently, Thames Water will need to be consulted in order to confirm the surrounding sewers have the required sewer capacity to meet the increased sewerage demand for the whole site once it is fully operational.

5.147 The FRA states the Millwall Outer Dock is located along the entire southern boundary of the site and the Millwall Inner Dock is located approximately 140m north-east of the site and both docks form part of the London Docklands and are managed by the Canal and River Trust. Therefore, the Canal and River Trust will need to be consulted to confirm they are happy there will be no detrimental impact because of the development works.

5.148 The FRA provided for the proposed development does not comply with Policy SI.12 of the London Plan, as it does not give appropriate regard to the risk of surface water, groundwater, and sewer flooding. Further information should be provided with regard to the proposed basement and a basement impact statement needs to be produced.

5.149 Drainage Strategy: We do not accept the current drainage strategy proposal and would recommend total refusal of planning permission until a satisfactory drainage proposal has been developed that meets current set local and national SuDS and drainage policy requirements. This is because the current drainage strategy has given no regards to the most recent set drainage and SuDS standards as it hasn't specified overall surface water discharge rates for the entire site and has not given adequate information on how surface water will be managed throughout the site.

5.150 The current drainage proposal is to split the entire site into five sections with each discharging surface water into different drainage systems and water bodies. From the five sections, three of which cover an area of only 0.36ha and are currently proposing to discharge at a total rate of 98l/s via three different outfalls with two going directly into combined sewers in both Westferry Road at the northwestern section of the site (CDA) and Millwall Dock Road and the third into a surface water sewer at the northeastern side of the development. However, no attempt has been made to reduce the discharge rate for these three sections and with the size of the development we do not believe this is in line with policy requirements as a maximum discharge of 5l/s would be expected at each connection point. Additionally, the current calculations for these sections have not factored in the 40% uplift that is required for climate change. Currently, only a 1 in 100-year calculation has been made. As a result, a calculation of 1 in 100-year + 40% climate change needs to be undertaken and show how this will affect the discharge rates.

5.151 Furthermore, no calculation or assessment has been provided which shows at what discharge rate the largest section of the development will be discharging directly into the Millwall Dock

at the southern part of the development via the three outfall connections. Therefore, we are unable to see how surface water will be managed throughout the site. Additionally, no surface water storage volumes nor attenuation requirements for the site have been provided, meaning we are unable to guarantee safe design should the dock outfall pumps fail.

5.152 The site covers a large area and is within the area covered by the Integrated Water Management Plan (IWMP). No regard has been given within the drainage strategy to meet any of the recommendations made within this document. The surrounding area has limitations with regards to sewer capacity and water demands and we believe the site without additional measures will have a detrimental effect on the surrounding infrastructure.

5.153 We appreciate the proposal to include SuDS features such as green roofs, rain gardens and permeable paving. But no further information has been provided to show how these will work together on site, or what they will consist of nor how much storage capacity they will generate within the development site. There hasn't been adequate information provided on the SuDS hierarchy assessment and no reasoning why additional SuDS cannot be included within the drainage design for the site.

5.154 The surface water drainage strategy for the proposed development does not comply with Policy SI.13 of the London Plan. More detailed hydraulic calculations should be provided. Additional information on SuDS should be incorporated.

5.155 Maintenance: The applicant has submitted a typical maintenance regime for the drainage scheme. It's important to confirm details of agreed adoption, monitoring and maintenance of the drainage and SuDS features.

5.156 Residual Risk: Safe and appropriate flow routes from blockage and exceedance of the drainage system must be evaluated. This must demonstrate no property flooding or increase in flood risk, either offsite or to third parties.

5.157 Conditions: A detailed surface water drainage scheme will need to be submitted to the LPA prior to works commencing.
Conditions requiring a satisfactory FRA, and a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment towards in compliance with the SuDS hierarchy shall be submitted to and approved by the local Planning Authority.

Updated Comments

5.158 The updated FRA has answered and addressed original concerns and therefore the FRA is now fit for purpose and acceptable.

5.159 With regards to the drainage strategy, we welcome the inclusion of three separate attenuation storage tanks and the subsequent reduction of all three outfalls to a maximum of 5l/s which are discharging via Thames Water combined sewers as this will reduce the overall impact on the surrounding drainage and this approach is accepted. There are still some reservations around the developer not providing discharge rates for the three outfalls into the Millharbour Dock. There wouldn't be concerns for the rates themselves, but the discharge rates are needed to fully assess how surface water is managed throughout the site and if pumps were to fail what is the back-up plan.

LBTH Transportation & Highways

5.160 The applicant has proposed changes to the previous scheme. This includes the removal of general car parking from the site and provision for accessible blue badge parking only. In terms of transportation policies this is acceptable. Works to the basement, based on the previous scheme, which included general car parking, have been completed which means that 100% blue badge parking could be achieved on site if required, which is exceptional in terms of provision. However, it is considered that this is unlikely when the development opens and so it was suggested that some of this space could be used for temporary 'meanwhile' uses which could appeal to the local community rather than be left empty (which could also

encourage the use by other car users). This should be explored as a further potential for reducing trips. Blue badge bays should only be available to residents within the development who are in receipt of a valid blue badge and should be allocated on a needs basis, regardless of tenure, and leased, not sold. EV provision needs to be in line with policy requirements. All blue badge spaces are to be retained and maintained for their approved use only (including the aforementioned meantime uses) for the life of the development.

5.161 A legal agreement for a 'Permit Free' scheme, restricting all future residents from applying for permits on the public highway, will form part of the s106 (or similar legal document as agreed by the case officer).

5.162 A parking survey undertaken by the applicant shows that the local public highway network is at stress and any overspill would be problematic. A financial contribution is required to investigate the feasibility of extending the hours of operation of the local parking zones(s) in order to better manage any overspill, particularly in the evenings and overnight.

5.163 In terms of cycle parking the applicant proposes to meet the London Plan standards. All designs must meet the London Cycle Design Standards. All cycling facilities to be retained and maintained for their approved use for the lifetime of the development.

5.164 Given the potential for cycling and walking from the site we would seek a financial contribution (s106 or through CIL) towards active travel initiatives locally and further afield.

5.165 Servicing is proposed to take place on site with a central Boulevard allowing eastbound access from Westferry Road to Millharbour. This isn't fully supported and allowing vehicles to turn within the site would be preferable. Millharbour is often heavily trafficked and forcing all vehicles onto this road will exacerbate existing conditions.

5.166 Changes to the highway network: A scheme of highway works was agreed with the applicant on the previous scheme. It is noted that TfL no longer support this mainly on the grounds of bus movements. It is also noted that the RSA stage 1 audit raises some concerns that need to be addressed. It is essential that a comprehensive scheme of improvements on Westferry Road is agreed and it is suggested that further work is required on this.

5.167 In terms of trip generation and impact on public transport, LBTH support TfL in any request for financial contributions which will be used towards public transport and / or active travel improvements.

5.168 The applicant has submitted some draft management documents and we will expect full versions of these as conditions. The applicant is informed that the Council adopted a new Code of Construction Practice in April 2023 and any demolition and construction documents are required to be provided in the formats requested. Further details are on the Council's website. The assessment of these documents is now a paid-for service.

5.169 In principle there are no major objections to the proposal. However, the changes to the scheme and the elapsed time since the previous submission has raised some issues which need to be addressed before the highways DC team can give full support.

<u>Updated Comments</u>

5.170 Unfortunately, the applicant has not taken on board the suggestion for meantime uses in the basement, and the reasons given are acknowledged. However, this results in a fragmented parking regime with spaces spread out over the large basement which does not make for a perceived secure environment and also leads to a lot of dead space. It would still be preferable to see a scheme where the blue badge spaces are somewhat centralised initially with other potential temporary uses identified in the basement, which could benefit the local community.

5.171 In terms of servicing the applicant has agreed to the suggestion to allow vehicles to turn within the site to avoid being forced eastbound onto Millharbour and has provided details of where

smaller vehicles could turn within the site. This is welcomed. The proposed convenience store within the development is large enough to house a 'Metro' type supermarket which are often / mainly serviced by large articulated vehicles. It is suggested that as part of the lease that vehicle size is restricted to smaller delivery vehicles so as not to impact unnecessarily on the local highway network, on either Westferry road, where there are schools and a bus route, or on Millharbour, which is a narrow road and does not have a direct route onto Marsh Wall. The applicant should also consider the visual impact of servicing a convenience store on the public realm and design in areas which would prevent refuse receptacles and steel cages being left out on the public realm and design areas for these to be stored or prohibit the leaving of these items on the public realm.

5.172 The Service Management Plan submitted is of good order but would like to see it go further and set out preferred delivery times for all residents and occupiers that avoid the peaks and school start / finish times. This could be incorporated into the leases for the commercial / retail units and into the travel plan for residents. Whilst it is inevitable that not all service vehicles could be controlled like this, such as couriers, etc, all occupiers of the development should be strongly encouraged to time deliveries, where it is within their power to do so, to suitable times.

5.173 The service management plan should explicitly state that no vehicle servicing the site should either park or wait on the public highway should parking bays on site be full. All vehicles associated with the servicing of the site should be accommodated within the site. In view of the above comments, the submitted SMP is considered a draft document and we would expect an updated version as a condition, should planning permission be approved.

5.174 We would like to see the access to the site from Westferry Road include a Copenhagen-style raised crossing to provide a level footway all along the eastern kerb. The s278 agreement also needs to extend to the Millharbour entrance and we would expect to see a scheme of highway works drawn up to improve this junction / roundabout area.

5.175 A scheme of this density is reliant on access to good public transport and the ability to encourage the use of more sustainable options, such as walking and cycling. The nearest public transport hub is at Canary Wharf and residents and other occupiers should be encouraged to walk / cycle to the hub if they wish to then use public transport. The proposed South Dock Bridge is a key element to unlocking the PTAL of some sites, including this one. An active travel zone assessment has been undertaken by the applicant and identified problems should be mitigated against. Given the potential for cycling and walking from the site we would seek a financial contribution (s106 or through CIL) towards active travel initiatives locally and further afield. A sum of £250,000 towards walking and cycling initiatives to link up and improve the local walking and cycling infrastructure is requested.

LBTH Waste Team

5.176 The applicant is proposing an in-bin compaction for non-recyclable waste across the development. It is essential that the compaction rate be no more than 2 to 1 and that the bins are presented at a location (half the 10m drag distance) to minimise the handling and movement to the vehicle as a health and safety consideration. The surface that the bins roll on must be smooth, even and level from the compaction point to presentation point, and to the loading point of the vehicle with no raised thresholds etc. Doorways or any other restriction on route must have larger clearances to allow for the handling of heavier bins.

5.177 The segregation of residential and commercial waste is satisfactory. A controlled vehicular route between Westferry Road and Millharbour has been proposed from which all waste collection would be undertaken (excluding the school), thereby removing the need for vehicles to make unnecessary turning movements within the site. This route will remain unadopted with access managed. This is acceptable. Residential access to bin stores are within the required guidelines and is acceptable.

5.178 The Council provides a once-a-week collection service from residential units for all waste streams . There would be adequate provision for the storage of waste for an eight-day period.

This is satisfactory. Commercial waste across the development will be feasibly managed. The proposed bulky waste collection is acceptable.

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 (published March 2021) ("the London Plan")
- Tower Hamlets Local Plan 2031 (adopted January 2020) ("the Local Plan")
- Isle of Dogs Neighbourhood Plan (2021) ("the Neighbourhood Plan")

The Council has undertaken consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a new Local Plan. This consultation on the draft Local Plan has subsequently been completed. A further round of consultation under Regulation 19 of the above Act is expected to take place in the coming months. The draft Local Plan currently has limited weight.

6.3 The key development plan policies relevant to the determination of this proposal:

Growth (building strong and inclusive communities, making the best use of land, opportunity areas, strategic and local regeneration, areas of growth and opportunity, delivering sustainable growth).

- London Plan Policies: GG1, GG2, SD1, SD10
- Local Plan Policies: S.SG1, S.SG2.
- Neighbourhood Plan Policies: D1, ES1

Land Use (opportunity areas, principle of housing, principle of retail/town centre uses, supporting the network and hierarchy of centres, community uses).

- London Plan Policies: GG4, SD1, SD6, SD7, H1,
- Local Plan Policies: S.H1, S.TC1, S.CF1.

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

- London Plan Policies: GG2, D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12
- Local Plan Policies: S.DH1, D.DH2, D.DH4, D.DH6, D.DH7.
- Neighbourhood Plan Policies: D1, D2

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

- London Plan Policies: HC1, HC2, HC3, HC4.
- Local Plan Policies: S.H1, D.H2, D.H3

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

- London Plan Policies: GG4, D6, D7, H1, H4, H5, H6, H7, H10, S4.
- Local Plan Policies: S.H1, D.H2, D.H3.

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

- London Plan Policies: D3, D6, D9, D14
- Local Plan Policies: D.DH8, D.ES9

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

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

Environment: (air quality, wind/microclimate, urban greening, biodiversity, contaminated land, energy efficiency and sustainability, sustainable drainage, flood risk, waste, protecting waterways including use and enjoyment, water transport).

- London Plan Policies: D1, D3, D8, D9, G1, G4, G5, G6, G7, SI1, SI2, SI3, SI4, SI5, SI7, SI8, SI12, SI13, SI14, SI15, SI16, SI17.
- Local Plan Policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.MW2, S.OWS1, S.OWS1, D.OWS3
- Neighbourhood Plan Policies: CC1, CC2, CC3, SD1

Social Infrastructure: (developing London's social infrastructure, education and childcare facilities, sports and recreation facilities, new and enhanced community facilities, health impact assessments)

- London Plan Policies: S1, S3, S4, S5.
- Local Plan Policies: D.CF3, D.SG3.

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

National

- National Planning Policy Framework (2023)[4]
- National Planning Practice Guidance (updated)
- National Design Guide (2021)
- National Model Design Code

Greater London Authority (GLA)

- Fire Safety LPG (Draft)
- 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 Study 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)
- 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)
- London View Management Framework SPG (2012)
- Play and Informal Recreation SPG (2012)
- All London Green Grid SPG (2012)
- Planning for Equality and Diversity in London SPG (2007)

[4] A draft NPPF was published for public consultation on 30th July 2024 which may be subject to change and currently has limited weight.

Tower Hamlets

- Reuse, Recycling and Waste SPD (2021)
- Planning Obligations SPD (2020)
- High Density Living SPD (2020)
- Community Infrastructure Levy (CIL) Charging Schedule (2020)
- Tower Hamlets Biodiversity Action Plan 2019-2024
- Development Viability SPD (2017)
- Parks and Open Spaces; An Open Space Strategy for the London Borough of Tower Hamlets 2017-2027.

Other

Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2022).

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

i. Land Use
ii. Housing
iii. Quality of Residential Accommodation
iv. Urban Design
v. Public Open Space/Public Realm, Biodiversity and Ecology
vi. Built Environment
vii. Amenity
viii. Transport
ix. Environment
x. Health Impact Assessment
xi. Infrastructure Impact
xii. CIL and S106 Planning Obligations
xiii. Local Finance Considerations
xiv. Equalities and Human Rights

LAND USE

Principle of Development

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

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

7.4 Policy SD1 of the London Plan identifies the Isle of Dogs as a designated Opportunity Area. The London Plan recognises Opportunity Areas as being the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. The policy expects development proposals within

Opportunity Areas to, amongst other things, support wider regeneration, maximise the delivery of affordable housing, support the creation of employment opportunities and the creation of mixed and inclusive communities to integrate development proposals to the surrounding areas for regeneration.

7.5 Table 2.1 to Policy SD1 indicates that the Isle of Dogs Opportunity Area is capable of accommodating an indicative capacity of 29,000 new homes and 110,000 new jobs up to 2041. The Isle of Dogs and South Poplar Opportunity Area Planning Framework ("the OAPF") was formally adopted in September 2019. The OAPF establishes a plan for delivering housing and jobs in the OAPF area through the London Plan's Good Growth principles which benefits all residents and delivers improved links between existing and future communities.

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

7.7 The application site also lies within site allocation 4.12 (Westferry Printworks) which identifies housing and employment as being appropriate land uses for this site. The site allocation also seeks to secure infrastructure requirements in the form of the delivery of a minimum of 1 hectare of strategic open space and a secondary school.

7.8 The residential-led mixed used redevelopment of the site has essentially been established by the extant planning permission. The scheme will contribute towards housing delivery (as detailed in the Housing section of this report) and the creation of new employment opportunities.

7.9 The Environmental Statement (ES) details that the proposed development will make a positive contribution to the assessed Local Impact Area and the borough's employment levels as a result of the proposed on-site commercial and employment-supporting floorspace (retail space, office space, community facilities, secondary school, nursery/creche). In this regard the ES estimates that the proposed development will support up to 404 gross FTE (Full Time Equivalent) jobs and 341 net FTE jobs once the development has been completed and is fully operational. These figures are inclusive of 140 gross FTE (gross and net) jobs at the secondary school. In addition to this, the period of construction work for the proposed development is expected to generate approximately 395 FTE jobs per year over the construction period.

7.10 The scheme also includes the provision of the delivery of a secondary school and a minimum of 1 hectare of strategic open space which would align with the land use requirement of the site allocation and the site's location within an Opportunity Area. The redevelopment of the site to contribute to the delivery of growth is supported in principle subject to compliance with all other relevant Development Plan policies.

Principle of Housing

7.11 The NPPF seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 123 of the NPPF advocates that previously developed land (brownfield land) should be effectively reused in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 124(c) of the NPPF emphasises that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

7.12 The London Plan emphasises that there is a pressing need for more homes in London and that providing a range of high-quality, well-designed, accessible homes is important to delivering good growth, ensuring that London remains a mixed and inclusive place in which people have a choice about where to live. Strategic objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must, amongst other things, under Part (C) create mixed and inclusive

communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.

7.13 Policy H1 of the London Plan sets a ten-year target for net housing completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) new homes between 2019/20 and 2028/29.

7.14 At the local level, Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.

7.15 As the site falls within an Opportunity Area whereby growth is expected to be accelerated and has a site allocation whereby residential use has been deemed an appropriate land use, the provision of 1358 residential units of which 35% (equating to 379 dwellings) would be affordable would positively contribute to the borough's housing stock, noting that there is an acute local and national demand for increased housing. The principle of housing on this site is therefore welcomed, supported and considered acceptable.

Commercial Uses

Flexible Commercial/Retail Floorspace

7.16 Paragraph 91 of the NPPF requires local planning authorities to apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.17 Policy SD6 of the London Plan seeks to promote and enhance the vitality and viability of London's varied town centres. Policy SD7 of the London Plan requires development proposals to take a town centre first approach, discouraging out-of-centre development of main town centre uses in accordance with Parts A(1)-A(3) of the policy. Policy SD7 essentially requires development proposals for main town centre uses outside of town centres to apply the sequential test, and to prepare an impact assessment for proposals for new or extensions to existing, edge or out-of-centre development for retail, leisure and office uses. Out-of-centre locations should not result in a net increase in retail or leisure floorspace unless the proposal is in accordance with the Development Plan or can be justified through the sequential test and impact requirements in Parts A(1) and A(2) of this policy.

7.18 Policy S.TC1 of the Local Plan requires developments to support the role and function of the borough's town centre hierarchy and the provision of town centre uses. Policy D.TC3 of the Local Plan states that outside of the borough's Major, District and Neighbourhood Centres, new retail development will be subject to a) a sequential test, and b) an impact assessment where individual units or extensions exceed 200sqm metres gross floorspace.

7.19 The site falls within an edge-of-centre location as defined by the NPPF as it lies within 300m of Crossharbour District Centre. The scheme proposes main town centre uses outside of an existing designated Town Centre location. However, the principle of such uses has been established under the extant planning permission which secured the provision of 1,541sqm of formerly A1/A3/A4 floorspace. The Appeal Scheme proposed to increase the retail offer to 4,732sqm and this was deemed to be acceptable following a sequential test and impact assessment undertaken under planning application PA/18/01877.

7.20 Notwithstanding this, it is noted the proposed development seeks to secure 5,354.4sqm of commercial floorspace falling within use Classes E(a)-E(c) (retail, food and drink on premises and financial/professional/any other services principally to visiting members of the public) which is an increase of 3,813.4sqm of floorspace from the extant planning permission and 622.4sqm above the quantum of retail floorspace assessed under the Appeal Scheme.

7.21 The Applicant has submitted a Town Centre Use Impact Assessment and the sequential site assessment identifies that the local scale of the retail floorspace proposed is required in this specific location to serve the needs of the new local residential, school and worker community

being created on site. The proposed retail floorspace is integral to the comprehensive mixed-use development of the site and will only come forward as part of the site's wider redevelopment. As such the assessment reports that it is not necessary to consider the potential to accommodate this floorspace as a separate entity in nearby centres.

7.22 The site's specific characteristics such as the dock's water frontage forms a key part of the site and the development proposals in this specific location. The quantum of commercial/retail floorspace proposed is identified as being vital to ensure social integration on this specific site and as part of this development.

7.23 Overall, Officers agree that the level of retail floorspace would be ancillary in nature and specific to the site. Officers are satisfied that the sequential assessment for this site has been appropriately undertaken.

7.24 In terms of the impact assessment, the assessment has been undertaken in line with paragraph 017 of the National Planning Practice Guidance (NPPG) which requires the impact test to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. The impact assessment confirms that the scale of retail would be ancillary in scale with the operator mix and small number of units designed to predominantly serve local residents and on-site workers, teachers and students at the secondary school, the localised walk-in catchment area and visitors to the site (including those associated with water sport activities).

7.25 The impact assessment has considered the following existing nearby District and Neighbourhood Centres/Parades: Crossharbour District Centre, Barkantine Estate Neighbourhood Centre, Westferry Road Neighbourhood Parade and Manchester Road Neighbourhood Parade. The assessment reports that the quality, range and mix of operators represented throughout the network of these town centres is not sufficient to meet community needs and offer a very limited range of services to meet only the basic and everyday needs of the local community living adjacent to each respective centre.

7.26 Manchester Road Neighbourhood Parade and Crossharbour District Centre are not identified as being within 'local' reach of the new community at the application site, being a 25 minute and 15 minute walk away respectively. The proposed development will improve connectivity to Crossharbour, contributing new population and spend to support the district centre which will be redeveloped and revitalised as part of the development approved under planning permission PA/19/02534.

7.27 The Westferry Road Neighbourhood Parade is described in the impact assessment as a 'run-down' parade containing only five units and is also located some distance from the application site (10-15 minutes' walk). The Barkantine Estate is closer to the site (5-10 minute walk) and is also described as being 'run-down' with an intimidating environment offering a poor quality and mix of operators.

7.28 The assessment concludes that the above existing town centre locations serve localised walk-in everyday 'top up' shopping needs, and whilst trade diversion is therefore unlikely, the substantial population growth will mitigate any impact arising. All existing town centres will benefit from the regeneration, revitalisation and an increase in available expenditure across the Isle of Dogs. The Crossharbour District Centre will benefit from the redevelopment proposals and investment with a large anchor foodstore attracting shoppers from a broader catchment area. The foodstore does and will continue to drive linked trips throughout the district centre and the proposed development will not divert this trade given the differentiated retail offer.

7.29 The impact assessment assumes that of the total 5,354sqm (GIA) of Use Class E(a)-(c), 1,569sqm (GIA) would be occupied as Use Class E(a) (retail) equating to 29% of the total floorspace identified for Class E(a)-(c) use within the scheme. The assessment reports that based on this quantum of assumed floorspace in retail use only, the floorspace would achieve an annual turnover in the region of £3.8 million and that based on an average spending per

head by London residents on total comparison and convenience goods of c£5,900.00[5], the available expenditure from the new development (resulting from 3000 new residents) will be c.£17.7 million. As such the assessment concludes that there would be sufficient expenditure and capacity generated by the development itself to support the local scale of retail provision proposed.

7.30 In terms of restaurants and cafes, these uses will rely on turnover from a wider catchment area and therefore trade will not come entirely from the occupiers of the development. The new on-site population will generate around £4.2 million of restaurant/café expenditure based on an annual spend per head of £1,400[6] per person, a proportion of which will be spent on-site. The remainder will be drawn from the wider Isle of Dogs population, employment commuters and visitors to the area. The existing distribution of restaurants and cafes outside of Canary Wharf, in smaller district and neighbourhood centres/neighbourhood parades, is poor in this part of the Isle of Dogs.

7.31 Overall, the impact assessment confirms that the anticipated level of commercial floorspace is of an appropriate scale relative to the size of the development proposed as it will serve the day-to-day needs of future residents and workers/visitors to the site. The scale of the retail proposed will not divert spending or draw trade from the nearby Crossharbour District Centre, Barkantine Neighbourhood Centre or Manchester Road and Westferry Road Neighbourhood Parades. These centres perform their own walk-in localised shopping and service functions, whilst Crossharbour also benefits from a large food store and future redevelopment.

7.32 The remaining retail floorspace will be occupied by a range of retail service and financial business uses including, as examples: hairdressers, dry cleaners, opticians, banks/building societies, or estate agents. These are all examples of businesses serving local service needs and will not attract a significant number of shoppers from alternative destinations. The assessment anticipates that given the scale of the development, it is likely that a maximum of only 6 units will be occupied by such uses.

7.33 Overall, Officers agree with the findings of the submitted retail impact assessment and consider that the anticipated level of Class (E) retail floorspace is of an appropriate scale relative to the size of the development and will be ancillary in nature. The commercial uses proposed in the masterplan will serve a localised and site-specific need and will not form a destination that will divert trade from the nearby network of town centres. It is noted that the impact assessment has not considered Castalia Square Neighbourhood Parade, which is sited approximately 0.6 miles from the site, Officers consider that similar principles to Manchester Road and Westferry Road Neighbourhood Parades would apply in this instance and the proposed development will not impact on the functioning of this parade. Officers would seek to restrict the commercial floorspace in line with the impact assessment undertaken and this would be secured via condition.

Community Centre and Crèche

7.34 Policy S.CF1 of the Local Plan states that development should maximise opportunities for the provision of high-quality community facilities to serve a wide range of users. Where possible, facilities or services should be accessible to the wider community outside of core hours and co-located or shared to encourage multi-purpose trips and better meet the needs of different groups. The policy also goes on to state that new community facilities will be directed towards the borough's centres in accordance with the town centre hierarchy and/or to locations which are accessible to their catchments depending on the nature and scale of the proposal.

7.35 The scheme proposes the provision of a community centre on the upper ground level of block W1 measuring 220.3sqm (GIA) and a crèche on the ground floor of block N1 measuring 343.6sqm (GIA). Both these uses are welcomed and supported in principle and whilst not in a town centre location, the size of these units are considered to be appropriately local in scale relative to the size of the development and will support the delivery of social cohesion in the

[5] Average spending per head reported in the Retail Impact Assessment as being retrieved from Experian.
[6] Annual spend per person reported in the Retail Impact Assessment as being retrieved from LBTH Retail and Centres Study 2023.

masterplan. In terms of the community centre, it is the Applicant's intention that this unit would be let rent-free to the eventual operator however the operator would be responsible for the running costs. These units will be constructed to shell and core and secured via the S106 legal agreement.

Use Class E(g)(i) Office

7.36 The masterplan proposes 76.5sqm of office space under Use Class E(g)(i); however, this would serve a Central Management Suite located on the ground floor of building C3 and is specific to this development. This will not be an office space that will be let on a commercial basis and therefore it is not considered that it would be appropriate to apply Local Plan policies that seek to direct office and employment uses to town centre locations or secure affordable workspace. Officers will seek to impose a condition restricting this quantum of floorspace to be used as a Management Suite only.

HOUSING

Affordable Housing

7.37 Policy H4 of the London Plan sets a strategic target for 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.

7.38 Policy H5 of the London Plan and The Mayor of London's Affordable Housing and Viability SPG (August 2017) sets out the 'threshold approach' to applications, whereby the approach to viability information depends on the level of affordable housing being provided. Applications for schemes that (a) meet or exceed 35% or 50% (on public land) affordable housing provision without public subsidy, (b) provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the relevant borough and the Mayor of London and (c) have sought to increase the level of affordable housing beyond 35% or 50% by accessing grant are not required to submit viability information.

7.39 Schemes that follow the above approach are deemed to be eligible for the 'Fast Track' route and are expected to be subject to an early viability review. However, this is normally only triggered if an agreed level of implementation is not achieved within two years of planning permission being granted.

7.40 Policy H6 of the London Plan under Part A establishes the split of affordable housing products that would 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.

7.41 At the local level, Policy S.H1 of the Local Plan requires developments to contribute towards the creation of mixed and balanced communities that respond to the local and strategic need by amongst other things:

- Under Part 2(a), setting an overall target for 50% of all new homes to be affordable.
- Under Part 2(a)(iii), requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more residential units (subject to viability).

7.42 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable rooms.

7.43 The scheme provides 3794 habitable rooms in total (1358 units) of which 1328 habitable rooms (379 units) would be affordable representing 35% based on habitable rooms (28% based on the number of units) with the remaining 2466 habitable rooms being for private sale

representing 65%. As such, the propsal meets the policy requirement to provide at least 35% affordable housing provision onsite. The tenure split for the affordable housing element would be 70%:30% in favour of Affordable Rented units (930 habitable rooms/259 units) to Intermediate (398 habitable rooms/120 units) and therefore provides a policy-compliant tenure split in the affordable element.

7.44 In line with Policies S.H1 and D.H2 of the Local Plan the Affordable Rented units would be split 50:50 between London Affordable Rent and Tower Hamlets Living Rent. The Applicant has not provided a detailed breakdown of this; however, Officers would be seeking to secure via the S106 legal agreement an equal distribution between London Affordable Rent and Tower Hamlets Living Rent both in terms of distribution across unit numbers and occupancy levels. The rent levels for each product would be set as follows:

Number of Bedrooms	**London Affordable Rent (LAR) 2024/25 (exclusive of service charge)** **£ Per Week**	**Tower Hamlets Living Rent (THLR) 2023/2024 (inclusive of service charge)** **£ Per Week**	
		Flat	**House**
Bedsit – 1 Bed	£201.43	£250.64	£263.17
2 Bed	£213.26	£275.71	£288.24
3 Bed	£225.10	£300.77	£313.30
4 Bed	£236.95	£325.83	£338.37
5 Bed	£248.80	£350.90	£363.43
6 Bed	£260.63	£375.96	£388.49
7 Bed		£401.03	£413.56

Table 2: Rent levels of LAR and THLR homes

7.45 The Intermediate housing will consist of Shared Ownership homes whereby, typically, a tenant can purchase an initial equity share of a property of between 25% to 75%. The rent payable on the percentage of equity not owned would typically range between 0.5% - 2.75% plus service charges, with the maximum rent limit set at 3% of the value of the equity not purchased. The combination of mortgage, rent and service charge forms the purchaser's housing costs.

7.46 As set out in the Mayor of London's Affordable Housing and Viability SPG, housing costs must not exceed 40% of net household income. In addition, the gross household income threshold for home ownership is capped at £90,000. The Affordable Housing Statement confirms that the FVA included a valuation of the Intermediate homes on a Shared Ownership basis based on the GLA's maximum £90,000 household cap. The Applicant has also advised that the Intermediate product could also comprise London Living Rent product whereby eligibility for London Living Rent is restricted to households renting privately or socially with a maximum household income of £60,000.

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

7.48 In conclusion, the affordable housing provision is welcomed and supported by Officers and the proposal is therefore considered to provide a policy-compliant level of affordable housing

contributing to the borough's much needed affordable housing stock consistent with the requirements of the Local Plan and national planning policy.

Housing Mix and Tenure

7.49 Policy H10 of the London Plan promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods.

7.50 At the local level, Policy S.H1(2) of the Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through, amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in Part 3 of Policy D.H2 of the Local Plan.

7.51 Site Allocation 4.12 (Westferry Printworks) requires development to maximise the provision of family homes.

7.52 The proposed unit and tenure mix for the scheme is set out below in Table 3 as an assessment against Policy D.H2 of the Local Plan.

		Market Housing			**Affordable Housing**					
					Intermediate			**Social Rent/Affordable Rent**		
Unit Size	Total Units	Units	As a %	Policy Target %	Units			Units	As a %	Policy Target %
Studio	93	93	9.5%	/	/	/	/	/	/	/
1-bed	420	342	34.9%	30%	15	12.5%	15%	63	24.3%	25%
2-bed	615	487	49.7%	50%	52	43.3%	30%	76	29.3%	30%
3-bed	187	57	5.8%	20%	53	44.2%	45%	77	29.7%	30%
4-bed	43	/	/		0	/		43	16.6%	15%
Total	**1358**	**979**	**/**	**100%**	**120**	**/**	**100%**	**259**	**/**	**100%**
Hab Rooms	**3794**	**2466**			**398**			**930**		

Table 3: Proposed unit and tenure mix assessed against Policy D.H2

7.53 In the Market housing mix, there would be 9.5% studio units for which there is no policy requirement, and an over-provision of 1-bed units (+4.9%) over a policy target of 30% and a very marginal under-provision of 2-bed units. There would be a substantial under-provision of 3 and 4-bed units (-14.2%).

7.54 In the Intermediate housing mix, there would be an under-provision of 1-bed units (-2.5%), a substantial over-provision of 2-bed units (+13.3%) and a marginal under-provision of 3-4 bed units (-0.8%). It should be noted that no 4-bed Intermediate units are proposed in this tenure.

7.55 In the Affordable Rent tenure, there would be a marginal under-provision of 1-bed units (-0.7%), very marginal under-provision of 2 and 3-bed units and a marginal over-provision (1.6%) of 4-bed units.

7.56 The overall unit and tenure mix does not provide a policy-compliant mix as required by Policy D.H2 of the Local Plan particularly with regards to the shortfall in Market family housing and the over-provision of studio/1-beds in this tenure. However, Officers note that broadly policy-compliant levels of 3 and 4-bed units have been proposed in the Affordable Rent tenure. The scheme also only marginally under-provides family housing in the Intermediate tenure. This is a notable improvement in the delivery of affordable family housing on this site compared to the extant planning permission which must be considered as a fallback position (albeit on a less dense scale). The extant planning permission provided 47 affordable (Affordable Rent and Intermediate) family housing of which 8 comprised 4-bed units in the Affordable Rented tenure. In comparison, the proposed scheme will deliver 173 family-sized affordable housing units (+126 units compared to the family housing in the affordable provision in the extant planning permission) of which there would be 77 x 3-bed units and 43 x 4-bed units in the Affordable Rented tenure. This is a significant improvement in the provision of family-sized affordable housing compared to the extant planning permission.

7.57 Whilst the scheme under-provides in family housing in the Market tenure, Officers note that this scenario is not unusual in previously approved schemes within close vicinity of the site. Officers consider that the proposed unit mix provides for a range of unit types and seeks to proportion them within the tenures where there is a recognised need without compromising the submitted affordable housing offer of 35% as discussed earlier in this report. Whilst the proposal does not accord with Policy D.H2 of the Local Plan, given that there is a pressing need for larger family homes in the Affordable Rented tenure, it is considered, on balance, that the deviation from policy (in particular, the under-provision of larger family units and over-provision of studio/1-bed units in the Market tenure) would constitute an acceptable mix of homes which would cater for a range of residents within the borough at a variety of stages in their life.

7.58 When considered alongside the strong affordable housing offer which is a significant improvement on the extant planning permission (20% affordable housing secured), it is considered that the scheme will provide for a variety of high-standard and diverse accommodation. The location of the affordable blocks are indicated in the image below.

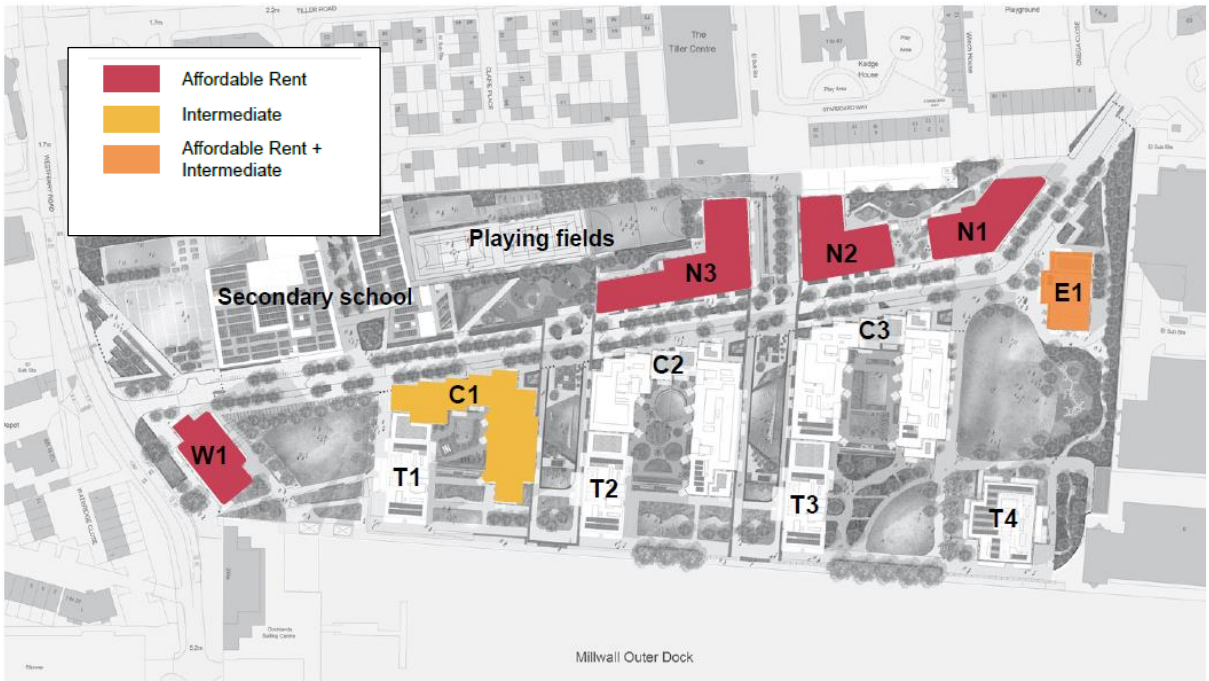

Figure 11: Location of Affordable Housing Blocks

QUALITY OF RESIDENTIAL ACCOMMODATION

7.59 Policy D6 of the London Plan sets the expected minimum internal space standard required within new dwellings across all tenures. Policy D6 incorporates the Nationally Described Space Standards (NDSS) and sets out requirements for the gross internal area (GIA) of all

new dwellings at a defined level of occupancy, as well as areas and dimensions for key parts of the home, notably bedrooms, storage and floor-to-ceiling heights.

7.60 The standards seek to ensure that, amongst other things, new homes have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners without differentiating between tenures.

7.61 The above requirements are reflected at the local level in 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.

Housing Standards

7.62 All the homes will be designed to exceed the NDSS in terms of Gross Internal Area, bedroom sizes and access to direct private amenity space in the form of balconies and therefore the proposal complies with the London Plan in this regard.

Layout and Circulation

7.63 Design Standard B2.5 of the Mayor of London's Housing Design Guide states that the number of homes accessed by a core should not exceed eight per floor. Deviation (by exception) from this standard will need to be justified and mitigated by increasing the corridor widths to 1800mm, locating homes on both sides of the core and introducing intermediate doors to create sub-clusters.

7.64 In respect of this application, the courtyard blocks have eastern and western wings whereby there are more than 8 homes arranged around long double-banked corridors. However, these wings are served by at least 2 cores, each accessible from its own residential lobby. As such, this would negate the need for a person(s) to travel a considerable distance to reach a unit within a particular block. Similarly, Block N3, which is an 'L' shaped block with a long double-banked corridor, is served by 2 cores each with its own residential lobby. In addition, there is a break in the corridor in the form of an internal door which allows one core to serve 6 flats and the other core to serve 5 flats (Levels 01-08). On level 9 of this block, the internal door will mean that one block will serve 4 flats whilst the second core will serve 4 flats. These are considered to be compliant with policy.

7.65 Blocks N1, N2, E1, W1 and all the tower blocks are served by no more than 8 units per core and therefore fully policy-compliant. Overall, in consideration of the individual circumstances of the blocks detailed above, Officers find the internal arrangement and layout for the development to be acceptable.

Aspect, Privacy and Outlook

<u>Aspect and Outlook</u>:

7.66 Policy D6 (Part C) of the London Plan states housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. The masterplan includes 756 units which meet the definition of 'dual aspect' as detailed in the London Plan Guidance: Housing Design Standards (June 2023). This would be equivalent to 56% of all the units within the masterplan. An additional 318 units (equivalent to 23%) are described in the submitted Design and Access Statement as 'enhanced single-aspect' units. These units, whilst not fully dual aspect (i.e. with opening windows on two external walls), incorporate aspect on a separate elevation (albeit usually where there is a corner return). However, the new London Plan Guidance is clear that where dwellings have opening windows on two adjacent sides, these can only be defined as dual aspect if the window opening/s are situated at least halfway down the depth of the dwelling. Where an aspect is facing a neighbouring wall, this aspect can only be considered as a dual aspect if the separation distance between this aspect and a neighbouring wall is the same or greater than the distance from the outer corner of the wall to the inner most edge of the window.

7.67 The breakdown of the aspect distribution is indicated in the table below. As can be seen there would be 21% single aspect units however it should be noted that none of these are north-facing.

	Unit numbers	Unit %
Single Aspect	284	21%
Enhanced Single	318	23%
Dual Aspect	756	56%
Total	1,358	100%

Table 4: Aspect breakdown across development

7.68 The submitted Design and Access Statement also details that the units identified as 'enhanced single aspect' would have met the criteria for 'dual-aspect' prior to the Housing Design Standards LPG being published and the scheme would have provided around 80% dual aspect based on the previous definition. On balance, Officers accept that the scheme has sought to maximise dual aspect units, noting that the scheme adopts the masterplan layout principles of the extant planning permission.

7.69 It should be noted that the extant planning permission secured 62% dual aspect units. However, this was a larger percentage (equating to 447 units) in a scheme with less density (722 units). As detailed above, the 56% dual aspect units proposed under the current proposal equates to 756 units and as such is a significant increase in the provision of dual aspect units being delivered on the site.

Privacy and Outlook within the Development:

7.70 Policy D.DH8 of the Local Plan seeks to protect amenity and requires developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To achieve this, developments must, amongst other things, maintain good levels of privacy and avoid an unreasonable level of overlooking or unacceptable increase in the sense of enclosure. Explanatory paragraph 8.86 to this policy notes that with specific regards to overlooking, a distance of approximately 18 metres between windows of habitable rooms reduces inter-visibility to a degree acceptable to most people. This figure will be applied as a guideline depending upon the design and layout of the development.

7.71 The scheme adopts the same masterplan principles as the extant planning permission thus separation distances between buildings within the masterplan are broadly comparable. There would be a separation distance of 63m between towers T1 and T2 and between T2 and T3 and a separation distance of 57m between towers T3 and T4. Buildings E1, W1 and tower T4 will have sufficient separation distances from the nearest buildings to them within the masterplan: i.e. building E1 will be separated by at least 18m from building N1 and approximately 39m and 62m from buildings C3 and T4 respectively. Building W1 will have a separation distance of approximately 47m from tower T1 and there will be some 18-19m distance from the north-eastern corner of building W1 to the south-western corner of the school building. The courtyard buildings will have separation distances across the podiums (between elevations incorporating habitable room windows) ranging between approximately 22-24m.

7.72 Place Shaping Officers have raised concerns with regards to the relationship between the courtyard buildings (C1-C3) and towers T1-T3 and in particular the separation distances between the southern facades of the western wings of each courtyard building and the northern facades of tower T1-T3. The close proximity of these buildings has resulted in a distance of approximately 8m and in some instances, based on the submitted plans, windows of habitable rooms facing each other, thus resulting in the potential loss of privacy and overlooking for future occupiers of the development.. The Applicant has subsequently amended the plans to angle windows on the courtyard buildings so that they do not directly face windows on the northern facades of the tower buildings. An example of the amendments to the submitted plans to address potential overlooking and loss of privacy can be seen in the image below.

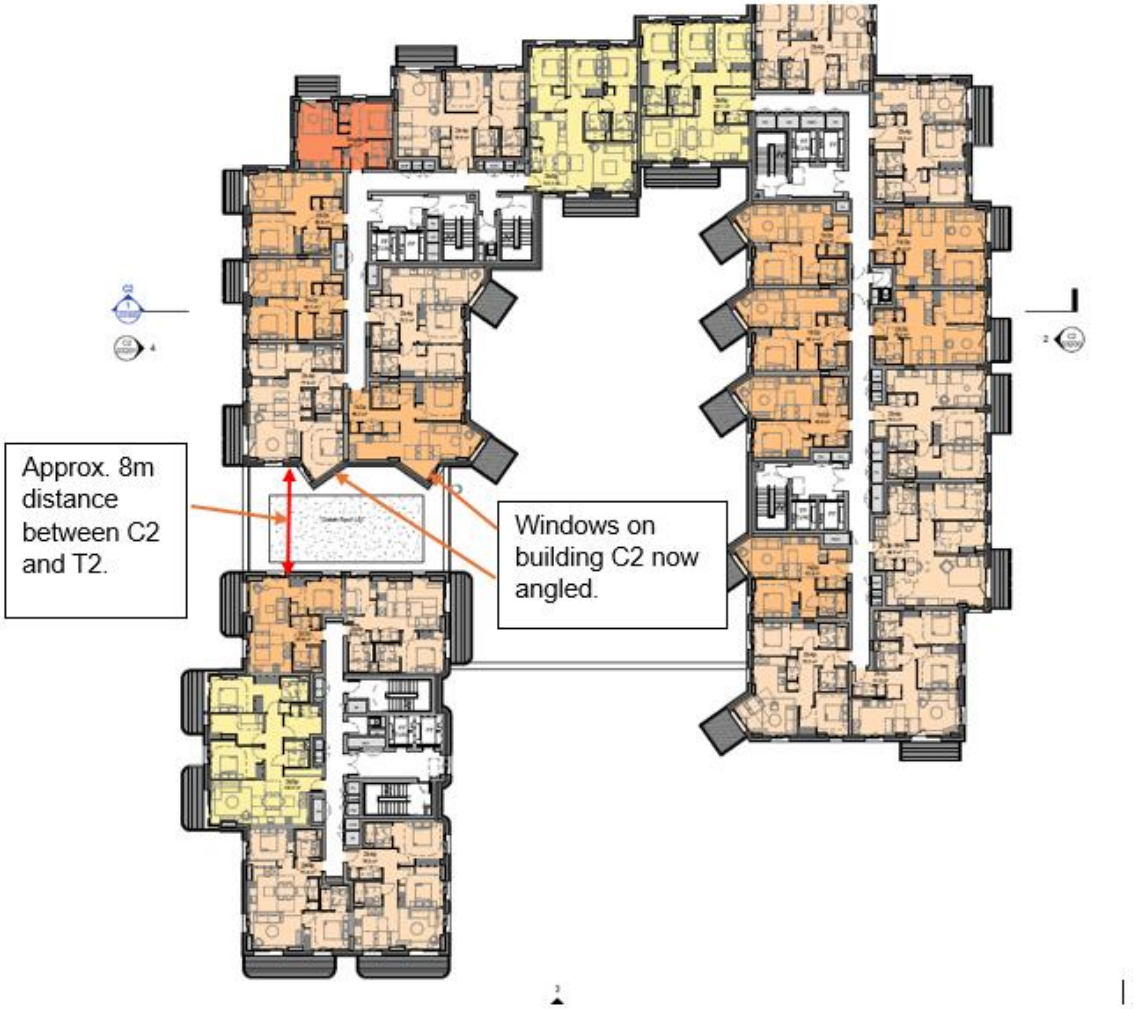

Figure 12: Amendments to scheme to address privacy impacts

7.73 In terms of the cluster of buildings in the northern part of the site (N1-N3), these buildings will have separation distances of approximately 16m between buildings N1 and N2 and 21 metres between N2 and N3. It is noted there would be habitable rooms facing each other in the distance between N1 and N2 but overall, Officers are satisfied that building plots within the masterplan would generally achieve acceptable levels of outlooking and privacy and provide generous distances between buildings. Whilst there are instances of the separation distances between habitable rooms falling below 18m, on balance Officers consider that the proposal overall is acceptable in this regard taking account of the site's location within an Opportunity Area, where there is an expectation that high density development will be delivered, and site capacity optimised in pursuit of wider regeneration benefits.

Wheelchair Accessible Housing

7.74 Policy D7 of the London Plan requires residential developments to provide at least 10% of dwellings that meet Part M4(3) (wheelchair user dwellings) and all other dwellings (90%) should meet requirement Part M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: *Access to and use of buildings.*

7.75 Policy D.H3 of the Local Plan requires the same provision as the London Plan. However, supporting paragraph 9.44 clarifies that all 'wheelchair user dwellings' in the Affordable Rented tenure should meet Part M4(3)(2)(b); i.e., built to fully accessible standards and capable for immediate occupation rather than adaptable for wheelchair users (Part M4(3)(2)(a)).

7.76 The submitted Design and Access Statement confirms that, across the development, the scheme would provide 90% M4(2) units (1222 units) and 10% M4(3) units (136 units) in accordance with the London Plan.

7.77 The breakdown of the M4(3) units across the development is detailed in the table below.

Building Plot	Tenure of M4(3) Units	Number of M4(3) Units	Occupancy Level
T1	Market	12	1B2P
T2	Market	16	1B2P
T3	Market	20	1B2P
T4	Market	14	2B3P
T4	Market	8	1B2P
C1	Intermediate	6	2B3P
C2	Market	9	2B3P
C3	Market	6	3B6P
C3	Market	10	2B3P
E1	Intermediate (x5) Affordable Rent (x3)	8	3B5P
W1	Affordable Rent	9	2B3P
W1	Affordable Rent	1	2B4P
N1	Affordable Rent	8	3B4P
N1	Affordable Rent	9	4B5P
Total		**136**	

Table 5: Breakdown of M4(3) units

7.78 Overall, the provision of M4(2) and M4(3) units within the development is acceptable and welcomed, noting that there is a good distribution of the M4(3) units across all tenures and a

range of occupancy levels. Full details of compliant accessible and adaptable layouts including the provision of fully adapted (M4(3)(2)(b)) units in the Affordable Rented tenure would be secured via condition and the S106 legal agreement should planning permission be granted.

Communal Amenity Space

7.79 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. Based on 1,358 units, the development is required to provide a minimum of 1,398sqm of communal amenity space.

7.80 The scheme proposes 6,371.3 sqm of communal amenity space across the masterplan which substantially exceeds the policy requirement of 1,358sqm. The communal amenity space strategy includes the provision of external areas of amenity space for buildings or shared between buildings, internal and external areas at podium level of the courtyard buildings and internal areas of communal amenity space in selected buildings.

7.81 A 'Central Hub' measuring 1,649.3sqm in area is proposed at ground floor and basement level of courtyard block C3 which provides market units (T1-T4 and C2-C3) with a range of community amenity spaces and provisions including a lounge, library, multi-function screening room, gym, spinning studio and squash court.

7.82 The general distribution of the proposed communal amenity areas including the indicative quantum of communal amenity space designated to each building plot across the masterplan can be seen in the images below.

Figure 12: Distribution of communal amenity space

7.83 It is apparent from the communal amenity space strategy that this heavily favours the market units with only 1,024.3sqm of the total communal amenity provision dedicated to the Affordable Rent and Intermediate blocks. A further 431.0sqm of communal amenity space is identified as being shared between the Market building T1 and Intermediate building C1. The majority of communal amenity space for the affordable blocks will largely consist of internal areas of residential amenities within the mezzanine levels of courtyard block C1 and the gateway

building E1. The provision allocated to building E1 equates to 66.2sqm. Areas of external communal amenity space for the affordable blocks will be provided at podium level and shared between buildings N1 and N2 and to the rear of building N3. The area proposed to the rear of building N3 is particularly constrained by the boundary of the school site and appears to also serve as an access route to the crèche which is located at ground floor level of building N3. Given the fact that this communal amenity area is somewhat 'squeezed' in between the boundary of the school site and building N3, and will be overlooked by users of the creche and serve as an access route, it is questionable whether this communal amenity area will be perceived or even used as communal amenity space. This is clearly a disadvantage of the scheme.

7.84 In response to the above, the Applicant has submitted a supporting note which further clarifies how the external communal amenity spaces are intended to be used. The supplementary note states that the two semi-private residential courtyards to the north buildings should provide quiet spaces and spaces for families to meet. The look and feel, character and function of these spaces should differ from the wider public realm. These external communal spaces are north-facing; however, it is suggested that these spaces will incorporate high-quality hard landscape material and planting and provide opportunities to occupy the spaces differently from picnics on lawns with individual spaces for reading and relaxation and collective outdoor dining opportunities. It is noted however that the quantum of communal amenity space proposed for the podium level external communal amenity area between buildings N1 and N2 appears to include areas of dedicated children's play (205sqm) and this is technically double-counting areas of communal amenity with children's play.

7.85 In terms of the communal amenity space allocated at podium level north of building N3, the Applicant's supporting landscape and public realm note submitted in respect of the northern buildings states that this would be a linear space that edges the sports pitch associated with the school. This interface would be planted with evergreen shrubs, seasonal perennial planting and trees to dampen the noise and to provide a visual separation from the sports pitch. The space includes a linear play trail with stepping logs, balancing beams and similar play equipment (it is noted that in this instance, the play area appears to be excluded from the communal amenity area calculation). The edges that define the raised planter adjacent to the sports court will be retained with circular logs in varying heights, which will double as a balancing edge for children. Benches are provided adjacent to the surfaced play zones and a linear lawn edges one of the play zones and will afford small community gatherings. A decorative fence will separate the semi-private courtyard from the adjacent crèche which will include its own play area and lawn with planting and trees to create a visual separation from the adjacent sports pitch. Illustrations of the communal amenity area to the north of building N3 are indicated below.

Figure 13: Illustration of communal amenity space to building N3.

7.86 Officers still consider that it is questionable whether the communal amenity area proposed to the north of block N3 has been designed to sufficiently facilitate the use of the space for the purposes of communal amenity. The space appears to be led by play features which suggests that its predominant use would be for play provision (notwithstanding that it has been allocated as communal amenity space). Supporting paragraph 9.49 to Policy D.H3 of the Local Plan states that in considering the design and layout of communal space, it is important that this space in integrated into the overall design of the development and the wider public realm. The design should ensure that communal space is overlooked and supports a range of activities including space for relaxation, gardening, urban agriculture and opportunities to promote biodiversity, ecology and intergenerational community cohesion. It is debatable, based on the current proposals for this particular communal amenity area, whether this is truly being achieved, particularly given that the majority of the communal amenity provision across the masterplan appears to heavily favour the market units.

7.87 Notwithstanding the above, the final details of the communal amenity areas will be secured via condition which will ensure that the communal amenity areas are designed in a manner which facilitates and encourages social cohesion and integration. It is also noted that the quantum of communal amenity space allocated to the affordable blocks would exceed the communal amenity provision required were the quantum of affordable residential units to be considered in isolation (i.e. 379 affordable units would require 419sqm of communal amenity space). The quantum of communal amenity space allocated to the affordable blocks (C1, E1, W1, N1-N3) would be at least 1024.3sqm which, even discounting the 205sqm of play space in the communal amenity area between blocks N1 and N2, comfortably exceeds 419sqm.

7.88 Overall, given that the overall quantum of communal amenity space substantially exceeds the minimum policy requirement and having regards to the wider regeneration benefits of the scheme, Officers consider on balance that the proposed communal amenity space strategy for the masterplan is acceptable. The Applicant has also agreed to include within the S.106 agreement an obligation that will require the submission of an Amenities Strategy which will detail how occupiers of the affordable housing units will be charged for access to and use of pay-to-use amenities should they elect to pay for such amenities.

Children's Play Space

7.89 Policy S4 of the London Plan seeks to ensure that development proposals that include housing make provision for good quality accessible play and informal recreation and enable children

and young people to be independently mobile. Areas of play should provide a stimulating environment, be accessible in a safe manner from the street by children and young people, form an integral part of the surrounding neighbourhood, incorporate trees and/or other forms of greenery, be overlooked to enable passive surveillance and not be segregated by tenure. The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Recreation sets out guidance to assist in this process.

7.90 At the local level, Policy D.H3 of the Local Plan requires major developments to provide a minimum of 10sqm of high-quality play space for each child. The Tower Hamlets child yield calculator should be used to determine child numbers in a development. Using the Tower Hamlets Play Space Calculator, the scheme would generate a child yield of 554 children.

7.91 The minimum required associated children's play according to age group and the provision proposed based on 1,358 units as set out in planning application submission is set out in the table below:

Age Group	Child Yield	Area Required (sqm)	Sqm Play Area Proposed
Aged 0-4	213	2131	2473
Aged 5-11	174	1737	1818
Aged 12-18	167	1670	2181
All Ages Combined	N/A	N/A	284
Total	**563**	**5538**	**6756**

Table 6: Child yield and required and proposed play space provision

7.92 The distribution of dedicated/formal play and informal play across the masterplan can be seen in the image below as set out in the Design and Access Planning Addendum Report (May 2024):

	Planning Scheme Requirement m2 (GLA)	Planning Scheme Provision m2
TOTAL	5,634	6,756
Under 5	2166	1,551 Formal Play 922 Informal Play =Total 2473
5-11	1767	1818 Formal Play 0 Informal Play =Total 1818
12+	1701	1378 Formal Play 803 Informal Play =Total 2181
All ages playable	0	284

Figure 14: Distribution of play space according to age.

7.93 The scheme proposes 6756sqm of children's play of which 4,747sqm will comprise formal play and 1,725sqm of informal play. In addition to this there would be 284sqm of play to cater for all age groups. Areas identified as formal play will be fixed children's play whilst areas identified as informal play (i.e. lawn areas with no fixed play equipment, sculptural elements, gym equipment for older children) will largely comprise playable landscape.

7.94 However, 1,997sqm of the total provision comprises the MUGAs and sports pitch within the school grounds. Of this quantum, 1,082sqm is proposed to be allocated for 12+ years and 915sqm to be allocated to 5-11 year olds. Officers do not consider that it is appropriate to include these areas of play in the overall play space calculation. These spaces could only be used outside of school opening times and in accordance with restrictions that would be imposed by the school. They could therefore only be used during a short period of the day/evening and in a managed and organised manner. The design of these spaces as MUGAs and a sports pitch would also dictate how they can be used, i.e. likely to be sports focused and require a booking system (with fees likely to be payable). Officers consider that whilst these facilities provide undeniable benefits to the wider masterplan it is simply not acceptable or justifiable to include them as counting towards the children's play provision.

7.95 On this basis Officers disagree with the Applicant's position that the scheme delivers policy-compliant levels of children's play space and discounting these areas means that the scheme provides 4,759sqm of children's play which falls 779sqm below the minimum 5,538sqm of play provision required and is therefore contrary to Policies S4 of the London Plan and D.H3 of the Local Plan.

7.96 Whilst there would be a deficit in play provision in quantum terms, the supporting Design and Access Statement illustrates that elsewhere across the masterplan there would be a range of different spaces, comprising different character areas to meet different needs. An example of this is Boulevard Green which is discussed in more detail in the public open space section of this report.

7.97 Boulevard Green is a south-facing space located directly south of the school pitch areas. The design of this space will include generous play space for different age groups edged by seating and planting. A single play feature, such as a stacked timber play element, is proposed to be the main feature of the play space. Smaller elements such as jumping logs, natural play boulders and a small sand play area is proposed to be included.

7.98 The eastern and west spines have been identified within the masterplan as areas that would accommodate informal play. These spaces connect the promenade through the site to the east/west Boulevard to the north. It is intended that these spaces provide areas of activity for the use of residents and commercial tenants and visitors to the site. Areas of informal play could include table tennis and lawn games.

7.99 Within Park East, there would be a dedicated destination children's playground which would accommodate climbing and balancing play equipment as well as lawn areas to accommodate play for children aged up to 11 years.

7.100 Overall, whilst the play strategy for the masterplan does not provide the minimum policy-compliant quantum of play provision and would not be in accordance with relevant development plan policies, the scheme is considered to comply with the development plan as a whole. Officers consider that the scheme generally provides a considered approach to the play strategy across the rest of the masterplan, ensuring that all forms of play have been designed to be safe, secure and well-overlooked and the quality of play ensures that there are opportunities for socialising and playing. Whilst Officers are not including the MUGAs and sports pitch as forming the quantum of play provision, it is recognised that these areas provide benefits to occupiers of the development. Officers consider that in this instance greater weight should be given to the wider regeneration benefits of the scheme. On balance, Officers find the proposed play provision acceptable. The detailed elements of the play areas would be secured via the imposition of a suitable condition should planning permission be granted for this development.

Daylight, Sunlight & Overshadowing (Proposed Development)

7.101 Policy D.DH8 of the Local Plan seeks to ensure that, amongst other things, adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development, are achieved. The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) guide to good practice 'Site Layout Planning for Daylight and Sunlight' (2022) ("BR 209"). The updated guidance replaces the previous primary method of assessment of new build accommodation through calculating the average daylight factor (ADF) and No Sky Line (NSL). The BRE sets out the methods for assessing daylight within a proposed building based on methods detailed in BS EN 17037: 2018 "Daylight in buildings", the UK National Annex of the British Standard and the CIBSE publication LG 10 'Daylighting – a guide for designers (2014)'.

7.102 BS EN 17307 suggests two possible methodologies for appraising daylight in habitable rooms in dwellings:

- Illuminance Method/Target Illuminance Method (TI)
- Daylight Factor Method (DF)

7.103 The illuminance method involves using climatic data for the location of the site to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at a minimum hourly interval for a typical year. The UK National Annex provides minimum illuminance recommendations for daylight provision within UK dwellings as follows: 100 lux for bedrooms, 150 lux for living rooms and 200 lux for kitchens. These recommendations are

based upon the median illuminances that should be achieved over at least 50% of the assessment grid for at least 50% of the daylight hours over the course of the calendar year.

7.104 The BRE guidance specifies, however, that where a room has a shared use, the highest target should apply. For example, in a bed-sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day. Local authorities may use discretion; for example, the target for a living room could be used for a combined living/dining/kitchen area if the kitchens are not treated as habitable spaces, as it may avoid small separate kitchens in a design.

7.105 The Daylight Factor Method involves calculating daylight factors at each calculation point on the assessment grid. The daylight factor assessment uses an overcast sky model rather than climate-based data and does not take account of the potential for sunlight or the orientation of a particular room. The BRE guidelines provide equivalent daylight factor values to the lux values set out earlier for different locations with the ratio expressed as a percentage as follows: 0.7% for bedrooms, 1.1% for living rooms and 1.4% for kitchens. These percentages are based upon the median daylight factors that should be achieved over at least 50% of the assessment grid.

7.106 With regards to the assessment of sunlight, the BRE guidance requires that the minimum duration of sunlight exposure in internal spaces should be to receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st February and 21st March with cloudless conditions. The BRE guidance recommends that the test date should be 21st March and that at least one habitable room, preferably a main living room, should achieve at least the minimum criterion. The criterion applies to rooms of all orientations, although the guidance notes that if a room faces significantly north of due east or west, it is unlikely to be met. In general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and a habitable room, preferably a living room, can receive a total of at least 1.5 hours of sunlight on 21st March.

7.107 The Applicant has submitted an Internal Daylight and Sunlight report outside of the Environmental Statement which has been prepared by Anstey Horne Chartered Surveyors. Following minor amendments to the planning application, an Addendum Report was submitted in May 2024. The assessment and the Addendum Report have been reviewed independently by Delva Patman Redler (DPR).

Assessment of Daylight Against BRE Guidance

7.108 In calculating the daylight availability to the proposed habitable rooms, the following values were applied:

- Glazing transmittance: 0.68.
- Window area measured from 3D model.
- Maintenance factor (effects of dirt on glass): 0.92 (i.e. 8% loss) for vertical glazing, 0.76 (i.e. 24% loss) below balconies/overhangs.
- Reflectance of room finishes: Internal Ceilings (0.80), Internal Walls (0.80) and Internal Floors (0.4).

7.109 When interpreting the above, the assessment assumes light finishes comprising white ceilings (0.8 reflectance), pale cream walls (0.8 reflectance) and light wood floors (0.4 reflectance). This means that the daylight results are the best-case values and if the scheme delivers units with darker finishes, this will impact on the minimum recommended daylight factor/lux levels.

7.110 Open plan living/kitchen/diners (LKDs) have been assessed against the higher 200 lux kitchen target and DPR have advised that this is not an uncommon approach in dense residential developments, where a flexible application of BRE guidelines is considered to be reasonable and justified.

7.111 In terms of the assessment, the report states that daylight and sunlight have been assessed for a representative selection of habitable rooms with a reasonable horizontal and vertical

spread through the proposed development, including rooms at the lowest residential floor within each of the proposed blocks and alternate floors thereafter. This approach has been confirmed by DPR as being acceptable.

7.112 In total, 1,975 of the 3,794 habitable rooms (equating to a sample of 52% of habitable rooms assessed) across the scheme have been assessed and the results suggest that 1,409 (71%) of the 1,975 habitable rooms will satisfy or exceed the minimum recommended illuminance targets. The target illuminance results are summarised in more detail on a block-by-block basis below.

Block E1

7.113 The assessment reports that out of 98 rooms assessed (28 LKDs and 70 bedrooms), 86 rooms (88%) would achieve illuminance levels that meet or exceed the minimum suggested guidelines. The remaining 12 rooms include 10 LKDs and 2 bedrooms on the first to eleventh floors. Five of the rooms that fall short of the guidelines achieve the suggested lux levels to over 44% of their areas against the 50% guideline. The majority of the rooms that fall short also have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.114 In addition to the assessment of the LKDs against the 200 lux guideline for a kitchen, the report has also assessed the LKDs against the 150 lux guideline for a living room. The results demonstrate that when assessed against the 200 lux guideline, 18 (64%) of the 28 LKDs will meet or exceed recommended lux level. When assessed against the 150 lux guideline, 24 (86%) of the LKDs will meet or exceed the recommended lux level.

7.115 Overall, the daylight results in Block E1 show a good level of adherence to the BRE guidelines.

Block N1

7.116 The results of the assessment for daylight indicates that out of 82 rooms assessed (24 LKDs, 2 living rooms, 2 KDs and 54 bedrooms), 62 rooms (76%) would achieve illuminance levels that meet or exceed the minimum recommended BRE guidelines. The remaining 20 rooms include 1 KD, 13 LKDs and 6 bedrooms on the first to seventh floors. Two of the rooms that fall short achieve the suggested lux levels to over 40% of their areas against the target of 50%. The majority of the rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies on the floor above.

7.117 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 11 (46%) of the 24 LKDs are shown to meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 14 (58%) of the LKDs would meet or exceed the recommended lux level.

7.118 Overall, the daylight results in Block N1 show a good level of adherence to the BRE guidelines.

Block N2

7.119 The daylight assessment results indicate that out of the 130 rooms assessed (15 LKDs, 14 living rooms, 14 kitchen/dining rooms and 87 bedrooms), 66 rooms (51%) would achieve illuminance levels that meet or exceed the minimum recommended BRE guidelines. The remaining 64 rooms include 10 LKDs, 2 living rooms, 12 KDs and 40 bedrooms on the first to seventh floors. Three of the rooms that fall short achieve the suggested lux levels to over 44% of their areas against the target of 50%. A number of the rooms that fall short either have direct access to a balcony or are located next to a room served by a balcony and therefore their windows are obstructed by the projection of the balcony.

7.120 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 5 (33%)

of the 15 LKDs are shown to meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 6 (40%) of the LKDs are shown to meet or exceed the recommended lux level.

7.121 Overall, the daylight results in Block N2 show a reasonable level of adherence to the BRE guidelines.

Block N3

7.122 The daylight assessment results indicate that out of the 194 rooms assessed (41 LKDs, 11 living rooms, 11 kitchen/dining rooms and 131 bedrooms), 136 rooms (70%) would achieve illuminance levels that meet or exceed the minimum recommended BRE guidelines. The remaining rooms include 25 LKDs and 33 bedrooms on the first to seventh floors. Six of the rooms that fall short achieve the suggested lux levels to over 42% of their areas against the target of 50%. The majority of the rooms that fall short either have direct access to a balcony or are adjacent to a room served by a balcony.

7.123 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 16 (39%) of the 41 LKDs are shown to meet or exceed the recommended lux level. When assessed against 150 lux guideline, 19 (46%) of the LKDs are shown to meet or exceed the recommended lux level.

7.124 Overall, the daylight results in Block N3 show a good level of adherence to the BRE guidelines.

Block W1

7.125 The daylight assessment results indicate that out of the 89 rooms assessed (31 LKDs and 58 bedrooms), 84 rooms (94%) would achieve illuminance levels that meet or exceed the minimum suggested guidelines as set out by the BRE. The remaining 5 rooms are LKDs on the first to seventh floors. Three of the rooms that fall short achieve the suggested lux levels to over 42% of their areas against the target of 50%. All of the rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.126 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 26 (84%) of the 31 LKDs are shown to meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 30 (97%) of the LKDs are shown to meet or exceed the recommended lux level.

7.127 Overall, the daylight results in Block W1 show a good level of adherence to the BRE guidelines.

Block T1

7.128 The daylight assessment results indicate that out of the 129 rooms assessed (45 LKDs, 6 studios and 78 bedrooms), 112 rooms (87%) would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 17 rooms include 6 LKDs and 11 bedrooms on the first to fifth floors. Seven of the rooms that fall short achieve lux levels to at least 40% of their areas against the target of 50%. The majority of the rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.129 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 39 (87%) of the 45 LKDs are shown to meet or exceed the recommended lux level. When assessed

against the 150 lux guideline, 42 (93%) of the LKDs are shown to meet or exceed the recommended lux level.

7.130 Overall, the daylight results in Block T1 show a good level of adherence to the BRE guidelines.

Block C1

7.131 The daylight assessment results indicate that out of the 120 rooms assessed (38 LKDs and 82 bedrooms), 70 rooms (58%) would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 50 rooms include 18 LKDs and 32 bedrooms on the first to seventh floors. Six of the rooms that fall short achieve lux levels to at least 40% of their areas against the target of 50%. The majority of the rooms that fall short either have direct access to a balcony or are adjacent to a room served by a balcony.

7.132 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 20 (53%) of the 38 (LKDs) are shown to meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 25 (66%) of the LKDs are shown to meet or exceed the recommended lux level.

7.133 Overall, the daylight results in Block C1 show a reasonable level of adherence to the BRE guidelines.

Block T2

7.134 The daylight assessment results indicate that out of the 157 rooms assessed (55 LKDs, 8 studios and 94 bedrooms), 134 rooms (85%) would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 23 rooms include 10 LKDs and 13 bedrooms on the first to seventh floors. The majority of the rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floors above.

7.135 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 45 (82%) of the 55 LKDs meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 45 (82%) of the LKDs meet or exceed the recommended lux level.

7.136 Overall, the daylight results in Block T2 show a good level of adherence to the BRE guidelines.

Block C2

7.137 The daylight assessment results indicate that out of the 224 rooms assessed (86 LKDs, 4 studios and 134 bedrooms), 79 (35%) rooms would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 145 rooms include 66 LKDs, 2 studios and 77 bedrooms on the first to the ninth floors. Seventeen of the rooms that fall short achieve lux levels to over 40% of their areas against the target of 50%. The rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.138 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 20 (23%) of the 86 LKDs meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 32 (37%) of the LKDs would meet or exceed the recommended lux level.

7.139 Overall, the daylight results in Block C2 show a reasonable level of adherence to the BRE guidelines.

Block T3

7.140 The daylight assessment results indicate that out of the 185 rooms assessed (65 LKDs, 10 studios and 110 bedrooms), 163 rooms (88%) would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 22 rooms include 11 LKDs, 1 studio and 10 bedrooms on the first to seventh floors. Of the rooms that fall short, 1 achieves lux levels to over 45% of their areas against the target of 50%. The majority of the rooms which fall short of the guideline values have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.141 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 54 (83%) of the 65 LKDs meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 56 (86%) of the LKDs meet or exceed the recommended lux level.

7.142 Overall, the daylight results in Block T3 show a good level of adherence to the BRE guidelines.

Block C3

7.143 The daylight assessment results indicate that out of the 279 rooms assessed (101 LKDs, 10 studios and 168 bedrooms), 140 rooms (50%) would achieve illuminance levels that meet or exceed the minimum BRE guidelines. The remaining 139 rooms include 71 LKDs, 7 studios and 61 bedrooms on the first to the ninth floors. Twenty five of the rooms that fall short achieve lux levels to over 40% of their areas against the target of 50%. Many of the rooms that fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.144 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 30 (30%) of the 101 LKDs would meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 47 (47%) of the LKDs would meet or exceed the recommended lux level.

7.145 Overall, the daylight results in Block C3 show a reasonable level of adherence to the BRE guidelines.

Block T4

7.146 The daylight assessment results indicate that out of the 288 rooms assessed (103 LKDs, 10 studios and 175 bedrooms), 278 rooms (97%) would achieve illuminance levels that meet or exceed the minimum recommended BRE guidelines. The remaining 10 rooms include 3 LKDs and 5 studios and 2 bedrooms on the first to ninth floors. Six of the rooms that fall short achieve lux levels to over 40% of their areas against the target of 50%. The majority of the rooms which fall short have direct access to a balcony and their main windows are oversailed by balconies serving the floor above.

7.147 The report has also assessed the LKDs against the 150 lux guideline for a living room and compared the results with the assessment of the LKDs against the 200 lux guideline for a kitchen. The results demonstrate that when assessed against the 200 lux guideline, 100 (97%) of the 103 LKDs meet or exceed the recommended lux level. When assessed against the 150 lux guideline, 103 (100%) of the LKDs meet or exceed the recommended lux level.

7.148 Overall, the daylight results in Block T4 show a good level of adherence to the BRE guidelines.

Assessment of Sunlight Against BRE Guidance

7.149 In terms of sunlight, a total of 1,975 rooms were assessed which include 707 main living rooms (including rooms containing the main living area, such as a living/kitchen/dining room). The results include the assessment of sunlight available to all windows in rooms tested. As noted

earlier, the BRE guidelines recognise that if a room faces significantly north of due east or west the sunlight criterion is unlikely to be met.

7.150 The result of the assessment demonstrates that 962 (49%) of the 1,975 rooms assessed achieve or exceed the BRE guidelines for sunlight exposure. 577 (29%) of the 1,975 rooms assessed achieve or exceed the APSH (Annual Probable Sunlight Hours) on an annual basis and 851 (43%) achieve the guidelines on a winter basis. The results are summarised in more detail below on a block-by-block basis.

Block E1

7.151 The sunlight assessment results demonstrate that 75 (77%) of the 98 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 21 south-facing LKDs assessed, all (100%) would meet the guidelines for sunlight exposure, with 17 of these rooms meeting the BRE's high rating.

7.152 The APSH results for this block confirm that 60 (61%) of the 98 rooms assessed would achieve the guideline values on an annual basis and 50 (51%) would achieve the guideline values on a winter basis.

7.153 Overall, the sunlight results in Block E1 show a good level of adherence to the BRE guidelines.

Block N1

7.154 The sunlight assessment results demonstrate that 30 (37%) of the 82 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows 90 degrees of due south confirm that, of the 24 south-facing LKDs assessed, 10 (46%) would meet the guidelines for sunlight exposure.

7.155 The APSH results for this block confirm that 18 (22%) of the 82 rooms assessed would achieve the guideline values on an annual basis and 38 (46%) would achieve the guideline values on a winter basis.

7.156 Overall, the sunlight results in Block N1 show a reasonable level of adherence to the BRE guidelines.

Block N2

7.157 The sunlight assessment results demonstrate that 40 (31%) of the 130 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows 90 degrees of due south confirm that, of the 22 south-facing LKDs and living rooms assessed, 14 (64%) would meet the guidelines for sunlight exposure.

7.158 The APSH results for this block confirm that 23 (18%) of the 130 rooms assessed would achieve the guideline values on an annual basis and 19 (15%) would achieve the guideline values on a winter basis.

7.159 Overall, the sunlight results in Block N2 show a reasonable level of adherence to the BRE guidelines.

Block N3

7.160 The sunlight assessment results demonstrate that 65 (34%) of the 194 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees of due south confirm that, of the 45 south-facing LKDs and living rooms assessed, 18 (40%) would meet the guidelines for sunlight exposure.

7.161 The APSH results for this block confirm that 41 (21%) of the 194 rooms assessed would achieve the guideline values on an annual basis and 36 (19%) would achieve the guideline values on a winter basis.

7.162 Overall, the sunlight results in Block N3 show a reasonable level of adherence to the BRE guidelines.

Block W1

7.163 The sunlight assessment results demonstrate that 50 (56%) of the 89 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that all (100%) of the 25 south-facing LKDs assessed would meet the guideline values.

7.164 The APSH results for this block confirm that 45 (51%) of the 89 rooms assessed would achieve guideline values on an annual basis and 50 (56%) would achieve the guideline values on a winter basis.

7.165 Overall, the sunlight results in Block W1 show a reasonable level of adherence to the BRE guidelines.

Block T1

7.166 The sunlight assessment results demonstrate that 100 (78%) of the 129 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 36 south-facing LKDs assessed, 27 (75%) would meet the guidelines for sunlight exposure.

7.167 The APSH results for this block confirm that 48 (37%) of the 129 rooms assessed would achieve the guideline values on an annual basis and 96 (74%) would achieve the guideline values on a winter basis.

7.168 Overall, the sunlight results in Block T1 show a good level of adherence to the BRE guidelines.

Block C1

7.169 The sunlight assessment results demonstrate that 21 (18%) of the 120 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 36 south-facing LKDs assessed, 15 (42%) would meet the guidelines for sunlight exposure.

7.170 The APSH results for this block confirm that 17 (14%) of the 120 rooms assessed would achieve the guideline values on an annual basis and 22 (18%) would achieve the guideline values on a winter basis.

7.171 Overall, the sunlight results in Block C1 show a reasonable level of adherence to the BRE guidelines.

Block T2

7.172 The sunlight assessment results demonstrate that 112 (71%) of the 157 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 44 south-facing LKDs assessed, 33 (75%) would meet the guidelines for sunlight exposure.

7.173 The APSH results for this block confirm that 58 (37%) of the 157 rooms assessed would achieve the guideline values on an annual basis and 118 (75%) would achieve the guideline values on a winter basis.

7.174 Overall, the sunlight results in Block T2 show a good level of adherence to the BRE guidelines.

Block C2

7.175 The sunlight assessment results demonstrate that 37 (16%) of the 224 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by

windows facing 90 degrees due south confirm that, of the 74 south-facing LKDs assessed, 25 (34%) would meet the guidelines for sunlight exposure.

7.176 The APSH results for this block confirm that 24 (11%) of the 224 rooms assessed would achieve the guideline values on an annual basis and 44 (20%) would achieve the guideline values on a winter basis.

7.177 Overall, the sunlight results in Block C2 show a reasonable level of adherence to the BRE guidelines.

Block T3

7.178 The sunlight assessment results demonstrate that 138 (75%) of the 185 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 52 south-facing LKDs assessed, 39 (75%) would meet the guidelines for sunlight exposure.

7.179 The APSH results for this block confirm that 68 (37%) of the 185 rooms assessed would achieve the guideline values on an annual basis and 143 (77%) would achieve the guideline values on a winter basis.

7.180 Overall, the sunlight results in Block T3 show a good level of adherence to the BRE guidelines.

Block C3

7.181 The sunlight assessment results demonstrate that 105 (38%) of the 279 rooms assessed meet or exceed the BRE guidelines. The results of the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 82 south-facing LKDs assessed, 54 (66%) would meet the guidelines for sunlight exposure.

7.182 The APSH results for this block confirm that 46 (16%) of the 279 rooms assessed would achieve the guideline values on an annual basis and 69 (25%) would achieve the guideline values on a winter basis.

7.183 Overall, the sunlight results in Block C3 show a reasonable level of adherence to the BRE guidelines.

Block T4

7.184 The sunlight assessment results demonstrate that 189 (66%) of the 288 rooms assessed meet or exceed the BRE guidelines. The results for the main living spaces which are served by windows facing 90 degrees due south confirm that, of the 88 south-facing LKDs assessed, 79 (90%) would meet the guidelines for sunlight exposure.

7.185 The APSH results for this block confirm that 129 (45%) of the 288 rooms assessed would achieve the guideline values on an annual basis and 166 (58%) would achieve the guideline values on a winter basis.

7.186 Overall, the sunlight results in Block T4 show a good level of adherence to the BRE guidelines.

Assessment of Sunlight/Overshadowing to Amenity Areas

7.187 The assessment of sunlight and overshadowing to the amenity areas within the development has been undertaken in accordance with the BRE guidelines ‘2 hours sun on ground’ test, on 21 March (Spring Equinox). The BRE guidelines recommend that at least 50% of the amenity area should receive at least 2 hours of sunlight on 21 March.

7.188 The image below identifies the amenity areas tested, with areas that will receive at least 2 hours of sunlight on 21 March shown cross-hatched in yellow and those that will receive sunlight for shorter duration shaded in grey. The proportion of each space achieving the 2 hours of sunlight is expressed as a percentage in the image.

Figure 15: Sunlight received to amenity areas.

7.189 The 2 hour sun contour results show that 10 of the 15 amenity areas will receive at least 2 hours of sunlight on 21 March to at least 50% of their area. This includes the MUGAs/sports pitch within the school site and the large public open space to the east of the site (Park East).

7.190 Of the amenity areas that fall short of the guidelines, 3 (A13, A14 and A15) achieve 2 hours of sunlight to over 25% of their areas on 21 March. In terms of the remaining 2 areas, Area A3 will not receive 2 hours of sunlight to any part of this amenity area on 21 March whilst Area A4 will receive 2 hours of sunlight to 2.98% of the area on 21 March. These two areas largely serve the northern buildings within the masterplan; however, occupiers of these buildings will also have access to the public open space areas within the masterplan.

7.191 The assessment also carried out a transient overshadowing study by plotting a series of shadow plans at hourly intervals on 21 March, 21 June and 21 December. The results of the transient overshadowing study shows that on 21 March, the proposed buildings cast shadow which extends to the end of the development site to the west between 8am and 9am. Between 10am and midday, the shadow cast is more limited and extends to the north-west, gradually moving to the north. Between 1pm and 4pm, the shadow moves from the north to the north-east of the proposed buildings.

7.192 On 21 June, the shadows cast by the proposed buildings are at their longest between 6am and 8am and 5pm and 6pm. Between 9am and 3pm the shadows fall closer to the proposed massing and are limited in extent.

7.193 On 21 December, the shadows cast by the proposed buildings are longer than those indicated by the March and June assessments, as the sun is lower in the sky. The shadow moves from the north-west at 10am, to the north at 12pm. By 2pm the shadow is cast to the north-east.

7.194 The assessment concludes that for each of the dates assessed, the amenity spaces in the centre and to the north of the site will be overshadowed at different parts of the day as a result of the configuration of the massing adjacent amenity areas. Throughout the year, the amenity

spaces at the south of the site along Millwall Dock will experience very limited shadow as a result of the proposed development.

Conclusion on Daylight/Sunlight and Overshadowing for Proposed Development

7.195 In summary, in terms of daylight impacts, based on the sample of 52% of habitable rooms assessed, the results demonstrate that 71% (1,410 rooms) of the total habitable rooms (1,975 rooms) will satisfy or exceed the minimum recommended illuminance targets.

7.196 Of the 12 blocks assessed, 8 blocks (Blocks E1, N1, N3, W1, T1, T2, T3 & T4) would experience good levels of daylight, with 70%-97% of the sample rooms meeting their recommended lux targets. The submitted assessment has been independently reviewed by Delva Patman Redler (DPR). DPR have confirmed that these blocks would generally achieve satisfactory daylight levels commensurate with similar sized developments. The remaining 4 blocks (Blocks N2, C1, C2, C3) would experience reasonable levels of daylight, with 34%-58% of the sample rooms meeting their recommended lux targets. DPR consider that these blocks would achieve relatively low levels of adherence to the recommended lux targets. However, this is in part due to the design of the blocks (particularly Blocks C1, C2 and C3) as they have projecting wings arranged around a courtyard and projecting balconies. These are design elements that would restrict daylight.

7.197 Overall, however, in terms of daylight, DPR confirm that the development appears to provide a satisfactory level of adherence to daylight guidance for a dense housing development. There would be blocks achieving relatively low levels of daylight, but these could only be improved by a fundamental re-design of the scheme which it is not considered would be a reasonable expectation in this instance having regard to the fallback position of the extant planning permission which adopts the same masterplan principles as the proposed development.

7.198 In terms of sunlight received, of the 12 blocks assessed, 5 (Blocks E1, T1, T2, T3 and T4) would experience good levels of sunlight, with 66%-78% of the sample rooms seeing at least 1.5 hours of sunlight. DPR confirm that these blocks would achieve sunlight levels that are commensurate with similar sized developments. The remaining 7 blocks (Blocks N1, N2, N3, W1, C1, C2 and C3) will experience reasonable levels of sunlight, with 16%-56% of sample rooms meeting the recommended sunlight exposure target. DPR consider that these blocks would achieve low levels of sunlight; however, as per the above in terms of daylight impacts, this is as a result of the design of the blocks and the obstruction of other surrounding blocks, both of which restrict the access of sunlight. In addition, as highlighted earlier, the BRE guidelines recognises that rooms facing predominately north, east or west are unlikely to meet the guidelines. DPR conclude that in terms of sunlight, overall, the development appears to provide a low level of adherence to sunlight guidance for a dense housing development. However, it should be noted that the percentage adherences are based on all rooms being assessed. The BRE guide suggests that one room within each unit (preferably a living room) should meet the sunlight exposure target. Therefore, DPR confirm that it is likely that the percentage adherence for this scheme would be greater if the assessment results were based on one room within a unit meeting the target, rather than it being based on all rooms that have been assessed.

7.199 In terms of sunlight received by proposed amenity areas, the 2 hours sun on ground and transient overshadowing assessments show that 10 (67%) of the 15 proposed amenity areas within the development will achieve adequate levels of sunlight. Of the 5 amenity areas that fall short (A3, A4, A13, A14 and A15), amenity space A3 is a small strip located between blocks N2 and N3 and would not receive 2 hours of sun to any part of its area. Amenity area A4 is located between and to the north of blocks N1 and N2 and would see 2 hours of sun to only 2.98% of its area. Both of these spaces are positioned to the north of the proposed development where sunlight availability is restricted by the surrounding blocks.

7.200 In terms of amenity areas A13, A14 and A15 these are podiums of blocks C1, C2 and C3 and would see 2 hours of sun to 32.62%, 29.31% and 26.77% of their areas respectively. The open areas to the south of these spaces would mostly see the recommended 2 hours of sun

whilst the areas to the north, which are overhung by the blocks above, would, as expected, not receive 2 hours of sun. DPR's review concludes that the proposed development would generally benefit from adequate levels of sunlight and the larger open amenity spaces and those located to the south would be well sunlit. The limited number of amenity areas that do not meet the guidance are generally located to the north of the site and/or are obstructed by the design of the blocks or the proximity of other surrounding blocks which are typical scenarios within dense housing developments.

7.201 In conclusion, Officers agree that generally speaking the development will provide reasonable to good levels of daylight and sunlight to the development. There will be isolated buildings within the masterplan that will have low to reasonable levels of adherence however this is as a result of design features. Broadly speaking the amenity areas across the masterplan will also achieve good levels of adherence with isolated incidents of departure from BRE guidelines. The submitted daylight/sunlight assessment has been independently reviewed by Delva Patman Redler who did not dispute the findings presented in the assessment for the proposed development. The proposal therefore complies with Policy D.DH8 of the Local Plan in respect of daylight and sunlight received within the development.

URBAN DESIGN

7.202 Chapter 12 of the NPPF attaches great importance to achieving well-designed places. Paragraph 131 of the NPPF states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.203 Chapter 3 of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces. Policies D1-D9 of the London Plan collectively emphasise the expectation for high-quality design in all developments.

7.204 Specifically, Policy D1, Part B(3) of the London Plan requires Boroughs to advocate the design-led approach by establishing acceptable building heights, scale, massing and indicative layouts for allocated sites and, where appropriate, the amount of floorspace that should be provided for different land uses. Policy D3, Part A states that the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. Part D(1) of the policy goes on to require that in relation to form and layout, development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, having regard to existing and emerging street hierarchy, building types, forms and proportions.

7.205 At the local level, Policy S.DH1 of the Local Plan echoes strategic objectives and requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.

7.206 Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability and legibility across the borough.

7.207 Policy D.DH4 of the Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.

Density

7.208 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the

availability and capacity of infrastructure and services (both existing and proposed) as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change and the importance of securing well-design, attractive and healthy places. To this end, local planning authorities should set their own approach to housing density and plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. In some instances, it may be appropriate to set out a range of densities that reflect local circumstances rather than one broad density range.

7.209 Policy D3 of the London Plan requires that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.

7.210 Policy D4 of the London Plan requires all proposals exceeding 30 metres high and 350 units per hectare to demonstrate they that they have undergone a local borough process of design scrutiny.

7.211 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.

7.212 The London Plan no longer includes a density matrix as this has been replaced with a requirement to consider a design-led approach to optimising site capacity and this is now the principal approach to assessing the acceptability of the density of a scheme. .

Site Layout and Masterplanning

7.213 The masterplan largely adopts the site layout design principles as the consented scheme with the Boulevard forming the main east-west route through the site from Millharbour to Westferry Road. To the east, a new pedestrian route towards the dock front is introduced from Millharbour. In addition, reconnection to the lower residential dwellings to the north is proposed via through-routes linking the promenade fronting the dock to Millwall Dock Road and Starboard Way.

7.214 As per the consented scheme, the secondary school is located at the northwestern corner of the site with the main school building and teaching wing set back from Westferry Road. A separate but linked Sports Block sits to the east on the opposite side of Millwall Dock Road, with associated sport pitches and external games and play areas set against the residential back gardens at Claire Place. The Applicant has advised that the design and layout of the school largely adopts similar site layout and design principles as that of the consented application and has been updated to reflect the requirements of guidance contained in the DfE School Output Specification: Generic Design Brief (November 2022). The DfE have been consulted on this planning application and have not responded to the consultation exercise. Therefore, there is no suggestion from the DfE that the design and layout of the school is inadequate.

Figure 16: Layout of Secondary School

7.215 The main school building sits around an atrium which is identified in the Design and Access Statement as being the 'heart' of the space of the school. The atrium links the dining, drama and hall at the lower ground level and a library at ground floor level, providing opportunities for pupils to integrate and socialise. A large 'Pupil Plaza' is proposed in front of the western elevation of the main school building and next to Westferry Road. This will allow for large informal social and gathering spaces for pupils, particularly at the start of each school day, and directs pupils away from congregating near Caravel Close, the 2-4 storey flatted residential development located directly north of the school site. The Plaza is accessed via a secure boundary gate system. Compared to the consented scheme the main school building has been reduced in width slightly and the north-south teaching block extended in length to align with the boundary of the Docklands Business Centre to the north.

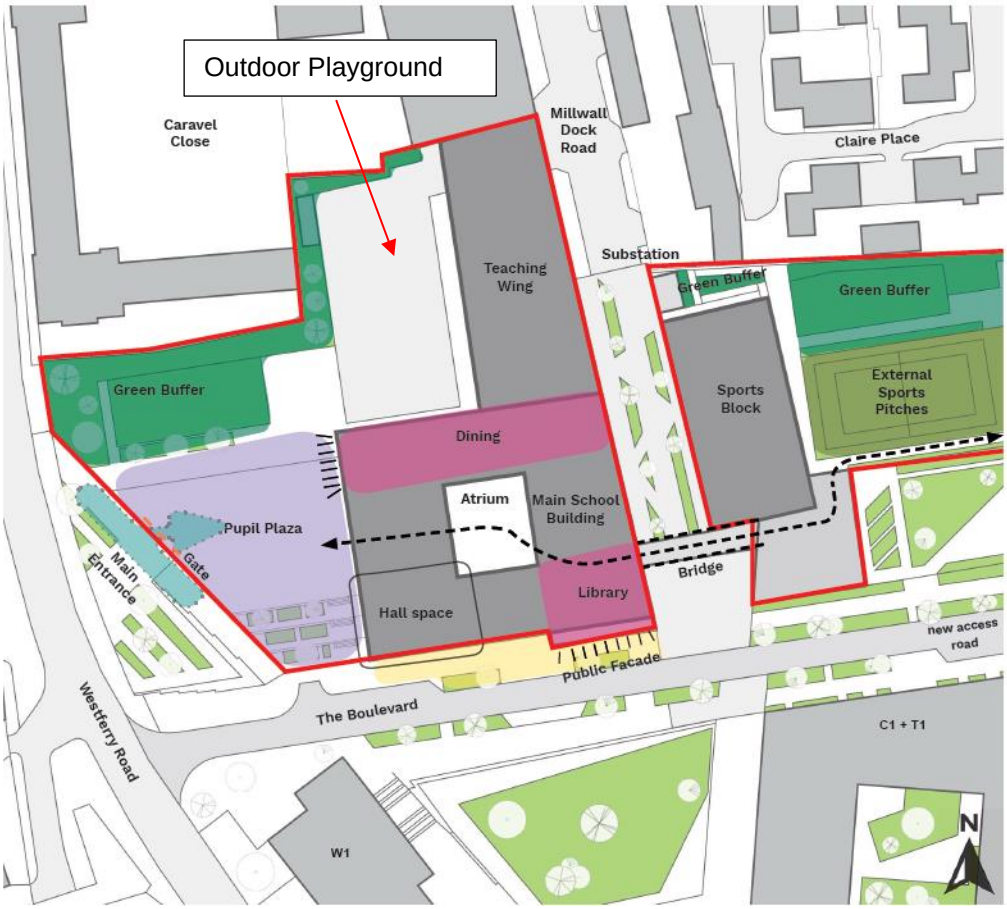

Figure 17: School blocks and surrounding spaces

7.216 The external areas within the school grounds and to the east of the sports block there will be 2 x MUGA (Multi-Use Games Area) pitches and an artificial sports pitch for 5-a-side football. To the west of the teaching wing of the main school building an outdoor playground is proposed. The main entrance to the school building will be via Westferry Road. A secondary vehicular/pedestrian access to the site is provided via a north-south pedestrian path.

7.217 In terms of the remainder of the wider masterplan site, two standalone buildings (buildings E1 and W1) are positioned at the main access points into the site, each leading up towards a large, open, green space (Printworks Plaza/Park East and Dockside Gardens). These buildings are described as 'Gateway' buildings with building E1 located by the eastern entrance from Millharbour with Park East located directly south of the building, and building W1 located by the western entrance and directly west of Dockside Gardens.

7.218 Building W1 faces Westferry Road and its alignment is parallel to the new road configuration by the Westferry Road entrance to the site. On the eastern side, Printworks Plaza and building E1 defines the entrance at Millharbour. Printworks Plaza offers an intimate setting for residents, leading to building E1 and Park East further south.

7.219 To the east of Dockside Gardens, the four Waterfront Towers (T1-T4) are located along the dock front and adjacent to the southern site boundary. Building T4 is identified in the masterplan as a standalone, landmark tower located at the southeastern corner of the site. Linking the buildings along the south is the promenade, where the existing narrow towpath is extended in width by the introduction of an upper promenade. The upper promenade level is raised to be level with the ground floor of all the residential buildings. This has been introduced as a change from the consented scheme to address and mitigate potential flood risk.

7.220 The proposed site layout and master planning principles which largely replicate the consented planning permission are considered to respond to the site's constraints, opportunities and local context. The permeability and spatial integration of the site would be an improvement on the consented scheme as there would be better connections from Millwall Dock Road and

Starboard Way to the dock edge. The scheme would also accord with guidance contained in the Mayor of London's Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) which seeks to ensure that, amongst other things, emerging development enhances the setting and character of the docks, improves public realm and that buildings are designed around green spaces with strong visual links to the water and new green spaces.

Figure 18: CGI of Promenade Place indicating the upper and lower promenade levels.

7.221 At the eastern end of the masterplan, the promenade terminates at Promenade Place, where another area of public space is proposed to provide opportunities for active ground floor frontage to spill out next to the dock front.

7.222 Three courtyard buildings (C1-C3) lie directly to the north of buildings T1-T3 and are set back from the dock front. These buildings are U-shaped and physically linked to buildings T1-T3 at basement, ground and mezzanine levels. The mezzanine levels of these buildings will incorporate communal courtyards. Two pocket parks are proposed to the south straddled by buildings T1 and C1 (Promenade Pocket Park West) and T2 and C2 (Promenade Pocket Park East).

7.223 The northern buildings N1, N2 and N3 are located to the north of the Boulevard and east of the school. They are located closest to the low-rise residential developments to the north at Clarie Place and Starboard Way thus in the most sensitive location within the masterplan. To the north of buildings N1 and N2 an area of communal amenity and children's playspace is proposed, and to the south of the new school pitches and directly west of building N3, Boulevard Green is proposed: an area that seeks to provide opportunity for socialising and destination play.

Townscape, Massing and Heights

7.224 Policy D9 of the London Plan is specific to tall buildings and sets a number of criteria against which tall buildings should be assessed. Policy D9 directs development proposals to address visual (long, mid and immediate views, spatial hierarchy and legibility, architectural quality, protection of heritage assets, water spaces, visual glare and light pollution), functional (construction, servicing, access, transport network, economic outputs, the protection of the

aviation and telecommunications industry) and environmental impacts (wind, daylight, sunlight, enjoyment of water spaces, air and noise pollution) and any cumulative impacts.

7.225 Policy D.DH6 of the Local Plan sets out the criteria for assessing the appropriateness of a tall building. Part 1 of the policy set out a series of stringent design and spatial criteria which tall buildings must adhere to whilst Part 2 of the policy directs tall buildings towards the designated Tall Building Zones (TBZ).

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

a) Building heights in the Millwall Inner Dock cluster should significantly step down from the Canary Wharf cluster to support its central emphasis and should be subservient to it.

b) Building heights should step down from Marsh Wall and ensure that that integrity of the Canary Wharf cluster is retained on the skyline when seen from places and bridges along the River Thames across Greater London, particularly in views identified in Policy D.DH4.

7.227 Whilst the scheme seeks to significantly increase the density of the development from the consented scheme, the maximum height of the proposed development will remain as per the 2016 consented scheme at 110.90m (approved with 30 storeys). To assist Members, a comparison of the maximum heights of buildings in the 2016 consented scheme, the Appeal Scheme and the proposed scheme is set out below to provide an overview as to how the height strategy has evolved to the proposal in the current application.

Block/Tower	2016 Consented Height	Appeal Scheme Height	Proposed Application Height
School Building	Ground + 3 Storeys / 19.4m AOD	N/A	Ground + 3 Storeys / 21.245m AOD
W1 (Formerly B1)	8 Storeys / 32.21m AOD	13 Storeys / 48.22m AOD	10 +11 Storeys/ 43.63m AOD
T1	9 Storeys / 43.25m AOD	19 Storeys / 73.06m AOD	19 Storeys / 72.69m AOD
T2	13 Storeys / 56.05m AOD	23 / Storeys / 85.56m AOD	23 Storeys / 85.49m AOD
T3	17 Storeys / 68.85m AOD	32 Storeys / 114.66m AOD	27 Storeys / 98.29m AOD
T4	30 Storeys / 110.90m AOD	44 Storeys / 155.30m AOD	31 Storeys / 110.90m AOD
C1 (Formerly B2)	4 Storeys / 25.65m AOD	9 Storeys / 37.m AOD	6-8 Storeys / 37.47m AOD
C2 (Formerly B3)	5 Storeys / 28.85m AOD	9 Storeys / 37.00m AOD	7-10 Storeys / 44.22m AOD
C3 (Formerly B4)	7 Storeys / 35.25m AOD	9 Storeys / 37.00m AOD	8-11 Storeys / 47.62m AOD

E1 (Previously T5)	N/A	31 Storeys / 114.60m AOD	15 Storeys / 59.35m AOD
N1 (Formerly B6A)	5 Storeys / 21.96m AOD	7 Storeys / 31.5m AOD	4 + 9 Storeys / 37.25m AOD
N2 (Formerly Block B6B)	6 Storeys / 25.31m AOD	7 Storeys / 31.5m AOD	4 + 10 Storeys / 40.40m AOD
N3 (Formerly Block B7)	7 Storeys / 28.51m AOD	9 Storeys / 40.2m AOD	9 + 10 Storeys / 40.40m AOD

Table 7: Building heights of the scheme: Extant vs Appeal Scheme vs Proposed Scheme

7.228 The concept of stepping down was considered in detail by the Inspector in the report that he prepared following the 2021 public inquiry. The Inspector, when considering the effect of the scale, height and massing of the proposed development on the character and appearance of the surrounding area, identified a number of viewpoints in which the appeal scheme would be seen as a significant southward extension to the Canary Wharf cluster of buildings or where the towers would feature prominently in the skyline thus competing with and being comparable in scale to the Canary Wharf cluster of buildings.

7.229 Whilst the proposed development seeks some increases in the height of buildings across the masterplan, there are notable key differences between the proposed development and the Appeal Scheme. In particular, the height of tower T4 will now remain at the consented height of 110.90m AOD (albeit at 31 rather than 30 storeys) thus reduced from its height in the Appeal Scheme by some 44 metres (minus 13 storeys). In addition, T5, which was proposed in the Appeal Scheme as a 31 storey tower (114.60m AOD) is now proposed as a 15 storey midrise building (building E1) reaching 59.35m (AOD).

7.230 The application has been accompanied by a Built Heritage, Townscape and Visual Impact Assessment (BHTVIA) that forms part of the Environmental Statement (ES) and includes verified views (48 views) that were agreed with Officers during the EIA Scoping and pre-application process.

7.231 The BHTVIA assesses the potential visual impacts of the proposed development on the character of the local and wider townscape, protected views, and the setting of heritage assets. The varying townscape impacts are considered throughout the BHTVIA from sensitive close range views to wider protected strategic views. Within the BHTVIA the townscape and visual magnitude of change (impact) is assessed as high, medium, low, very low or nil using the following criteria:

- High – major change to the value of the townscape or visual amenity.
- Medium – moderate change to the value of the townscape receptor or visual amenity.
- Low – minor change to the value of the townscape receptor or visual amenity.
- Very Low – barely discernible change to the value of the townscape receptor or visual amenity.
- Nil – no change to the value of the townscape receptor or visual amenity.

7.232 An impact of high magnitude would mean that the proposals would be very noticeable, comprising a notable change over an extensive area or an intensive change over a more limited area. A high magnitude of impact may comprise major alteration to key elements/features/characteristics of the receptor. An impact of medium magnitude would see the proposals be noticeable, comprising a recognisable change over a large area or a moderate change over a more limited area. A medium magnitude of impact may comprise alteration to one or more key elements/features/characteristics of the receptor. An impact of low magnitude will comprise noticeable but small change over a limited area or similar to a main component of the receptor. There may be minor alteration to one or more key elements/features/characteristics of the receptor. A very low magnitude of impact would mean that the proposals would not be noticeable although would comprise a very small change over

a limited area or very similar to the main components of the receptor. There may be very minor alteration to one or more key elements/features/characteristics of the receptor. In terms of nil magnitude of impact, there would be no change to the value of the townscape receptor or visual amenity. The measure of the significance of effect resulting from the development on townscape and visual amenity are identified within the BHTIA as being Major (Significant), Moderate (Significant), Minor (Not Significant), Negligible (Not Significant) and None (No Effect).

7.233 With regards to the views identified by the Inspector, the BHTVIA has assessed these views both in context of their wider townscape role and how they would be perceived by local residents within the immediate townscape including those in low-rise developments. The key views identified by the Inspector in his assessment are considered and assessed below in relation to the proposed development.

View 23 – Millwall Park:

7.234 In relation to View 23, the Inspector considered that in this view, the Appeal Scheme would be seen as a significant southward extension to the Canary Wharf cluster and *"due to the effect of the distance, the scale would appear comparable to the Canary Wharf cluster, although it would not look as densely developed due to the spacing between the towers."*[7]

7.235 The BHTVIA identifies that View 23 will largely be experienced by users of receptor group[8] Mudchute and Millwall Park. This receptor group is represented by views 5 (Mudchute Park) and 23 (Millwall Park). From this townscape area, users (people) will be undertaking daily activities such as walking, sport and leisure and as such people in this townscape area would be aware of their immediate environment and wider surroundings including the large development forming part of the Canary Wharf and Millwall tall building clusters.

7.236 In terms of Millwall Park, the assessment reports that the visibility of the proposal would largely be limited to the upper half of the building, with the lower half of the proposal being occluded by interposing development. Furthermore, visibility of the proposal would also be screened by pockets of mature trees. Where the proposal would appear in these views, it would be seen above interposing development as a tall new building in the backdrop of views. The image below indicates the cumulative view of View 23 of the proposed scheme in blue wireline with the overlay of the Appeal Scheme in red wireline.

[7] Para.428 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021.
[8] Receptor groups are areas of townscape assessed.

Figure 19: BHTVIA View 23 (Millwall Park) cumulative view

7.237 In this view the significant reduction in heights of Towers T3-T5 compared to the Appeal Scheme can be seen. The notable drop in height of T5 particularly ensures that the proposed development no longer appears as an extension to the Canary Wharf cluster of buildings. Tower T3 would also be approximately 16 metres (minus 5 storeys) lower than the height of T3 in the appeal scheme. The ES reports that the majority of the schemes that are relevant to the cumulative assessment are located to the south or west of the Canary Wharf cluster and would appear to the right of the view. The overall cumulative effect would be to consolidate and intensify the development around the Canary Wharf cluster.

7.238 Overall, the assessment reports that the proposed development would give rise to Moderate Beneficial effect (Significant) to receptors.

View 25 - Greenland Dock

7.239 In this view the Inspector considered that *"..the spacing between T1, T2, T3 and T4 would not be apparent. The heights of T3, T4, T5 would, in combination, make a very strong feature on the skyline. Although T4 would in fact be around 2/3 the height of Number One Canada Square, due to the effects of distance it would appear to be of a comparable scale in this view. It would not be subservient to the Canary Wharf cluster."*[9]. The Inspector goes on to highlight that the additional height of the Appeal Scheme together with the introduction of T5 would significantly increase the impact.

7.240 The BHTVIA has assessed View 25 as part of the 'Riverside Users' receptor group which is represented by the following viewpoints: Views 10 (Millenium Dome), 25 (Greenland Dock), 26 (Dockmasters House Deptford) and 34 (Pillars of the Empire, Modern Wharf Road). The focus of receptors would be their activities along the pathways as well as the Thames and the medium and long views across to the Isle of Dogs. Receptors (i.e people) would be aware of the varied built form within the immediate and wider townscape, including the development associated with the Canary Wharf and Millwall tall building cluster. The below images are that

[9] Para.428 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021.

of 25L and 25M of View 25 (Greenland Dock) indicating the proposed scheme in blue wireline in the cumulative scenario and the appeal scheme outlined in the red wireline.

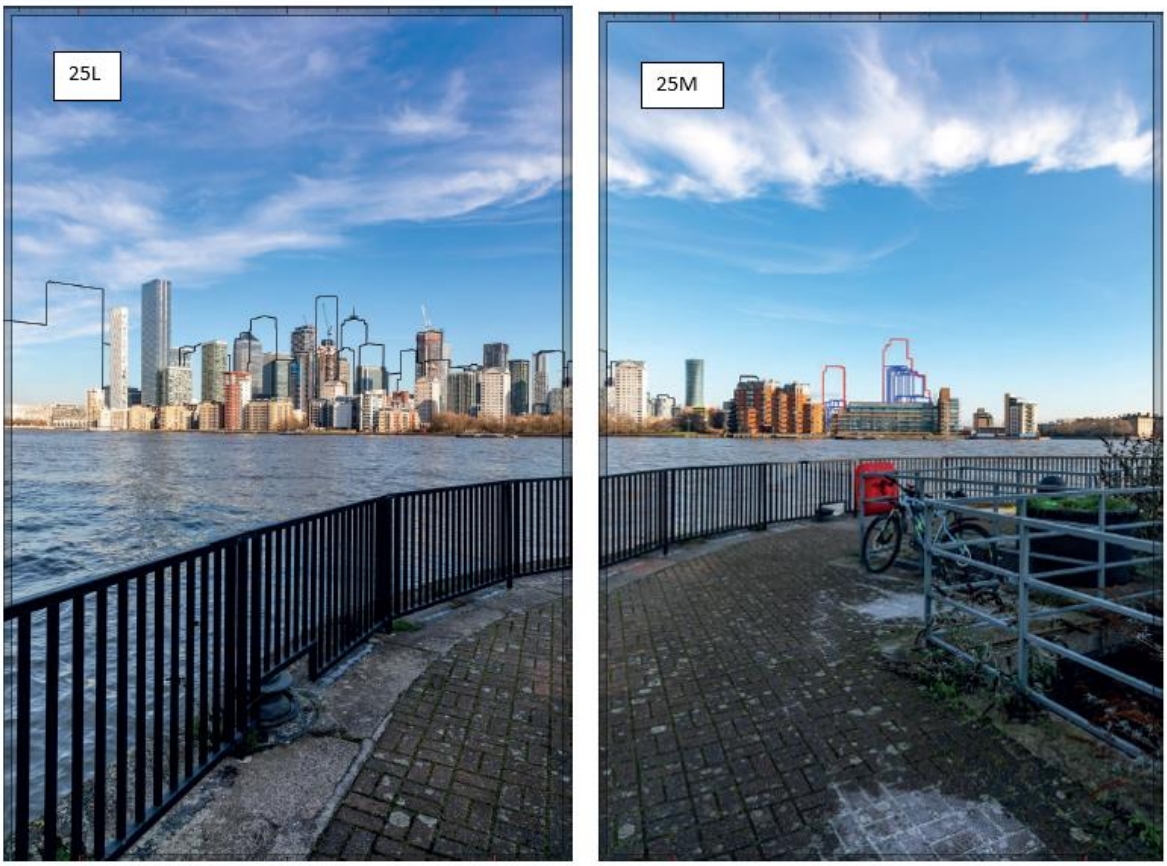

Figure 20: BHTVIA View 25L and 25M (Greenland Dock) cumulative view

7.241 The significant reduction in height of towers T4 and T5 (now E1) can been in View 25M. The assessment reports that in views that form part of the Riverside Users receptor group which includes View 25 (Greenland Dock), the proposals would be discernible. However, from these locations, the scheme would appear as an additional tall building associated within the existing tall building clusters at the Isle of Dogs. The buildings would sit comfortably within this context, with the proposed building heights of the scheme significantly stepping down from the Canary Wharf cluster to support its central emphasis.

7.242 Given the interposing distance, the detail of the elevations and the varied façade treatments would not be readily appreciated. However, the proposed development would be understood in the context of similar buildings.

7.243 Overall, the assessment concludes that due to the separating distance and the existing context of the tall and large development within the wider townscape, the proposed development would give rise to a Negligible Beneficial effect (Not Significant). In the cumulative scenario, a significant number of tall buildings would consolidate the skyline of the Isle of Dogs, resulting in a more consistent visual scale of development. The additional effects in the cumulative scenario would be unchanged resulting in a Negligible Beneficial effect (Not Significant).

View 18 – Across Sir John McDougall Gardens

7.244 In this view, the Inspector observed that Sir John McDougall Gardens is a riverside public park to the north-west of the site and whilst the Inspector noted that the nearby towers within the Barkantine Estate can be seen, the Inspector did not consider that these unduly impacted on the sense of openness as the view to the south-east is of trees and the sky. The Inspector concluded: *"Whist the consented scheme would be glimpsed above the trees, it would not be*

dominant. In contrast, B1, T1, T2, T3 and T4 of the appeal scheme would, collectively, dominate the outlook in this direction"[10].

7.245 The BHTVIA has assessed View 18 as part of receptor group 'Local Residents – North of the Site' which is also represented by the following viewpoints (in addition to View 18): Views 6 (Oakland Quay), 12 (Millharbour North), 13 (Millharbour South), 14 (64 Tiller Road/Starboard Way) and 15 (17 Tiller Road/Millwall Dock Road).

7.246 In this receptor group, local residents are likely to have a higher susceptibility to development given they reside in the area and will be more sensitive to visual change in their environment. The image below is of View 18 indicating the proposed scheme in blue wireline in the cumulative scenario and the appeal scheme outlined in the red wireline.

Figure 21: BHTVIA View 18 (Across Sir John McDougall Gardens) cumulative view

7.247 In this view the reduction in height of W1 (formerly B1), T3 and T4 compared to the appeal scheme can be seen. Building W1 has reduced in height by approximately 4.5 metres (minus 2 storeys). The assessment reports that View 18 is taken from the public open space at Sir John McDougall Gardens approximately 30 metres from the site boundary to the north-west. In the summer, the trees within the park would screen the development, with some glimpsed views. The assessment also reports that existing tall buildings such as Bowsprit Point (the southernmost of the 22-storey towers in the Barkentine Estate) are seen to the left of the view, whilst to the centre and right of the view the New Atlas Wharf Development is also seen. The assessment considers that the wireline of the scheme demonstrates that only the tops of the tower block elements will be visible rising just above the tree line and clearly subordinate to Bowsprit Point to the right.

7.248 The assessment concludes that the proposed development would result in Minor/Moderate Beneficial effect (Not Significant). In the cumulative scenario there would be modest change with further development either largely concentrated in areas to the north or east towards Millwall Inner Dock. However, due to the quantum of development that is taking place in proximity, people within this visual receptor grouping would be aware of extensive

[10] Para.429 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021

development taking place and the changing context. As such the significance of effect in the cumulative scenario would be Moderate Beneficial (Significant).

View 11 – Millwall Outer Dock

7.249 In this view the Inspector observed that the residential estates to the south of Millwall Outer Dock are characterised by low-rise buildings and that the scale of the Canary Wharf cluster would be apparent from these estates albeit there exists a degree of separation. The Inspector also noted that the scale and openness of the dock is a defining feature of the character of this locality and that *"Seen from the south of the dock (View 11), T1, T2, T2 and T4 would combine to dominate the water space. They would appear overbearing and would create a stark transition to the low-rise housing fronting the dock".*[11] The Inspector also considered that T5 at ground plus 31 storeys sited relatively close to the low-rise residential development would also create a stark transition in scale. The image below is of View 11 showing the proposed scheme rendered in the cumulative scenario and the appeal scheme outlined in red wireline.

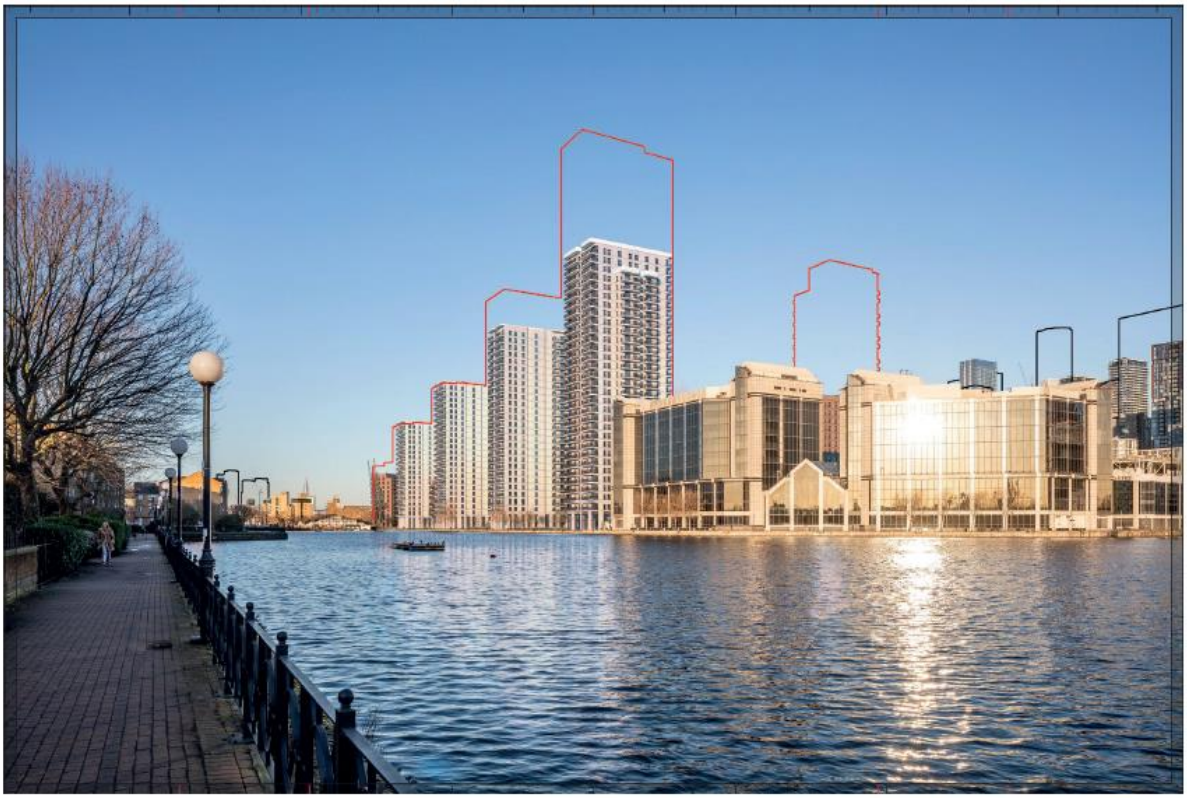

Figure 22: BHTVIA View 11 (Millwall Outer Dock) cumulative view

7.250 In this view the reduction in height of T3-T5 compared to the appeal scheme can be seen. Tower T3 is reduced by 16.37m (minus 5 storeys), T4 by 44.4m (minus 13 storeys) and T5 by 55.25m (minus 16 storeys).

7.251 The BHTVIA has assessed View 11 as part of receptor group 'Local Residents – South of Millwall Outer Dock)' which is also represented by the following viewpoints: Views 17 (Ashdown Walk), 39 (Dockside at Site) and 40 (Dockside at Site). Receptors within this group comprise local residents within the immediate townscape and in particular the low to mid-rise area south of Millwall Outer Dock.

7.252 The proposal would be highly visible from viewpoints located on the southern side of the Millwall Outer Dock owing to the open character of the dock which allows for uninterrupted views of the site across the water. However, beyond Spindrift Drive to the south of Millwall

[11] Para.431 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021

Outer Dock, visibility is reduced and restricted to small pockets of open character where street alignment and building orientation allow for partial visibility.

7.253 In View 11, the assessment reports that the proposed view opens up the length of the view, drawing the viewers' attention west towards the end of Millwall Outer Dock. The glazed materiality of the 'T' buildings complements adjacent buildings at No.5 and 6 Greenwich View Place at the corner of Millwall Outer Dock. The tapered composition adds interest to the skyline and the gradual decrease in height westwards steps down in scale towards the lower to mid-rise residential developments.

7.254 Whilst the scheme would introduce new buildings of a greater scale to the immediate surroundings, receptors within this group are aware of taller development located in proximity. As a result, the scheme responds to its location within the Isle of Dogs and South Poplar Opportunity Area and the Millwall Inner Dock Tall Building Zone where change including tall and large development is anticipated. The scheme would be commensurate with its location, forming a legible townscape marker to Millwall Outer Dock.

7.255 The assessment also highlights that the architectural treatment of the development will mitigate the visual impact with the tower elements located in the middle distance of the views. The towers would be articulated through their contemporary finishes and glazed planes that would contribute to an art-deco style that creates visual interest when juxtaposed against the interwar housing estates (as seen from View 17- Ashdown Walk).

7.256 The assessment concludes that the proposed development would result in a Minor/Moderate Beneficial effect (Not Significant) which would be increased to Moderate Beneficial effect (Significant) in the cumulative scenario whereby a number of schemes are coming forward within the Canary Wharf cluster of a similar height or taller than the proposed scheme thus resulting in an intensification of the skyline, increasing the impression of density and of tall buildings appearing closer to Millwall Dock.

View 14 – 64 Tiller Road/Starboard Way

7.257 This view shows the development form Tiller Road, to the north of the site, and how the scheme would handle a transition in scale across the site from Starboard Way to the waterfront. In relation to the appeal scheme, the Inspector considered *"…, the combined impact of B7 (ground plus 8 storey) and T3 would create a much more intensive feel".*[12] The image below shows View 14 with the proposed scheme rendered in the cumulative view with the Appeal Scheme outlined in red wireline.

[1212] Para.433 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021

Figure 23: BHTVIA View 14 (64 Tiller Road/Starboard Way) cumulative view

7.258 The BHTVIA has assessed View 14 as part of the receptor group 'Local Residents – North of the Site' and the views represented by this receptor group have been detailed earlier in this report. View 14 is taken from the residential area to the north of the site and approximately 20m from the boundary.

7.259 In View 14, residential buildings N1, N2 and N3 are visible and comprise mid-rise buildings between 4 and 10 storeys and provide a buffer and gradual step up in height towards the towers proposed at the southern perimeter at the rear, overall lessening the impact of the increase in height. To the rear, buildings E1, C3 and C2 stand at 8 to 15 storeys in height and beyond that, fronting the Millwall Outer Dock, the T4, T3 and T2 buildings form the background of the view and are noticeably much taller when compared to the buildings in the fore and middle ground of the view, scaling up to 31 storeys at T4. This is best appreciated from both views 13 (Millharbour South) and 14. View 13 has been included in Appendix 3 of this report.

7.260 The materiality of the buildings complements existing buildings in proximity and assists in blending the scheme into the existing context. The assessment reports that whilst the scheme will change the composition of views from residential areas to the north of the site, the overall effect would not be overbearing nor out of place within the existing context.

7.261 Whilst the scheme would introduce a new visual feature and scale into views, the scheme responds to its location within the Isle of Dogs and South Poplar Opportunity Area and Millwall Inner Dock Tall Building Zone where change incorporating tall and large development is anticipated and would be commensurate with its location, forming a legible townscape marker to Millwall Outer Dock.

7.262 The materiality of the proposal is varied, with each building sharing similarities in their façade treatment whilst maintaining their own identity in the architectural expression. These are discussed in more detail later in this report; however, the gateway buildings comprising stock brick materials will appear to take more references from the industrial heritage of the area, using earthy colours, masonry and metal and employing more of a warehouse style. In contrast, as mentioned earlier, the waterfront towers will have art deco references and make use of light colours and curved edges to reduce the impact of the building heights. The 'N' buildings in the foreground of View 14 comprise a mixture of both references.

7.263 The assessment concludes that the proposed development would result in Minor/Moderate Beneficial effect (Not Significant). In the cumulative scenario there would be modest change with further development either largely concentrated in areas to the north or east towards Millwall Inner Dock. However, due to the quantum of development that is taking place in proximity, people within this visual receptor grouping would be aware of extensive development taking place and the changing context. As such the significance of effect in the cumulative scenario would be Moderate Beneficial (Significant).

View 20 – Approach along Westferry Road (from North)

7.264 When considering this view, the Inspector noted that *"At the western end of the site, B1 (ground plus 12 storeys) would be sited close to Westferry Road (View 20B). The height and mass of this building, combined with absence of any significant setback or intervening lower-rise development, would result in a very dominant building that would be poorly related to the prevailing scale of this part of Westferry Road"*[13].

7.265 The image below shows View 20 with the proposed scheme rendered in the cumulative view with the Appeal Scheme outlined in red wireline.

Figure 24: BHTVIA View 20 (Approach along Westferry Road from North) cumulative view

7.266 In the above image, the reduction in height of building W1 (formerly B1) compared to the Appeal Scheme can be seen. This building was proposed at 48.22m (13 storeys) in height in the Appeal Scheme and has now been reduced to 43.63m (minus 4.59m) and reaching 10 and 11 storeys.

7.267 The BHTVIA has assessed View 20 as part of the receptor group 'Road Users of Westferry Road/A1206' which is also represented by the following viewpoints: Views 16 (122-126 Westferry Road Bus Stop), 19 (Approach along Westferry Road from north I), 21 (Approach along Westferry Road from south I), 22 (Approach along Westferry Road from south II) and 35 (Westferry and Claude Street).

[13] Para.433 of Inspector's Report A (IR.A) of Appeal Decision APP/E5900/W/19/3225474 dated 18th November 2021

7.268 View 20 and other views within this receptor group are likely to be experienced by users of Westferry Road including drivers and cyclists. The scheme would be visible to receptors travelling both north and south along Westferry Road. Travelling north to south the site becomes visible in glimpsed views at the junction of Byng Street and Westferry Road. In View 20, receptors will experience the new building in passing. The school and building W1 on the western edge of the site boundary would front Westferry Road.

7.269 Building W1 would reach a maximum of 11 storeys in height and be similar to others in the surrounding context. Building W1 has been designed as a 'gateway' building marking the western entrance of the masterplan and assisting in blending the scheme into the existing surrounding context. Both 'gateway' buildings in this scheme (E1 and W1) will employ a similar material language as the northern buildings helping to identify them as being a part of a wider development complex. However, the variations in colour and use of different shades of earthy tones help to add some visual interest. The massing of the buildings will be softened by the use of curved corners and the volumes are broken down by different setbacks at the upper levels.

7.270 In View 20, the waterfront towers (T1-T4) are more appreciated however the architectural detailing and the Art Deco style will differentiate these from the gateway buildings.

7.271 The scheme would be taller than the existing development located on the western front of Westferry Road. However, the development would be understood as part of the established context of tall and large development within the Millwall Inner Dock Tall Building Zone.

7.272 The assessment reports that receptors moving along Westferry Road would have a transient experience of the scheme, with views experienced as part of a moving sequence travelling north or south through the area. Once the site has passed, the proposals will not be visible. Views of the scheme would be limited and peripheral to the middle ground and backdrop of the view. Where seen, the proposals would be seen between existing tall and large buildings forming part of the Canary Wharf area.

7.273 Overall, the assessment concludes that the proposed development would result in a Minor Beneficial effect (Not Significant) to this receptor group in both the operational and cumulative scenarios.

Assessment against Tall Building Criteria

7.274 Policy D.DH6 of the Local Plan requires developments with tall buildings to demonstrate the following (as summarised):

a) have a proportionate height, scale, mass and volume.

b) be of exceptional architectural quality (including sustainable building design),

c) enhance character and distinctiveness of the area ensuring that townscapes, heritage assets, key views, skylines and landmarks are not affected,

d) provide a positive contribution to the skyline (day and night),

e) not prejudice future development potential of neighbouring sites,

f) maintain adequate distances between buildings and ensure a high quality ground floor experience,

g) demonstrate public safety requirements,

h) present a human scale of development at street level,

i) provide high-quality private communal open space/play space and public realm,

j) avoid microclimate impacts,

k) ensure no adverse impacts on biodiversity and open spaces, including watercourses and water bodies,

l) comply with civil aviation requirements and not have unacceptable impact on telecommunication.

7.275 Matters relating to criteria b), f), g), h), i), j), k) are discussed elsewhere in this report under relevant sections; Materials and Appearance, Quality of Residential Accommodation, Public Open Space/Public Realm, and Wind/Microclimate (both pedestrian and sailing microclimate) and the conclusions drawn are considered acceptable. The scheme is not considered to prejudice the future development potential of adjacent/neighbouring buildings or plots and therefore there are no conflicts with criterion e). Similarly, no objections to the proposals have been received from London City Airport or the National Air Traffic Services to indicate that the scheme conflicts with civil aviation requirements or impact on telecommunication as per part l). In terms of criteria a), c) and d) these are assessed below as part of the broader townscape assessment of the scheme.

Townscape Impact

7.276 The proposal would introduce prominent visual additions to the immediate, local and wider townscape having regard to the heights, scale and massing of buildings within the masterplan. The ES considers the surrounding townscape areas and determines the sensitivity of the views within these areas by considering their importance/value and their susceptibility to change.

Townscape Character Areas (TCA)

7.277 The BHTVIA considers the townscape impact of the proposed development on six Townscape Character Areas (TCA) as follows: TCA 1 (Millwall), TCA 2 (Canary Wharf), TCA 3 (Cubitt Town), TCA 4 (Blackwall and Coldharbour), TCA 5 (Deptford and Rotherhithe) and TCA 6 (Greenwich Pier). The likely effect of the proposed development on these Townscape Character Areas are summarised as follows:

7.278 *TCA 1 – Millwall*: This TCA covers the western part half of the Isle of Dogs, extending down along Millharbour from the boundary of the Canary Wharf Tall Building Zone (TBZ). High density residential and commercial development informs the existing context. The assessment reports that the site is located within the Millwall Inner Dock Cluster which comprises a secondary TBZ along the perimeter of Millwall Inner Dock. This area is subordinate to the Canary Wharf TBZ and provides a step in between the lower to mid-rise developments which are located in the southern part of the Isle of Dogs within Island Gardens.

7.279 The scheme has been designed to deliver a mixed-use neighbourhood set within a generous amount of publicly accessible open space with soft and hard landscaping areas that would improve the overall visual amenity and enhance the setting and character of the docks. The ES reports that the introduction of a new tall building at this site would help mark the location of the Millwall Outer Dock, improving legibility and wayfinding.

7.280 The ES reports that approaching the site from the north, receptors within TCA1 would appreciate the northern buildings (Blocks N1, N2 and N3) located at the northern periphery of the site boundary. These buildings are positioned north of the Boulevard and are designed to step down in height to the existing northern residential units. A 'Green Spine' traverses the masterplan area north to south in between building N3 to the west and N2 to the east, extending the pedestrian walkway at Starboard Way thus providing access and views towards Millwall Inner Dock, improving the legibility of the area.

7.281 The main visibility of the scheme would be experienced from the immediate streets with visibility largely contained within the south of Marsh Wall from the north and north of Spindrift Avenue to the south, as well as wider streets that align with the site.

7.282 The impact of the proposal on this TCA can best be seen in the following views:

- To the north of the site: Views 12 (Approach along Millharbour), 13 (Approach along Millharbour), 14 (64 Tiller Road/Starboard Way), 15 (17 Tiller Road/Millwall Dock Road), 18 (Across Sir John McDougall Gardens), 19 (Approach along Westferry Road from North).
- To the west of the site: Views 16 (122-126 Westferry Road) and 20 (Approach along Westferry Road from North) on Westferry Road.
- To the south of the site: Views 11 (Millwall Outer Dock), 39 and 40 from the southern edge of Millwall Outer Dock (both CGI views contained within the Design and Access Statement) and view 17 (Ashdown Walk) from the residential area to the south of Millwall Outer Dock.
- To the south of the site: Views 21 (Approach along Westferry Road from south), 22 and 35 (Westferry Road and Claude Street) on Westferry Road.
- To the south of the site: Views 27 (Chapel House St junction with Thermopylae) and 18 (Across Sir John McDougall Gardens) from Chapel House Conservation Area and;
- To the south of the site: View 24 (Great Eastern Lauch Site) from the river frontage the Great Eastern Launch Site.

7.283 Views 11, 39, 16 and 20 show the proposals at their greatest extent looking northwards towards the site across the open expanse of water at Millwall Outer Dock. In these views the proposed development is in the middle and foreground of the frame, seen in conjunction with other tall buildings located in the Canary Wharf TBZ to the north that forms the background of the view. View 11 is shown below depicting the cumulative view with a wireline of the consented scheme outlined in green.

Figure 25: BHTVIA View 11 – Millwall Outer Dock

7.284 In the image below the cumulative nighttime view of Millwall Outer Dock view can be seen.

Figure 26: BHTVIA View 11N – Millwall Outer Dock (Dusk)

7.285 Views 13, 14 and 15 looking south show the upper levels of the development rising above the roofline of interposing development whilst ground floor levels are occluded from view. From these views the architectural quality of the development would be apparent, including the different materiality and composition that respond to the industrial heritage of the area and is used to distinguish the different building types.

7.286 Other views taken from the west of the site, on Westferry Road and from within Sir John McDougall Gardens, reveal the new Boulevard road which acts as a pedestrian throughfare and assists in emphasising the residential character of the development. As distance from the site increases, views of the scheme would be limited to upper levels, with the lower half of the building occluded by interposing development. The assessment reports that, in addition, taller buildings in the wider context of the Isle of Dogs become more visible with increasing distance. As such the scheme would sit comfortably in these views, appearing at a similar height or subservient to others in the existing context.

7.287 The ES concludes that there would be a change of high magnitude to this TCA which is identified to have low-medium sensitivity, and the significance of effect would be Moderate Beneficial (Significant).

7.288 *TCA 2 – Canary Wharf:* This character area is located to the north of the site and is characterised by tall, large and modern development that forms the Canary Wharf TBZ. The townscape value of this TCA is identified to be high in the baseline condition. The BHTVIA reports that the scheme would be consistent with the development type which has been achieved in this character area and the proposals would continue the regeneration and redevelopment of this part of the Isle of Dogs.

7.289 The assessment reports that there is no visibility north of the Marsh Wall due to the density of development and building heights within this townscape character area which do not facilitate more distant views towards the site. As such a receptor's awareness of the scheme whilst they move through this character area is limited. In general, the massing of the proposal responds to the principles of development as set out in the Millwall Inner Dock TBZ which requires development to step down in height as one moves away from the Canary Wharf TBZ to the north.

7.290 The ES concludes that there would be a nil magnitude of impact on this TCA which is identified to have medium sensitivity, and the significance of effect would be None (Not Significant).

7.291 *TCA 3 – Cubitt Town:* This character area is located in the eastern half of the Isle of Dogs, its northern boundary aligning with the Canary Wharf TBZ, with Millwall Outer Dock to the west, and the River Thames to the east and northeast. This character area predominantly comprises residential buildings and includes a number of 20th century post-war housing estates. The northern extent and dockside at the western perimeter comprises a number of tall buildings. The Cubitt Town TCA also contains Millwall Park and Mudchute Farm to the south along with the River Thames to the east and northeast. The ES attributes a townscape value of Medium to the character area in the baseline scenario.

7.292 In terms of the impact of the proposal on this character area, the assessment reports that the waterfront buildings T1-T4 have been designed to improve legibility and wayfinding helping different receptor groups to identify the Millwall Dock. The upper levels of the southern and eastern elevations would be appreciated from views within this character area. The mass of the buildings is articulated through chamfered corners creating an elegant form which softens the urban character and bulk of the proposals. Other buildings to the north of buildings T1-T4 would only be visible in glimpsed views due to screening from interposing development. The assessment reports that the varied height, architectural styles and materiality lessen the magnitude of impact arising from the development and while an increase in density is perceived this would not be out of context with other developments in the wider tall building text.

7.293 The uses on the lower floors, enhanced landscaping and external amenity space will help to activate the ground floor area fronting the northern edge of the dockside. This activity would be visible from closer range views on the edge of the Millwall Inner Dock looking across water towards the site and would help contribute towards a landscaped waterfront environment thus improving visual amenity. The impact of the proposed development on this character area can best be experienced in Views 5 (Mudchute Park), 6 (Oakland Quay) and 23 (Millwall Park). The image below shows View 23 with the proposed development in blue wireline with the outline of the consented scheme depicted in green wireline.

Figure 27: BHTVIA View 23 – Millwall Park

7.294 The ES reports that the scheme would have a Medium to High impact on this TCA which is considered to have low sensitivity. The ES reports that the proposal would create a new landmark development visible from a number of locations within this character area where the urban character is more open. The redevelopment would improve the character of the Millwall Outer Dock northern waterfront which, as existing, appears as a vacant site cleared for redevelopment. The assessment concludes that the resultant effect would be Moderate Beneficial (Significant).

7.295 *TCA 4 – Coldharbour/Blackwall Basin Conservation Areas:* This character area is characterised by the residential neighbourhood of Blackwall and is separated by some distance from the application site. The existing surrounding townscape is formed of development which varies in scale, forms and architectural styles.

7.296 The assessment reports that the scheme would have no effect on the appearance of this part of the townscape or the way it functions. The site at its closest point is located over 1km from the TCA, and the impact of the proposal will be limited to visual impact. View 8 (Preston Road Drawbridge) of the BHTVIA would be of relevance and this view would be unaffected by the scheme, with interposing development screening the proposed development entirely from view. As a result, receptors located within this TCA would have no awareness of any change taking place on the site.

7.297 The ES concludes that there would be a nil magnitude of impact on this TCA which is identified to have low sensitivity, and the significance of effect would be None (Not Significant).

7.298 *TCA 5 – Deptford and Rotherhithe:* This TCA is located to the west and south of the site and is within the London Boroughs of Southwark and Lewisham on the opposite side of the River Thames to the site. The existing townscape is mixed with key elements including the River Thames frontage, former industrial land and extensive land areas that have been cleared for redevelopment along the river front. Further inland, buildings are predominantly low to mid rise and residential in use.

7.299 The site at its closest point is located 500m from this TCA and over 750m from built development and the impact of the proposal will be limited to visual impact. The assessment reports that the scheme would have no effect on the appearance of this part of the townscape or the way it functions. Visibility is shown to be largely contained within the immediate riverside with limited visibility further inland beyond the river frontage. Visibility also occurs from sites which have been cleared for major redevelopment; however, once planning consents have been built out the visibility of the scheme in these locations and beyond would diminish.

7.300 Views from this character area include views 9 (Stave Hill), 25 (Green Land Dock) and 26 (Dockmaster's House, Deptford). The assessment reports that in each of these views, the scheme would appear as a new feature in the backdrop, seen in conjunction with the existing tall building cluster at Canary Wharf. Overall, the scale of the tallest tower elements would sit comfortably within the established skyline and would not be readily discernible from the existing cluster. The image below shows the cumulative View 9 with the proposed development outlined in blue wireline and the consented scheme outlined in green wireline.

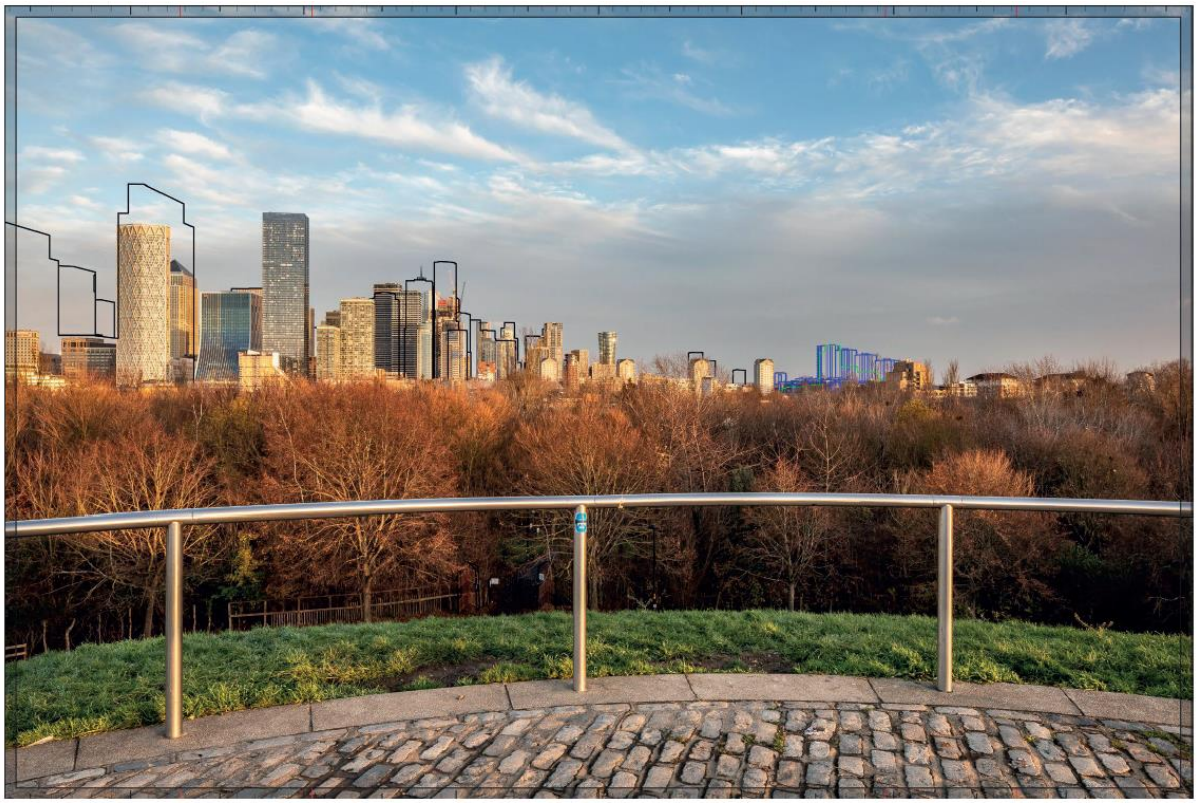

Figure 28: BHTVIA View 9 (Stave Hill)

7.301 The ES concludes that there would be a nil magnitude of impact to this TCA which is identified to have low sensitivity, and the significance of effect would be None (Not Significant).

7.302 *TCA 6: Greenwich Pier:* This TCA is located to the south of the site and includes the waterfront development at Greenwich as well as a proportion of the River Thames. The character area is separated by some distance from the site and the assessment reports that the scheme would have no effect on the appearance of this part of the townscape or the way it functions. The site at its closest point is located over 1.15km from the TCA, and the impact of the scheme will be limited to visual impact.

7.303 BHVIA views taken from this TCA include views 7 (Royal Naval College), 41-46 (views moving through Greenwich Park[14]) and 47-50 (central walkway at the Royal Naval College[15]). The scheme appears similarly in these views, forming an additional tall building element within the tall skyline where a number of existing tall buildings preside and in particular the Canary Wharf cluster.

7.304 The ES concludes that there would be a nil magnitude of impact to this TCA which is identified to have medium sensitivity, and the significance of effect would be None (Not Significant).

Construction and Cumulative Impacts on Townscape Character Areas

7.305 During the construction phase of the development, the ES reports that as the site has already been cleared as part of the implemented 2016 consent, the extent to which the character of the townscape will temporarily be altered is reduced. During the construction works, the full perimeter of the site would be enclosed with hoardings which will assist in providing a visual buffer to the immediate environment. However, due to the scale of the development and proximity to sites that are in occupation, the development will have some townscape impact during the construction phase of the development.

7.306 The assessment reports that Townscape Character Areas 4 (Blackwall/Coldharbour Lane Conservation Areas), 5 (Deptford and Rotherhithe) and 6 (Greenwich Pier) would experience

[14] Views Greenwich Park GV1 – GV6 of BHTVIA
[15] Views GV7-GV8 (Queens House) and GV9-GV10 (University of Greenwich) of BHTVIA

a magnitude of impact of Nil (Not Significant) due to the separating distance and interposing development.

7.307 The construction stage would have a direct impact on TCA 1 (Millwall) in which the scheme is located. The activities related to construction are most likely to affect the townscape receptors closest to the site. The magnitude of impact will be greatest where there are more sensitive uses, such as residential uses, in close proximity. This includes properties located on Tiller Road, Westferry Road and Millharbour. The assessment reports that the magnitude of impact would be Medium and the likely significance of effect would be direct, temporary and medium-term Minor to Moderate Adverse (Not Significant). The adverse effect would cease upon completion of the scheme.

7.308 In terms of character areas TCA 2 (Canary Wharf) and TCA 3 (Cubitt Town), both of these areas are likely to experience some impact from the construction phase of the development which would have an adverse effect on the townscape appearance and function. The impact on TCA 2 would be limited due to the density and height of interposing development within the northern area of the Millwall character area (TCA 1) and the southernmost region of Canary Wharf resulting in limited visibility beyond Marsh Wall. As such the likely impacts would be views of cranes in the distance rising above existing roof lines and potentially road closures, increased traffic and noise and dust pollution; however, these impacts would be limited/appropriately mitigated. The ES concludes that the magnitude of impact on TCA 2 would be Low and the significance of effect would be Minor Adverse (Not Significant).

7.309 TCA 3 (Cubitt Town) is also likely to experience some impact due to the open character of the docks allowing views of the development site across the Millwall Outer and Inner Dock bodies of water. However, the assessment reports that the effects will be limited to partial visibility of construction vehicles and machinery, dust and some noise. The separating distance and interposing development is greater than that between the application site and TCA 2 (Canary Wharf) and therefore the likely effects will be even less in TCA 3. The ES concludes that the magnitude of impact on TCA 3 would be Low and the significance of effect would be Minor Adverse (Not Significant).

7.310 In terms of the impact of the development on the 6 Townscape Character Areas in the cumulative context, the ES confirms that the impact of the scheme will not give rise to any material change over and above that identified in the assessment for the completed development scenario as discussed earlier in this report. .

Conclusions on Tall Building Policy

7.311 It is noted that planning permission has been granted for tall buildings at the application site and this represents a fallback position. The consented scheme established the maximum height of 110.90m on the basis that whilst the building heights would rise well above the immediate context including the 4 storey development on the south side of the dock, Officers considered that the towers would improve legibility of the area, emphasising the visual significance of the north side of the dock and enhance the skyline. Building heights in the consented masterplan increase towards the dock edge where T4 terminates and steps down to the west. Officers considered that the increase of height and scale towards the south-eastern corner would provide a visual marker for the site when viewed south along Millharbour and relate to the taller buildings that have been granted planning permission to the east (Crossharbour District Centre).

7.312 Officers have carefully considered and assessed the proposed scheme against Parts 1 and 2 of Policy D.DH6 of the Local Plan and consider the proposed development continues to broadly comply with this policy. The proposed development maintains the maximum height of 110.90m across the masterplan and continues to step down from east to west. However, Place Shaping Officers have noted that tower T4, the tallest building along the dock edge, has lost its clear role as a marker building within the townscape and as such the design composition of the extant planning permission, with diminishing heights moving west, has been eroded. Whilst Officers agree that the increase in height of the buildings across the masterplan visually reduces the degree of graduation in height between T1-T4 in particular, building T4 will still be recognised as the tallest building within the masterplan and still serves

to function as a marker building terminating the dock edge, albeit to a lesser degree than the extant planning permission.

7.313 Place Shaping Officers have also raised concerns with regards to the height of building E1. During pre-application discussions Place Shaping Officers considered that a maximum of 15-storeys (approximately 45m) would be appropriate for E1, but building E1 is proposed at double height ground plus 15-storeys. Place Shaping Officers consider that this building in particular does not comply with the Local Plan policy requirement to step down from Marsh Wall and does not have a townscape role to justify a taller building in this location.

7.314 Whilst Place Shaping Officers' comments are noted and Officers agree that there is merit from a townscape perspective in building E1 being lower in height, Officers also acknowledge that the BHTVIA accompanying the planning application has demonstrated how building E1, in conjunction with the northern blocks and courtyard buildings, provide a buffer and gradual step up in height towards the towers proposed along the dock front. Building E1 is also an affordable housing block and any amendments that would see a reduction in height of this block could potentially impact on the affordable housing offer of 35% proposed under this scheme. When balancing the benefits of the proposal against this localised concern with the scheme in isolation, Officers do not consider that the townscape harm outweighs the public benefits of the proposal and therefore, on balance, the proposed height of building E1 is considered to be acceptable. Moreover, notwithstanding the concerns raised in respect of building E1, Place Shaping Officers recognise that the proposal, whilst intensifying the use of the site, does seek to optimise residential development in line with Policy D3 of the London Plan.

7.315 On balance, therefore, Officers conclude that the proposed development and the increase in height of buildings from the extant planning permission, broadly accords with the ambitions and policy objectives of Policy D.DH6 through the considered distribution of height and massing across the site, the architectural quality of the development and the pedestrian and human environment and experience as discussed elsewhere in this report. The masterplan as a whole is considered to meet Objective GG2 and Policy D3 of the London Plan which identifies that to create sustainable mixed-use places that make the best use of land, those involved in planning and development must amongst other things apply a design-led approach to determine the optimum development capacity of sites.

Architecture and Appearance

7.316 As detailed earlier the building plots within the masterplan are classified into four typologies: The Gateway Buildings (E1 and W1), The Waterfront Towers (T1-T4), The Courtyard Buildings (C1-C3) and The Northern Buildings (N1-N3). The architectural design of the masterplan as a whole takes inspiration from the character of the Docklands and the surrounding area. With a variety of architectural expression across the masterplan, each of the four building typologies has its own materiality and character.

<u>Gateway Buildings</u>

7.317 The Gateway Buildings will share similar massing and façade design principles with each building consisting of two interlocking massing volumes. These vertical volumes are then broken down into three distinct parts to form a base, middle and a top.

7.318 For both buildings, the arrangement of the vertical volumes create a setback at roof level to create roofscape interest to each building. The stepped roofscape can be used to create a terrace with a biodiverse green roof with the main volume of the buildings extending to full height to accommodate photovoltaic panels and plant.

7.319 At the base of the buildings, the ground and mezzanine floors include extensive full height glazing which allows for transparency and allows for active frontage facing the Dockside Gardens and Boulevard (building W1) or Park East and the Boulevard (building E1). The residential uses of both buildings is visually reflected in the brickwork facades, uniformly sized windows, rounded corners and balconies. The balconies and brickwork banding create a

horizontal reading that expresses the floor slabs and helps break up the verticality of the buildings.

Figure 29: CGI of building W1 (Southeast View from Dockside Gardens)

7.320 The Gateway buildings are built from bricks and reference historic warehouse buildings that are associated with dockside locations. It is proposed to use different shades of warm and earthy toned bricks to create a differentiation from the other buildings whilst still enabling them to feel like a coherent part of the overall masterplan. The image below identifies the indicative materials proposed:

1. External Wall Finish: Ibstock Brick- Niveus (or similar) with Medium Grey Mortar

2. External Wall Detail (horizontal banding): Ibstock Brick-Bradgate (or similar) with Medium Grey Mortar

3. Balcony Cladding, Parapet Coping, Balustrades, Louvres: Brushed Bronze Aluminium

Figure 30: Materials palette for Gateway buildings

7.321 To complement the brick tones, the metal highlights such as the windows, balconies and external balustrades are proposed in brushed bronze-coloured aluminium.

Courtyard Buildings

7.322 The Courtyard Buildings provide areas of semi-private communal amenity use for residents at podium courtyard levels with elevated views to the water. The Courtyard Buildings benefit from southern views over the three podium courtyards and towards the waterfront views of the dock. The inner courtyard residential units that overlook the podium levels include angled hanging balconies to facilitate improved dock views and privacy. The remaining views from these buildings provide oblique views of the dock front or a view towards the green areas of the spine routes or the Boulevard.

7.323 As a group, the Courtyard buildings create a varied mid-rise backdrop behind the Waterfront Towers when viewed from the south. Each building consists of three interlocking massing volumes that create a varied roofscape. The three courtyard buildings step down in height from east to west in a similar way to the Waterfront Towers with C1 being the lowest building reaching 6-8 storeys. The volumes of the buildings are arranged in a 'U' shape to create the south facing podium courtyards.

Figure 31: Podium courtyard CGI view of building C2

7.324 At the base of the buildings, the ground and mezzanine floors are set back from the staggered volumes above to provide a continuous façade along the Boulevard and spine routes. The lower floors are differentiated from the brickwork above by a continuous, horizontal GRC (glass reinforced concrete) band. At ground level, extensive full-height glazing in combination with light grey GRC panels are proposed to provide visual connection with the commercial spaces on the ground floor.

7.325 Above the ground floor, the northern volume would appear elevated with a cut-out in the massing at the mezzanine and first floors to allow for natural daylight and ventilation to the Boulevard and creating a visual connectivity from the promenade through to the podium and into the Boulevard. Visually the façade treatment of the courtyard buildings consists of uniformly sized windows, and two different balcony designs: rectangular balconies along the east, west and north facades; and hanging balconies facing the podium courtyards reflecting the industrial heritage of the site.

7.326 The courtyard buildings seek to adopt the warm and earthy tones of the brick façade of the Gateway buildings and light grey and beige tones from the Northern buildings. Each of the courtyard buildings will utilise subtle variations of brick colours to give each building an identity. Building C1 will contain a contrasted combination of earthy and grey tones. Building C2 will be more muted in colour, both in terms of its shade and tone variation in comparison with building C1. Building C3 will reference the colour contrast of building C1 however its tone will

be paler and similar to building C2. Contrasting with the brickwork, dark grey hanging balconies are proposed again to reference the industrial heritage of the site. The balconies will be consistent across all three courtyard buildings. The image and materials key below illustrates building C2 as an example.

Figure 32: Detailed elevation for building C2

Figure 33: Materials palette for building C2.

7.327 At the lower levels, all the courtyard buildings propose the use of GRC panels below a GRC banding at first floor level to create visual and physical links to the towers. The light grey coloured GRC panels will incorporate an intricate vertical pattern contrasting with the brickwork above. Dark grey aluminium window frames are deployed to provide synergy with the balconies.

7.328 All the courtyard buildings adopt a consistent design approach and language to mark the residential entrances with the use of aluminium feature panels and canopies so that they are easily identifiable.

Northern Buildings

7.329 The Northern buildings have been designed to respond to their location and proximity to the existing low-rise residential properties on Clarie Place and Starboard Way. The Northern buildings offer views over external communal amenity areas, the school playing fields and the skyline of Canary Wharf beyond.

7.330 Buildings N1 and N2 have 'L' shaped footprints aligned along the Boulevard to the south and set back from the site boundary to the north. Each building consists of two interlocking massing volumes that step down in height from the south to the north to create a setback from the northern boundary to minimise the impact of the massing of the buildings. This introduces a stepped roofscape to the buildings that can accommodate areas of biodiverse green roof, photovoltaic panels and plants.

7.331 The middle component of these buildings houses the residential uses and the architectural language used to reflect this includes brickwork facades featuring domestically scaled windows, rounded corners to soften the massing of the buildings, and residential balconies. Brickwork horizontal banding is proposed to emphasise the floor slabs and break up the massing of the buildings.

7.332 At the base, there is an upwards slope from Starboard Way to the Boulevard thus the ground floor heights of the buildings N1 and N2 vary to respond to the sloping context.

Figure 34: CGI of buildings N1 and N2 southeast view

7.333 The materiality of the buildings would be similar to the Gateway and Courtyard buildings and comprise light grey and beige toned brickwork. The colours would alternate between buildings N1 and N2 to give each building its own identity whilst being part of a group. To complement the brickwork, brushed bronze-coloured aluminium is proposed for the balconies and windows across all the northern buildings.

1. External Wall Finish (N1), Detail (horizontal banding, N2): Ibstock Brick - Moseley (or similar) with Dark Grey Mortar

2. External Wall Finish (N2), Detail (horizontal banding, N1): Ibstock Brick - Finnieston (or similar) with Medium Grey Mortar

3. Balcony Cladding, Parapet Coping, Balustrades, Louvres: Brushed Bronze Aluminium

Figure 35: Materials palette for buildings N1 and N2

7.334 Building N3 follows a similar principle to buildings N1 and N2 in that it takes the form of an 'L' shaped building comprising interlocking massing volumes. It differs from buildings N1 and N2 in that it has a setback at Level 09. Building N3 would also share the material palette of building N1 with the main façade comprising light grey brick with beige horizontal banding with bronze coloured balconies and windows.

7.335 Across all three buildings, full height glazing and metal louvres are introduced to the base of the building, aligning to the window openings at the upper levels and creating a consistent visual language across all three buildings.

Waterfront Towers

7.336 The Waterfront Towers (T1 – T4) are located along the promenade and offer panoramic views of the water to the south, Canary Wharf to the north and distant views to the City and the River Thames to the West. The towers will be notably distinctive from the brick-clad Gateway, Courtyard and Northern buildings and the architectural language takes inspiration from Art Deco and contemporary references around the Docklands.

7.337 Buildings T1-T3 stand at 19, 23 and 27 storeys respectively, forming a gradual step down from the tallest tower T4 which stands at 31 storeys. The façade treatment of the waterfront towers is composed of a unitised curtain wall system with glazed fixed and opening windows, glazed doors, and light grey GRC cladding with a vertical ribbed texture. The overall reading of the massing of the towers is softened by rounded corners and residential balconies.

7.338 Slender horizontal banding on the waterfront towers adds visual interest in the articulation of the buildings. The light grey GRC cladding which is expected to have a lifespan of 60-80 years is panelised as part of the unitised curtain wall façade system. Vertical lines embedded into the cladding system seek to emphasis the lightness and verticality of the towers. Towers T1-T3 include dark grey metal accents to the balconies, balustrades and windows to allow elements of the towers to have synergy with the courtyard buildings.

Figure 36: CGI of Waterfront Tower T1 from southwest

Figure 37: Material palette for T1-T3

7.339 On the western façade, to mitigate against overlooking between adjacent balconies, a section of the balustrade extends to become a full height screen for additional privacy. The GRC banding along the base of the first floor and extended to the courtyard buildings expresses the floor slab locations and helps break up the verticality of the Towers' volumes. Similarly, aligning with the balconies of the towers, the light grey GRC spandrel flows around the curved corners of the buildings and contrasts with the vertically fluted GRC panels on the façade.

7.340 T4 has a larger and different footprint to buildings T1-T3 thus the verticality of T4 is enhanced through the composition of two vertical volumes. As it forms part of the same group of buildings as T1-T3, T4 also takes its cue from both Art Deco and contemporary references. The façade treatment of building T4 would, like buildings T1-T3, be composed of a unitised curtain wall system with glazed fixed and opening windows, glazed sliding doors and light grey GRC cladding with the same vertical ribbed texture. Building T4 will also incorporate rounded corners and slender horizontal banding to provide visual interest and break up the volume mass.

7.341 Where T4 differs from buildings T1-T3 (with the exception of the building footprint) is in the use of brushed bronze metal balconies, balustrades and windows to differentiate it from the remaining group of towers.

Figure 38: Close up CGI of building T4

7.342 The lower levels of T4 adopts a similar architectural language to the remaining towers and the courtyard buildings, proposing double-height glazing with coordinated coloured metal louvres. The residential entrances to T4 are marked using brushed bronze-coloured aluminium intended to also serve as a wayfinding feature.

School Buildings

7.343 The school has been designed to reflect the close urban grain of its immediate surrounding area. The maximum number of storeys of the school building when viewed from Westferry Road would be 5-storeys. However, due to the site's sloping topography in some views the school would appear to reach 4-storeys. The teaching wing is one storey lower than the main school building and will reach 3-storeys in height when seen from Millwall Dock Road and 4-storeys when viewed from Westferry Road.

7.344 The heights of the school buildings have been designed to be comparable to other buildings in the immediate surrounding area, the closest being Caravel Close and the Docklands Business Centre, albeit Caravel Close has a 2-storey wing closest to the school site.

7.345 The appearance of the school has been designed to balance a strong exterior outer skin of moulded concrete which wraps around the main school building on the upper levels and a more transparent façade treatment at the lower levels. The Westferry Road elevation will be part four and part five-storey and the main entrance to the school building will be set behind a double-height dining hall and school hall spaces and consist of a curtain wall system with copper aluminium mullions and louvres to articulate the façade.

Figure 39: CGI view from Westferry Road looking onto the Boulevard

7.346 The southern elevation of the school faces the Boulevard and the 5-storey teaching block and the 2-storey sports block are connected by a bridge link. The main teaching block will visually incorporate similar principles to the western elevation with the addition of the dominant library volume which forms an extruded double-glazed volume that protrudes slightly from the façade. The library has been designed to be open and transparent from the Boulevard and allow for generous views into the interior from the street. For consistency with the main school building, the sports block has been designed with low-level polished concrete and a concrete outer skin of moulded concrete at upper levels aligned to the level 01 datum throughout. The eastern and northern elevations of the school buildings will, like the other elevations, incorporate moulded concrete outer skins and a curtain walling system with louvres and copper mullions that provide articulation to the façade. The materials pallet for the school buildings can be seen in the image below.

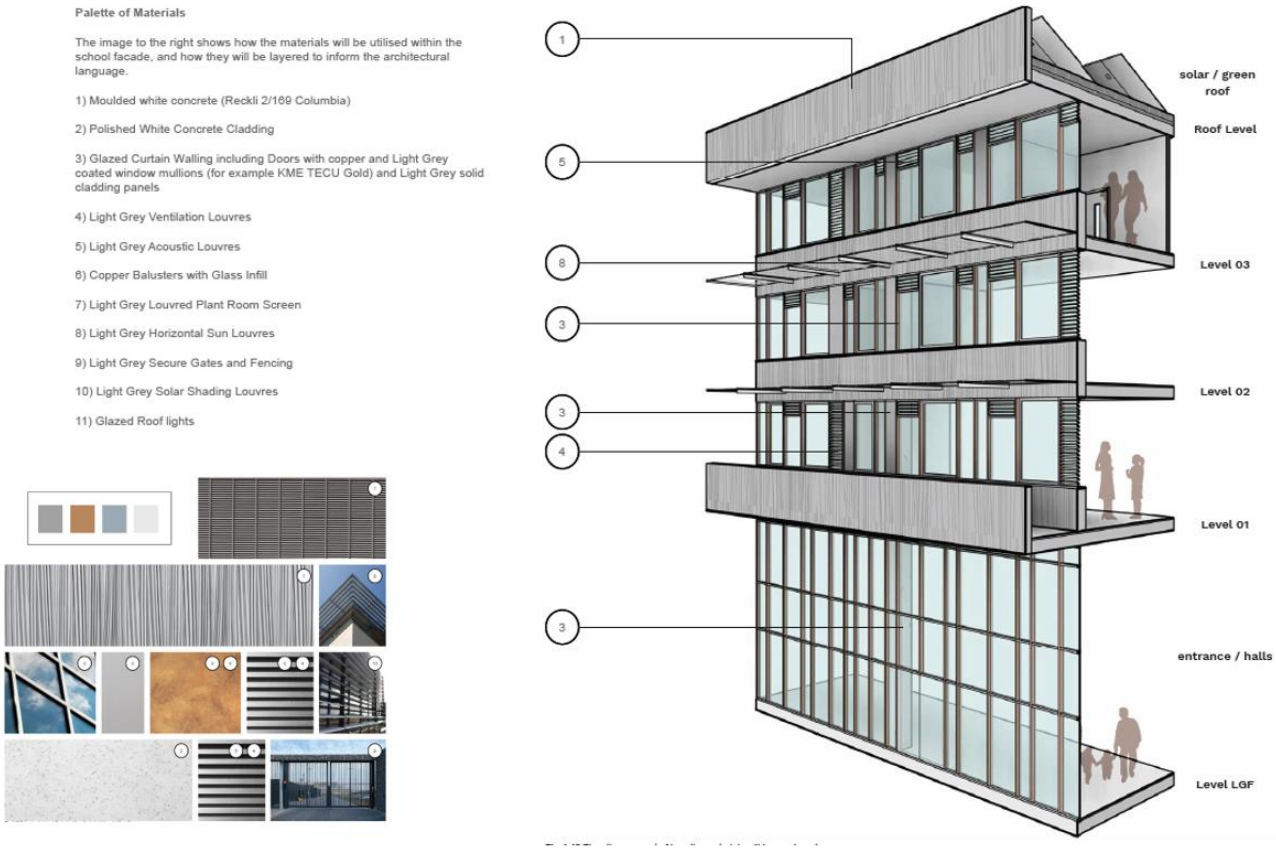

Figure 40: Materials palette for school buildings

Summary on Architecture and Appearance

7.347 In summary, Officers are confident and comfortable that the scheme would deliver very good design principles and that it incorporates appropriate strategies to address the base and upper levels of buildings and respond to different character areas proposed within the masterplan. Officers are satisfied that the Design and Access Statement accompanying this planning application and associated plans appropriately sets out how the delivery of quality buildings and associated public realm and landscaping could successfully be achieved. There are different façade treatments across the character areas of the masterplan and the use of a strong masonry palette with complementary colours assists in emphasising the dockside setting. The Art Deco character of the waterfront towers assists in differentiating the dockside towers from the rest of the masterplan. Place Shaping Officers have confirmed that whilst they consider that the Art Deco approach lacks relevance in this context, it is not to the detriment of the overall proposals and the relationship between the towers and the midrise buildings to the north is positive with a clear distinction between architectural language which works well.

7.348 It is noted that Sport England's objections relate to the internal and external layout and design of the school site. Namely, the size of the sports hall, size of internal storage provisions and changing room layouts. Sport England also consider the size of the MUGAs and artificial pitches should be amended to meet Sport England design guidance. However, the Applicant has advised that the school has been designed in accordance with the requirements of the DfE (Department of Education) who have not submitted any objections to the design and layout of the school site. As such it is considered that the site, layout and design of the new school is acceptable.

7.349 Overall, the overarching design principles within the scheme would ensure that the buildings have a positive relationship with each other and within different character areas of the wider masterplan. Full details of materials proposed to be used in the construction of the development (including the substation) will be secured via condition.

Safety & Security

7.350 Policy D11 of the London Plan requires all forms of development to provide a safe and secure environment and reduce the rear of crime. This is similarly reflected in Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and the perception of safety for pedestrians and other users.

7.351 The submitted supporting planning application documents detail safety and security measures incorporated into the masterplan. These include (but are not limited to) access control to the Boulevard and into buildings for pedestrians; a 24/7 Central Estate Management Office (located within the ground floor of building C3); a dedicated parcel store for increased security; enhanced permeability of the site to be supported by adequate surveillance (including CCTV) and lighting and various layers of access control and security management to be considered for the basement.

7.352 The Applicant has engaged with the Metropolitan Police Designing Out Crime Officer prior to submission of the planning application and these discussions have resulted in the introduction of the police base within the masterplan. The Police Base will also be located at ground floor level of building C3 and near the Central Estate Management Office. The purpose of the police base is to provide a space for the Safer Neighbourhoods Team.

7.353 In terms of the secure by design measures for the secondary school, the submitted Design and Access Statement details that public areas within the school site boundary have been designed with secure, managed boundaries with access control. The main pedestrian route between the main school building and the sports block has been designed to maximise the width and be overlooked to increase light and visibility throughout the route. Hard-wearing concrete will be utilised on lower levels and the school's concrete façade will act as a hard boundary along the majority of the pedestrian routes. External lighting will cover all pathways, canopies, roads, ancillary areas and any external areas associated with the new development.

7.354 During the school's operating hours, visitors will need to report to the main visitor entrance located in the main school building where they will be required to sign in with school staff and visitors will be escorted by staff members around the school premises. The transition area between the main school building and the sports block has been designed to be safe and secure and separated from the public realm through the provision of a bridge crossing at level 02 of the school buildings.

7.355 The proposed development has been reviewed by the Designing Out Crime Officer who has requested that a relevant Secured by Design condition be imposed should planning permission be granted.

Fire Safety

7.356 Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. To this end, Policy D12 (Part B) requires Fire Statements to detail how the development proposal will function in terms of 6 criteria set out under Part B of this policy. The Mayor of London Housing Design Standards London Plan Guidance (LPG) (June 2023) contains a number of standards in relation to fire safety including that it is ensured that every apartment building has a safe and convenient means of escape and associated evacuation strategy for all building users (Standard B5.1) and requiring that developments meet the latest fire safety requirements introduced in Amendments to Approved Document B: Fire Safety relating to the Building Regulations 2010 (March 2024), including those for a second staircase on buildings that have a top storey of 18m or more in height.

7.357 The application has been accompanied by a HSE Planning Gateway One and London Plan Fire Statement and 3 x Outline Fire Strategies (courtyard buildings and the waterfront towers; gateway buildings; and northern buildings and school) all prepared by Kiwa Fire Safety compliance (KFS). These reports have been prepared by KFS based on a high-level review of the design information. Recommendations contained within these reports are expected to

be carried through in the detailed design stage of the development. The Outline Gateway One and London Plan Fire Statement addresses each of the criteria under Policy D12 (Part B) as follows:

7.358 ***Criterion 1 – The building's construction: methods, products and materials used, including manufacturers' details:*** The Fire Statement details that the main construction method for the proposed development will be reinforced concrete frame structures. Depending on the height of each building, any loadbearing elements of the structure will achieve the required fire resistance in terms of loadbearing capacity. For all buildings over 18m, fire-fighting shafts will be provided which are enclosed in 120-minute fire-resisting construction. All vertical shafts and risers will be designed to maintain the fire resistance of the floors they pass through and the residential part of each block will be separated from adjacent apartments and from protected corridors by 60-minute fire-resisting construction and the residential parts of each block will be separated from the non-residential areas by at least 120-minute fire compartmented walls and floors.

7.359 ***Criterion 2 – The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach:*** The Fire Statement states that in purpose-built blocks, special provisions are made to ensure that a fire is contained within the flat of origin and that common escape routes and stairways remain relatively free from smoke and heat in the event of a fire within a dwelling. The general fire strategy for the residential blocks is a stay put strategy and simultaneous evacuation of the entire building will not be necessary unless instructed otherwise by the attending fire rescue service. Escaping occupants will make their route to the stair via a corridor provided with smoke control systems and on the ground floor, they can reach the open air directly through the stair discharge or via the protected corridor.

7.360 In terms of the non-residential sections of the buildings, a simultaneous evacuation strategy will be adopted whereby all occupants in the fire-affected alarm zone will escape. In terms of the school building, both the main building and the sports block will be evacuated simultaneously in the event of a fire. An evacuation lift and firefighting lift will be provided to each residential core and disabled occupants affected by any fire would escape into the stair enclosure to await assistance or would escape directly via the evacuation lift. Within the school, disabled occupants would also escape via an evacuation lift or the stair. The evacuation lifts may be combined with the passenger lifts, subject to them providing the same functionality as an evacuation lift. The evacuation lifts in all blocks discharge at ground floor level into a protected lobby. This approach would also apply to the school buildings.

7.361 ***Criterion 3 – Features which reduce the risk to life: fire alarms systems, passive and active fire safety measures and associated management and maintenance plans:*** Each flat will be provided with a smoke detection and alarm system. Where a smoke control system is provided in residential communal areas such as corridors and stairs, an automatic fire detection system will be provided to activate such a system. The non-residential sections of the buildings will also be protected throughout with automatic fire detection and alarm systems as will the school buildings.

7.362 Residential areas in each building will be protected throughout with domestic sprinkler systems and non-residential areas and car parks will have sprinkler protection throughout. Any commercial units designed to shell and core will be provided with, as a minimum, a zone valve and capped connection to the commercial sprinkler system for future connection during fitting-out stage. The school will also have sprinkler protection throughout. Residential communal corridors and all firefighting shafts will be protected with either mechanical smoke ventilation systems or natural smoke extract systems and common stairs in each block of flats will have smoke ventilation systems. Any enclosed basement area will be ventilated via either natural smoke ventilation system or a mechanical extract system capable of providing 10 air changes per hour, handling gas temperatures of 300°C for a continuous period of not less than 60 minutes and operating automatically on activation of the sprinkler system or fire alarm system.

7.363 In terms of the school, the firefighting stairs and lobbies will also be protected with either mechanical smoke extraction system or natural smoke ventilation system. The basement of the school (which is separated into a northern compartment and southern compartment) will

have natural smoke ventilation at Level 0 of the northern compartment and smoke ventilation which is achieved via direct access doors from the yard on the west side of the building and main atrium at Level 0 of the southern compartment.

7.364 In the event of a failure of the main supply within the development, each life safety system will have an independent power supply that will operate the following systems: automatic fire detection and alarm systems, emergency lighting, firefighting shaft, all fans, actuators and controls associated with mechanical smoke ventilation systems, sprinkler systems and evacuation lifts. In terms of maintenance, fire safety systems will be maintained in accordance with the relevant British or European standards and an inspection, maintenance and repair manual shall form part of the fire safety manual and be incorporated in the building management plan.

7.365 ***Criterion 4 – Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these:*** The Fire Statement advises that access for the fire and rescue service will be provided in accordance with relevant guidance and legislation and includes the provision of fire appliance access points to the residential cores on the ground floor levels.

7.366 ***Criterion 5 – How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building:*** All the additional access routes provided around each building will be designed to meet British Standard recommendations (BS 9991[16] and BS 9999[17]). The Fire Statement advises that the roadways will, as a minimum, provide a 3.7m clear width, 3.7m vertical clearance height and a minimum load-bearing capacity of 14 tonnes. Fire service access within the curtilage of the site will be kept clear of any obstructions in order to provide appropriate positioning for the fire appliances in proximity to the entrance of the buildings.

7.367 ***Criterion 6 – Ensure that any potential future modifications to the building will take into account and not compromise the base build fire/safety protection measures:*** The Fire Statement recommends that all fire safety design information is recorded during the design and construction stage including but not limited to information concerning escape, fire compartmentation, and fire safety systems information. To ensure that the thread of information persists throughout the building life cycle, the digital record of these documents should be held by the operator of the building and transferred when building ownership changes.

7.368 As detailed earlier in this report, the courtyard buildings and waterfront towers are connected with a common basement. The submitted Fire Strategy details that the basement will be mechanically ventilated via a system which will need to be capable of providing 10 air changes per hour, handling gas temperatures of 300° for a continuous period of not less than 60 minutes, and operating automatically on activation of the sprinkler system or fire alarm system. The basement area will be treated as a single evacuation zone, whereby upon detection of fire in the zone, the entire zone will be evacuated. The stairs serving the basement are independent from the residential stairs and lead directly to open air.

7.369 The Fire Statement details that the proposal aims to provide fire protection for the basement EV charging facilities including the provision of sprinklers to reduce the rate of fire spread, and an automatic fire detection system with the fire alarm connected to the electrical power supply for the vehicle charging points so that the power is disconnected and they automatically switch off in the event of a fire. Separation distances between parked vehicles will also reduce the likelihood of fire spread to adjacent vehicles. As all the parking spaces will be designed to be accessible parking spaces, maximum separation between charging bays and the adjacent bays will be achieved.

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[16] BS 9991: 2015. Fire safety in design, management and use of residential buildings. Code of practice.

[17] BS 999: 2017. Fire safety in design, management and use of buildings. Code of practice.

7.370 The Fire Statement also recommends that any charging bays are located away from areas of high fire load i.e. bin stores. In the event that these are nearby, fire-resistant construction should be provided in order to separate the ignition risk from the EV charging points from the fuel load (bins). The Fire Statement confirms that the design proposals for the development achieves this. In terms of the location of EV charging points, the Fire Strategy confirms that given the number of emergency exits around the car park, the relatively short travel distances and the multiple exists available, the distribution of charging bays is not deemed to be an issue.

7.371 Buildings N1 and N2 will share a basement (undercroft) car park which will adopt similar fire protection measures as outlined for the larger basement beneath the courtyard blocks and the waterfront towers. The basement will be provided with natural smoke ventilation with nearly one-third of the basement car park uncovered and open directly to the open air. The basement area will be treated as a single evacuation zone, where if any fire is detected then the entire zone will need to be evacuated. In the case of an emergency, occupants from the car park can evacuate via either an open stair located on the southern side of the basement car park or the open car ramp leading to ground level.

7.372 Overall, Officers are content that the Applicant has demonstrated that the masterplan incorporates adequate fire safety measures in accordance with London Plan Policy D12 and neither the HSE nor the GLA have expressed any objections, in principle, to the submitted fire strategies. Officers will be seeking to ensure however, that detailed fire strategies are submitted as the design and construction of the development progresses. These will be secured via the imposition of appropriate conditions.

Design Conclusions

7.373 In conclusion, the proposal is considered to broadly accord with relevant development plan policies and the scheme is considered to be compliant with the development plan as whole. Officers are satisfied that the proposed masterplan as whole would deliver a scheme of quality design and landscaping demonstrating good urban design and placemaking principles within the masterplan. There are localised concerns in relation to parts of the masterplan i.e. the height of building E1 and impact on neighbouring amenities in terms of reduction in daylight and sunlight, however these impacts are considered to be outweighed by the regeneration benefits of the proposal.

PUBLIC OPEN SPACE/PUBLIC REALM, BIODIVERSITY AND ECOLOGY

7.374 Chapter 2 of the NPPF stipulates that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These objectives being: an economic objective, a social objective and an environmental objective.

7.375 The social objective is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. Paragraph 96 of the NPPF requires planning policies and decisions to aim to achieve healthy lifestyles, especially where this would address identified local health and well-being needs, for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

7.376 Policy G1 of the London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also

recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4. Policy G6 of the London Plan requires developments to, amongst other things, manage impacts on biodiversity and aim to secure net biodiversity gain.

7.377 Policy D8 of the London Plan requires development proposals to, amongst other things, ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.

7.378 At the local level, Policy D.DH2 of the Local Plan promotes the use of high-quality paving slabs, bricks and pavers for footways, parking spaces and local streets to create attractive, accessible, comfortable and useable development. Soft landscaping should be maximised to soften the streetscape and provide visual and environmental relief from hard landscaping, buildings and traffic. Policy D.ES3 of the Local Plan seeks to protect and enhance biodiversity in developments by ensuring that new developments maximise the opportunity for biodiversity enhancements, proportionate to the development proposed. Policies S.OWS1 and D.OWS3 of the Local Plan seek the delivery of new publicly accessible open space on-site which should, amongst other things, be visible and accessible from the public realm surrounding the site and be of a high quality and inclusive design and provide facilities to promote active recreation and healthy lifestyles.

7.379 Policy G4 of the London Plan requires development proposals to, where possible, create areas of publicly accessible open space, particularly in areas of deficiency. Policy S.SG1 of the Local Plan directs new developments within the borough towards Opportunity Areas and highly accessible locations which have good links to public transport, walking and cycling networks and local services. Part 7 of the policy requires developments to support the delivery of significant new infrastructure to support growth within the four sub-areas of the Local Plan, including social infrastructure such as schools, open space, health centres and leisure facilities.

7.380 Site Allocation 4.12 (Westferry Printworks) requires that a minimum of 1 hectare of strategic open space should be provided.

Public Realm and Landscaping Strategy

7.381 The proposed development will provide a variety of landscaped/public realm and public open space areas including parks/open lawn areas, public squares, a promenade, active linear plazas which include tree planting and lawn areas, children's play areas and a community food growing garden. Also included within the overall landscaping strategy are residential courtyards located at ground and podium levels.

7.382 The overarching landscaping and public realm strategy is intended to be cohesive and unified with specific character areas and spaces. The proposed landscaping masterplan and character areas of the landscaping strategy across the masterplan are shown in the images below:

Figure 41: Proposed landscaping masterplan

Figure 42: Landscaping Character Areas

Park East and Printworks Plaza

7.383 Park East will comprise the largest open green space within the proposed development. Park East measures 0.65 hectares in area and is located on the eastern edge of the site and north of tower T4. This area of public open space includes open lawn areas, woodland planting and a dedicated children's playground. The woodland gardens will provide year-round seasonal interest with richness in colour, texture and biodiversity allowing for the creation of habitats for birds and insects. The open lawn area can be used as flexible recreation space by the local community. The park will have a direct connection to the ground floor uses of buildings C3, T4 and E1.

Figure 43: Illustrative view of Park East looking south west towards Promenade Place

7.384 It is intended for Park East to feel like a generous park with a variety of tree species, woodland planting and species-rich lawns. The green space would be edged by a play area and more intimate gardens with seating in key locations. To the east of the lawn, a destination play space is proposed which is defined by the Woodland Walk beyond, which provides a route from the Boulevard to the dock. The Woodland Walk would be well-maintained and well-lit

ensuring that it provides an ecologically rich character area of the park with opportunities for reading, relaxing and contemplation.

7.385 The Printworks Plaza is situated to the west of building E1, at the intersection of Park East and the Boulevard. The square is hard-surfaced and will provide a flexible space that can accommodate food trucks, coffee carts or other installations. Columnar trees will be deployed to create a setting that complements the character of the Boulevard and Park East.

Promenade Place and the Promenade

7.386 Promenade Place is an area of public open space that provides a physical continuation of Park East and overlooks the water to provide a contemplative garden. It is one of the main public spaces linking to the Promenade and sits on the eastern part of the site between towers T3 and T4. Promenade Place measures 0.2ha in area and will be one of the main public spaces directly adjacent to the water. The space incorporates a flush lawn area that can be used for lounging near the edge of the water and an attractive garden space on the western edge to create a quieter space near the residential entrance. Direct routes are maintained through the space with seating areas. Planting incorporated into the gardens will include a mix of evergreen species, emerging bulbs, shrubs and perennial planting. Small, multi-stem trees will also be deployed to provide a sense of human scale for the space. Promenade Place is intended to have a strong relationship with the internal uses of the buildings at ground level with the edges of the space having the ability to serve as additional space for ground floor spill-out.

Figure 44: Illustrative view of Promenade Place looking west

7.387 In terms of the promenade, the existing tow path will be widened into the former Westferry Printworks site to form an upper promenade to allow people to be in close proximity to the water. The upper level of the promenade will allow for spill-out space for active frontage and promenading and the lower level will prioritise walking, jogging or sitting on the steps. There will be 1:21 graded routes provided to connect the two promenade levels.

7.388 The 350m long promenade will form a key element of the entire public realm, as it interfaces with all the significant spaces on the site. The promenade has been designed to ensure that

there is an unobstructed linear route along the edge of the dock for pedestrians and for Canal and River Trust access. The Design and Access Statement details that the promenade will be attractively lit, whilst considering ecological impact to wildlife, and that materials deployed should be high-quality, durable and reflect the industrial and maritime history of the site.

Figure 45: Illustrative view of promenade looking east in front of T2

7.389 Where the promenade meets Westferry Road on the western edge of the site, there is a level change and therefore access will be achieved with a 1:21 graded route. To safeguard the development from possible flood events, it is proposed to raise the levels along the upper promenade from 4.9m to 5.28m AOD. This level change is articulated by two steps which can also be used as informal seating along the length of the promenade. The upper promenade, which will also include 2 pocket parks, will have a different appearance and materiality to the lower promenade.

Spines

7.390 The eastern and western spines connect the promenade through the site to the Boulevard to the north. These spaces measure 0.14h (eastern spine) and 0.18h (western spine) and are designed to provide curated areas of activity for the use of residents, commercial tenants and visitors to the site. Elements that could be included in these spines include table tennis, hammocks and lawn games. The planting strategy within the spines will comprise a strong evergreen planting strategy to soften the spaces throughout the year and provide a structure for the various activities taking place within these parts of the masterplan.

Figure 46: Illustrative view of spine public realm looking north

7.391 Tree planting will have a light canopy to allow daylight into the spaces and smaller multi-stem trees will be deployed to provide an intimate scale to the spaces. The lawn areas within the spines can be used for lunchtime spill-out spaces and picnics. The spines will span a width of 21m which will allow for 4-5 metre wide hard-surfaced footpaths on either side of the central green spaces to allow for pedestrian footpaths.

Dockside Gardens

7.392 Dockside Gardens provides an open, flexible green space overlooking the water on the south-western part of the side and straddling the area between buildings W1 and T1/C1. To the south lie the existing industrial cranes along the dock edge. The design of Dockside Gardens seeks to maximise the south-facing aspect and orientates views to the water and industrial cranes.

7.393 The open lawn area provides open space that can be used flexibly, providing opportunities for picnics, light recreation and community gatherings. The northern and eastern edges are intended to be more active, with picnic tables and seating. The northern edge will also provide outdoor gym equipment placed amongst a grove of birch trees.

Figure 47: Illustrative view of Dockside Gardens looking southeast across the dock

7.394 There would be a level change between Dockside Gardens and the Boulevard and access from the space from Westferry Road will incorporate a 1:21 graded route. Generous seating opportunities would be orientated towards the water overlooking an area of seasonal planting. A 1:21 graded route will also be provided at the southern edge to access the lower promenade.

The Boulevard and Boulevard Green

7.395 The Boulevard comprises the primary east/west route through the site and has been designed to keep vehicular traffic volume low and prioritise pedestrian activity. This linear route has been designed to provide opportunities for spill-out spaces from ground floor uses with seating and gathering areas at 50m intervals. Along the route, it is proposed to provide rich, colourful and diverse rain garden planting to help absorb surface water drainage and provide habitable areas for birds and wildlife. Trees will be planted along the length of the Boulevard to help create an attractive spine route through the masterplan.

Figure 48: Illustrative view of boulevard looking west

7.396 Boulevard Green will sit directly north of the Boulevard and measure 65 x 25m. The aspiration of the masterplan is that this space will have a strong community presence with opportunities for destination play and community food-growing facilities in the form of small allotment patches at the far western end of the green. Boulevard Green has been designed to appear as an extension to the Boulevard, with seating areas, tree planting and sloping landforms to encourage informal play. A large proportion of the green will comprise a large green play area which will comprise a single play feature such as a stacked timber play element which will form the main feature in this space. Smaller elements such as jumping logs, natural play boulders and a toddlers' sand pit will further enhance the play experience.

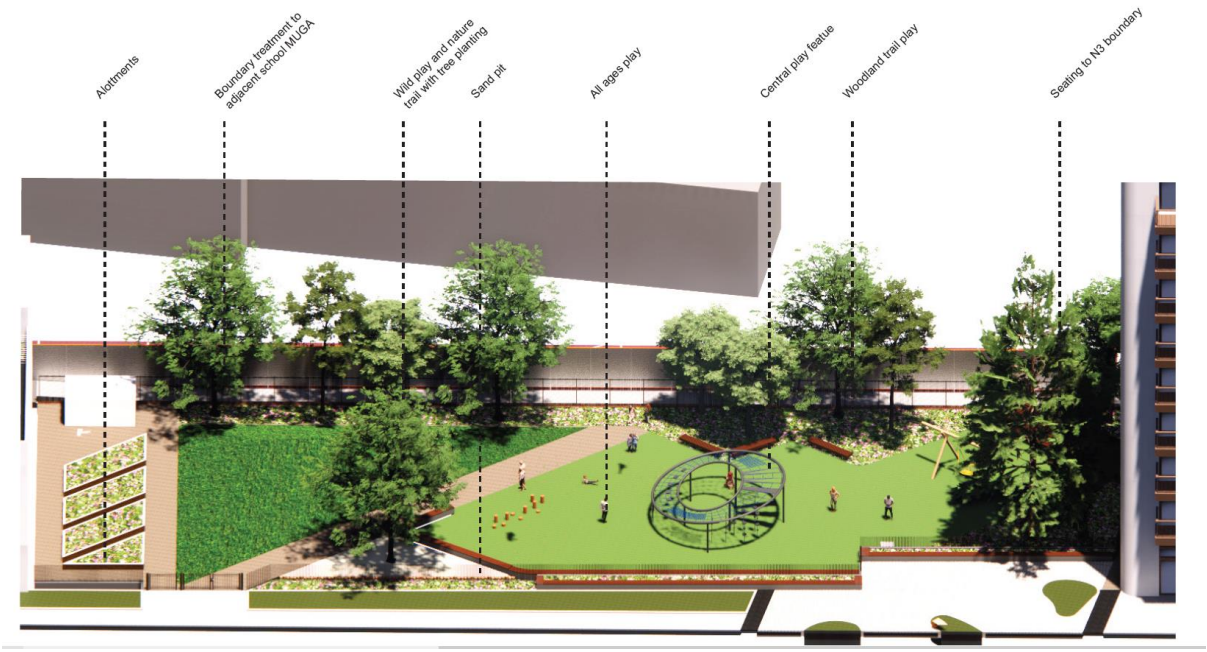


Figure 49: Illustrative image of Boulevard Green

7.397 On the western end, a sloping landform, which is orientated towards the play area, provides an open lawn area for parents and allows opportunities for surveillance over to the play area.

7.398 In terms of the materials strategy for the Boulevard, this is intended to be a pedestrian-friendly shared surface route and the materials palette will be utilised to create a chevron pattern along its length to provide direction and segregation without the need to use white lines, road markings or highway signage.

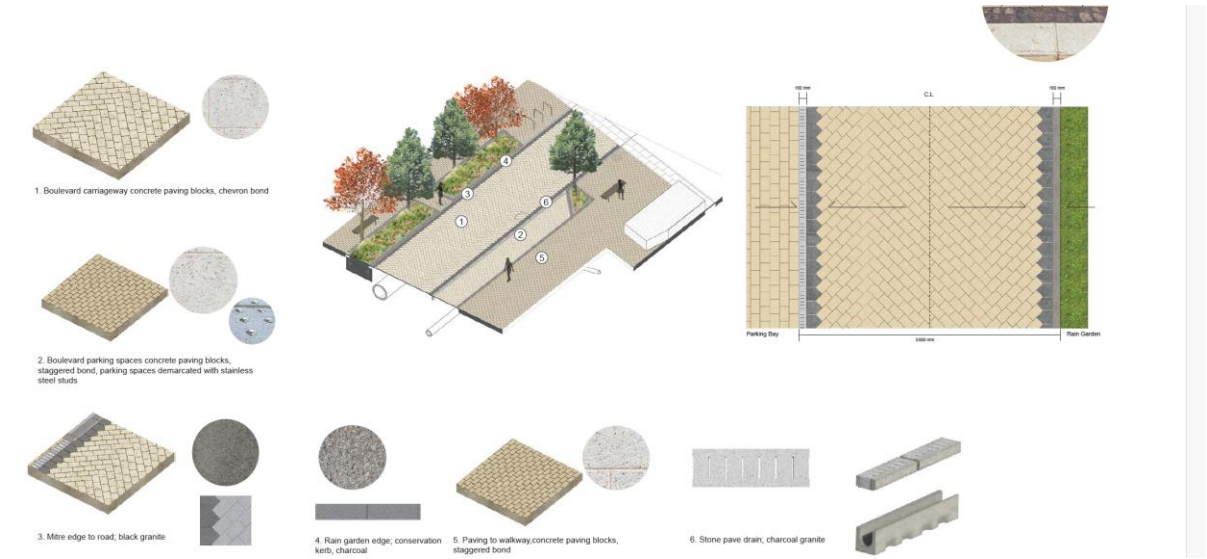


Figure 50: Proposed materials palette for Boulevard

Westferry Plaza

7.399 Westferry Plaza sits directly west of the school building and is bound by Westferry Road. This area of landscaping and public realm is intended to mark an arrival point from the west and allow opportunities for social interaction for parents and children to congregate at the main entrance to the school. It is intended that Westferry Plaza appears as an extension to the Boulevard, with clustered tree planting, opportunities for seating, perennial planting and a similar palette of hard surfacing materials to that seen in the Boulevard.

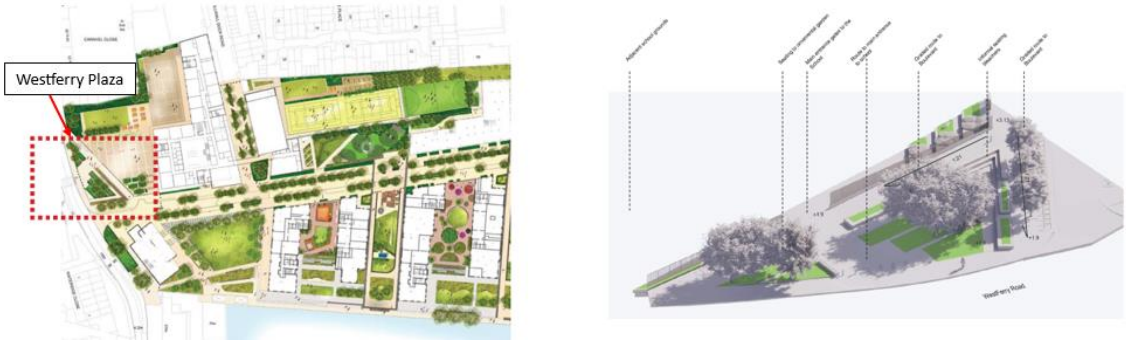


Figure 51: Illustrative image of Westferry Plaza

7.400 There is a 1.23m level change from Westferry Road (1.9m AOD) to the Boulevard (3.13m AOD) and therefore two 1:21 graded routes are weaved into the plaza with opportunities for seating provided in the form of bleacher-style seating.

Podiums

7.401 The podiums will form three semi-private courtyards to provide quiet spaces for recreation, relaxation and socialising with south-facing aspect overlooking the promenade and the dock. The look, feel, character and function of these spaces will differ from the wider public realm. Each of the courtyards will have a different appearance but will largely be composed of a similar set of uses and landscape typologies, i.e. seating, incidental play elements, lawns, plantings and tree planting.

7.402 The courtyards have been designed to ensure that the spaces can be used flexibly providing opportunities for picnics, recreation and relaxation and outdoor dining opportunities. Podium C1 will provide an interlocking lawn area and a raised seating edge with multi-stem tree planting. Podium C1 will also incorporate incidental play, areas of planting and seating to encourage communal outdoor dining. Seats and loungers at Podium C1 will overlook the water and provide views across to the promenade.

7.403 Podium C2 incorporates circular lawn and planting areas to encourage different ways for people to use the spaces which include an open lawn area, a birch grove and herbaceous planted areas. The use of multi-stem trees in stand-alone planters will also soften the space and provide intimate spaces to sit beneath the canopy of a tree so as not to be overlooked from the residential balconies above. Podium C3 adopts similar design principles as Podium 1 and 2 with areas for play and a central lawn space which is defined by evergreen hedges to create intimate settings at podium level.

Figure 52: Illustrative view of Podium C2 looking south towards the promenade

School

7.404 The school playground sites are divided into two parks: the main play space at the main entrance from Westferry Road; and the other park which is sited to the north of Boulevard Green and the MUGAs. The western side of the school provides casual/informal play opportunities and includes a large plaza, pergola, lawn, planted terraced seating and biodiverse planting areas. Formal play is included in the form of a hard-surfaced MUGA.

7.405 The eastern side of the site provide further formal play opportunities with the inclusion of the two MUGAs and the 5-a-side football pitch. Further biodiverse planting areas, a growing garden and an orchard are proposed along the northern edge of the school site.

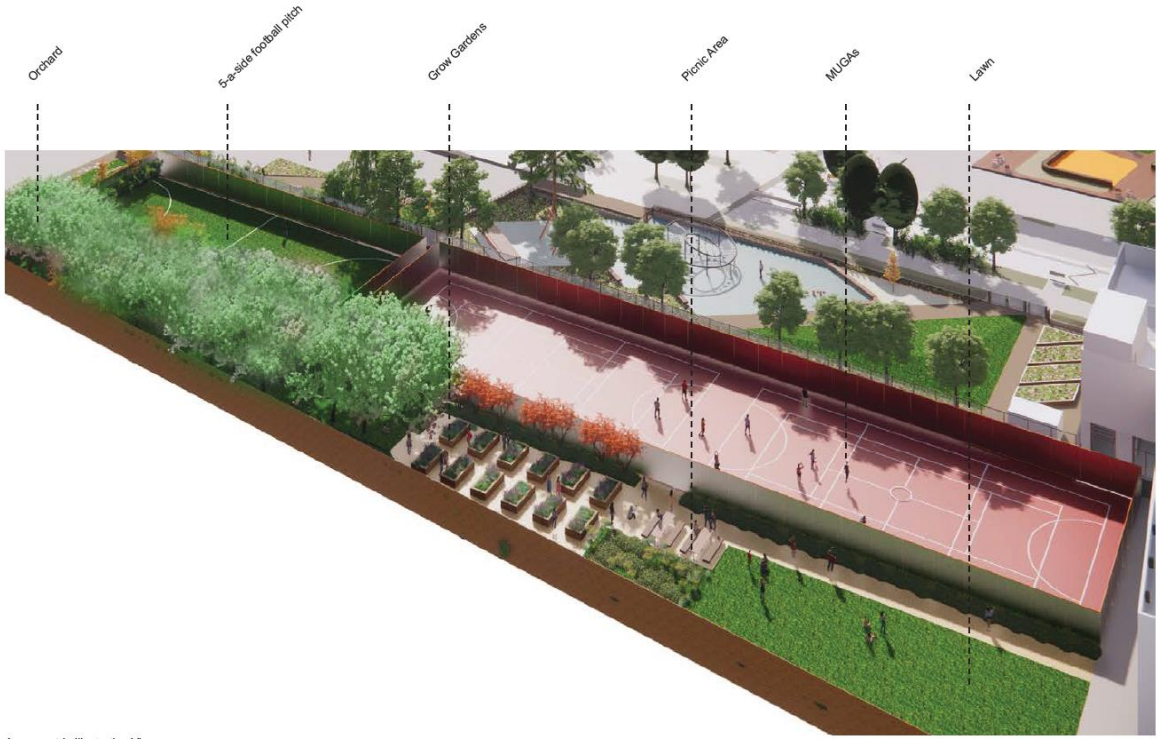


Figure 53: Illustrative view of eastern part of the school site

Public Open Space

7.406 The distribution of public open space across the masterplan is shown in the image below. The scheme proposes to provide 2.08 hectares of public open space across the masterplan as a whole. This would equate to 33% of the overall site area (including the school site). Included within this calculation are areas designated as play within publicly accessible open space which total 4,185sqm. If the areas of designated play are discounted from the overall quantum, the area of public open space is 16,573sqm (1.65 hectares) .

Figure 54: Distribution of public open space

7.407 The overall quantum of public open space exceeds 1 hectare and therefore accords with the Local Plan policy in this regard. It is noted that the quantum of public open space (excluding areas within the masterplan designated as play within publicly accessible open space) will be lower than the quantum of public open space secured under the extant planning permission (1.95 hectares). This is largely as a result of introducing an additional building (building E1) within the masterplan. Notwithstanding this, the overall quantum of public open space substantially exceeds the minimum requirement as required by the site allocation, and across the masterplan, the areas of public open space would be varied in character as detailed earlier in the landscaping and public realm section of this report.

7.408 Some of the key public open spaces within the masterplan are generous in size, spanning areas (including paths and walkways) of 43m x 55m (Dockside Gardens), 90m x 67m (Park East), 46m x 43m (Promenade Place) and 67m x 20m (Boulevard Green) and the overall public open space strategy retains the same character area principles as the extant planning permission.

7.409 Officers had expressed concerns to the Applicant that Park East, which would be the largest area of public open space, will not be delivered until the final phase of the construction programme which would be Phase 4 (2028). By completion of Phase 3, there would be 1083 new homes delivered. The Applicant has advised however that the phasing of the scheme has been set following review of detailed technical, logistics, safety, operational and marketing implications. Phase 1 will bring forward blocks T3 and C3 as these blocks hold the management suite and the main communal amenity facilities. Phase 1 will also deliver blocks N1 and N2 which are both affordable rented blocks thus prioritising the delivery of affordable rented units (100 affordable rented units). The Applicant has also advised that the positions of the Phase 1 blocks also provide separation from the school site and the logistical challenges of its development which is likely to be brought forward by the DfE at the same time as Phase 1. Phase 1 will also deliver the Westferry Plaza public open space and the dockside promenade.

7.410 The Applicant contends that it is logical to allow access to completed buildings via the Millharbour site access route whilst construction is serviced via Westferry Road. Phase 2 continues with the delivery of on-basement blocks (buildings C2 and T2) and completes the N block cluster of buildings with the delivery of N3 which will also be wholly affordable rented (96 affordable rented units). Phase 3 completes the major on-basement blocks (buildings C1 and T) and delivers the final affordable rented block in W1 which will deliver 59 affordable rented homes. This would then allow for Phase 4 to be completed.

7.411 Whilst the Applicant acknowledges that the largest park (Park East) does not come forward in a completed manner until the final phase of the construction programme, the Applicant has advised that Phase 1 will deliver a proportionally larger area of public open space than the number of residential units coming forward in Phase 1 (459 units/34% of total homes) with the total strategic public open space being provided within Phase 1 equating to 41% of the total provision. By completion of residential units in Phase 2 (853 units/63% of total homes), only 47% of the total strategic public open space would be delivered. However, by the completion of residential units in Phase 3 (1083 units/80% of total homes) the delivery of public open space would equate to 65% with full delivery to 100% on completion of Phase 4. It should be noted however, that the percentage of public open space being delivered proportionate to the number of dwellings per phase does not include the delivery of any private amenity space, semi-private amenity space or children's play space.

7.412 It should also be noted that whilst there is an anticipated 7-year construction programme, in reality there will be overlap between all the phases with Phase 1 completing only approximately 10 months before the commencement of Phase 4. The overlap between phases is demonstrated in the indicative construction programme below as set out in the submitted Environmental Statement.

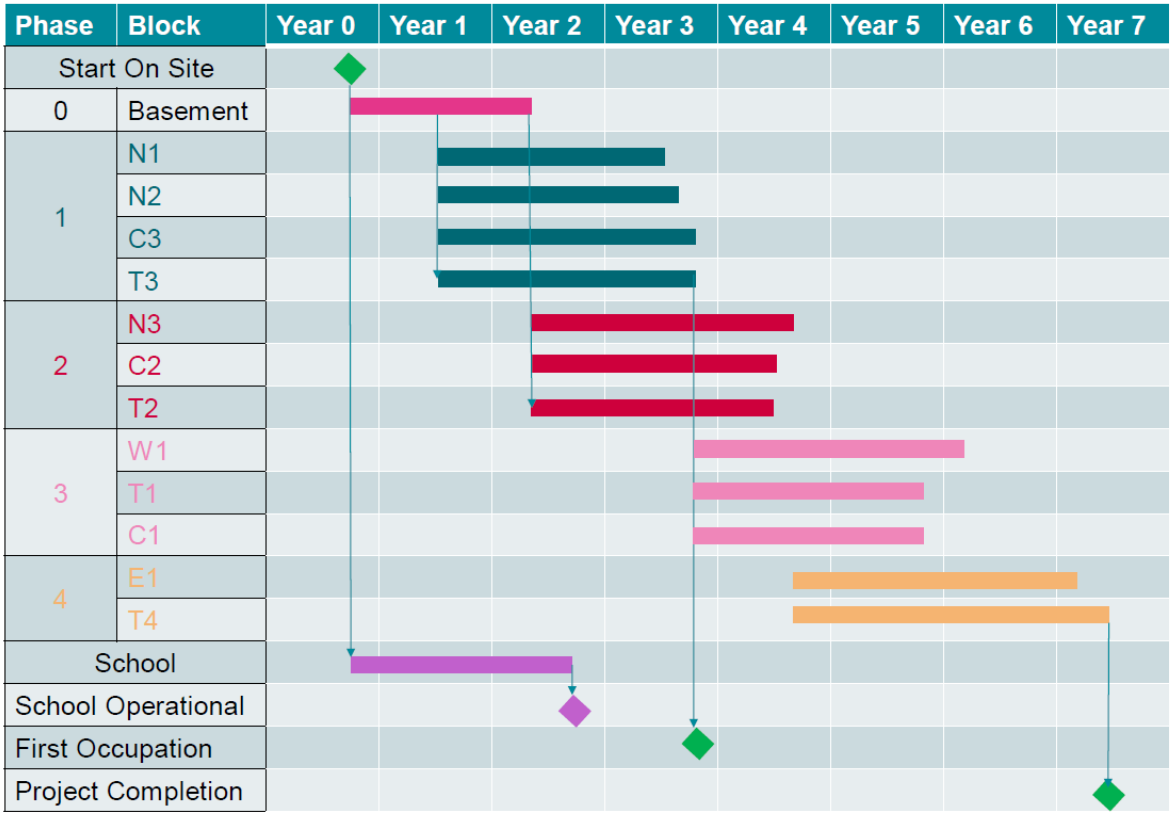


Figure 55: Indicative construction programme (Year 0 is 2024)

7.413 Officers note that the Applicant has suggested that some temporary public open space could be provided in Phase 4 for the middle phases. Based on the Applicant's construction programme, this would be a limited provision and there may be risks associated with the creation of a freely accessible public space surrounded by construction and other commercial uses. However, Officers consider that the provision of temporary public open space or similar is not an unusual scenario on large construction sites and that notwithstanding the indicative construction programme that there is merit in ensuring that at the very least a feasibility study for meanwhile/temporary public open space provision is explored by the Applicant. Officers would therefore be seeking to secure this via the S106 legal agreement should planning permission be granted. On this basis Officers would be satisfied that the disadvantages of delivering Park East in the last phase can be adequately mitigated by providing temporary public open space to supplement the phased delivery of the public open space being secured as part of this development. This would be secured via the S.106 legal agreement.

Biodiversity

Tree Planting Strategy:

7.414 The site in its current form is largely hard-surfaced with the exception of overgrown weeds and 8 London Plane (Platanus x hispanica) trees located on the dockside towpath (within the Canal and River Trust land ownership) which, whilst in the application red line boundary, is currently separated from the former Westferry Printworks site by a security fence. The submitted Arboricultural Impact Assessment classifies the 8 London Plane trees as being Category B trees and have identified these trees for removal. The report confirms that the London Plane trees are 'substantial' trees with a mature height exceeding 26 metres which have a 'moderate' water demand.

7.415 The removal of these trees has been identified as they do not have sufficient tree pits to support the size of these trees. This has resulted in the roots seeking moisture accumulating on the underside of the hard-surfaced towpath resulting in mechanical damage to the wearing course. As a result, the Arboricultural Assessment reports that there has been direct damage to the towpath from invasive roots, leading to general health and safety implications for

pedestrians from uneven paving slabs and low hanging branches, costly infrastructure repairs, ongoing maintenance and potential physiological damage to the trees themselves.

Figure 56: Photographs of existing towpath and conditions around trees

7.416 As such it is proposed to remove the London Plane trees and replace them with mature trees of similar future stature and amenity value with appropriate root containment and maintenance infrastructure installed prior to the point of planting. This will preserve and enhance the long-term benefit of trees along the dock path.

7.417 Across the site as a whole, the masterplan will introduce 458 new trees to replace the 8 London Plane trees which are not well-suited to their current location. A range of tree species are proposed including Liquidambar (Sweetgum) and Gingko Biloba (Maidenhair Tree) which have been selected for their striking form and autumn colour whilst Amelanchier (Juneberry or Serviceberry trees) and Cornus kousa (Chinese Dogwood) trees have been selected for their aesthetics in spring, whilst providing multi-stem smaller-scale trees. Poplars are also proposed to act as strong structural species and assist in removing air pollutants whilst Pinus sylvatica (Scots Pine) and Tilia europea (European Common Lime) are strong native species that are intended to give a sense of maturity to the overall site. Cherry trees have been selected throughout the site which will have the greatest impact during the spring season.

7.418 In terms of the lower promenade and the replacement of the existing 8 London Plane trees, it is proposed to select trees from the following indicative species in the first instance, however the Applicant is open to discussions and suggestions of alternative species from the Tree Officer: Liriodendron tulipifera (Tulip Tree), Acer campestre (Field Maple), Ginkgo biloba and Liquidambar. Images of the indicative tree species proposed are shown in Appendix 4 of this report.

7.419 The Council's Arboricultural Officer initially objected to the removal of the 8 London Plane trees but has now confirmed that the outline proposals will provide adequate mitigation for any tree loss and is happy with the proposed planting methodology and outline species selection to replace the lost trees subject to the planting of a minimum stock size of semi-mature trees. The Council's Biodiversity Officer has advised, however, that they would like to see a greater degree of native species than that which is currently proposed and would seek to ensure that at least 50% of the new trees are of the native variety. The Biodiversity Officer has no objections in principle and therefore Officers will be seeking to secure that the above matters raised by both the Arboricultural Officer and the Biodiversity Officer are addressed via the imposition of suitably worded conditions to secure detailed landscaping proposals for the site.

Biodiversity:

7.420 The proposal will have the potential to deliver a Biodiversity Net Gain of 18.87% from the current baseline value of the site and this is supported and welcomed by Officers. The habitats present prior to the site clearance consisted of large areas of low-value habitats in the form of hard-standing, buildings and amenity grassland, with smaller areas of more distinctive habitats such as scattered/dense scrub The masterplan proposes significant ecological and biodiversity enhancements across the site compared to the existing condition and these include the creation of a range of semi-natural and ornamental habitats which will increase the biodiversity potential for the site, Additional enhancements include: a minimum of two bat boxes to be placed onto buildings and/or mature trees; a minimum of two bird boxes to be placed onto buildings and/or mature trees; a number of log piles and/or scattered trees will be created within areas of species-rich grassland; and a number of green roofs (both biodiverse and intensive) are proposed and will include a range of native pollinating plants and areas of rubble/bare earth to encourage natural succession and use by a range of invertebrates and birds.

7.421 A number of urban street trees will be placed within areas of grassland, along the boundaries of the site and throughout the site as individual trees. Other habitats included within the landscaping include the provision of shrubs, raingardens and species-rich native hedgerows. The Council's Biodiversity Officer has no objections in principle to the proposed biodiversity and ecological measures, however, they have questioned the inclusion of some non-native species and the species of native hedge proposed for the school grounds which produces toxic attractive-looking berries. However, these matters can be addressed via the imposition of suitable conditions to secure a site-wide ecology strategy. Detailed ecology and landscaping plans detailing biodiversity enhancements for each phase of the development will also be secured via condition should planning permission be granted for this development.

7.422 In terms of the Urban Greening Factor (UGF), this is a tool introduced by the London Plan to evaluate the quality and quantity of urban greening. It enables major developments to demonstrate how they have included urban greening as a fundamental element of site and building design from the outset. The Urban Green Factor proposed for the scheme is indicated in the image below. The development originally proposed an urban greening factor of 0.4 which complied with London Plan Policy G5 of the London Plan.

URBAN GREEN FACTOR

Surface Cover type	Factor
Semi natural vegetation (eg. Woodland, flower-rich grassland) created on site	1
Wetlands or open water (semi-natural; not chlorinated) maintained or established on site	1
Intensive green roof of vegetation over structure. Vegetated sections only. Substrate minimum settled depth of 150mm	0.8
Standard trees planted in natural soils or in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree	0.8
Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) - meets the requirements of GRO code 2014	0.7
Flower-rich perennial planting	0.7
Rain gardens and other vegetated sustainable drainage elements	0.7
Green wall - modular system or climbers rooted in soil	0.6
Hedges (line of mature shrubs one or two shrubs wide)	0.6
Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree	0.6
Groundcover planting	0.5
Amenity grassland (species-poor, regularly mown lawn)	0.4
Extensive green roof of sedum mat or other lightweight systems that do not meet GRO Code 2014	0.3
Water features (chlorinated) or unplanted detention basins	0.2
Permeable paving	0.1
Sealed surfaces (e.g. concrete, asphalt, waterproofing, stone)	0

Figure 57: Urban Greening Factor

7.423 However, there were areas of planting overlapping with areas allocated to play which were identified as semi-natural meadow. Were these areas to remain as meadow this would have meant that these areas would not have been useable for allocated play purposes. As such these areas have been replaced by amenity grassland (regularly mowed lawn) and the UGF recalculated accordingly to 0.385 which is marginally below the 0.4 as required by policy. However, to ensure the effective use of allocated play areas, Officers accept this shortfall and consider the UGF to be acceptable.

Ecology

7.424 Policy D.ES3 of the Local Plan also seeks to ensure that development does not affect a Site of Importance for Nature Conservation (SINC), or significantly harm the population or conservation status of a protected or priority species. Chapters 14a and 14b of the Environmental Statement assess the environmental impact of the proposed development on important ecological and nature conservation features.

7.425 The ES confirms that are no National Statutory Designated Sites within 2km of the proposed development and no Internationally Designated Sites within 5km of the proposed development. There are four Local Nature Reserves (LNR) within 2km of the site: Mudchute Park Farm, Russia Dock Woodland, Stave Hill Ecology Park and Lavender Pond. There are also 8 non-statutory designated sites within a 1km buffer of the proposed development which are SINCs including Millwall and West India Dock.

7.426 In terms of habitats within the site, the baseline assessment reveals that approximately 47 species of habitats were recorded, all of which were considered to be of local value. One building within the site was assessed as providing moderate suitability for roosting bats; however, no roosts were recorded within the building during surveys undertaken in 2023. No protected, notable or common species of birds were noted as utilising the habitats within the site during the Extended Phase 1 Habitat Survey undertaken. The existing habitats are unsuitable for most nesting birds given the cleared nature of the site and as such the baseline assessment identifies that the overall value for nesting birds is local only. In terms of invertebrates within the site, a list of 156 species were recorded; however, all species have been identified as being common on brownfield sites and to be of local value.

Construction Phase

7.427 The ES reports that during the construction phase of the development, indirect effects on the Millwall and West India Dock SINC could occur through surface water run-off and cooling, overshadowing, air quality and noise. The existing dock is overshadowed and its key value lies in flora associated with dock wall and edges, plus gulls and other common urban aquatic bird species loafing and feeding in the open water. The docks also support a limited number of fish species. The ES reports that the impact on the SINC, without appropriate mitigation and compensation, would result in a temporary Minor Adverse (Not Significant) effect at local level.

7.428 The assessment reports that Jersey Cudweed was also found to be present on the site which is listed on the Greater London Rare Plant Register and on Schedule 8 of the Wildlife & Countryside Act 1981 and is protected. The loss of this species without appropriate mitigation and compensation would result in a long-term Moderate Adverse effect (Significant).

7.429 In terms of disturbance of communing/foraging bats, and the habitat loss and disturbance of nesting birds, the ES assesses the effects of the proposed development during the construction phase as being Negligible (Not Significant). With regards to the habitat loss, disturbance and mortality of invertebrates, construction will result in the clearance of vegetation on site that support a suite of invertebrate species. In the absence of mitigation, the proposed development would result in long-term Minor Adverse effect (Not Significant) at a local level.

Completed Development

7.430 Once completed, the proposed development could result in an increase of recreational pressure on Mudchute Farm LNR. However, the proposed development will provide approximately 2.1 ha of publicly accessible open space and these spaces will also provide habitat-rich gardens, plazas, dockside gardens and landscaped podiums contributing to the public open space provision in the area. The assessment concludes therefore the impact on the Mudchute Farm LNR, without appropriate mitigation and compensation, would result in a temporary, Minor Adverse (Not Significant) effect at the local level. In terms of disturbance of commuting/foraging bats from light spill, the ES reports that with embedded mitigation measures (i.e. use of LED lighting, motion sensor lighting and lowest lux lighting) for light spill applied, the resulting likely effect is considered to be Negligible (Not Significant). Nesting birds could be impacted during construction works, however embedded mitigation in the CEMP (Construction Environmental Management Plan) will ensure that vegetation removal and building demolition will take place outside of the bird nesting season (1st March to 31st August). As such, the impact on nesting birds is assessed as Negligible (Not Significant).

Impact on Millwall and West India SINCs:

7.431 In terms of the Millwall and West India Docks SINCs, the proposed development would result in increased human presence and activity around the docks, however the bird life of the docks SINC is very limited to a handful of common species, all of which are accustomed and acclimatised to human activity.

7.432 The proposed energy strategy for the development utilises a site-wide ambient loop heating network supplied by a centralised dock water source heat pump from the adjacent Millwall Outer Dock. This system will involve extraction of heat from the dock in winter but most of the time would use abstracted water to cool the proposed development. Extraction and discharge of water into the dock will be via three intake/outfall pipes. Thermal plumes can potentially cause changes in the abundance of macrofaunal species and alter benthic community composition. Higher temperatures can also encourage the colonisation of non-native species. However, the ES reports that the sensitivity of species recorded in the dock to changes in temperatures is considered to be low as they are already subject to variable temperatures throughout the year and most species are considered tolerant to the predicted changes in temperature that will occur as a result of the thermal plume. The importances attributed to species are judged to be low given that they are commonly occurring and of low conservation value and as such the overall effect on benthic habitat and species would be Minor Adverse (Not Significant).

7.433 The Millwall Dock supports a wide range of fish species which are commonly occurring in the local region. Fish occupy a certain preferred temperature range at which they function best (thermal preferenda) with deviations out of this range having potential consequences for growth and reproduction. The assessment of the effects on fish species has been informed by the results of a thermal response and plume modelling study undertaken in Millwall Dock on behalf of the Canal and River Trust (CRT) and was based on an agreed approach advised by the CRT and the Environment Agency. This agreed approached considered the heat exchange system for the Appeal Scheme.

7.434 The ES reports that the discharge is predicted to increase temperatures at the outlet by approximately 4°C above ambient levels during the summer months. However, thermal plumes are predicted to rapidly dissipate to within 1°C of ambient levels away from a relatively localised area from the discharge outlet. Even in the direct vicinity of the outlet, the thermal discharge will be within the temperature range that species in the dock are known to inhabit. The assessment summarises that, when assessed against established criteria, none of the predicted thermal loads that were modelled lead to simulated dock average temperatures above 28°C[18] or 23°C[19] at any time.

[18] Freshwater Fisheries Directive cyprinoid threshold.
[19] The Water Framework Directive threshold.

7.435 As the Millwall and West India Dock system comprises an enclosed water body that has relatively limited water exchange with the River Thames, no temperature changes are predicted with respect to the River Thames as a result of thermal discharges due to the heat pump. Overall, the thermal plume will only cause highly localised changes in water temperature with changes away from the direct vicinity of the outlet not exceeding the known species tolerance ranges or the applied ecological thresholds for fish species in the dock. The ES concludes that the magnitude of impact and exposure to change would be low. The sensitivity of fish in the docks to changes in temperature would be low to medium as temperatures above the tolerance limit of a species or longer-term changes can adversely affect species and as such the impact on the docks from discharge of thermal plume from the heat exchange system is assessed as Minor Adverse (Significant).

7.436 There is the potential for ingress of fish species into the intake of the heat exchange system if they swim in close proximity and the sensitivity of fish species to ingress range from medium to high (depending on the species and fish size) with the importance of certain fish species being high (such as European eel). On this basis, the impact is assessed as Moderate to Major Adverse (Significant).

Mitigation Measures

7.437 In order to minimise potential impacts during the construction phase of the development the following mitigation measures are proposed:

- Standard industry good practice procedures and pollution prevention guidelines to be detailed in a CEMP.
- To minimise significant adverse effects associated with the introduction and spread of non-native species during construction and completion of the development, a Biosecurity Plan will be produced in accordance with the Marine Biosecurity Planning Guidance for England and Wales.
- An Ecological Management Plan and Landscape Environmental Management Plan will confirm the detail of ecological mitigation, compensation and enhancement features proposed for the development.

7.438 Mitigation measures following completion of the development will also include the use of luminaire shielding to help reduce artificial lighting effects and limit light emissions near the dock side. To minimise the significant adverse effects associated with the risk of fish entrainment at the heat pump intake, a fish screen will be fitted. Fish screens are designed to protect fish by preventing them from swimming or being drawn into intakes. Incorporating this mitigation, the significance of effects for potential entrainment of fish in the heat pump intake would be Minor Adverse (Not Significant).

7.439 The proposed development will include the inclusion of a mixture of grassland habitats, trees and shrubs with diverse planting to encourage pollinators, which will in turn provide a food source for commuting and foraging bats. A number of bat boxes to increase roosting opportunities will be incorporated into the development. Extensive biodiverse green roofs will also be provided which will be suitable for black redstart foraging and breeding and for use by other bird species and invertebrates. The provision of a number of bird boxes and nesting structures (including those suitable for black redstart) will also be incorporated into the development.

7.440 The Terrestrial and Aquatic Ecology Chapters of the ES (Chapters 14a and 14b) have been reviewed by the Temple Group who, subsequent to clarifications sought, agree with the significance of effects assessed in the ES. Mitigation measures described above will be secured via the imposition of appropriate planning conditions which will include the requirement to submit a Jersey Cudweed Strategy which details how existing Jersey Cudweed will be translocated.

Conclusions on Public Open Space/Public Realm Ecology and Biodiversity

7.441 In conclusion, Officers welcome the landscaping, ecological and biodiversity enhancements proposed for the site. The overarching strategy seeks to provide a variety of green open spaces, each with its own character, to provide opportunities for different activities to be enjoyed. The landscape and public realm would reinforce the core urban design principles of the wider masterplan and strengthen the permeability and legibility of the site with its wider surroundings and connection to the dockside. The masterplan incorporates a clear and distinct route hierarchy, maximises opportunities for natural surveillance and incorporates external spaces which are attractive and accessible.

7.442 The scheme has been reviewed by the Council's Place Shaping Team and whilst they have expressed concerns that the public open space provision is not proportionate to the intensification of residential use (although as detailed above, the quantum would be policy-compliant), they note the high-quality public realm and spaces proposed across the site with the ambitions of the proposals being to, amongst other things: activate the dock edge and adjacent spaces; create opportunities for play and leisure; provide amenity space for a range of ages and activities; create a landscape that supports health and well-being; increase biodiversity and ecological habitats; create links to the existing community to the north and introduce community food-growing opportunities. Full details of the landscaping proposals including details of materials, details of all biodiversity and ecological enhancements, details of UGF and details of trees and planting will be secured via conditions should planning permission be granted.

7.443 Overall, the proposal is considered to be acceptable and broadly delivers Local Plan and national planning policy objectives with regard to matters concerning landscaping, public realm and public open space, ecology and biodiversity.

BUILT HERITAGE

7.444 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on decision-makers, when considering whether to grant planning permission for development which would affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act places a similar duty and requires that in the exercise of planning functions, with respect to any buildings or other land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

7.445 The NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 205 of the NPPF emphasises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 207 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of a series of stated criteria apply. Paragraph 208 of the NPPF states that where a proposed development 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.

7.446 Policy HC1 of the London Plan requires, amongst other things, development proposals affecting heritage assets and their settings to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy HC2 of the London Plan requires, amongst other things, that development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value (OUV), including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should

not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes.

7.447 At the local level, Policy S.DH3 of the Local Plan requires proposals to preserve or, where appropriate, enhance the Borough's designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the Borough's 24 places. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where, amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.

7.448 As highlighted earlier in this report, the application boundary does not contain any listed buildings and nor does the site fall within a Conservation Area. The submitted BHTVIA has undertaken an assessment of the effects of the proposed development on the significance of a number of built heritage receptors including designated and non-designated heritage assets.

Conservation Areas

7.449 There are 4 Conservation Areas and one Registered Park and Garden (RPG) within the scope of the BHTVIA. They are: Chapel House Conservation Area, Island Gardens Conservation Area, West Greenwich Conservation Area, Greenwich Park Conservation Area and Island Gardens (Grade II RPG).

7.450 In terms of the Conservation Areas, whilst both the West Greenwich and Greenwich Park Conservation Areas are heritage receptors of high value and very high value respectively, they have both been identified in the ES as having a Very Low magnitude of impact and as such the likely effect is reported in the ES as being Negligible Neutral (Not Significant) and would remain as Negligible Neutral in the cumulative scenario.

7.451 In terms of the remaining Conservation Areas these are discussed in more detail below due to their proximity to the application site.

Chapel House Conservation Area

7.452 The Chapel House Conservation Area is located approximately 400m south-east of the site at its nearest point. The Conservation Area comprises early 20th century residential properties grouped on curved roads advocated by Ebenezer Howard. The front gardens and street trees contribute to the overall vision of a 'Garden City' thus the receptor is identified to have high value.

7.453 Views 27 (Chapel House St Junction with Thermopylae) and 28 (Macquarie Way) of the BHTVIA have been identified as having maximum visibility of the scheme from this conservation area as they are axial roads orientated towards the site. These views demonstrate that in the summer months views of the scheme would be entirely screened by the dense tree canopy lining the street. In the winter months, the deciduous tree canopy will shed its leaves and there would be partial views of the scheme. In these views, the scheme would be seen within the context of existing tall and larger development to the north. View 27 is shown in the image below with the proposed scheme in blue wireline.

Figure 58: BHTVIA View 27 (Chapel House St junction with Thermopylae) cumulative view

7.454 The tall buildings introduced by the scheme would appear closer in views across the Conservation Area in the winter months and would be noticeable in contrast to the lower-scale residential development. The assessment reports that this could introduce a distracting element from the appreciation of the Conservation Area, but any distraction is limited to a few locations and the overall historic interest and architectural composition of the residential development would be unaffected. The quality of the architecture and existing context of taller development to the north on the Isle of Dogs means that the scheme would not be unattractive or alien to the experience of the receptor.

7.455 Overall, the ES concludes that the magnitude of impact on the heritage value of the receptor is Very Low and the likely effect is considered to be Negligible Adverse (Not Significant). In the summer months, the magnitude of impact would be reduced by the leaf cover on the trees and as such the likely significance of effect would change to None (Not Significant).

7.456 The cumulative schemes would introduce further tall buildings in the Canary Wharf cluster which may be visible from limited locations within the Chapel House Conservation Area. This would not change the visibility of the scheme. The magnitude of impact would remain Very Low and the likely effect would remain Negligible Adverse (Not Significant).

Island Gardens Conservation Area and Grade II RPG

7.457 The Island Gardens Conservation Area is located approximately 1.2km south-east of the site and the ES has identified this receptor to have a high heritage value. The Conservation Area includes public housing from the late 20th century and the Island Gardens Registered Park and Garden. The significant views of the Conservation Area are those directed south from Island Gardens across the Thames towards the Royal Naval College in Greenwich.

7.458 The BHTVIA reports that the scheme would be visible from the Conservation Area and the RPG. The gardens are, however, heavily enclosed by mature trees which would obscure views of the scheme in the summer months and provide screening in winter.

7.459 Where visible from the Conservation Area, the scheme would be seen over a significant distance. It would be seen to the north of the receptor and not within the riparian view south that mainly contributes towards its heritage value.

7.460 In the views looking at the Conservation Area from the Royal Naval College (View 7), the scheme would be seen in the context of the existing tall buildings in the Isle of Dogs. It would form part of this layer of modern development seen in the backdrop of the Conservation Area and not change how the open space is appreciated or understood from the opposite riverside.

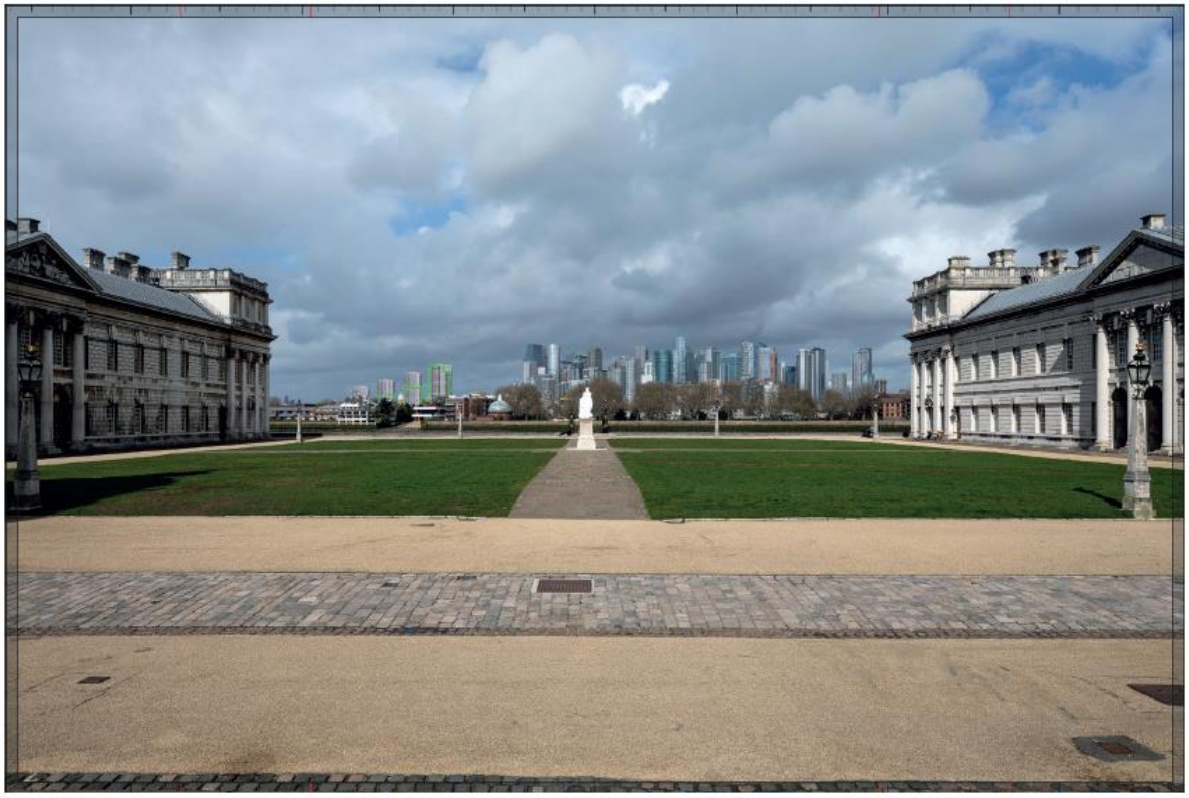


Figure 59: BHTVIA View 7 x 24 (Royal Naval College) cumulative View and consented scheme (green wire line)

7.461 Overall, the ES reports that the scheme would have a Nil magnitude of impact on the historical and architectural interests of the Conservation Area, and this would give rise to a likely effect of None (Not Significant).

7.462 In terms of the Island Gardens Grade II RPG, the assessment of the effect on the Island Gardens Conservation Area can be translated to the RPG. The scheme would be appreciated as part of the layer of modern tall development to the north of the Isle of Dogs and the ability to read and understand the gardens from the Royal Naval College, and the character of the gardens themselves, would not be changed by the scheme which is approximately 1.2km in the backdrop and observers would be aware of the scheme as a distant feature.

7.463 Therefore, the magnitude of impact on the RPG would be Nil and the likely effect would be None (Not Significant).

7.464 In the cumulative scenario, the Canary Wharf cluster would be further consolidated and would be seen together with the Island Gardens Conservation Area and the Island Gardens RPG from the south in Greenwich. The layer of modern development in the backdrop would not change the setting or the impact of the scheme on these receptors. The magnitude of impact would remain at Nil and the likely effects would remain as None (Not Significant).

Listed Buildings

7.465 In terms of listed buildings, the ES has considered listed buildings either individually or in groups based on a study area of 1.5km radius from the site. The full list of listed buildings considered, including those scoped out, is summarised in Tables 5.1 and 5.2 of Chapter 5.0 of the BHTVIA. The likely effects on all receptors are summarised in Tables 9.1 and 9.2 of the BHTVIA and range between None, Negligible Neutral, Negligible Adverse, Minor Neutral and Minor Beneficial. All would be Not Significant during the operational phase of the

development. Similarly in the cumulative scenario, the likely effect will also range between None, Negligible Neutral, Negligible Adverse and Minor Beneficial and all Not Significant.

7.466 A more detailed assessment has been undertaken of the following receptors due to their highly graded status, their close proximity to the site or the visibility of the scheme in relation to these receptors.

Blackwall Basin (Grade I)

7.467 The Blackwall Basin is located approximately 1.3km north-east of the site in the Isle of Dogs and is identified in the BHTVIA as a receptor of very high value. Its value is mainly historical, and it is already experienced in the context of modern development, including tall buildings. The impact of the scheme would be a glimpsed view, if any, of the taller parts of the edges of the Basin. It would be seen in the context of other and nearer tall buildings in these views, and part of the wider townscape in the Isle of Dogs. The assessment concludes that the magnitude of impact would be Nil and the likely effect would be None (Not Significant).

Groups 1: Royal Naval College (Grade I)

7.468 The Royal Naval College is comprised of 6 Grade I listed buildings which are identified as being receptors of very high value. The scheme would appear together with the towers of the Royal Naval College southwest building, King William's Quarter and Royal Naval College, Queen Mary's Quarter and in views from Greenwich Park. It would also be visible as part of the skyline of the Isle of Dogs in views looking north from the courtyard and the setting of the other listing buildings in the Royal Naval College complex.

7.469 The listed buildings have a strong group value together, and as part of the historic area recognised by the World Heritage Site designation. The assessment reports that their historical and architectural interest is such that change to the wider setting, as would be introduced by the scheme, would not be able to have a direct or any considerable effect on heritage value.

7.470 The assessment has been informed by Views 41-46 (Greenwich Park GV1-GV6) of the BHTVIA which shows how the scheme would appear together with the towers of King William's Quarter and Queen Mary's Quarter.

7.471 The scheme would be seen between the two towers and introduce a new skyline feature. This would cause some detrimental impact on the appreciation of the buildings from Greenwich Park, and their character as the most prominent skyline feature.

7.472 The assessment reports that the views from Greenwich Park are kinetic (moving), and there is no set threshold to inform the overall height. It is a relative judgement that changes as the observer moves up and down Greenwich Park. The views generally demonstrate that the scheme would be markedly subservient to the domes of the Royal Naval College in most views, with the exception being View 41(Greenwich Park GV1) which is experienced over a short duration on the eastern boundary of the park. View 41 is shown below with the proposed scheme indicated in blue wireline, the consented scheme indicated in green wireline and cumulative schemes indicated in black wireline.

Figure 60: BHTVIA View 41 – Greenwich Park GV1 proposed, consented and cumulative view

7.473 Where visible, the scheme would be seen within the context of the taller development within the Isle of Dogs. The stepped form of the proposed towers, their proportions and their spacing would combine to create an attractive composition. The relatively low height of E1 ensures that there is a visual break achieved from the ascending heights of T1 to T4 which assists in breaking down the perceived mass.

7.474 The BHTVIA concludes that the magnitude of impact on the Royal Navel College is considered to be Very Low and the likely effect would be Negligible Adverse (Not Significant).

Royal Naval College Pepys Building (Grade II)

7.475 The Royal Navel College Pepys Building forms part of the Royal Naval College buildings assessed above. However, it has a Grade II status and therefore has a heritage value of high. The BHTVIA reports that the Pepys Building is located to the west of the Royal Naval College complex and addresses King William Walk. It does not face onto the courtyard and nor is it appreciated in views from Greenwich Park.

7.476 The scheme would introduce new tall buildings in a part of its distant setting which already has development of this type. Therefore, the magnitude of impact on its heritage value would be Nil and the likely effect None (Not Significant).

National Maritime Museum and Queen's House (Grade I)

7.477 The National Maritime Museum is described in the BHTVIA as a heritage receptor of very high value. It includes the Queen's House, a Scheduled Monument. The scheme is located approximately 2km north-west of the listed building/Scheduled Monument, and the assessment reports that the only potential impact arises from the way the scheme would appear in the backdrop of the heritage receptors in views from the south. The scheme would not change the way the receptors are appreciated in views from the north, nor any of their historical or architectural interest. Any change would therefore be very limited and would take place in part of the distant setting of the buildings which is already characterised by modern development including tall buildings.

7.478 In views associated with this receptor (Views 1, 33 and 41-48), the scheme would appear either side of the Queen's House in views from the south, and there would be locations where

the scheme would be directly behind the Queen's House. These are described in the assessment as being kinetic views of the rear elevation as one moves through the park, and the primary elevation with the main entrance and configuration with the side wings is seen from the north.

7.479 The BHTVIA notes that unlike the Royal Naval College and the domed towers, the roofline of the National Maritime Museum/Queen's House does not have architectural features or detailing that would be challenged by the scheme appearing on the skyline, which is already influenced by tall buildings in the distant background.

7.480 The scheme would appear in a different position relative to the heritage receptor from different points as one moves nearby. The observer would be aware of the distance between the two locations and the contrasting modern context in which the scheme is located. The architecture of the receptors has a horizontal emphasis created by the long colonnaded walkways to each wing and the width of the Queen's House itself commands attention in the views with its striking white façade and Palladian[20] architecture. The Queen's House and National Maritime Museum would remain a focal point and neither their historical nor architectural interest would be removed or undermined.

7.481 The BHTVIA therefore concludes that the magnitude of impact on this receptor would be Nil and the likely effect would be None (Not Significant).

Tower Bridge (Grade I)

7.482 Tower Bridge is a heritage receptor of high value. The scheme would introduce new tall buildings that would be visible together with Tower Bridge in views from the west, and particularly London Bridge where there are strategic views (LVMF 11B). The heritage value of Tower Bridge is focused on its historical and architectural interest, and the immediate riverside setting which includes the Tower of London. The distant setting, whilst appearing in views through the bridge provided by the river corridor, makes a limited contribution to its heritage value. The assessment reports that in this part of its setting, one is already aware of taller developments further east, including the Isle of Dogs and Greenwich.

7.483 In terms of magnitude of impact, the scheme would have no impact on the historical and architectural interest of Tower Bridge or its outer silhouette. Any impact is derived from the way the scheme would appear in the 'inner' silhouette of the bridge i.e. the space between the two towers looking east. The locations where the scheme would be seen in this space mainly concern the long view from London Bridge approximately 840m west of the receptor.

7.484 In the strategic views from London Bridge, the height of the scheme would be equivalent to less than half the height of the girder between the two bridge towers, and the height of the taller buildings would appear to have a consistent datum. As such the extent to which the scheme fills the sky gap seen through Tower Bridge is limited. The visible elements relate more to the existing development located on the Isle of Dogs and are demonstrably subservient to Tower Bridge.

7.485 In View 36 (London Bridge: Downstream North of LVMF 11B1), which is a non-strategic view from slightly north of the centre of London Bridge, Tower Bridge can be seen against a backdrop of clear sky and a distant wooded ridge. In this view, building E1 is obscured. Where visible, in locations slightly south of View 36, the scheme would not materially change the composition of the view due to its relatively low height. The cumulative view of View 36 is indicated below with the proposed scheme rendered and the consented scheme outlined in green wireline.

[20] Architectural style named after Renaissance architect Andrea Palladio

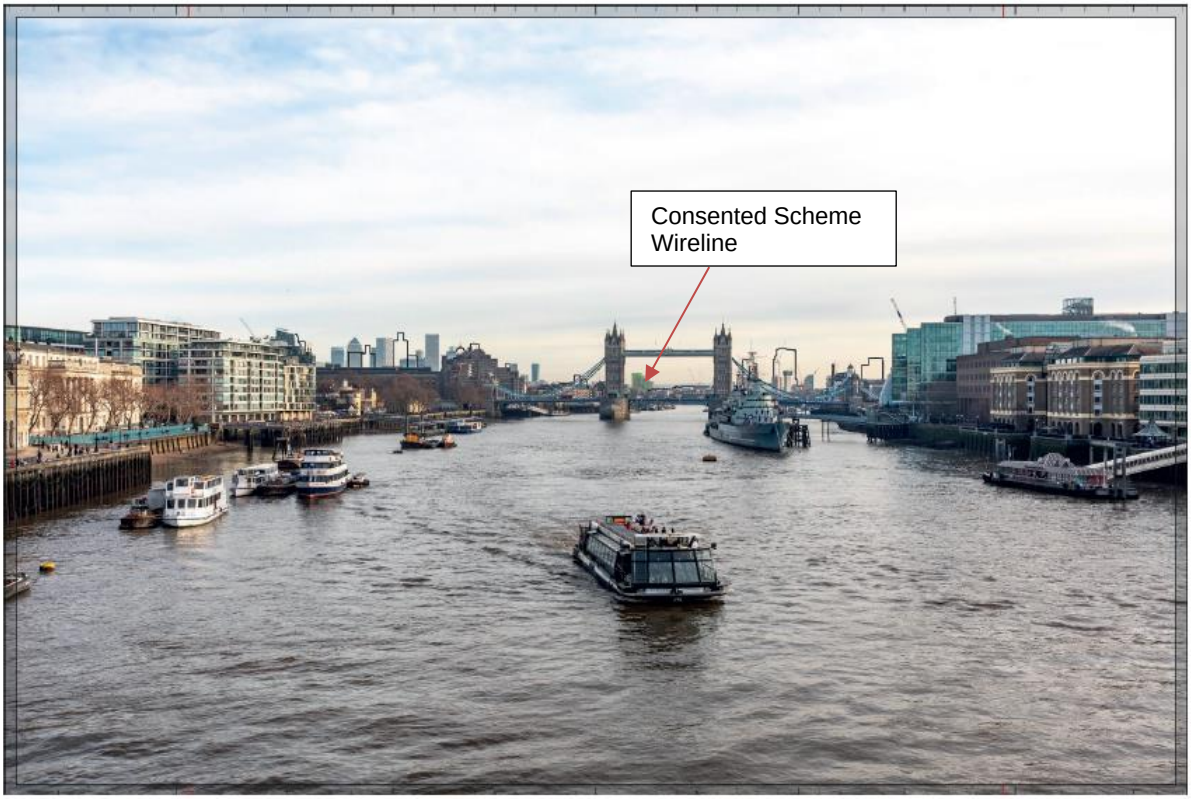


Figure 61: BHTVIA View 36 (London Bridge: Downstream North of LVMF 11B.1) cumulative plus consented view

7.486 The assessment reports that the observer would also be aware of the separating distance between the two objects. Tower Bridge is a prominent and large feature in the foreground, 840m from the viewpoint. In contrast, the site is 4.6km from the viewpoint.

7.487 Overall, the BHTVIA concludes that the scheme would result in a Very Low magnitude of impact on the heritage value of Tower Bridge and this would result in a Negligible Neutral effect (Not Significant).

Formerly St Paul's Presbyterian Church, now part of Herbert Brown Lenox Limited Industrial Premises:

7.488 The former St Paul's Presbyterian Church is described as a heritage receptor of high value. It is located on the east side of Westferry Road approximately 260m south of the site. The impact of the scheme on this heritage receptor is best experienced in Views 21 (Approach along Westferry Road from south) and 35 (Westferry Road and Claude St).

7.489 The heritage value of the listed building is mainly derived from its historical interest and architecture. The developments in its setting are post-war housing estates which make no contribution to its heritage value. The listed building is best appreciated and experienced from Westferry Road.

7.490 The relevant views for this receptor shows how the scheme would appear in the backdrop of the listed building from Westferry Road. The strength of the building's architecture and the proximity of the building in views from Westferry Road means that it would remain the focal point. The building does not have a heavily articulated roofline that would be challenged by the appearance of buildings in the background.

7.491 The listed building would be seen together with the scheme over a short duration moving south to north and the strong architectural language of the listed building means that it would retain prominence in the streetscene and would not be challenged by the four tall buildings in the backdrop. The scheme would be understood as a layer of modern development associated with Canary Wharf to the north. The stepping of the blocks and the generous sky gaps help to reduce the visual impact with the taller blocks not appearing directly behind the church.

7.492 Overall, the BHTVIA concludes that the magnitude of impact would be Low on the heritage value of the church and the likely effect would be Minor Neutral (Not Significant).

World Heritage Sites and Strategic Views

7.493 Policy HC3 of the London Plan confirms the Mayor of London's list of designated Strategic Views that will be kept under review. These views are categorized as follows: London Panoramas, River Prospects and Townscape Views. The policy requires that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 of the London Plan states 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. The London View Management Framework (LVMF) SPD provides further guidance on the management of views designated in the London Plan.

7.494 At the local level, Policy S.DH5 of the Local Plan requires developments to ensure that they safeguard and do not have a detrimental impact upon the OUV (Outstanding Universal Value) of the UNESCO World Heritage Sites (WHS) of the Tower of London and Maritime Greenwich, including their settings and buffer zones. Proposals affecting the wider setting of the Tower of London and Maritime Greenwich, or those impinging upon strategic or other significant views to or from these sites, will be required to demonstrate how they will conserve and enhance the outstanding universal value of the World Heritage Sites. Policy D.DH4 requires development to demonstrate, amongst other things, how it complies with the requirements of the London View Management Framework (LVMF) and World Heritage Site Management Plans (Tower of London and Maritime Greenwich).

Maritime Greenwich World Heritage Site

7.495 The Tower of London WHS has been scoped out of the Environmental Statement as the scheme was deemed in the assessment as having no potential impact on the setting and OUV of the WHS. In terms of the Maritime Greenwich World Heritage Site, this heritage receptor is located approximately 1.5km south-east of the site at the nearest points. The proposed scheme would be visible across the designation with the main areas of visibility being from Greenwich Park, where the rising topography provides panoramic views to the north, the area around the Royal Navel College, and the river edges. This designation also includes the strategic view from the General Wolfe Statue at Greenwich Park (LVMF Views 5A.1 and 5A.2).

7.496 The Statement of OUV identifies the Maritime Greenwich WHS as the most outstanding group of Baroque buildings in England, symmetrically arranged alongside the River Thames. The WHS encompasses the following highly graded buildings: Old Royal Naval College (Grade I), The Queen's House (Grade I) and Observatory (Grade I) as well as the Royal Park (Grade I Registered), the buildings which fringe the park and the town centre buildings that form the approach to the formal ensemble. The WHS is also of exceptional architectural interest as a result of the notable buildings and their composition.

7.497 The impact of the on the WHS has been considered in the BHTVIA under the following headings: Greenwich Park (Including the Royal Observatory); Royal Naval College and Riverside.

7.498 In terms of the impact from Greenwich Park, this has mainly been assessed in the context of the Strategic LMVF View 5A.1 London Panorama (Greenwich Park: The General Wolfe Statue) from Greenwich Park. This viewpoint is located approximately 2.15km from the site at its closest distance, looking along the Grand Axis towards the Isle of Dogs. The visual amenity value attached to this Strategic LMVF view is very high. The view would primarily be experienced by a high number of tourists and observers who would be specifically focusing on the view and its characteristic features.

7.499 The proposed scheme comprises a collection of slender towers arranged along the Millwall Outer Dock that ensures clear sight lines and sky space between the buildings. The buildings have been designed as a composition, each complementing the other, and tapering away from the height established at One Canada Square. The overall effect is a more symmetrical backdrop to the Grand Axis.

7.500 The taller element has a tonality in its cladding that enables blending with the sky dome, an aspect which is successfully deployed in some of the developments in the Canary Wharf cluster. The east to west tapering silhouette of the proposals, the slenderness of their form, the skyline gaps between them, all result in development which will not draw the eye away from the strong centrepiece of the Queen's House in the middle foreground, flanked by the ranges of the Royal Naval College, which is distinct from the varied skyline on the Greenwich Peninsula. The symmetry of the Grand Axis would not be disrupted. As a result, insofar as this symmetry contributes towards the OUV of the WHS, it would not be harmed.

Figure 62: BHTVIA View 1 (LVMF View 5A.1) – Greenwich Park: The General Wolfe Statue cumulative view

7.501 The proposed scheme would have the effect of consolidating the clusters of tall buildings on the Isle of Dogs without undermining the symmetry of the view from the Royal Observatory towards the Queen's House. The viewer's ability to appreciate an architectural composition will be maintained in line with the requirements of the LVMF.

7.502 The assessment reports that in this view the magnitude of impact would be Medium and the scheme would give rise to a likely Moderate Beneficial (Significant) effect in both the operational and cumulative scenarios.

7.503 In terms of the impact of the proposed scheme on the Royal Naval College in the context of the WHS, the BHTVIA notes that the Royal Naval College is one of the primary buildings in the WHS. As detailed earlier in this report under the assessment of the Royal Naval College as a listed building, the views generally demonstrate that the scheme would be markedly subservient to the domes of the Royal Naval College in most views, with the exception being View 41 (Greenwich Park GV1) which is experienced over a short duration on the eastern boundary of the park. Where visible, the scheme would be seen within the context of the taller development within the Isle of Dogs and the stepped form of the towers, their proportions and spacing would combine to create an attractive composition. From the courtyard of the Royal Naval College, the scheme would be seen in the context of existing taller development on the Isle of Dogs. The height of the scheme has been designed to be as subservient as possible to the existing cluster to the east on the Isle of Dogs and would help balance the overall skyline composition.

7.504 The BHTVIA reports that there would be visibility of the scheme from the riverside and that there are listed buildings in this location, including the Cutty Sark. As per the views from the

courtyard of the Royal Naval College, the scheme would be seen in the context of existing taller development on the Isle of Dogs and appear subservient to the cluster of tall buildings to the east of the Isle of Dogs thus there would be no impact on the OUV of the WHS or the heritage value of listing buildings in this part of Greenwich from the scheme.

7.505 Overall, the BHTVIA considers that the scheme would be visible from across the WHS in views looking north, including the Strategic LVMF View 5A.1. The assessment finds that the scheme complies with the LVMF guidance for the strategic view and that there would be no effect on the listed buildings in Greenwich Park near to the viewpoint, their setting being well-defined by the WHS and including tall development in the Isle of Dogs.

7.506 The assessment reports that the scheme would contribute positively to the Isle of Dogs skyline which is appreciated and an accepted part of the setting of the WHS. There would be an impact, however, on the way the towers of the Royal Naval College are appreciated in views from Greenwich Park, with the scheme appearing in the backdrop of this building's skyline silhouette. The Royal Naval College is an important component of the WHS, and any impact on it would result in an impact on the WHS too.

7.507 The assessment reports that the magnitude of impact on the Royal Naval College as an individual receptor (detailed earlier in this report) does not directly translate to the WHS, as this is a much larger receptor and has other aspects of value (The Attributes of OUV). Given that the Royal Naval College is the only aspect of the OUV which is affected, the BHTVIA concludes that the magnitude of impact on the WHS would be Very Low and the likely effect on the Maritime Greenwich WHS to be Negligible Adverse (Not Significant).

Strategic Views

7.508 In addition to LVMF View 5A.1 detailed above and assessed as part of the Maritime Greenwich WHS, the BHTVIA as also considered the following LVMF Strategic Views: LVMF 6A.1 (Blackheath Point), LVMF View 11B.1 (London Bridge: The Downstream Pavement), LVMF View 11B.2 (London Bridge: The Downstream Pavement), LVMF View 1A.2 (Alexandra Palace), LVMF View 2A.1 (Parliament Hill), LVMF View 4A.1 (Primrose Hill) and LVMF 5A.2 (Greenwich Park – North East of General Wolfe Statue).

7.509 Whilst not forming part of the LVMF Views, the assessment has also identified Views 29 (London Bridge: Downstream North of LVMF 11.B), and 36 (London Bridge: Downstream North of LVMF 11.B1) as being views associated with LVMF View 11B.1. Furthermore, the following two Royal Borough of Greenwich designated views have been considered: Shooters Hill to Central London (BHTVIA View 37) and Thames-side Panorama from the Thames Barrier open space (BHTVIA View 38).

7.510 The LVMF views, Views 29 and 36 and the Royal Borough of Greenwich designated views have all been assessed as 'Static Views' within the BHTVIA. During the construction phase of the development, in the mid to long-range static views, the construction activities would be more apparent as part of the wider townscape in the views. Whilst the appearance of such activities would detract from the visual amenity, the visual impact of these works would be limited geographically and temporary in nature. Whilst construction equipment such as cranes would be visible, this would not alter the composition or focus of the views. Therefore, the magnitude of impact on these static views during the construction phase would be Very Low with the likely significance of effect being Negligible to Minor Adverse (Not Significant).

7.511 In the operational phase, the scheme would mostly be seen from LVMF Views 5A.1, 5A.2, 6A.1 and BHTVIA Views 29 and 36. In the remaining views the proposed scheme would be either at a considerable distance or generally concealed by interposing developments both existing and consented. The BHTVIA identifies that the magnitude of impact would range between Nil, Very Low, Low and Medium and the likely effect would range from None, Negligible Neutral, Negligible Beneficial and Moderate Beneficial. For all the static views the significance of effect is assessed to be Not Significant with the exception of LVMF View 5A.1 which has a Significant effect as detailed above.

Archaeology

7.512 Policy S.DH3 of the Local Plan requires developments that lies in or adjacent to an archaeological priority area to include an aracheological evaluation report and will require any nationally important remains to be preserved permanently in situ.

7.513 The site is situated in the Isle of Dogs Tier 3 Archaeological Priority Area (APA) due to its extensive area containing paleoenvironmental evidence of past wetland and riverine environments and the potential for prehistoric remains. It was also an extensive area of historic industry and trade in the 19th and 20th centuries.

7.514 The Application has been accompanied by an Archaeological Desk Based Assessment prepared by MOLA. The assessment identifies that the site has a high potential for well-preserved paleoenvironmental remains, a moderate potential to contain prehistoric remains, a low potential to contain Roman and early medieval remains, and a moderate localised potential to contain later medieval remains and localised and fragmented post-medieval remains.

7.515 The main area of survival is the western third of the site and along the northern and eastern edges of the site outside of the footprint of the excavated basement (excavated as part of the consented planning permission). The proposed development would include excavation of two further basements, located on the south-western and north-eastern parts of the site, followed by the construction of the high-rise buildings across the site, the secondary school and the associated landscaping.

7.516 The archaeological assessment reports that excavation for the basement is likely to only affect post-medieval remains however piled foundations would have an impact, removing within their footprints any remains that might survive basement excavation. Other impacts such as ground remediation, landscaping and planting would have lesser impact and mostly only on late 19th century and later remains.

7.517 As per the extant planning permission, the impact of the proposal on any archaeological remains can be managed through the imposition of suitable condition securing, amongst other things, a Written Scheme of Investigation and further site investigation and recording as recommended by the Greater London Archaeology Advisory Service.

Conclusions on Built Heritage

7.518 Officers have considered the submitted Built Heritage Townscape Visual Impact Assessment (BHTVIA) and the standalone archaeological desk-based assessment and the conclusions drawn and agree with the significance of effects identified in the findings of the BHTVIA.

7.519 The Environmental Statement has considered the Maritime Greenwich World Heritage Site, 4 Conservation Areas, a Grade I Registered Park and Garden and individual and groups of listed buildings contained within a 1.5km radius from the site. The magnitude of impact during the construction phase of the development on these heritage receptors ranges between Nil, Very Low and Low and the significance of effect ranges between None, Negligible Adverse and Minor Neutral (Not Significant). In the operational phase of the development the magnitude of impact ranges between Nil, Very Low and Low and the significance of effect ranges between None, Negligible Neutral, Negligible Adverse, and Minor Beneficial (Not Significant). In the cumulative scenario the magnitude of impact ranges between Nil, Very Low and Low and the significance of effect ranges between None, Negligible Neutral, Negligible Adverse and Minor Beneficial (Not Significant).

7.520 In terms of the strategic views, with the exception of LVMF 5A.1 (Greenwich Park) which has a Significant likely effect, all the other strategic views are identified as having likely effects that are Not Significant.

7.521 The assessment does, however, identify harm to the Grade I listed Royal Naval College and by association to the Maritime Greenwich World Heritage Site. Harm is also identified to the Chapel House Conservation Area. The harm to these heritage receptors is considered to be less than substantial and on the lower end of the spectrum. Officers note that the Greater

London Authority (GLA) Officers in their detailed Stage I report have identified that the scheme would give rise to less than substantial harm to the following receptors: Maritime Greenwich World Heritage Site (Low to middle), Tower Bridge Grade I listed (Low), Former St Paul's Presbyterian Church Grade II listed (Low to middle), Millwall Wharf warehouse group Grade II listed (Low) and the Chapel House Conservation Area (Very Low).

7.522 Officers have reviewed the BHTVIA with LBTH Place Shaping Officers and consider that in Views 41-50 of the BHTVIA the proposal would be visible above and within the sky space of the Royal Naval College. This would, as expected, cause additional harm beyond the extant planning permission; however, in these views, the scheme is an improvement from the Appeal Scheme, particularly in the reduction in height of towers T4 and T5 (now replaced with E1). Officers agree that the harm to the Royal Naval College and by association to the Maritime Greenwich World Heritage Site would be less than substantial. Officers also agree with GLA Officers that there would be less than substantial harm to both Tower Bridge and the Former St Paul's Presbyterian Church.

7.523 Chapter 16 of the National Planning Policy Framework (NPPF) is concerned with conserving and enhancing the historic environment. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.524 Paragraph 208 of the NPPF 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.

7.525 As detailed above, Officers have identified that the proposed development will result in less than substantial harm to heritage assets. This harm would therefore need to be weighed against the public benefits of the proposals. These are detailed as follows:

- The regeneration and redevelopment of an underutilised site.
- The provision of 1358 new homes.
- The provision of 379 affordable new homes.
- The provision of new employment opportunities, during both the construction phase and operational phase of the development.
- The provision of community benefits including a community centre and crèche.
- The provision of new public open space and high-quality public realm and landscaping.
- The improved pedestrian access and connectivity to the wider locality.
- The provision of a new dockside promenade.

7.526 It is considered that any less than substantial harm identified to the setting of heritage assets as detailed earlier in this report is significantly outweighed by the public benefits of the proposal as outlined above. The degree of harm to heritage assets are considered to be on the lower end of the scale. Historic England have been consulted on this planning application and have confirmed that they do not wish to raise any significant concerns with regards to the proposed scheme. Historic England have also advised that they consider the proposed scheme to be an improvement on the Appeal Scheme and broadly similar in terms of impact on the historic environment to the consented scheme.

7.527 In reaching this conclusion, Officers have paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular listed buildings in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have also paid special attention to the desirability of preserving or enhancing

the character or appearance of the Conservation Areas identified above in accordance with section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. For these reasons Officers consider the impact on heritage assets to be acceptable.

AMENITY

7.528 Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive, accessible and which promote health and well-being, with a high standard of amenity for existing and future users,…'. Paragraph 191 of the NPPF states that development proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid significant adverse noise impacts on health and quality of life.

7.529 Policy D3 of the London Plan requires development proposals to, amongst other things, deliver appropriate outlook, privacy and amenity and help prevent or mitigate the impacts of noise and poor air quality. Policy D14 of the London Plan requires development proposals to, amongst other things, avoid significant adverse noise impacts on health and quality of life.

7.530 At the local level, Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, and not result in any material deterioration of sunlight and daylight conditions of surrounding development. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space and private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

<u>Privacy, Outlook and Separation Distances</u>

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

7.532 Blocks N1 and N2 are sited closest to neighbouring residential properties to the site, namely residential properties to the north comprising 1-20 Starboard Way and 7-16 Omega Close. Starboard Way comprises a 4-storey flatted building with approximately 10 metre deep ground level gardens abutting the northern boundary of the site. Omega Close comprises a terrace of 3-storey dwellings which have rear gardens measuring between approximately 7m – 17m deep. Blocks N1 and N2 within the masterplan are located approximately between 8-9m set back from the northern boundary of the site. Overall separation distances between the north-eastern elevation of block N1 and the rear (southern) elevations of 7-16 Omega Close will be some 25 metres. The separation distance between the closest northern elevation of block N2 and the rear (southern) elevations of 1-20 Starboard Way will be approximately 20 metres.

7.533 In terms of block N3, this block is sited closest to dwellings in Claire Place with the closest property being 32 Claire Place. However, there would be a separation distance of some 43m between the northern elevation of block N3 and the rear (southern) elevation of 32 Claire Place.

7.534 In terms of the school building, the northern wing of the school would be sited within close proximity of numbers 16-19 Claire Place. However, there would be separation distance of some 23-24m between the eastern elevation of the main school building and the western rear elevations of numbers 16-19 Claire Place.

7.535 The main school building is also located within close proximity of residential properties at Caravel Close to the west. However, the northern wing of the main school building would be set back some 28 metres from the eastern boundary of 1 Caravel Close. The sports block will be a single storey building with no windows on the northern elevation thus will not overlook any neighbouring residential properties.

7.536 The relationship that the northern buildings and the school building would have with the neighbouring properties as described above can be seen in the image below.

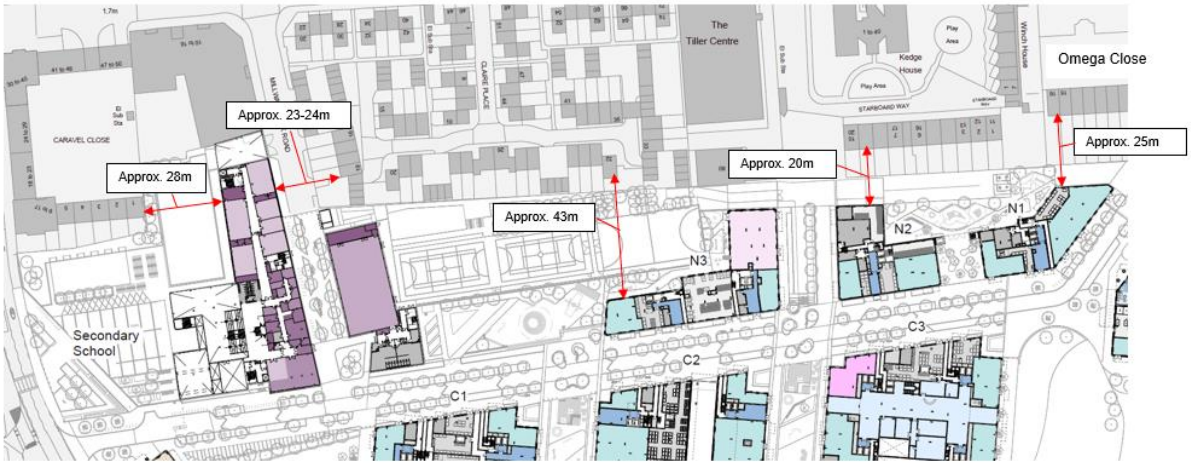


Figure 63: Relationship between northern blocks N1-N3 and school with neighbouring residential developments

7.537 Other nearby residential developments are sited at much greater distances away from the development than the neighbouring residential properties identified above and therefore are not considered to be impacted upon in terms of any material loss of privacy, overlooking, outlook and sense of enclosure to residential occupiers as a result of the proposed development.

7.538 In summary, it is considered that the proposed development has been designed to have regard to neighbouring residential buildings and the amenities enjoyed by neighbouring residential occupiers. Sufficient separation distances would be maintained between the proposed development and the nearest neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

<u>Daylight, Sunlight & Overshadowing</u>

7.539 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2022).

7.540 For calculating daylight to neighbouring properties affected by the proposed development, the BRE contains two tests which measure diffuse daylight (light received from the sun which has been diffused through the sky). These tests measure whether buildings maintain most of the daylight they currently receive.

Test 1 is the vertical sky component (VSC) which is the percentage of the sky visible from the centre of a window.

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

7.541 In respect of VSC, daylight may be adversely affected if, after a development, the VSC measured at the centre of an existing main window is both less than 27%, and less than 0.8 times its former value. The assessment is calculated from the centre of a window on the outward face and measures the amount of light available on a vertical wall or window following the introduction of visible barriers, such as buildings.

7.542 In terms of the NSL calculation, daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less

than 0.8 times its former value. The working plane is a horizontal plane 0.85m above the Finished Floor Level for residential properties.

7.543 Annual Probable Sun Hours represents the sunlight that a given window or room may expect over a typical yearly period. To calculate the loss of sunlight over the year, the annual probable sunlight hours (APSH) is used. 'Probable Sunlight Hours' means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness for the location in question. The sunlight reaching a window is quantified as a percentage of this unobstructed annual total. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter (21st September to 21st March). Where the proposed values fall short of the above, and the absolute loss is greater than 4% (over the whole year) than the proposed values should not be less than 0.8 times their previous values in each period (i.e. reductions should not be greater than 20%). The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south.

7.544 The submitted Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare Assessment that forms Chapter 12 of the Environmental Statement (ES) identifies significance criteria against the assessment results. The significance criteria have been used to determine the nature and scale of effect to the identified receptors in the application of VSC where VSC is reduced to less than 27%; where NSL is reduced to less than 0.8 times its former value and where where APSH is reduced to less than 25% and/or less than 5% in the winter months.

7.545 The assessment identifies that 'Moderate' or 'Major' effects are deemed to be 'Significant' and 'Minor' or 'Negligible' effects are considered to be 'Not Significant'.

7.546 The criteria that have been applied to assess the magnitude of impact of change in daylight are set out in the table below:[21]

Magnitude of Effect	VSC	No-Sky Line
Negligible	Proposed VSC ≥27% - or Proposed VSC <27% and 0.8 times former value.	Proposed lit area is ≥0.8 times former value
Minor	Proposed VSC <27% and between 0.79 – 0.70 times former value. (i.e. 21% to 30% reduction)	Proposed lit area is between 0.79-0.70 times former value. (i.e. 21% to 30% reduction).
Moderate	Proposed VSC <27% and between 0.69-0.6 times former value. (i.e. 31% to 40% reduction.	Proposed lit area is between 0.6-0.69 times former value. (i.e. 31% to 40% reduction)
Major	Proposed VSC <27% and <0.6 times former value. (i.e. more than 40% reduction).	Proposed lit area is <0.6 times former value. (i.e. more than 40% reduction).

Table 8: Daylight criteria to assess magnitude of effect

7.547 The criteria that have been applied to assess the magnitude of impact for change in sunlight are set out in the table below:

[21] ≥ (greater than or equal too), < (less than).

Magnitude	APSH Test	APSH in Winter Test
Negligible	Proposed APSH ≥25% or Proposed APSH <25% and ≥0.8 times former value or < 4% APSH loss over the whole year.	Proposed APSH in winter ≥5% or Proposed APSH <5% and ≥0.8 times former value or <4% APSH loss over the whole year.
Minor	Proposed APSH <25% and between 0.79 – 0.70 times former value. (i.e. 21% to 30% reduction).	Proposed APSH <5% and between 0.79-0.70 times former value. (i.e. 21% to 30% reduction).
Moderate	Proposed APSH <25% and between 0.69-0.60 times former value. (i.e. 31% to 40% reduction).	Proposed APSH <5% and between 0.69-0.60 times former value. (i.e. 31% to 40% reduction).
Major	Proposed APSH <25% and 0.6 times former value. (more than 40% reduction)	Proposed APSH area is 0.6 times former value. (i.e. more than 40% reduction).

Table 9: Sunlight criteria to assess magnitude of effect.

7.548 The daylight and sunlight assessment within the ES identifies 136 surrounding sensitive receptors. A total of 1028 windows serving 662 habitable rooms were assessed for daylight and 681 windows serving 410 rooms were assessed for sunlight.

7.549 The assessment highlights that for existing daylight baseline conditions, 704 (68%) of the 1028 windows assessed for VSC and 643 (97%) of the 662 rooms assessed for NSL meet BRE guidelines criteria for daylight of 27% VSC and 80% NSL. For existing sunlight baseline conditions, 543 (80%) of the 681 windows assessed would meet the BRE guidelines criteria of 25% total APSH and 608 (89%) of the 681 windows would meet BRE guidelines criteria for Winter Probable Sunlight Hours (WPSH).

7.550 The daylight and sunlight receptors are identified in Figure 64 below.

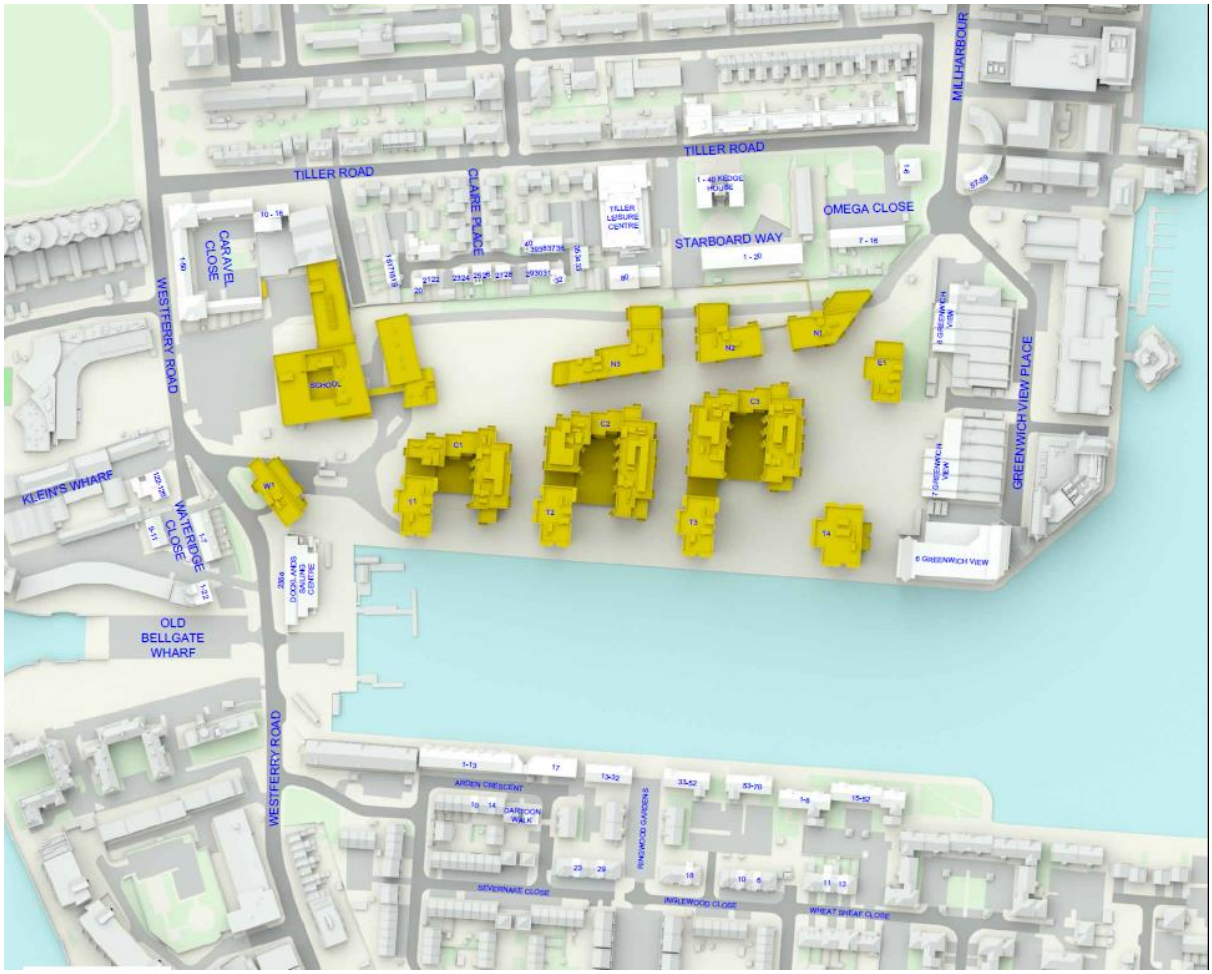


Figure 64: Daylight and Sunlight receptors assessed

Daylight

7.551 The daylight assessment finds that of the 1028 windows assessed for VSC, 742 (72%) would meet BRE criteria by retaining VSC levels of at least 27% or at least 0.8 times their former values. Of the remaining 286 windows, 95 (33%) would achieve a factor of their former values ranging between 0.79 and 0.70, 76 (27%) between 0.69 and 0.60 and 115 (40%) below 0.60.

7.552 In terms of the NSL results, the assessment finds that 554 (84%) of the 662 rooms assessed would meet BRE criteria by retaining at least 0.8 times their former values. Of the remaining 118 rooms, 29 (25%) would achieve a factor of their former values ranging between 0.79 and 0.70, 20 (17%) between 0.69 and 0.60 and 69 (58%) below 0.60.

7.553 Of the 136 buildings assessed the following 70 receptors meet BRE criteria for both VSC and NSL and would experience little to no impact or retain values in line with BRE criteria and would therefore experience Negligible (Not Significant) effect following completion of the development:

- 1-22 Old Bellgate Wharf
- 2 to 50 Caravel Close
- 12, 13, 34, 35 and 39 Claire Place
- 1-40 Kedge House
- 1-6 Omega Close
- 15-52 Wheat Sheaf Close
- 13-32, 33-52 and 53-70 Ringwood Gardens
- 1-13 Arden Crescent
- 11 and 13 Wheet Sheaf Close
- 6,10 and 18 Inglewood Close
- 23 and 29 Severnake Close

- Dartmoor Walk
- 10 and 14 Arden Crescent.

7.554 The following 17 receptors experience a Minor Adverse (Not Significant) reduction in VSC and/or NSL tests.

- 1 Caravel Close
- 11, 21 to 26, 31, 33, 36 to 38 and 40 Claire Place
- 1 to 14 Wheat Sheaf Close
- 161 Mellish Street

7.555 The remaining receptors have all been identified to have Significant effects are considered further below:

1 Wateridge Close and 3 Wateridge Close

7.556 These are 2-storey houses located to the south-west of the site on the western side of Westferry Road. The VSC results show that none of the 6 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 6 windows, 4 (67%) would achieve a factor of their former value ranging between 0.69 and 0.60 and 2 windows would have values below 0.60. The retained level of VSC for these 6 windows would range between 18.91% and 21.29%.

7.557 The NSL results indicate that 1 (25%) of the 4 rooms assessed satisfies the BRE guidelines. One of the remaining 3 (75%) rooms would achieve a factor of their former value ranging between 0.79 and 0.70, the remaining 2 rooms between 0.69 and 0.60 of which both rooms are living rooms.

7.558 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

2 Wateridge Close

7.559 This is a 2-storey house located to the south-west of the site on the western side of Westferry Road. The VSC results show that none of the 4 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Three (75%) of the windows achieve a factor of their former value ranging between 0.69 and 0.60 and the remaining window would have a value less than 0.60 times its former value. The retained level of VSC for these 4 windows would range between 19.9% and 24.93%.

7.560 The NSL results indicate that 1 (33%) of the 3 rooms assessed satisfies the BRE guidelines. Of the remaining rooms, 1 achieves a factor of its former value ranging between 0.79 and 0.70 with the remaining room achieving between 0.69 and 0.60. The ES goes on to report that the living room to this property will be BRE-compliant for NSL and that the windows serving this room will retain VSC levels of 21.37% and 20.65%.

7.561 Overall, the ES assesses the effect to this receptor to be **Moderate Adverse (Significant).**

4 Wateridge Close and 6 Wateridge Close

7.562 These are 2-storey houses located to the south-west of the site on the western side of Westferry Road. The VSC results show that none of the 8 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. All 8 windows would achieve a factor of their former value ranging between 0.69 and 0.60. The retained level of VSC for all these windows would range between 19.24% and 25.10%.

7.563 The NSL results indicate that none of the 6 rooms assessed satisfies the BRE guidelines. Four (67%) of the 6 rooms would achieve a factor of their former value ranging between 0.79 and 0.70 and the remaining 2 rooms (33%) would achieve below 0.69 and 0.60.

7.564 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

5 Wateridge Close and 7 Wateridge Close

7.565 These are 2-storey houses located to the south-west of the site on the western side of Westferry Road. The VSC results show that none of the 6 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. All 6 windows would achieve a factor of their former value ranging between 0.69 and 0.60. The retained level of VSC for these 6 windows would range between 19.53% and 22.39%.

7.566 The NSL results indicate that none of the 4 rooms assessed satisfies BRE guidelines. Two (50%) of the 4 rooms would achieve a factor of their former value ranging between 0.79 and 0.70 and the remaining 2 rooms (50%) between 0.69 and 0.60.

7.567 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

8-11 Wateridge Close

7.568 These are 2-storey houses located to the south-west of the site on the western side of Westferry Road. The VSC results show that all of the 12 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. The retained level of VSC for these windows would range between 23.76% and 25.56%.

7.569 The NSL results indicate that none of the 12 rooms assessed satisfies the BRE guidelines. Five (42%) of the 12 rooms would achieve a factor of their former value ranging between 0.79 and 0.70, 4 (33%) between 0.69 and 0.60 and the remaining 3 (25%) rooms below 0.60. The assessment reports that the 3 rooms that achieve a factor of their former value below 0.60 are on the first floor and are likely to be bedrooms which are less important in the consideration of daylight by BRE guidelines.

7.570 Overall, the ES assesses the effect to these receptors to be **Minor Adverse (Not Significant)**.

14 Claire Place

7.571 This is a 2-storey house located to the north-west of the site. The VSC results show that 15 (88%) of the 17 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. The remaining 2 (12%) windows would achieve a factor of their former values below 0.60. Both these windows serve a conservatory and an LKD. This window has an absolute VSC of 1.74% in the baseline condition which is reduced to 0.47% with the proposed development in place. As the VSC is very low in the baseline condition, the ES reports that the reduction manifests as a disproportionally large reduction. Five conservatory windows retain VSC levels of between 18.94% and 25%.

7.572 The NSL results show that 3 of the 3 rooms assessed satisfies BRE guidelines.

7.573 Overall, the ES assesses the effect to this receptor to be **Minor Adverse (Not Significant)**.

16-19 Claire Place

7.574 These are four 2-storey houses located to the north-west of the site on the eastern side of Millwall Dock Road. The VSC results show that 3 (30%) of the 10 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. The remaining 7 (70%) would achieve a factor of their former value ranging between 0.79 and 0.70. The retained level of VSC for these 10 windows would range between 22.70% and 26.86%.

7.575 The NSL results show that 4 (50%) out of the 8 rooms assessed satisfy BRE guidelines. The remaining 4 rooms would achieve a factor of their former value of below 0.6.

7.576 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

20 and 27 to 30 Claire Place

7.577 These are five 2-storey houses located to the north of the site. The VSC results show that 3 (18%) of the 17 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 14 (82%) remaining windows, 8 would achieve a factor of their former value ranging between 0.79 and 0.70 and 6 would achieve between 0.69 and 0.60. These 6 rooms are bedrooms which are less important in the consideration of daylight by BRE guidelines. The retained level of VSC for these 17 windows would range between 20.53% and 25.05%.

7.578 The NSL results show that 12 of 12 rooms assessed satisfy the BRE guidelines.

7.579 Overall, the ES assesses the effect to these receptors to be **Minor Adverse (Not Significant)**.

32 Claire Place

7.580 This is a 2-storey house located to the north of the site. The VSC results show that 4 (31%) of the 13 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 9 (69%) remaining windows, 4 would achieve a factor of their former value ranging between 0.79 and 0.70, 2 would achieve a factor of their former value ranging between 0.69 and 0.60 and 3 below 0.60. The 5 windows which would achieve a factor of their former value below 0.69 serve bedrooms. The retained level of VSC for these 5 windows would range between 19.61% and 23.08%.

7.581 The NSL results show that 4 (57%) of the 7 rooms assessed satisfies the BRE guidelines. The remaining 3 (43%) rooms achieve a factor of their former value ranging between 0.79 and 0.70.

7.582 Overall, the ES assesses the effect to this receptor to be **Minor Adverse (Not Significant)**.

1 to 10 Starboard Way

7.583 These residential dwellings are located in a 4-storey flatted building located north of the site. The VSC results show that none of the 40 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or 0.8 times their former values. All 40 windows would achieve a factor of their former value below 0.60. The retained level of VSC for these 40 windows would range between 15.14% and 17.5%.

7.584 The NSL results show that none of the 30 rooms assessed satisfies the BRE guidelines. The ES chapter does not provide a detailed analysis of these properties and further clarification was sought by Officers. However, the Applicant's daylight/sunlight consultants have advised that the room uses are unknown as are the layouts. The assessment assumes that the ground floor rooms are living rooms as they lead to the rear gardens. Above ground floor, these rooms may be bedrooms; however, as they are made up of duplexes, it is difficult to know with any degree of certainty.

7.585 Overall, the ES assesses the effect to these receptors to be **Major Adverse (Significant)**.

11 to 14 Starboard Way

7.586 These 4 residential dwellings are located in a 4-storey flatted building directly north of the site. The VSC results show that none of the 16 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. All windows would achieve a factor of their former value below 0.60. The retained level of VSC for these 16 windows would range between 15.25% and 18.31%.

7.587 The NSL results show that none of the 12 rooms assessed satisfies the BRE guidelines. Two would achieve a factor of their former value ranging between 0.79 and 0.70, 2 would achieve a factor of their former value ranging between 0.69 and 0.60, and the remaining 8 would achieve a factor of their former value below 0.60. The ES chapter does not provide a detailed analysis of these properties and, as with the above receptor, clarification was sought by Officers. The Applicant's consultants have advised that the room uses are unknown as are the layouts. These rooms may be bedrooms; however, as they are made up of duplexes, the Applicant's consultants have advised that it is difficult to know with any degree of certainty.

7.588 Overall, the ES assesses the effect to these receptors to be **Major Adverse (Significant)**.

15 and 17-20 Starboard Way

7.589 These 5 residential dwellings are located in a 4-storey flatted building directly north of the site. The VSC results show that none of the 20 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. All windows would achieve a factor of their former value below 0.60. The retained level of VSC for these 20 windows would range between 15.03% and 18.15%.

7.590 The NSL results show that none of the 15 rooms assessed satisfies the BRE guidelines. One (7%) would achieve a factor of their former value ranging between 0.69 and 0.60 and the remaining 14 (93%) would achieve a factor of their former value below 0.60.

7.591 The ES chapter does not provide a detailed analysis of these properties and as such further clarification was sought by Officers. The Applicant's consultants have advised that the room uses are unknown as are the layouts. These rooms may be bedrooms; however, as they are made up of duplexes, the Applicant's consultants have advised that it is difficult to know with any degree of certainty.

7.592 Overall, the ES assesses the effect to these receptors to be **Major Adverse (Significant)**.

16 Starboard Way

7.593 This residential property is located to the north-west of the site. The VSC results show that none of the 4 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. The retained level of VSC for these 4 windows would range between 14.91% and 17.55%.

7.594 The NSL results show that none of the 3 rooms assessed satisfies BRE guidelines. One would achieve a factor of their former value ranging between 0.69 and 0.60 and 2 would achieve a factor of their former value below 0.60.

7.595 The ES chapter does not provide a detailed analysis of these properties and the Applicant's consultants have advised that the room uses are unknown as are the layouts. These rooms may be bedrooms; however, as they are made up of duplexes, it is difficult to know with any degree of certainty.

7.596 Overall, the ES assesses the overall effect to this receptor to be **Major Adverse (Significant)**.

7 to 9 Omega Close

7.597 These are 3-storey houses located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The VSC results show that 1 (5%) of the 21 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. 14 of the remaining 20 windows would achieve a factor of their former value ranging between 0.79 and 0.70, 4 between 0.69 and 0.60 and 2 below 0.6. The 4 second floor windows which achieve a factor of their former value of between 0.69 and 0.60 are assumed bedrooms which are oversailed by the eaves of the roofs above. Due to the eaves above, these second floor windows have a restricted view of the sky. The retained levels of VSC for these four windows will range between 13.73% and 14.19%.

7.598 The 2 second floor windows which achieve a factor of former value of less than 0.60 are assumed to be bedrooms with the roof eaves oversailing. The ES reports that due to the eaves above, these second floor windows have a restricted view of the sky. The retained levels of VSC for these 6 rooms will range between 12.60% and 13.02%.

7.599 The NSL results show that 8 (89%) of the 9 rooms assessed satisfy the BRE guidelines. The remaining room (11%) will achieve a factor of its former value of between 0.79 to 0.70.

7.600 Overall, the ES assesses the overall effect to this receptor to be **Moderate Adverse (Not Significant).**

10 and 11 Omega Close

7.601 These are 3-storey houses located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The VSC results show that none of the 14 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Two (14%) of the 14 windows achieve a factor of their former value ranging between 0.79 and 0.70, 8 (57%) between 0.69 and 0.60 and 4 (29%) below 0.60.

7.602 The retained level of VSC for the 8 windows that would achieve a factor of former value between 0.69 and 0.60 would range between 21.31% and 24.11%. The assessment reports that the remaining 4 windows which achieve a factor of their former value of less than 0.60 are assumed to be 2nd floor bedroom windows which are oversailed by the eaves of the roofs above thus experience a restricted view of the sky.

7.603 The NSL results show that 3 (50%) of the 6 rooms assessed satisfy BRE guidelines. One (17%) of the rooms will achieve a factor of its former value of between 0.7 to 0.79. The remaining 2 rooms (33%) would achieve a factor of their former values ranging between 0.69 and 0.60.

7.604 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Not Significant)**.

12 and 13 Omega Close

7.605 These are 3-storey houses located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The VSC results show that none of the 14 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Ten (71%) of the 14 windows would achieve a factor of their former values ranging between 0.69 and 0.60 and 4 below 0.6. The retained level of VSC for the 10 windows that range between 0.69 and 0.60 factor of their former value would range between 20.63% and 22.81%. The remaining 4 (29%) 2nd floor windows which achieve a factor of their former values of less than 0.60 are assumed to be bedroom windows which are oversailed by the eaves of the roofs above and thus have restricted views of the sky.

7.606 The NSL results show that none of the 6 rooms assessed satisfy the BRE guidelines. Three (50%) of the 6 rooms achieve a factor of their former values ranging between 0.79 and 0.70 and 1 would achieve a factor of their former value between 0.69 and 0.60 and 2 would achieve a factor of their former values of just below 0.60 (0.58 achieved).

7.607 Overall, the ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

14 and 15 Omega Close

7.608 These are 3-storey houses located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The VSC results show that none of the 15 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. One (7%) of the windows would achieve a factor of their former value ranging between 0.79 and 0.70, six (40%) of the 15 windows would achieve a factor of their former value ranging between 0.69 and 0.60 and 8 (53%) would achieve below 0.60.

7.609 The retained level of VSC for 8 of the 14 windows that achieve a factor of their former value less than 0.69 would range between 15.80% and 21.4%. The remaining 6 windows achieve a factor of their former value of less than 0.6. Two of the windows serve a rear single-storey ground floor extension that is served by 2 additional windows that achieve an absolute VSC of 15.80% and 16.91%, and 4 are 2nd floor windows which are assumed to be bedrooms which are oversailed by the eaves of the roofs above thus have restricted views of the sky.

7.610 The NSL results show that none of the 6 rooms assessed satisfy the BRE guidelines. One (17%) of the 6 rooms will achieve a factor of its former value ranging between 0.79 and 0.70. Four (67%) of the remaining 5 rooms achieve a factor of their former value ranging between 0.69 and 0.60 and 1 (17%) would achieve a factor of its former value of below 0.60.

7.611 Overall, the ES assesses the effect to these receptors as being **Moderate Adverse (Significant)**.

16 Omega Close

7.612 This is a 3-storey house located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The VSC results show that none of the 7 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. All of the 7 windows would achieve a factor of their former value below 0.60. The retained level of VSC for 5 (71%) of these 7 windows would range between 17.89% and 20.97%. The assessment reports that the remaining 2 (29%) windows are assumed to be 2nd floor bedroom windows that are oversailed by the eaves of the roof above thus have restricted views of the sky.

7.613 The NSL results show that none of the 3 rooms assessed satisfies the BRE guidelines. All of the 3 rooms would achieve a factor of their former value below 0.60.

7.614 Overall, the ES assesses the effect to this receptor to be **Major Adverse (Significant)**.

61-97 Tiller Road

7.615 These are residential properties contained in a flatted development located to the north of the site on the northern side of Tiller Road. The VSC results show that 128 (69%) of the 186 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 58 (31%) remaining windows 37 would achieve a factor of their former value ranging between 0.79 and 0.70, 19 between 0.69 and 0.60 and 2 below 0.6.

7.616 The assessment reports that 15 of the 19 windows which would achieve a factor of their former value between 0.69 and 0.6 achieve low levels of VSC in the baseline (between 4.6% and 10.71%) as a result of the oversailing of the floor plate above windows and/or side projection adjacent. As the VSC levels are low in the baseline, the reductions manifest as disproportionately large ratio reductions. The remaining 4 windows achieve a slightly higher VSC in the baseline (11.85% to 13.44%) but are also constrained by oversailing of the floor plate above the windows and/or side projection adjacent.

7.617 The assessment reports that the 2 windows that achieve a factor of their former value below 0.60 (achieving 0.58 and 0.59) have low levels of VSC in the baseline (7.35 and 10.03%) as a result of oversailing of the first floor plate above the windows and side projection adjacent. As the VSC level is low in the baseline, again the relatively small reductions manifest as disproportionately large ratio reductions.

7.618 The NSL results show that 121 (98%) of the 123 rooms assessed satisfy the BRE guidelines. The remaining rooms achieve a factor of their former value ranging between 0.79 and 0.70.

7.619 The assessment reports that the reductions in daylight in this building are exaggerated by the presence of balconies, oversailing floor plate and side projections which result in the windows and rooms having blinkered view towards the site.

7.620 Overall, the ES assesses the effect on this receptor to be **Moderate Adverse (Significant)**.

Sunlight

7.621 With regards to sunlight, the ES reports that of the 681 windows tested, 657 (96%) would satisfy the BRE guidelines criteria for annual sunlight and 596 (88%) would satisfy the winter sunlight criteria. The ES reports that 71 buildings achieve full adherence with both Annual and Winter Probable Sunlight Hours (APSH and WPSH) and will retain values in line with BRE criteria and are therefore considered to experience a **Negligible (Not Significant**) effect. These are the following buildings:

- 1-22 Old Bellgate Wharf
- 1 to 22 and 27 to 50 Caravel Close
- 11 to 14, 17, 18, 20 and 32 to 40 Claire Place
- 1-40 Kedge House
- 19 and 20 Starboard Way
- 7 to 10 Omega Close
- 1-6 Omega Close
- 1 to 52 Wheat Sheaf Close
- 161 Mellish Street

7.622 A **Minor Adverse (Not Significant)** effect would be experienced at 61-67 Tiller Road whereby windows would experience reduction in ASPH however would satisfy the BRE guidelines for WPSH criteria.

7.623 The remaining buildings assessed are discussed in further detail below:

25 Caravel Close

7.624 This is a residential property contained within a flatted development located to the north-west of the site. The APSH results show that 2 of the 2 windows tested would satisfy the BRE guidelines on an annual basis and 1 (50%) would satisfy the BRE guidelines on a winter basis.

7.625 The assessment reports that on a room basis, the single room which these 2 windows serve satisfies the BRE guidelines for both annual and winter sunlight.

7.626 Overall, the ES assesses the effect to this receptor to be **Negligible (Not Significant)**.

16, 19 and 33 Claire Place

7.627 These 3 residential properties are located to the north-west of the site. The APSH results show that 10 (77%) of the 13 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 8 (62%) would satisfy the BRE guidelines on a winter basis.

7.628 On a room basis, the 7 rooms which these windows serve satisfy the BRE guidelines for both annual and winter sunlight.

7.629 The ES therefore assesses the effect to these receptors to be **Negligible (Not Significant)**.

34 and 35 Claire Place

7.630 These 2 residential properties are located to the north-west of the site. The APSH results show that 15 (94%) of the 16 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 13 (81%) would satisfy the BRE guidelines on a winter basis.

7.631 On a room basis, 4 of the 6 rooms which these 16 windows serve satisfy the BRE guidelines for both annual and winter sunlight. The remaining 2 rooms which are living dining rooms will satisfy the BRE guidelines on an annual basis, achieving APSH values of between 34% and 44% against the guideline of 25%. However, these rooms fall short of the guidelines on a winter basis and achieve a factor of their former value below 0.60. The assessment also reports that the kitchens to these 2 properties will be unaffected by the proposed scheme.

7.632 The ES assesses the effect to these receptors to be **Minor Adverse (Not Significant)**.

1 to 8, 10 to 14, 16 and 17 Starboard Way

7.633 These residential properties are located to the north of the site. The APSH results for these 15 properties show that 60 of the 60 windows tested for APSH would satisfy the BRE guidelines on an annual basis and none would satisfy the BRE guidelines on a winter basis.

7.634 On a room basis, all 45 rooms would achieve the guidelines on an annual basis and all of these rooms achieve a factor of their former values below 0.60 during the winter months. The assessment reports that the annual sunlight levels to the living rooms within these properties range between 45% and 54% against a guideline of 25%.

7.635 The ES assesses the effect to these receptors to be **Moderate Adverse (Significant)**.

9 and 18 Starboard Way

7.636 These 2 properties are located to the north of the site. The ASPH results for these properties show that 8 of the 8 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 3 (38%) would satisfy the BRE guidelines for WPSH.

7.637 On a room basis, 3 of the 6 rooms which these 8 windows serve satisfy the BRE guidelines for both APSH and WPSH. These rooms include the main living rooms within each property.

7.638 The remaining 3 rooms are bedrooms which are less important in the consideration of sunlight by BRE guidelines. The assessment reports, however, that these rooms retain either 3% or 4% winter APSH against the recommended BRE target of 5%.

7.639 Overall, the ES assesses the effect to these receptors to be **Minor Adverse (Not Significant)**.

15 Starboard Way

7.640 This property is located to the north of the site. The APSH results show that 4 of the 4 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 2 (50%) would satisfy the BRE guidelines for WPSH.

7.641 On a room basis, 2 of the 3 rooms which these 4 windows serve satisfy the BRE guidelines for both APSH and WPSH. The remaining room (a living room) would satisfy the BRE guidelines on an annual basis and retain 4% WPSH, just under the 5% recommended by BRE.

7.642 Overall, the ES assesses the effect to this property to be **Minor Adverse (Not Significant).**

11 to 15 Omega Close

7.643 These residential properties are located to the north of the site. The APSH results for these properties show that 26 (72%) of the 36 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 32 (89%) would satisfy the BRE guidelines for WPSH.

7.644 On a room basis, 10 of the 15 rooms these 36 windows serve will satisfy the BRE guidelines for both APSH and WPSH. The assessment reports that the remaining 5 rooms are assumed bedrooms on the 2nd floor and will achieve a factor of their former values below 0.60 and retain between 20 and 24% APSH. However, these 5 rooms will satisfy the BRE guidelines for winter sunlight.

7.645 Overall, the ES assesses the effect to these properties to be **Minor Adverse (Not Significant)**.

16 Omega Close

7.646 This property is located to the north of the site. The APSH results show that 5 (71%) of the 7 windows tested for APSH would satisfy the BRE guidelines on an annual basis and 2 (29%) would satisfy the BRE guidelines for WPSH.

7.647 On a room basis, the ground and first floor rooms will satisfy the BRE guidelines on an annual basis and retain 3% and 4% winter APSH against the BRE recommended target of 5%. The assessment reports that the 2nd floor assumed bedroom will achieve a factor of its former value below 0.60 and retain 18% APSH. This room would satisfy BRE guidelines for WPSH.

7.648 Overall, the ES assesses the effect to this property to be **Minor Adverse (Not Significant)**.

Overshadowing

7.649 In respect of overshadowing, the ES has adopted two methodologies to assess overshadowing of public and private amenity areas: Sun Hours on Ground and Transient Overshadowing.

7.650 In relation to the Sun Hours on Ground test, the assessment requires that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21st March to appear adequately sunlit throughout the year. If, as a result of new development, an existing amenity area does not meet the above, and the area that can receive 2 hours of sun on 21st March is less than 0.8 times its former value (i.e. a 20% reduction), then the loss of sunlight is likely to be noticeable.

7.651 For Transient Overshadowing, the assessment requires the plotting of a shadow plan to illustrate the location of shadows at different times of the day and year. The ES has therefore mapped the hourly shadows for the following three key dates:

- 21st March (Spring Equinox)
- 21st June (Summer Solstice)
- 21st December (Winter Solstice)

Sun Hours on Ground

7.652 The ES identifies 54 amenity spaces that were tested of which 38 (72%) would satisfy the BRE guidelines criteria for sunlight availability on 21st March by either retaining 2 hours of sunlight to at least 50% of their areas or by retaining greater than 0.8 times their former value. The assessment reports that the following receptors would achieve full adherence to the BRE guidelines and experience **Negligible (Not Significant)** effects upon construction of the proposed development:

- 1 to 7 Wateridge Close
- 1 to 7 Caravel Close
- 10-16 Tiller Road
- 16 to 19 and 21 to 32 Claire Place
- Starboard Way communal side garden (1 of 2 spaces).
- 9 to 13 and 15 Omega Close

7.653 The remaining 16 amenity spaces are discussed further below.

20 Claire Place

7.654 This residential property is located to the north of the site. The sunlight results for this property show that 1 amenity space assessed would not meet the BRE guidelines. The amenity space achieves below 0.60 times its former value. The assessment reports, however, that the area achieves 2 hours of sunlight to just 0.09% of its area in the existing condition and this is reduced to 0.0% in the proposed condition. The ES therefore considers that the small reduction manifests as a disproportionately large ratio reduction and that the difference in terms of what is experienced by the user is unlikely to be noticeable.

7.655 The ES therefore assesses the effect to this amenity area to be **Negligible (Not Significant)**.

1-10 Starboard Way

7.656 These 10 residential amenity spaces are located to the north of the site. The sunlight results for these properties show that none of the 10 amenity spaces assessed would meet the BRE guidelines. The 10 amenity spaces achieve below 0.60 times their former value.

7.657 The 10 amenity areas achieve 2 hours of sunlight to between 78.93% and 55.69% of their areas in the baseline condition which is reduced to 0.0% with the proposed development in place. These properties will still receive sunlight however they will not receive 2 hours of sunlight on the 21st March as required by BRE guidelines.

7.658 The assessment has, however, undertaken an assessment of these properties by applying a target of 1.5 hours on 21st March. When assessed against this target 3 of the amenity spaces will achieve 1.5 hours of sunlight to between 15% and 21% of their areas, 3 spaces between 1% and 6% and the remaining 4 spaces to 0% of their area.

7.659 When assessed against a target of 1 hour on 21st March, 1 of the 10 amenity spaces will achieve 1 hour of sunlight to 50% of their area, 5 spaces between 28% and 40%, and the remaining 3 spaces between 9% and 19% of their area.

7.660 When assessed against a target of 0.5 hours, 9 of the 10 amenity spaces will achieve 0.5 hours of sunlight to between 41% and 66% of their area and the remaining space to 29% of their area.

7.661 The ES also reports that on 21st June, the 10 amenity areas achieve 2 hours of sunlight to between 93.89% and 100% of their areas in the baseline condition and there would be no reduction in sunlight with the proposed development in place on 21st June.

7.662 Overall, the ES assesses the effect of the proposed development on these amenity spaces to be **Major Adverse (Significant)**

Starboard Way Communal Side Garden.

7.663 These communal amenity spaces are located to the north of the site. The sunlight results show that 1 of the 2 spaces assessed would meet the BRE guidelines. The remaining space achieves below 0.60 times its former value.

7.664 When assessed against a target of 1.5 hours, the amenity space that does not meet the BRE guidelines will achieve 1.5 hours of sunlight to 22% of its area.

7.665 When assessed against a target of 1 hour, the space will achieve 1 hour of sunlight to 45% of its area.

7.666 When assessed against a target of 0.5 hours, the space will achieve 0.5 hours of sunlight to 62% of their area.

7.667 The assessment reports that there will be no reduction in sunlight with the proposed development in place on 21st June.

7.668 Overall, the ES assesses the effect to this amenity area to be **Moderate Adverse (Significant)**.

7 and 14 Omega Close

7.669 These 2 amenity areas are located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The sunlight results show that neither of the amenity areas would meet the BRE guidelines and would achieve below 0.60 times their former value.

7.670 The 2 areas assessed achieve 2 hours of sunlight to 28.64% and 39.15% of their area.

7.671 When assessed against a target of 1.5 hours, the amenity spaces achieve 1.5 hours of sunlight to 45% and 47% of their areas.

7.672 When assessed against a target of 1 hour, the two spaces will achieve 1 hour of sunlight to 60% and 62% of their area.

7.673 When assessed on 21 June, the two areas assessed achieve 2 hours of sunlight to 84.84% and 93.96% of their areas in the baseline condition. There will be no reduction in sunlight with the proposed development in place on 21 June.

7.674 The date upon which the amenity spaces achieve the guideline values (achieving either 0.8 times their former value or 2 hours of sunlight to over 50% of their areas) is 25th March for both of these spaces which is just outside of the guideline of 21st March.

7.675 Overall, the ES assesses the effect to these amenity areas to be **Major Adverse (Not Significant)**.

8 and 16 Omega Close

7.676 These 2 amenity areas are located to the north-east of the site on the corner of Greenwich View Place and Millharbour. The sunlight results show that neither of the amenity areas would meet the BRE guidelines and would achieve below 0.60 times their former value.

7.677 The 2 areas achieve 2 hours of sunlight to 46.42% and 44.09% of their area in the proposed condition, just under the 50% BRE recommended target.

7.678 When assessed against a target of 1.5 hours, the amenity spaces achieve 1.5 hours of sunlight to 53% and 47% of their areas.

7.679 When assessed against a target of 1 hour, the 2 spaces will achieve 1 hour of sunlight to 69% and 51% of their areas.

7.680 When assessed on 21st June, the 2 amenity spaces achieve 2 hours of sunlight to 97.53% and 89.61% of their areas in the baseline condition. There will be no reduction in sunlight with the proposed development in place on 21 June.

7.681 The date upon which the amenity spaces achieve the guideline values (achieving either 0.8 times their former value or 2 hours of sunlight to over 50% of their areas) is 23rd March for 8 Omega Close and 25th March for 16 Omega Close which is just outside of the guideline of 21st March.

7.682 Overall, the ES assesses the effect to these amenity areas to be **Moderate Adverse (Significant)**.

Transient Overshadowing

21st March:

7.683 The ES illustrates that on this day, the shadow is cast from the proposed development to the north-west from 08:00GMT. Claire Place, Starboard Way and Omega Close are partially overshadowed by shadow cast from the proposed development from 10:00GMT to 13:00GMT. Starboard Way and Omega Close are partially overshadowed by shadow cast from the proposed development from 13:00GMT to 17:00GMT. The remaining amenity areas are unaffected by shadow cast from the proposed development. In terms of overshadowing effects to the Millwall and West India Dock Site of Importance for Nature Conservation (SINC), there will be a slight increase in the overshadowing to a small part of the dock to the south of Glengall Bridge between 3pm and 5pm as a result of Tower 4 of the proposed development.

21st June:

7.684 The ES illustrates that at the Summer Solstice, the shadow is cast from the proposed development to the north-west from 06:00GMT. The amenity areas are unaffected by shadow cast from the proposed development at the Summer Solstice. On 21st June, there will be increased overshadowing caused by towers T2, T3, T4 of the proposed development to a small part of the dock and SINC to the east of the Dockland Sailing Centre between 6am

and 7am, and a small increase in overshadowing caused by towers T2, T3 and T4 adjacent to the dockside at 6pm.

21st December:

7.685 The ES illustrates that at the Winter Solstice, the shadow is cast from the proposed development to the north-west from 10.00GMT. Caravel Close, Claire Place, Starboard Way and Omega Close are partially overshadowed by shadow cast from the proposed development from 10:00GMT to 12:00GMT. Claire Place, Starboard Way and Omega Close are partially overshadowed by shadow cast from the proposed development from 12:00GMT to 14:00GMT. The remaining amenity areas are unaffected by shadow cast from the proposed development. There would be no overshadowing caused by the proposed development to the dock on 21st December.

Light Pollution

7.686 The ES reports that ILP (Institution of Lighting Professionals) GN01 (Guidance Note 01), 2021 Guidance for the Reduction of Obtrusive Light, establishes the relevant criteria that are used to describe light pollution effects (light spill, glare and source intensity, light trespass into windows and sky glow). The guidance also assigns environmental zones against which new developments should be assessed to establish the appropriate lighting designs for a site's context and relevant surroundings.

7.687 With reference to the ILP guidance and the location of the proposed development, the site is classified as within Environmental Zone E4 (Urban: Town/City Centres with high levels of night-time activity). The zone allows for a maximum pre-curfew light intrusion of 25 lux and a maximum post-curfew light intrusion of 5 lux.

7.688 The ES reports that pre-curfew (before 11pm), the levels of light spillage would be limited and well within the 25-lux threshold set out within the ILP guidance for a city centre location for all sensitive receptors assessed. In terms of the Millwall Outer Dock, the level of light spillage is predominantly 0-lux. However, the proportion of Millwall Outer Dock which borders the site shows levels of up to 15-lux for small areas to the south of each of the tower blocks at T1-T4.

7.689 The post-curfew (after 11pm) shows that the levels of light trespass would be below the 5-lux threshold set out within the ILP guidance for Zone E4 at all the residential sensitive surrounding receptors assessed. In terms of the assessment for the Millwall Outer Dock, the main part of the dock will experience lux levels of 0-lux. There is a limited area which receives lux levels above the 5-lux threshold, this being the area to the south of each of the tower blocks at T1-T4. This is indicated in the image below. The assessment reports that the total area of Millwall Outer Dock is approximately 96,500m2 and the area which shows light trespass above the 5-lux threshold is approximately 200m2 (equivalent to 0.21% of the total area).

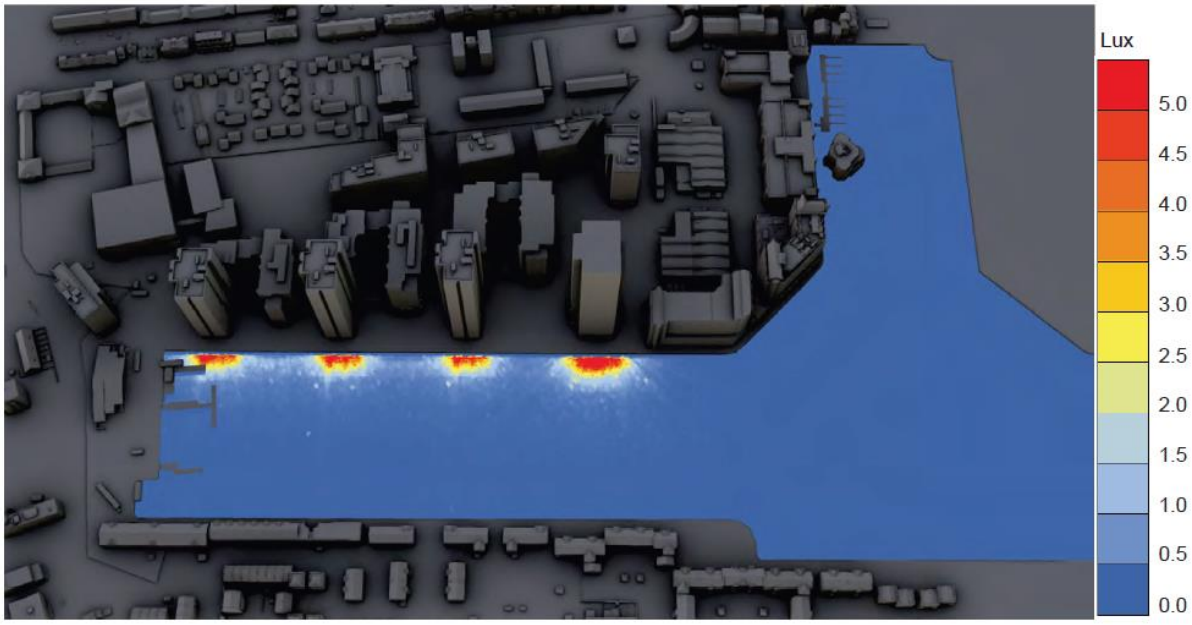


Figure 65: Millwall Outer Dock: Light trespass post curfew

7.690 Overall, the ES concludes that all of the neighbouring residential sensitive receptors are shown to experience levels of light trespass within the guideline values for both the pre and post curfew assessments. The ES assesses the overall effect of the proposed development on light spillage to neighbouring properties to be **Negligible (Not Significant)**.

7.691 In terms of Millwall Outer Dock, whilst the pre-curfew light trespass is within the guidelines, there would be limited areas which experience light trespass beyond the lux threshold post-curfew.

Solar Glare

7.692 The solar glare assessment has been undertaken from viewpoints on the DLR and key locations along Westferry Road which are considered sensitive in terms of solar glare and are within close proximity of the site. The assessment reviews the likelihood of reflective solar glare which can affect a driver's field of vision.

7.693 The following 6 sensitive viewpoints have been assessed:

- View 1 – DLR between Mudchute and Crossharbour (Northbound)
- View 2 – DLR between Crossharbour and Mudchute (Southbound)
- View 3 – Travelling an easterly direction at the junction of Claude Street and Westferry Road.
- View 4 – Travelling in a northerly direction along Westferry Road approaching junction with Dockers Tanner Road and pedestrian crossings.
- View 5 – Travelling in a northerly direction along Westferry Road adjacent to Arnhem Wharf Primary School.
- View 6 – Travelling in an easterly direction at the junction of Arnhem Place and Westferry Road adjacent to Arnhem Wharf Primary School.

7.694 The ES concludes that the likelihood of the potential for solar glare to occur in all the above viewpoints would be **Negligible (Not Significant)**.

Cumulative Impact

7.695 The cumulative daylight/sunlight effects on nearby residential receptors have been assessed within the ES as a proposed development + consented schemes scenario against the baseline scenario (existing site cleared). The consented scheme considered in this

cumulative scenario is the single scheme at 49-59 Millharbour, 2-4 Muirfield Cresent and 23-39 Pepper Street (PA/16/03518).

7.696 The assessment reports that the majority of the windows assessed will either not be affected by the consented scheme at 49-59 Millharbour, 2-4 Muirfield Cresent and 23-39 Pepper Street, or the losses will be so small that the magnitude of impact will remain the same as they face away from the consented scheme and towards the proposed development.

7.697 There are 3 receptors (1-6 Omega Close, 61-97 Tiller Road and 161 Mellish Street) that are close enough and have windows facing the proposed development which would also have a view of the scheme at 49-59 Millharbour, 2-4 Muirfield Cresence and 23-39 Pepper Street.

7.698 In terms of daylight received, the VSC results show that 140 (66%) of the 213 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the remaining 73 (34%) windows, 47 would achieve a factor of their former values ranging between 0.79 and 0.70, 23 between 0.69 and 0.60 and 3 below 0.60.

7.699 The NSL results show that 134 (99%) of the 136 rooms assessed would satisfy the BRE guidelines by retaining at least 0.8 times their former values. The remaining 2 (1%) rooms would achieve a factor of their former values ranging between 0.79 and 0.70.

7.700 The assessment reports that 1-6 Omega Close would experience a **Minor Adverse (Not Significant)** effect in the VSC and/or NSL tests.

7.701 The remaining 2 properties are discussed further below.

61-97 Tiller Road

7.702 The VSC results show that 128 (69%) of the 186 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 64 (34%) remaining windows, 37 would achieve a factor of their former values ranging between 0.79 and 0.70, 19 between 0.69 and 0.60 and 2 below 0.60.

7.703 Ten of the 19 windows that achieve values ranging between 0.69 and 0.60 achieve low levels of VSC in the baseline (between 4.6% and 6.67%) as a result of oversailing of the floor plate above the windows. As the VSC levels are low in the baseline, the assessment reports that relatively small reductions manifest as disproportionately large ratio reductions. Two further windows serve living rooms with a primary window that achieves an absolute VSC over 30%. The remaining 2 windows have a blinkered view of the sky due to a side projection and oversailing balcony. The 5 remaining windows serve bedrooms that are oversailed by projections above and/or blinkered by projections beside the window.

7.704 The 2 windows that achieve a factor of their former value below 0.60 are blinkered by a projection above and the side of the window.

7.705 The NSL results show that 121 (98%) of the 123 rooms assessed satisfy the BRE guidelines. The remaining 2 (2%) rooms achieves a factor of their former values ranging between 0.79 and 0.70.

7.706 Overall, the ES assesses the effect to these properties in the cumulative scenario to be **Moderate Adverse (Significant)**.

7.707 In terms of the cumulative sunlight effects on these properties, the APSH results show that 174 (94%) out of 186 windows assessed for APSH would satisfy BRE guidelines on an annual basis. Of the 12 (6%) remaining windows, 11 would achieve a factor of their former value ranging between 0.79 and 0.70 and 1 ranging between 0.69 and 0.60. In terms of WPSH, the results show that all 186 windows tested would satisfy the BRE guidelines on a winter basis.

7.708 Overall, the ES assesses the effect to these properties to be **Minor Adverse (Not Significant)**.

161 Mellish Street

7.709 This 4-storey flatted building is located to the north of the site on the northern side of Tiller Road. The VSC results show that 2 (25%) of the 8 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the 6 (75%) remaining windows, 2 would achieve between 0.79 and 0.70 of their former value, 3 would achieve between 0.69 and 0.60 and 1 just below 0.60 (0.59).

7.710 The 2 south-facing windows that achieve between 0.79 and 0.70 retain a VSC of 15.42% and 22.40%. The 4 windows that achieve between 0.69 and 0.60 and below 0.60 are east-facing windows that look towards the consented scheme at 49-59 Millharbour, 2-4 Muirfield Crescent and 23-39 Pepper Street. The retained levels of VSC for these 4 windows ranges between 17.02% and 19.81%.

7.711 The NSL results show that 4 out of the 4 rooms assessed satisfy the BRE guidelines.

7.712 Overall, the ES assesses the effect to this property to be **Moderate Adverse (Significant)** owing to the consented scheme at 49-59 Millharbour 2-4 Muirfield Cresent and 23-39 Pepper Street being a contributing factor to the VSC reductions.

7.713 In terms of sunlight impacts in the cumulative scenario, the assessment reports that 201 (94%) of the 213 windows tested would satisfy the BRE guidelines for annual sunlight and all the windows would meet BRE guidelines for winter sunlight.

7.714 The assessment reports that receptors 1-6 Omega Close and 161 Mellish Street achieve full adherence with BRE guidelines for both APSH and WPSH. The ES therefore assesses the effects to these properties to be **Negligible (Not Significant)**.

49-59 Millharbour, 2-4 Muirfield Cresent and 23-39 Pepper Street

7.715 The ES has also assessed the potential impact of the proposed development upon the consented scheme at 49-59 Millharbour, 2-4 Muirfield Crescent and 23-39 Pepper Street. The assessment considers the impact upon the lowest floor of residential accommodation within the scheme.

7.716 In terms of daylight impact, the VSC results show that 446 (99%) of the 450 windows tested for VSC would satisfy the BRE guidelines by either retaining a VSC of at least 27% or at least 0.8 times their former values. Of the remaining 4 (1%) windows, 3 would achieve a factor of their former values ranging between 0.79 and 0.70 and 1 between 0.69 and 0.60.

7.717 The NSL results show that all of the 266 rooms assessed would satisfy the BRE guidelines by retaining at least 0.8 times their former values.

7.718 Overall, the ES assesses the daylight impacts to this development to be **Minor Adverse (Not Significant)**.

7.719 In terms of sunlight impacts, all of the 232 windows tested would satisfy the BRE guidelines for both annual sunlight and winter sunlight criteria therefore the ES reports that the sunlight impacts to this development would be **Negligible (Not Significant)**.

Conclusions on Daylight, Sunlight, Overshadowing and Solar Glare

7.720 In conclusion, the ES demonstrates that of the receptors assessed for daylight, significant effects are likely to occur at 19 receptors, with 10 receptors (5, 6 & 7 Wateridge Close; 16-19 Claire Place; 7-9, 10, 11, 12, 13, 14 and 15 Omega Close and 61-97 Tiller Road) experiencing Moderate Adverse (Significant) effects (31-40% reduction) and 9 receptors (1 to 8 Starboard Way; 9, 10 to 14, 15, 16, 17 18, 19 & 20 Starboard Way and 16 Omega Close) experiencing

Major Adverse (Significant) effects (Over 40% reduction). All other receptors assessed will experience Negligible and Minor Adverse (Not Significant) effects.

7.721 In terms of receptors assessed for sunlight, significant effects are likely to occur at 4 receptors (1 to 8 Starboard Way, 10 to 14 Starboard Way, 16 and 17 Starboard Way) with all 4 receptors experiencing Moderate Adverse (Significant) effects (31-40% reduction). All other receptors will experience Negligible to Minor Adverse (Not Significant) effects.

7.722 In terms of the sun-on-ground and overshadowing to gardens and amenity spaces, the ES demonstrates that of the 54 amenity spaces tested, 39 amenity spaces achieve full adherence to the BRE guidelines. Significant effects will occur to 15 receptors (1-10 Starboard Way; Starboard Way communal side garden; 7, 8 and 14 Omega Close) with all experiencing Major Adverse (Significant) effects (Over 40% reduction).

7.723 The Daylight, Sunlight, Overshadowing, Light Spillage, Solar Glare and Solar Irradiance assessment has been independently reviewed by both the Temple Group (ES Chapter 12, NTS and ES Statement of Conformity) and Delva Patman Redler (DPR) who subsequent to clarifications sought, agree with the significance of effects assessed in the ES and the conclusions drawn.

7.724 Overall, whilst the scheme does identify adverse daylight and sunlight impacts to neighbouring properties, a scheme of this magnitude that seeks to optimise site capacity would inevitably result in some level of adverse impacts. The Mayor of London's 'Housing' Supplementary Planning Guidance states that an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity and the scope for the character and form of an area to change over time.

7.725 The scheme would result in reductions in daylight and sunlight some of which would be Major Adverse and as such would be contrary to relevant development plan policies that seek to protect neighbouring amenity. However, the proposal is considered to comply with the development plan as a whole. Whilst there are reductions in daylight and sunlight resulting from the development, in taking the wider regeneration benefits of the proposal into account the development is considered to be acceptable.

Noise & Vibration

7.726 The application has been accompanied by a Noise and Vibration Assessment forming Chapter 11 of the Environmental Statement (ES).

Construction Phase

7.727 The ES has considered a number of different stages of the construction programme to identify the potential effects at sensitive receptors in close proximity of the site. The ES reports that construction noise predictions indicate a Medium impact is only likely to be exceeded at receptors R2 (16-34 Clarie Place), R3 (1-20 Starboard Way), R4 (Winch House) and R5 (7-16 Omega Way) during the Year 2 Quarter 1 assessment phase. A Medium impact would be equivalent to a Moderate Adverse effect at high sensitivity receptors and thus deemed as Significant.

7.728 In terms of all other receptors, during all phases construction noise levels are predicted to be either a Low impact or a Very Low impact. These would be equivalent to a Minor Adverse effect and a Negligible effect respectively at high sensitivity receptors and therefore Not Significant. The assessment notes however, that whilst noise effects are identified as Not Significant, exceedances of the daytime 65 dB $L_{Aeq,T}$ LOAEL[22] are likely to occur throughout the construction programme, and all reasonable steps will be taken to mitigate and minimise

[22] LOAEL (lowest observed adverse effect level): the level above which adverse effects on health and quality of life can be detected.

the effects through adoption of BPM (Best Practicable Means), as defined in Section 72 of the Control of Pollution Act 1974.

7.729 In terms of construction vibration effects, receptors identified within the ES as being sensitive to vibration impacts are located between 20m to 120m. The ES reports that the results of the construction vibration predictions indicate that receptors assessed would experience either a Low impact (equivalent to Minor Adverse effect) or a Very Low impact (equivalent to a Negligible effect) and are therefore Not Significant. However, exceedances of the 0.3mm/s LOAEL may occur and as such construction vibration emissions will be reduced as far as practicable through the implementation of BPM. In terms of piling activities, the estimated effects assume that vibration-generating activities are taking place at the part of the building footprint that is closest to each sensitive receptor. The assessment reports that it is likely that separation distances from piling locations to receptors will be greater than those presented in the ES. Consequently, vibration effects are likely to be lower than those identified for the majority of the construction period and, as such, a worst-case scenario has been assessed.

Construction Traffic Noise

7.730 Construction traffic noise has been assessed by considering the change in traffic flows as a result of the proposed development with reference to both the Calculation of Road Traffic Noise 1988 (CTRN) and the Design Manual for Roads and Bridges (DMRB). The assessment of noise impacts has been undertaken with reference to the following three scenarios: 2023 Baseline; 2023 Baseline + Peak Construction Traffic, April 2026 to Sept 2026; and 2023 Baseline + Peak Construction Traffic, Sept 2028 to July 2029. Road traffic noise levels have been calculated using CRTN methodology which contains an equation for the calculation of the Basic Noise Level (BNL) from a road in terms of the 18-hour Average Annual Weekday Traffic (AAWT) flow from 06:00 to 24:00.

7.731 The ES reports that the majority of construction traffic will access the site from the north via Westferry Road and Millharbour. The assessment of construction traffic noise calculations for peak construction traffic periods indicates a worst-case increase of 2.2dB due to construction traffic on Millharbour between Muirfield Crescent junctions. A change in road traffic noise of this magnitude would be equivalent to a Minor Adverse effect (Not Significant). At receptors adjacent to all other road links that would be used by the construction traffic, noise effects are Negligible (Not Significant).

Operational Road Traffic Noise (Completed Development)

7.732 The ES has assessed the operational traffic noise effects associated with the proposed development by calculating the CRTN BNL and comparing the change. The assessment reports that calculations of road traffic noise indicate a worst-case increase of 1.1dB due to operational traffic on Millharbour between Muirfield Crescent junctions. At this location, a change in road traffic noise of this magnitude is equivalent to a Minor Adverse effect (Not Significant). In terms of all other receptors assessed, the change in road traffic noise is equivalent to Negligible effect (Not Significant).

Perceptible Vibration and Ground-borne Noise

7.733 The ES reports that underlying vibration levels at the site are significantly below the thresholds set out in British Standard guidance[23] and that predictions of re-radiated ground-borne noise levels into the worst affected bedroom also indicate that levels are significantly below best practice guidance. To minimise the potential for vibration to be transmitted into the new buildings, all items of fixed plant/equipment/machinery will be fitted with vibration isolation in line with manufacturer and CIBSE (Chartered Institution of Building Service Engineers) best practice guidance. In terms of operational vibration, this has been scoped out of the ES as this was previously determined to be significantly below the threshold of low probability of adverse effects and no new sources of vibration have been introduced to the area.

[23] BS 6472-1 Guide to evaluation of human exposure to vibration in buildings – Part 1.

External Amenity Noise Levels

7.734 The ES reports that future façade noise levels are expected to exceed the BS 8233[24] guidance level of 55 dB $L_{Aeq,T}$ recommended for external amenity of balcony areas. To comply with best practice, the scheme proposes to only include balconies on facades where noise levels do not exceed 55 dB. The assessment also reports that there may be exceedances of the target noise level for outdoor amenity areas, but the level of noise is not of a sufficient magnitude to be significant.

Mitigation Measures

7.735 Mitigation measures for construction-related activities are proposed to be set out in the Construction Environmental Management Plan (CEMP) which will be secured via a planning condition. The ES reports that mitigation measures covered in the CEMP will represent the adoption of Best Practicable Means. Examples of such measures include but are not limited to noisy plant or equipment being situated as far as possible from noise-sensitive buildings; an appropriate piling technique that is the least likely to cause adverse vibration impacts to be adopted (i.e. auger piling); noise-reducing barriers (e.g. site huts, acoustic sheds or partitions); exhaust silencers to be fitted on vehicles and mechanical plant to minimise noise emissions; and noise-emitting machinery which is required to be run continuously to be housed in suitable acoustically-lined enclosures. These are some of the mitigation measures proposed during the construction phase of the development.

7.736 In terms of the operational phase of the development, the ES reports that embedded mitigation within the proposed development will consist of largely ensuring that suitable glazing is selected so that desirable internal noise conditions are achieved. The glazing scheme will be finalised in the detailed acoustic design of the proposed development. No operational mitigation measures have been identified as being required.

Cumulative

7.737 The ES has identified five cumulative schemes that may case cumulative noise and vibration effects. Construction activities at the proposed development are predicted to result in noise and vibration effects that are Not Significant (both in relation to the proposed development in isolation and in the cumulative scenario). Cumulative schemes and the proposed development are located such that it is unlikely that simultaneous demolition and/or construction works will result in cumulative noise or vibration effects at nearby receptors. The ES therefore reports that cumulative demolition and/or construction noise and/or vibration effects would be Not Significant. No significant cumulative noise or vibration effects are likely to arise as a result of changes in operational road traffic noise or building services plant and no significant noise or vibration effects have been identified as a result of the proposed development either in isolation or in the cumulative scenario.

Conclusion

7.738 In conclusion, the relevant ES chapter demonstrates technical compliance is achieved with regards to relevant planning policies to ensure that future residents will enjoy a satisfactory standard of living accommodation within the dwellings, whilst also safeguarding existing background noise levels and neighbouring amenities. The Council's Environmental Health Officers and Temple who have been appointed to review the Environmental Statement on behalf of the Council have reviewed the relevant ES Noise and Vibration Chapter and, having assessed further clarifications requested, are satisfied with the conclusions drawn and the significance of effects assessed. Subject to details being submitted via condition requiring the submission of a post-completion verification report for the new residential units, and conditions imposing restrictions on noise from plant and on demolition and construction activities, there are no objections to the proposed development.

[24] BS 8233 – Guidance on sound insulation and noise reduction for buildings.

Construction Impacts

7.739 Chapter 5 (Construction) of the Environmental Statement describes and assesses the potential construction-related environmental impacts and resultant environmental effects of the proposed development. The application is also supported by a Construction Logistics Plan which notes an overall timeframe for construction of approximately 7 years with completion of the build expected to be in May 2031. Phases will be constructed in sequence (Phases 0-4), but overlapping of phases has been identified. The school is not identified as forming part of phases 0-4 as the school will be delivered by the Department for Education; however, the school is identified to be built out between years 0-2 and overlapping/in parallel with phases 1 and 2 of the development.

7.740 The construction of the development will follow the Council's Code of Construction Practice standard working hours. For vehicle movements this will be restricted to Monday-Friday: 09.30 – 16.30 hrs (no vehicle movements on Saturday, Sunday, Bank Holiday and Public Holidays) and Monday-Friday: 09.30 – 15.00 hrs along Westferry Road during school term time (where the site is close to a school).

7.741 Given the site's proximity to Arnhem Wharf Primary School, it is proposed that after 15.00 during term time, construction vehicles would access the site via Millharbour until 16.30. During school holidays, Westferry Road access would be used from 09.30 to 16.30. The Westferry Road construction access is intended to be the main construction access to the site. The Council's Code of Construction Practice Guidance also restricts standard working hours to Monday-Friday: 08.00 – 18.00 hrs.

7.742 During phases 0 to 3, Westferry Road would provide construction access in accordance with the hours and strategy set out above. Outside of school term time, all construction access would take place from Westferry Road during phases 0 to 3. During Phase 1, the CLP states that two separate points of construction vehicle access from Westferry Road would be provided: one for the school and one for the wider development. Traffic marshals would be present at both points of access throughout the build programme. Millharbour would be used by construction vehicles associated with Phase 4 of the development to minimise the potential for occupied residential development to conflict with construction traffic movement.

7.743 All HGVs accessing the site will be received by traffic marshals and vehicles will be directed to the relevant loading/unloading area within the site. All vehicles would be required to enter and exit the site in a forward gear and all traffic can access and turn within the site.

7.744 In terms of construction-related vehicle trips, the ES identifies the anticipated average number of vehicles per day over the duration of the construction programme. This assumes 5 days per week for deliveries, 50 weeks per year and 8 bank holidays. The assessment reports that it is assumed that approximately 90% of vehicles would be HGVs (box vans, low loaders, articulated lorries, ready mix concrete lorries, mobile cranes, skip lorries, 32 tonne tipper trucks or similar), and 10% smaller vehicles. The overall peak trip (one-way) for all vehicles would be 143 vehicle trips (including those associated with the school) per day in Year 2 (assumed to be 2026), when the school, phase 1 and phase 2 construction overlaps. Of these 143 vehicle trips, 128 would be expected to be HGVs. Delivery hours would be restricted to 09.30-16.30 on weekdays only and 09.30-15.00 (during school term time) as required by the Council's Code of Construction Practice.

7.745 In terms of the school specifically, the ES reports that there would be 14 vehicles entering and leaving the site per day, of which 13 vehicles are HGVs. This would be equivalent to 3 vehicles every hour with 1 vehicle entering the school gate every 20 minutes during the peak hour.

7.746 The peak number of vehicles entering and leaving the Westferry Road entrance (excluding the school construction vehicles) would be expected to be 130 vehicles entering and leaving per day. HGVs entering the site would be 117 vehicles per day and the peak would be expected in Q2 Year 2, when phases 1 and 2 works overlap. The vehicles at this gate would be equivalent to 17 vehicles per hour arriving.

7.747 The peak construction vehicles for the Millharbour Road route and entrance to the proposed development would be indicatively 40 vehicles in and out per day of which 36 would be HGVs

and would be equivalent to 6 vehicles per hour. This would occur during phase 4 of the construction and in year 5 of the construction programme.

7.748 No permanent road closures are required for the construction of the development, including the school. Any temporary road closures proposed would be restricted to any partial closure of Westferry Road to facilitate proposed highway alterations near the Westferry Road gate.

7.749 Officers acknowledge that demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. However, the ES assumes that several measures would be in place to manage potential environmental effects associated with the construction. In accordance with relevant development plan policies, the Applicant would be expected to adhere to the Council's Code of Construction Practice and this will be secured via the imposition of a condition which will require the Applicant to submit to the Council, for approval, a section 61 application and a number of technical documents such as, but not limited to, a Construction Management Plan, a Construction Logistics Plan, a Traffic Management Plan and a Site Environmental Management Plan.

7.750 In addition to the above, the Council's Planning Obligations Supplementary Planning Document seeks a contribution of £1 per square metre of non-residential floorspace and £100 per residential unit towards Development Co-ordination and Integration. This would assist the Council in managing construction activity both on-site and within the surrounding streets and spaces proactively and strategically across the Borough. This would be secured via the S106 legal agreement should planning permission be granted for this development.

TRANSPORT

7.751 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development by promoting walking, cycling and public transport use but also contributing to wider health and environmental objectives to reduce congestion and emissions, and improve air quality and public health. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.

7.752 Policies T1 to T6.1 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at local, network-wide and strategic level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network. Policy T6 of the London Plan (Part B) states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development should still ensure, as a minimum, that for 3% of dwellings at least 1 designated disabled persons parking bay per dwelling is available from the outset (Policy T6.1 (Part G(1)). Policy T7 (Part G) of the London Plan requires development proposals to facilitate safe, clean, and efficient deliveries and servicing.

7.753 The above policies are echoed in Local Plan Policies S.TR1, D.TR2, D.TR3 and D.TR4 which require proposals to give consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints, while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling. Policy S.TR1 particularly promotes the need to prioritise pedestrians and cyclists as well as access to public transport, including river transport, before vehicular modes of transport.

7.754 Policy D.MW3 requires all new developments to include sufficient accessible space to separate and store dry recyclables, organics and residual waste for collection, both within individual units and for the building as a whole.

Access, Movement and Connectivity

<u>Vehicular Access</u>

7.755 As described in the Site and Surroundings section of this report, the site has a PTAL of 3 on a scale of 1 to 6 where 6b is considered excellent. The key local highway network routes that

provide access to the site and serve the wider locality are the A1206 Westferry Road to the west, Millharbour to the north-east, Marsh Wall to the north and the A1261 Aspen Way further north beyond Marsh Wall.

7.756 Westferry Road is a single lane, two-way classified route (A1206) which runs north-south along the western side of the Isle of Dogs and is subject to a 20mph speed limit. Westferry Road provides for a number of bus routes, with pedestrian footways provided on both sides of the carriageway. In the immediate vicinity of the site by the Westferry Road frontage, the footway is approximately 2.0m to 2.5m wide. Westferry Road also has a signal-controlled pedestrian crossing circa 65m to the north of the site and a zebra crossing approximately 150m to the south of the site boundary. To the south, Westferry Road routes towards Island Gardens and becomes Manchester Road. Marsh Wall has a two-way single-lane carriageway which connects the Preston's Road/Marsh Wall/East Ferry Road roundabout junction with the gyratory junction of Westferry Road and Heron Quay. Marsh Wall also provides a pedestrian bridge access across South Dock, via Admirals Way.

7.757 The site's primary access is taken from Westferry Road with a secondary access on its eastern side from Millharbour. Millharbour is a single carriageway, two-way road which terminates at the site's eastern entrance. At this terminus, Millharbour provides a circular turning head for traffic from which access is provided to a number of commercial development sites.

7.758 As detailed previously, the proposed scheme largely adopts the same site layout principles as the consented scheme with a Boulevard running through the site connecting Westferry Road to Millharbour and secondary north-south routes running through the site. To prioritise pedestrians and cyclists, vehicular access to and through the site will be restricted. Blue badge holders and servicing vehicles will be permitted to access the site from Westferry Road and Millharbour and only vehicles associated with the development will be permitted to access with no general traffic permitted for entry. As such there will be no ability to use the Boulevard as a through route between Westferry Road and Millharbour by general traffic.

7.759 Vehicular access will be granted to residents via an Automatic Number Plate Recognition (APNR) system as would servicing vehicles (as detailed below). All authorised vehicles are expected to enter and exit the site via Westferry Road to reduce traffic impact on Millharbour. Where vehicles are not pre-registered, they will be required to stop before rising bollards at the site entrances. The rising bollard system would be provided with an intercom, which would allow residents and visitors to speak with the Site's security team. The intercom and APNR camera would be mounted on an island that separates the entry and exit lanes. The entry-controlled bollards would retract automatically when authorised vehicles approach. Rising bollards will also be provided at the Millharbour Site Access to control vehicular access but maintain permeable access for pedestrians and cyclists. Access control utilising ANPR to admit authorised vehicles, supported by an intercom that connects with the site's security team, will also be deployed.

7.760 It is proposed that the access control is located approximately 40 metres to the east of Westferry Road. This would enable inbound vehicles to wait at the rising bollards, without obstructing the free flow of pedestrians or vehicles along Westferry Road. At the site access from Westferry Road, a turning head would be provided, located approximately 10 metres to the west of the rising bollards. This would enable cars and small vans that are not permitted access to the site to turn and exit in forward gear, removing the need for vehicles to reverse into Westferry Road. A vehicular turning head already exists adjacent to the site access on Millharbour. All large servicing and delivery vehicles would be directed in a one-way journey through the site. The Council's Transport Officers have requested, however, that the scheme indicates potential locations where 'home delivery' type vehicles such as Amazon drivers would be able to turn within the site. The Applicant has provided three possible locations off the Boulevard where this could be accommodated without impacting on the proposed landscaping of the scheme.

7.761 Vehicular access to the school would be via Millwall Dock Road with servicing and delivery vehicles (and emergency access vehicles) directed to a secure gate located to the north of the school. The general vehicular movement strategy proposed for the scheme is indicated in the image below.

7.762 Commercial occupiers within the site would have access to on-site blue badge parking spaces and entry and exit to and from the site for commercial occupiers will operate on the same principles as above.

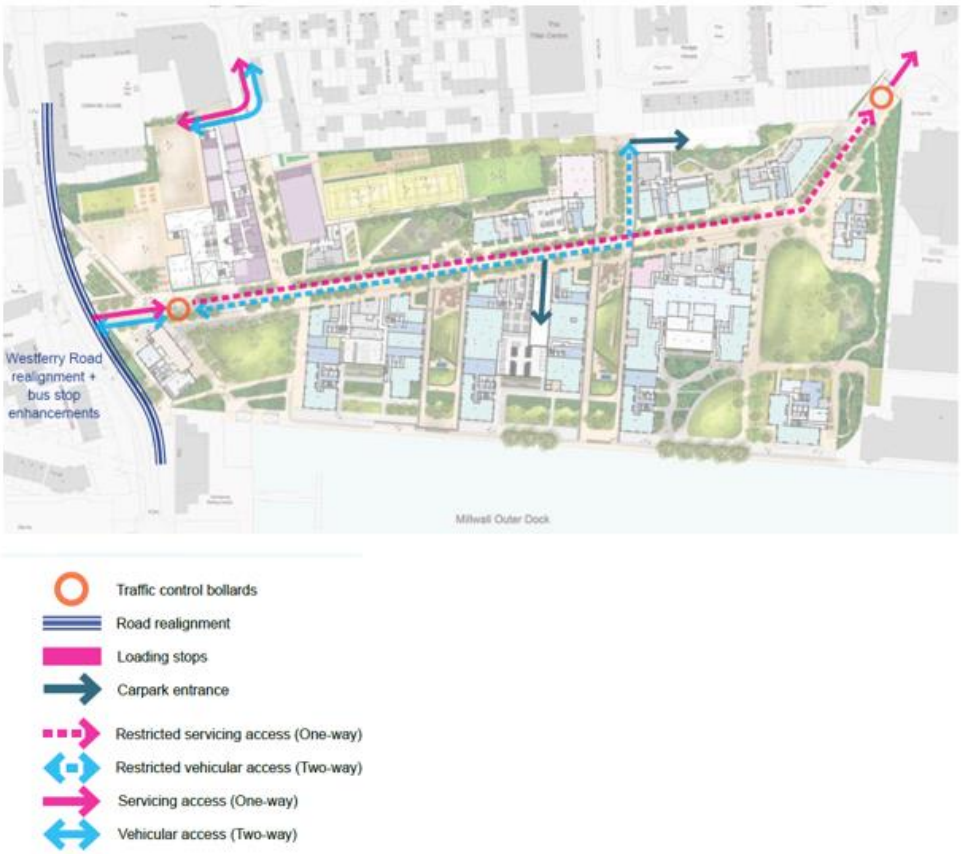


Figure 66: Vehicular movement strategy

Pedestrian and Cyclist Access

7.763 Pedestrian and cyclist access to the site would be via Westferry Road, Millharbour, Millwall Dock Road and Starboard Way. Movement within the site will be pedestrian and cyclist focused with the Boulevard forming the main east-west route through the site with secondary north-south spine routes seeking to reconnect the Millwall Dock Road and Starboard Way to the north to the redesigned towpath/promenade to the south. A new point of pedestrian access is proposed via Starboard Way however it should be noted that this is indicatively proposed at this stage and would be subject to any future redevelopment of the adjoining site. Additional routes are also created at the western end of the site from Westferry Road to allow direct visual connection to the dockside cranes and towpath when approaching from the north. To the east, a new pedestrian route towards the dock front is also introduced from Millharbour.

7.764 The Boulevard will also be designed as a shared surface to be used by pedestrians, cyclists and vehicles. Separate and parallel pedestrian-only routes would also be provided on both sides of the street separated from the carriageway by landscaping features. No dedicated cycle infrastructure is proposed along the Boulevard as the anticipated low level and controlled motor traffic using the route means that it would not be necessary to provide a separate dedicated cycle route within the site.

7.765 The public right of way along the promenade/towpath would be significantly improved as a result of the development. The route would be widened to connect directly with the areas of public realm and public open space proposed within the development. Officers would be seeking to secure via the S106 agreement that public access to these areas are maintained at all times.

7.766 The area in the vicinity of the site is well-served by cycle routes with Westferry Road and Millharbour both being routes signed for cyclists and forming part of the cycle network within the borough. National Cycle Network (NCN) Route 1 provides a designated cycle link from

the site to the Greenwich Foot Tunnel (via East Ferry Road and Mudchute Park) to the south, or north to Hackney and further afield (via Limehouse, Mile End Park and Victoria Park). Approximately 2.0km to the north of the site, NCN1 connects with Narrow Street which forms part of Cycleway 3 (formally Cycle Superhighway 3), which provides a route to the west towards central London, and to the east towards Barking. Cycleways 4, 10, 14 and 18 are also all located within a 20-minute cycle of the site.

Public Transport Accessibility

7.767 The site is well-positioned to be accessed by public transport services. The site is served by Canary Wharf Station which operates the Jubilee Line (which routes between Stanmore and Stratford) and Elizabeth Line services and is located approximately 1km and 1.25km to the north of the site respectively. These services provides a link to central London and key stations that provide interchanges.

7.768 The site is also located within close proximity of Crossharbour DLR station which is located approximately 375m from the site's Millharbour entrance. This section of the DLR provides services from Lewisham to Bank and journeys from Crossharbour to Bank connect with Heron Quay, Canary Wharf, West India Quay, Westferry, Limehouse and Shadwell. Services from Crossharbour also connect to Stratford.

7.769 Westferry Road is served by existing bus routes 135, 277, D7, N277 and N550 and northbound and southbound bus stops are located within the vicinity of the Westferry Road site access. Further bus services are also accessible from Crossharbour bus terminus, located adjacent to East Ferry Road, where bus routes D6 and D8 provide connection to Blackwall, Poplar, Bromley-by-Bow and Stratford.

Summary

7.770 In summary, Officers acknowledge that the site is supported by good transport connections and welcome and support the improved connections proposed across the masterplan which would facilitate greater opportunities for walking and encouraging active and healthy travel. The site currently acts as a physical severance between the residential developments to the north and the towpath to the south along Millwall Outer Dock. The masterplan will deliver an improved network of new streets which have been designed to improve the pedestrian experience, creating green and leafy routes which enable walking and cycling to be prioritised. The masterplan will also enhance and create opportunities for greater north-west connections to the new promenade along Millwall Outer Dock.

Road Network Changes

7.771 The scheme proposes localised road network changes adjacent to the Westferry Road site entrance which will be agreed and secured via an agreement under section 278 of the Highways Act 1980. S278 agreements allow developers to enter into a legal agreement with the Council (in the capacity as the Highway Authority) to make permanent alterations or improvements to the public highway, as part of a planning approval. The requirement to enter into a S278 agreement will be secured via the S106 Agreement should planning permission be granted for this development.

7.772 The works to the public highway include the realignment of Westferry Road along Westferry Road to improve forward visibility. The provision of a wider pavement outside of Arnhem Wharf Primary School (minimum 3.5m wide footway) will allow for easier pedestrian access to the school. As per the extant planning permission, it was originally proposed to relocate and extend the northbound bus stop on Westferry Road to enable the stop to cater for two buses at any one time. The southbound bus stop was also proposed to be extended however it would remain in its current location.

7.773 A new zebra crossing on Westferry Road positioned between the two bus stops is also proposed and will allow future residents, visitors and pupils to safely access the northbound bus stop. This will also allow parents and pupils associated with Arnhem Wharf School to safely access the southbound bus stop. On-street parking will be discouraged through the

provision of ‘zigzag’ markings on the approach to the zebra crossing and the introduction of double yellow line waiting restrictions.

7.774 TfL had initially objected to the proposal to relocate the existing bus infrastructure due to operational and pedestrian safety concerns. The Applicant has subsequently amended the Westferry Road site access arrangements so that the bus stops remain as existing. This is to ensure that the separation between the bus stop and the Arnhem Wharf school frontage remained. There would also be a minor increase in length of the northbound bus cage and the initial proposal to extend the bus stops to accommodate two buses at any one time has now been removed from the scheme. TfL have reviewed these amendments and have confirmed that the revised Westferry Road site access amendments are acceptable.

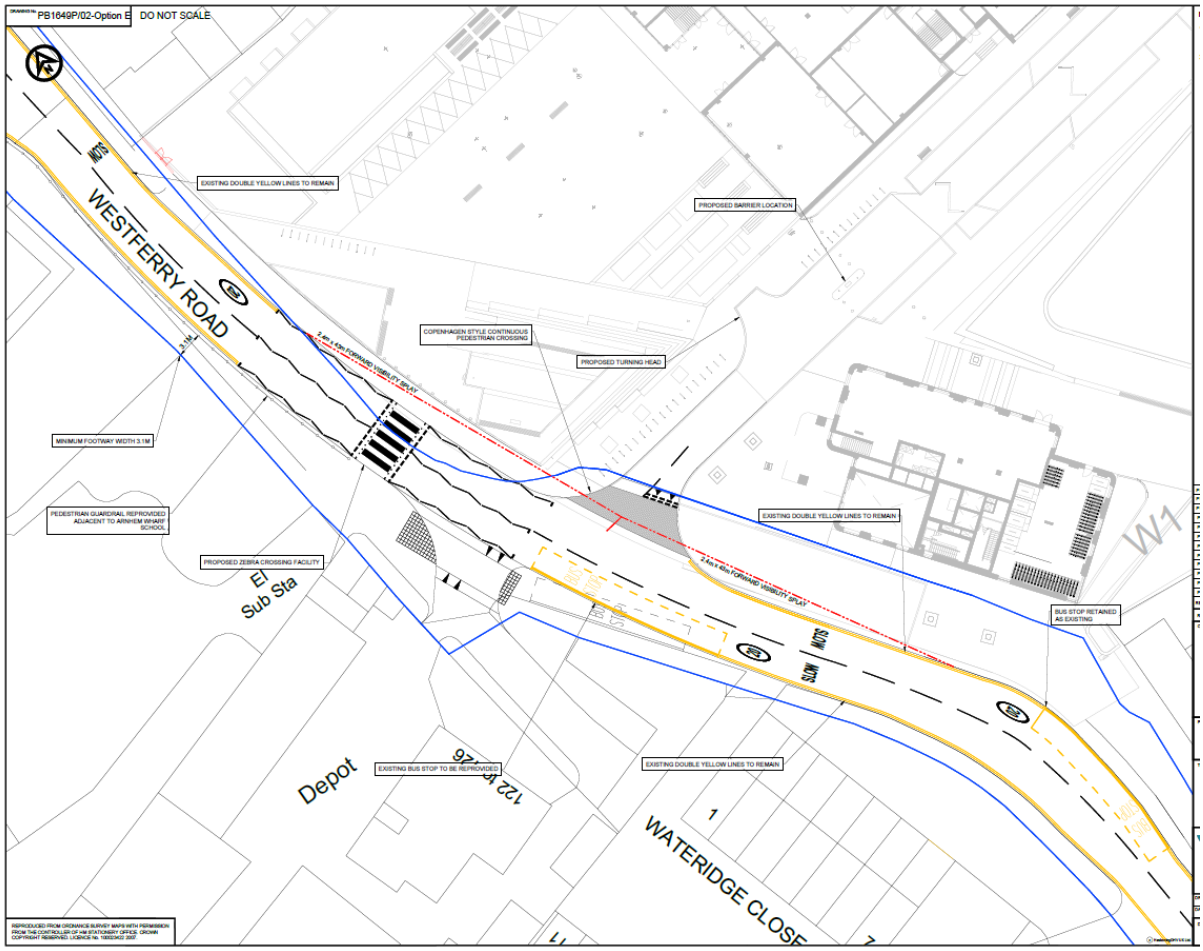


Figure 67: Westferry Road site access works

7.775 Additional highway works that are minor in nature are also proposed on Millwall Dock Road to facilitate access to the school. These works would be as per the consented scheme and include the removal of some on-street permit holder ‘business use’ car parking spaces. The Transport Assessment confirms that these business permit holder spaces on Millwall Dock Road were never fully utilised. A new coach parking bay located on Millwall Dock Road will be introduced which will be located within the vicinity of the school. Whilst on the public highway and not exclusively restricted to use by the school only, the bay could accommodate a coach or minibus on occasions a school trip is organised. It is anticipated that the use of the coach bay would be time-limited to prevent unauthorised car parking. The proposed school access will be provided as part of the S278 highways agreement to be secured via the S106 Agreement.

7.776 LBTH Transport Officers do not have any in principle objections to the road network changes proposed. In light of the bus stops being retained in the existing location, LBTH Transport Officers have requested a Copenhagen-style continuous pedestrian crossing at the Westferry Road entrance and this has been incorporated into the amended site access design.

Deliveries & Servicing (Including Waste)

7.777 The proposed Waste Management Strategy for the development has evolved from the strategy that was proposed under the extant planning permission.

7.778 Under the consented scheme, service vehicles (including refuse collection vehicles) were permitted to route from the Boulevard towards the dock with refuse collection taking place at ground floor level and Council refuse vehicles collecting residential waste from 1280 litre bins. It was proposed that the non-residential elements of the scheme were subject to a separate private waste collection contract. Service collection for the school was proposed to be undertaken via Millwall Dock Road.

7.779 Under the Appeal Scheme (which excluded the school site) it was no longer proposed to route service or refuse vehicles towards the dock to collect waste or service the residential development. All residential waste was proposed to be collected by the Council's refuse collection service and again with a commercial private collection servicing the commercial elements of the scheme. The Appeal Scheme maintained a traditional system of waste collection with a chute system in buildings T1-T5; however, the Waste Management Strategy for the Appeal Scheme introduced the provision of wheeled bin compactors within bin storage areas to compress residual waste and reduce the number of bins that require collection. No objections were identified to the Waste Management Strategy proposed under the Appeal Scheme.

7.780 The proposed development will continue to propose a vehicular connection between Westferry Road and Millharbour through the Boulevard as indicated below.

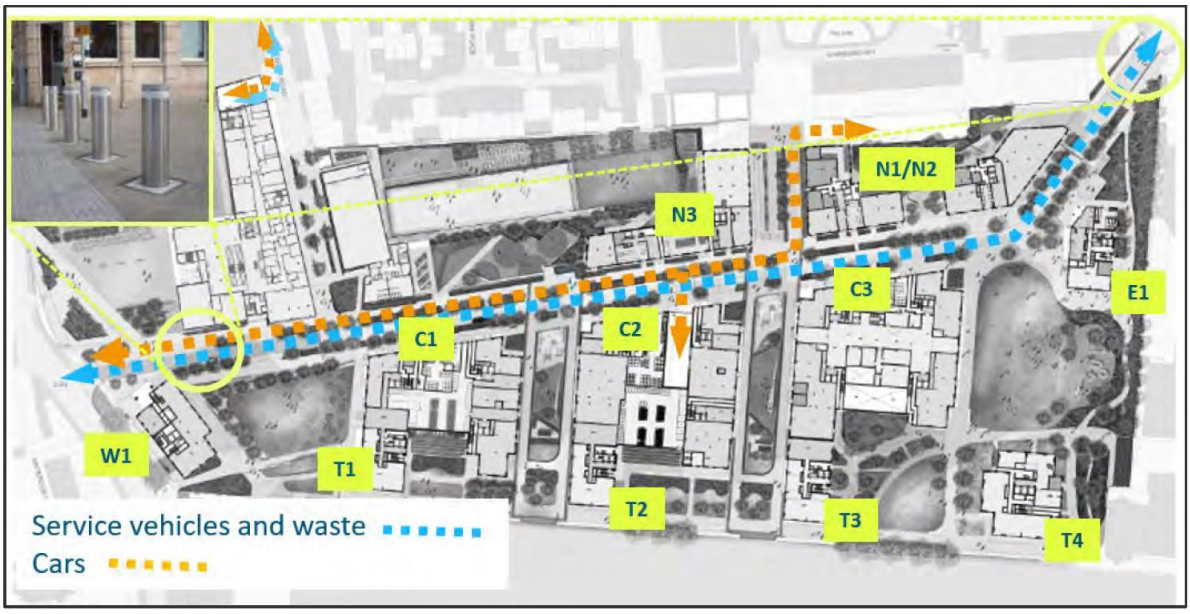


Figure 68: Service and waste vehicles access

7.781 The Boulevard would accommodate all vehicular movement, which will be limited because of the car-free nature of the development (with the exception of parking spaces for blue badge holders) and the implementation of the site access controls.

7.782 Refuse vehicles would be routed one-way through the site, east or westbound, removing the need for refuse collection vehicles to turn or reverse. The only exception would be the access to the commercial bin store located at the rear of Block N1, for which a dedicated service would be provided and a refuse collection vehicle would be required to reserve into this space.

7.783 The site's access from Westferry Road and Millharbour would be controlled by rising bollards and would operate with APNR cameras and an intercom control as detailed earlier. The ANPR bollards would fall automatically when an authorised vehicle approaches. Intercoms would enable a driver to request access, if required. The registration plates of all the Council's refuse vehicles would be contained within the ANPR system so that the bollards would fall when a refuse vehicle approaches.

7.784 Whilst the scheme for the site proposes a one-way strategy for servicing and refuse vehicles, the Waste Management Plan identifies that there would be the ability to turn a refuse vehicle (if needed) at the existing turning head at the terminus on Millharbour. This turning movement has been tracked and included within the Waste Management Plan demonstrating that a large refuse vehicle could, if required, leave the site to turn within Millharbour, before re-entering the site and continuing the round of collections.

7.785 Waste collection vehicles would service the residential development from the Boulevard (which will remain as private unadopted land) from bin stores as identified in the image below with the exception being the school which will be serviced from Millwall Dock Road. As such no waste collection will take place from the public highway.

Figure 69: Waste collection areas

7.786 *Site Management*: The management of the site will be undertaken by a management company with site management and security staff present on-site 24-hours a day. It will be the management company's responsibility to maintain the quality of the public realm and ensure that waste is collected in an efficient manner. The site management team would be required to support waste management on-site including taking an active role in the compaction of non-recyclable residential waste and ensuring that bins are located appropriately in the stores prior to collection.

7.787 Within dwellings, as per the LBTH Reuse, Recycle and Waste SPD (2021) the scheme will need to provide integrated containers installed for 3 streams: Food Waste (15ltr), Dry Recycling (40ltr) and Residual Waste (40 ltr).

7.788 *Chute System:* All the private residential blocks would be provided with chute systems which will take the form of a tri-separator system, which would allow residents to deposit recyclables, general waste and organic waste. The chute system would serve development blocks C2, C3, T1, T2, T3 and T4 which combined will accommodate 979 units. Blocks T1-T4 front onto Millwall Outer Dock thus located away from the Boulevard from which residential waste collection would be undertaken. Waste from these blocks would route via a chute into the base and the site's management team would be responsible for moving bins from the basement to waste stores that align with the Boulevard prior to collection. Residential blocks not served with a chute (Blocks C1, E1, N1, N2, N3 and W1) collection would operate on a 'resident bring' basis.

7.789 There are 8 residential bins stores proposed adjacent to the Boulevard and these stores would accommodate the waste generated by the building in which they are located, and the waste generated by buildings T1-T4 which would be moved by an electric tow to the ground floor stores, prior to collection.

7.790 *Residential Waste Compaction:* It is proposed to provide hydraulic euro bin compactors for each residential block. Compaction would be undertaken for all three tenures (private, intermediate and affordable) with the purpose of compressing residual (non-recyclable) waste. The compaction waste would be undertaken by site management or staff appointed by the

subsequent Affordable Housing Provider and only trained staff would be permitted to use the compaction units. Where compaction units are located in the basement, site residents would not have access to these areas. Where compactors are located in or adjacent to 'residents bring' waste stores (E1, W1, N1, N2 and N3), the compaction units would be locked down and secured to ensure that the units cannot be used by residents. When the ground floor compactors are in use, the 'residents bring' bin stores would be temporarily closed to resident access.

7.791 *Residential Waste Arisings:* The waste storage requirements for the proposed development have been prepared in accordance with the LBTH Reuse, Recycling and Waste Supplementary Planning Document (SPD). As such, the scheme will make provision for 65 x 1,280l bins for refuse, 95 x 1,280l bins for dry recyclables and 137 x 240l bins for compostables. However, the introduction of compaction for non-recyclable waste will reduce the bin storage requirement by approximately 58 bins.

7.792 *Walk Distance to Waste Stores:* All units within the development will be able to access their waste storage areas (or chute systems) within a 30 metre walk from their front door. Originally block N3 was the only building within the masterplan whereby occupiers of 52 units (in the eastern wing) within this block would have had a greater walking distance than 30 metres. Revisions to the ground floor of this building now includes an additional residential waste store which reduces the walk distance to the new storage location in the eastern side of the block to no more than 30 metres. The new waste store in building N3 includes a hydraulic euro bin compactor, which would be used to reduce the number of bins required for 'residual waste'. It should be noted, however, that due to the pedestrian access, landscaping and a level change on this side of the building, a refuse collection vehicle would not be able to wait to the east of block N3 to access the store. Therefore, the site's on-site management team would move the bins from the store to a presentation area alongside the Boulevard prior to the borough's waste collection team arriving on site.

7.793 *Bulky Waste:* A bulky waste store area is proposed within Block C3 and would measure 22.4sqm. The site's waste management team would manage the use of the bulky waste store and would coordinate its use and associated collections. All residents within the development would be required to contact the site management team to access the bulky waste store and the management team would arrange for a collection once the store is full.

7.794 *Commercial Waste (Excluding School):* The commercial waste from the site would be collected privately by a 'paid for' service and would take place at least once a week. All waste collection would be undertaken from the Boulevard, with the exception of a store located to the rear of Block N1. It is anticipated that the ground floor unit within Block N1 would operate as a convenience store and a dedicated service area is proposed, with direct access to the associated refuse store. The commercial occupiers would have access to 6 waste stores which would be separate from the residential waste stores therefore at all times commercial and residential waste will be segregated.

7.795 As end-user occupiers for the commercial units are not currently known, the Waste Management Plan has indicatively estimated the waste requirement based on an indicative range of uses. The preliminary calculation of waste arising from the commercial uses equates to an overall requirement of 57 x 1,280l bins across the site based on a weekly collection. The 6 commercial waste stores would have a combined capacity to store 89 x 1,280l bins which would be more than sufficient for a weekly collection. The collection of non-residential waste would be coordinated by the site's management team.

7.796 *Secondary School Waste:* The secondary school would accommodate waste within a dedicated waste storage area located within the school demise. Access to the waste store would be via a service/delivery bay, accessed from Millwall Dock Road. The school would have waste collected via a 'paid for' service and therefore would have the ability for waste collection to be undertaken weekly, twice weekly or more frequently depending on demand. The school would arrange both waste collection and the day-to-day servicing of the school so that vehicles do not arrive on-site at times when school children are likely to be arriving and departing the premises.

General Delivery and Servicing

7.797 In terms of the proposed delivery and servicing access routes to the site, it is proposed that vehicles will use the A1206/Westferry Road/Preston's Road to approach the site form the A1261 (Aspen Way). Delivery and servicing vehicles will use both the Westferry and Millharbour accesses to the site. The primary servicing and delivery routing for the site is indicated in the image below:

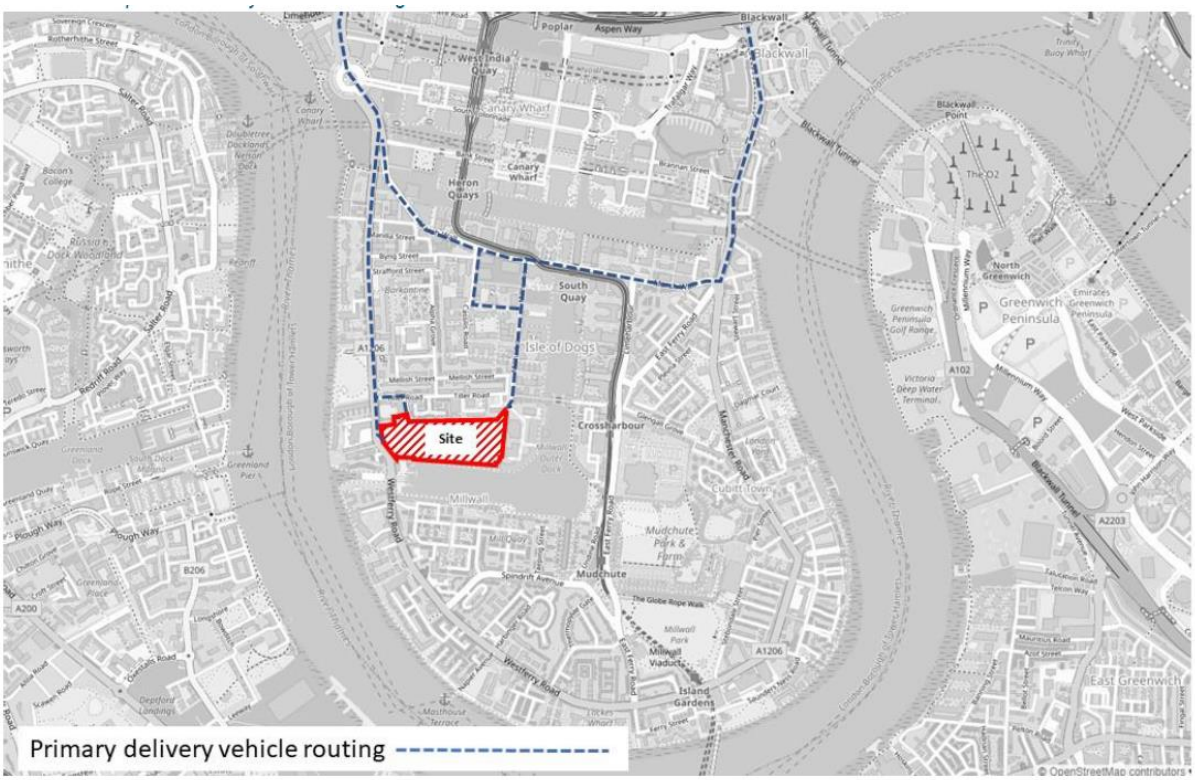


Figure 70: Delivery vehicle routes

7.798 Notwithstanding the above, delivery vehicles could use any highway within the Isle of Dogs and the above defined route would not prevent this. A high proportion of the site's delivery and servicing vehicle trips are likely to be residential parcel deliveries and home shopping deliveries. These vehicles would generally follow pre-defined routes, determined to minimise distance and journey times.

7.799 The access points on Westferry and Millharbour will be connected by the Boulevard which will have a carriageway width of 5.5m with delivery and servicing vehicles directed one-way (east or westbound). The ANPR system would control vehicular access but the site would remain permeable for pedestrians and cyclists. Vehicles not registered with the site's management team will need to use the intercom to speak to the site's concierge/security team who can permit access. The bollards are set back from Westferry Road to prevent waiting vehicles from encroaching onto Westferry Road. A turning head (suitable for cars and small commercial vehicles) would also be provided before the bollards to allow vehicles that are refused entry an opportunity to turn around and exit the site in forward gear. Any large service vehicles that are refused entry would be managed through the site by the on-site management team to exit onto Millharbour.

7.800 At Millharbour the entrance to the site adjacent to the mini-roundabout provides a turning facility in advance of the rising bollard as discussed earlier in this report in the context of waste vehicles. This roundabout only serves adjacent sites therefore there would be no through traffic beyond the roundabout.

7.801 The Boulevard would be sufficiently wide to accommodate larger vehicles and whilst a vehicle could service the development from the Boulevard, it is proposed to provide 4 delivery bays adjacent to the Boulevard to accommodate home shopping vehicles. The bays can

accommodate up to 8 home delivery vehicles at any one time. The location of the bays is indicated in the image below, with all bays located on the southern side of the Boulevard.

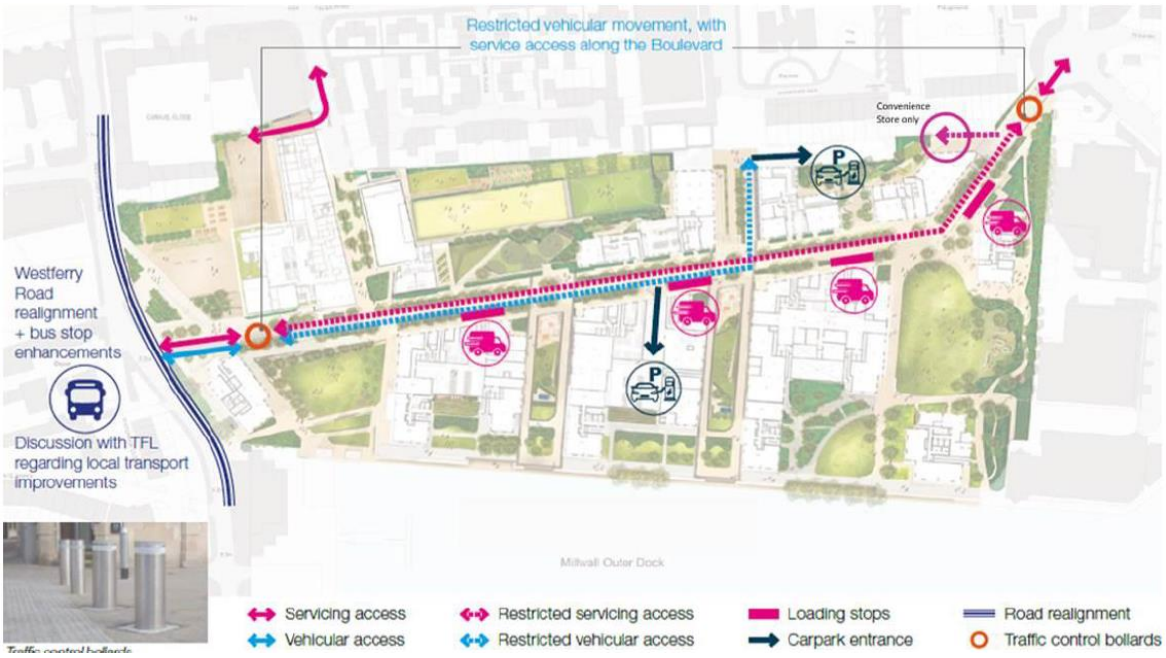


Figure 71: Locations of delivery and servicing bays

7.802 The majority of the items delivered to the site will be in form of mail and small packages that can be posted into the mailboxes on the ground level of each residential building. People delivering mail and small packages will be allowed to access the foyer of each residential building to access the post boxes by the concierge via video intercom. Access to lifts, stairs and upper floors will not be permitted except for residents and accompanied guests. Any home food deliveries such as takeaways would need to be met at ground floor level by the resident, or the resident would need to allow the delivery driver access.

7.803 The site will also accommodate a residential concierge in building C3 which will be provided with a parcel store so that deliveries that arrive on-site when a resident is not at home can be stored and collected when the resident arrives home. This would mean that delivery drivers would not need to return to the site should a resident be away when the delivery arrives.

7.804 For the commercial occupiers and the school, deliveries would be made during opening hours and it would be the responsibility of the occupier or school to receive goods delivered.

7.805 Overall, the servicing, deliveries and waste strategies for the proposal are considered to be acceptable in principle and are supported by the Highways Officer and the Waste Team. Detailed strategies would be secured via planning conditions should planning permission be granted for this development.

Cycle Parking

7.806 Policy T5 of the London Plan and Policy D.TR3 of the Local Plan requires adequate cycle parking provision for the development. The submitted Transport Assessment confirms that cycle parking would be provided on-site to meet the 'long-stay' and 'short-stay' minimum requirements of the London Plan. The cycle parking provision will comprise a mix of two-tier stands, Sheffield stands and parking for non-standard cycles.

7.807 The residential component of the development will provide a total of 2,461 cycle parking spaces (2,426 long-stay and 35 short-stay spaces). The proposed non-residential component of the scheme (excluding the school) would be supported by a total of 207 cycle parking spaces (38 long-stay and 169 short-stay spaces). The proposed secondary school would be provided with 168 long-stay spaces and 12 short stay spaces.

7.808 Secure long-stay cycle parking areas are provided across the development at ground, basement and mezzanine levels depending on the building. Buildings C1, C2, N3 and W1 will

have cycle stores at ground level which can be accessed directly from the public realm. Cycle stores in N1 and N2 are provided on the ground floor and in the undercroft areas, accessed via the car ram to the north. Building E1 will include cycle stores on both the ground and mezzanine levels with the ground level used for the storage of non-conventional cycles, and a cycle access staircase fitted with a ramp/channel which assists cyclists to the mezzanine level cycle store. The cycle stores for T1-T4 and C3 are all proposed to be located in the large basement.

7.809 Should planning permission be granted for this development, Officers would be seeking to secure full details of these spaces via condition including the requirement to provide cycle parking in accordance with TfL's London Cycling Design Standards to ensure that cycle parking is provided to accommodate accessible and larger cycles to ensure that a diverse range of cycle parking provision is incorporated into the scheme.

Car Parking

7.810 The Isle of Dogs is located within Controlled Parking Zone D which operates Monday to Friday between the hours of 08:30 to 17:30. In accordance with Policy D.TR3 of the Local Plan which requires residential developments to be permit-free in terms of on-street car parking, future residents of the development will not be eligible to obtain on-street car parking permits (with the exception of existing residents eligible for the Council's permit transfer scheme). This will be secured via the S106 Agreement.

7.811 In terms of off-street car parking, the development is proposed to be car-free with the exception of 146 accessible car parking spaces. This will comprise 136 spaces allocated to the residential component of the development (equating to 10% as required by the London Plan), 2 spaces allocated to the school and 8 spaces allocated to the other non-residential components of the development.

7.812 The residential car parking spaces will be provided within the large basement beneath blocks C1, C2, C3, T1, T2, T3 and T4 with a separate semi-basement/undercroft beneath blocks N1 and N2. Two of the 136 residential parking spaces would be provided at surface level adjacent to the Boulevard. These 2 spaces would serve block W1 which would not have direct access to the basement area. These 2 spaces would be located within a 50-metre walk of block W1. 124 spaces are provided at basement level, accessed via a vehicle ramp within the building C2 footprint. These spaces will serve the residential accommodation in buildings C1-C3 and T1-T4. The remaining 10 spaces would be located in the undercroft area below buildings N1 and N2 and are intended to serve buildings N1-N3 and E1. These spaces are accessed via a dedicated shuttle lift connecting the public realm to the parking area below.

7.813 The image below indicates the distribution of the accessible car parking spaces across the masterplan. Those spaces indicated in pink depict the spaces that will comprise 3% from the offset. This equates to 41 spaces which will be distributed across all phases.

Figure 72: Distribution of car parking spaces

7.814 It is noted that TfL have expressed concerns that the scheme could over-provide blue badge spaces and that the basement space could be better utilised, for example as a sustainable last-mile delivery hub for e-cargo bikes. The Applicant has advised however that the blue badge spaces within the basement car park are set out around stair and lift cores that are distributed throughout the basement. As a consequence, no one area of the basement can easily be set aside for the creation of a meanwhile use and as such there would not be an area suitable to accommodate a last-mile delivery hub. A last-mile delivery hub would require motor traffic to enter the site to deliver goods which would then be distributed throughout the Isle of Dogs in smaller vehicles or cargo bikes. This would attract traffic movements to the site and would have implications for the development's proposed public realm. A last-mile logistics hub would include some lorry movements which cannot be accommodated under the current design proposals as there would need to be a substantial increase in headroom and changes to the design of the access ramp.

Trip generation

Residential Trip Generation

7.815 The submitted TA has undertaken a TRICS-based assessment of the proposed development to determine the anticipated level of traffic generation for the proposed development. In terms of residential car trips, the total person residential trip rates forecast demonstrates that in the AM Peak Hour (08:00 – 09:00) there would be 5 arrivals and 17 departures, and 17 arrivals and 11 departures in the PM Peak Hour (17:00 – 18:00). In terms of residential trip generation across all modes of transport there would be 159 arrivals and 747 departures in the AM Peak Hour and 473 arrivals and 220 departures in the PM Peak Hour. Compared to the extant planning permission which accommodated 722 residential units, there would be 423 additional person trips with +74 arrivals and +349 departures in the AM Peak Hour and 326 additional person trips in the PM Peak Hour with +222 arrivals and +104 departures. However, the TA reports that as a result of the proposed reduction in residential car parking provision at the site, there would be a reduction of 28 car trips in the AM Peak Hour (-4 arrivals and -24 departures) and a reduction of 10 car trips (-9 arrivals and -1 departure) in the PM Peak Hour compared to the extant planning permission.

Secondary School Trip Generation

7.816 In terms of the secondary school and associated pupil trips, the proposed development does not seek to change the capacity of the school compared to the consented scheme. However, updated Travel Plan Survey data has been relied upon to assess the expected trip generation.

The assessment reports that across all modes of travel, there would be 1196 pupil trip arrivals and 68 departures[25] in the AM Peak Hour (08:00-09:00) and 61 arrivals and 1076 departures in the hour between 15:00-16:00 when the school day ends. During the PM Peak Hour (17:00-18:00) there would be 7 arrivals and 120 departures.

7.817 The school is anticipated to accommodate 140 teaching or administration staff and it has been assumed that the majority of the school staff (120) would travel to and from the site between the hours of 08:00-09:00 and 17:00-18:00. During the AM Peak Hour there would be 120 arrivals and 0 departures and in the PM Peak Hour there would be 0 arrivals and 120 departures. The combined school pupil and staff trip generation across all modes of travel is indicated in the table below: There would be 1316 arrivals and 68 departures in the AM Peak Hour, 61 arrivals and 1076 departures during 15:00-16:00 and 7 arrivals and 240 departures during the PM Peak Hour.

Mode of Travel	Resultant Mode Split	AM Peak (08:00-09:00		School Day Ends (15:00-16:00)		PM Peak (17:00-18:00)	
		Arrivals	Depart's	Arrivals	Depart's	Arrivals	Depart's
National Rail	2.2%	30	0	0	20	0	9
Underground/ DLR	16.0%	211	0	0	173	0	38
Bus/tram	18.7%	247	0	0	203	0	44
Sub-total: Public Transport	***37.0%***	***487***	***0***	***0***	***396***	***0***	***91***
Taxi	0.2%	2	0	0	0	0	2
Car Driver	5.3%	70	68	61	61	7	9
Car Passenger (inc. car share)	6.5%	85	0	0	71	0	14
Motorcycle	0.0%	0	0	0	0	0	0
Cycle (including Scooting)	16.8%	221	0	0	193	0	28
Walk (inc. Park and Stride)	34.3%	451	0	0	355	0	95
Total		**1316**	**68**	**61**	**1076**	**7**	**240**

Table 10: School trip generation with staff and pupils combined.

7.818 In terms of the use of the school sports facilities out of hours (weekday evenings and weekends), the assessment reports that these facilities could attract up to 64 person trips per hour from 18:00 to 21:00 on weekday evenings and from 09:00 to 17:00 on weekends for both arrivals and departures across all modes of travel.

Commercial Uses

7.819 In terms of the non-residential land uses within the masterplan, as the proposed scale and nature of these units would serve local residents or employees, no trip generation assessment has been undertaken as this component of the development would not result in an impact on the local transport network. This approach was similarly adopted under both the extant planning permission and the Appeal Scheme.

7.820 There would be no on-site car parking proposed to support the restaurant and café uses within the masterplan with the exception of some blue badge parking. These uses are therefore not anticipated to attract traffic movements other than those associated with site servicing. The assessment reports that across all modes of travel, there would be 0 arrivals and departures in the AM Peak Hour (08:00-09L00) and 21 arrivals and 6 departures in the PM Peak Hour (17:00-18:00).

7.821 With regards to the crèche and community centre uses, these are likely to serve local demand and the adjacent community. For both uses, the TA confirms that it is not anticipated that these uses will result in traffic impact on the highway network. With reference to the community centre in particular, the majority of patrons are likely to be within walking distance of the facility.

[25] 68 departures are Car Drivers (Escort Trips).

Travel Planning

7.822 The application has been accompanied by a Framework Travel Plan which sets out a range of preliminary management strategies and measures to support and encourage sustainable travel, including walking, cycling and the use of public transport. The Framework Travel Plan is considered acceptable in principle and Officers would be seeking to secure either via a condition or through the S106 legal agreement, the submission of a finalised detailed Travel Plan should planning permission be granted for this development. A separate Travel Plan for the school will also be secured either via the s.106 legal agreement or condition.

Demolition and Construction Traffic

7.823 An Outline Construction Environmental Management Plan (CEMP) has been submitted with the application. LBTH Transport Officers have reviewed the submitted Construction Management Plan (CMP) and Outline CEMP and note that the estimated peak in vehicle movements would be 143 deliveries per day (2-way movements: 286 per day) of which 90% are assumed to be HGVs. The Transport Officers note that this estimate was made without the benefit of the contractor's input and that actual numbers could differ from the estimate. Transport Officers have expressed concerns over the capacity of Westferry Road to cope with this magnitude of traffic and therefore traffic surveys may be required to be undertaken to sensitivity test the combined impact of construction-related traffic from this and other schemes.

7.824 LBTH Transport Officers have also advised that they would wish to restrict the number of HGVs using Millharbour due to its narrow width and block paved surface. It should be noted that there is currently a vacant school building (River House Montessori School) along Millharbour which if the school site became reactivated in school use would be likely to further restrict the use of Milharbour. To mitigate the traffic impact, LBTH Transport Officers would expect the developer to install an on-site concrete batching plant (for materials to be delivered in bulk and at off-peak times) and the option of using the river for the transportation of bulk materials should be explored to decrease road freight. LBTH Transport Officers recognise, however, that Millharbour has been used for many development sites over the years and whilst construction-related traffic can cause nuisance, the Council would be seeking to minimise the impact of construction vehicles on the highway and on residents and businesses in the area.

7.825 It is noted that some objections raised relate to the construction phasing, but Transport Officers have no comments to make on the proposed phasing as this is essentially a matter for the developer. However, the developer's Construction Management Plans are assessed against the Council's Code of Construction Practice (CoCP) process and changes and suggestions may be made when deemed necessary. In terms of off-site holding areas, Transport Officers have confirmed that the Council as the highway authority would seek to limit any use of the public highway where possible. This is a large site and it would be expected that all vehicles are contained within the site. Transport Officers will expect the updated CMP and Delivery and Servicing Plan to demonstrate that servicing for Phases 1 and 2 can be achieved whilst construction of the later phases are underway and this will be secured via condition. Officers would also expect the updated Service Management Plan to set out preferred delivery times that avoid the peak school start and finish times. It is acknowledged, however, that not all service vehicles could be controlled like this, such as couriers etc. LBTH Transport Officers would also be seeking to restrict service vehicles from waiting or parking on the public highway and this should be detailed in the updated Service Management Plan.

7.826 A finalised version of this document and other relevant construction-related technical documents such as an updated CMP will be secured via planning condition and the Council's Code of Construction Practice (CoCP) process to ensure that they consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity. The condition will require the Applicant to submit a CoCP checklist alongside supporting documents including a Construction Management Plan, Construction Traffic Management Plan and a Site Environmental Management Plan (covering Noise and Vibration, Dust and Air Quality and Site Waste Management).

ENVIRONMENT

Environmental Impact Assessment

7.827 The planning application is an Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) co-ordinated by Trium.

7.828 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.

7.829 The Council issued an EIA Scoping Opinion (PA/22/02317) on 21st December 2022. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- Construction
- Climate Change
- Socio-Economics
- Health
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Daylight, Sunlight, Overshadowing, Light Spill, Solar Glare and Solar Irradiance
- Pedestrian Wind Microclimate
- Sailing Microclimate
- Terrestrial Ecology
- Aquatic Ecology
- Geoenvironmental
- Water Resources Flood Risk and Drainage and
- Built Heritage;
- Townscape and Visual.

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

7.831 The Council has appointed Temple Group Consulting to independently examine the ES, to prepare an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the Authority's internal environmental specialists. The IRR dated 21st March 2024 identified clarifications and potential *'further information'* required under Regulation 25. Clarifications and potential Regulation 25 *'further information'* requests were identified within the following topics:

- Site and Proposed Development
- Structure of the ES
- Climate Change
- Socio Economics
- Health
- Traffic and Transportation
- Air Quality
- Noise and Vibration
- Daylight and Sunlight
- Pedestrian Wind Microclimate
- Sailing Wind Microclimate
- Terrestrial Ecology
- Aquatic Ecology
- Geoenvironmental

- Water Resources and Flood Risk
- Built Heritage
- Townscape Visual Impact Assessment

7.832 On 17th April 2024, the Applicant submitted a response to the Interim Review Report which was reviewed by Temple and who issued the Final Review Report (FRR) on 10th May 2024. The FRR identified clarifications and potential *'further information'* required under Regulation 25. Clarifications and potential Regulation 25 *'further information'* requests were identified within the following topics:

- Site and Proposed Development
- Structure of the ES
- Climate Change
- Socio Economics
- Health
- Noise and Vibration
- Daylight and Sunlight
- Pedestrian Wind Microclimate
- Sailing Wind Microclimate
- Terrestrial Ecology
- Aquatic Ecology
- Geoenvironmental
- Water Resources
- Built Heritage

7.833 In response to the FRR, the Applicant submitted on the 17th May 2024 a Final Review Report Response together with an updated Non-Technical Summary (NTS), updated chapters 5 (Construction), 6 (Climate Change), 11 (Noise and Vibration), 12 (DSOLSSGSI), 14 (Terrestrial Ecology), 15 (Geoenvironmental), 17 (Effect Interaction) and 19 (Mitigation and Monitoring). In addition, appendices relating to chapters 11, 12, and 16 (Water Resources, Flood Risk and Drainage) were submitted. Subsequently a consultation under Regulation 25 of the EIA regulations commenced on 22nd May 2024.

7.834 The Applicant's response to the FRR was reviewed by Temple and a FRR002 (Final Review Report 002) was provided by Temple and issued to the Applicant on 4th June 2024. FRR002 identified that Clarifications and Potential Regulation 25 *'further information'* requests remained outstanding under the following topics:

- Structure of the ES
- Pedestrian Wind Microclimate
- Sailing Wind Microclimate
- Water Resources and Flood Risk

7.835 In response to FRR002, the Applicant submitted a final response with all outstanding Clarifications and Potential Regulation 25 requests addressed. A further amendment to the NTS was also submitted on 6th June 2024 and a second round of consultation under Regulation 25 of the EIA commenced on 10th June 2024 with the press notice being published on 13th June 2024.

7.836 On 1st July 2024, Temple issued FRR003 confirming that responses to outstanding Clarifications and Potential Regulation 25 *'further information'* requests were acceptable. Therefore, the Council's EIA Officer and the Council's Appointed EIA Consultants have confirmed that the submitted ES (including any subsequent ES submissions as set out above) meets the requirements of the EIA Regulations 2017.

7.837 The 'environmental information' has been fully examined by the Council and has been taken into consideration by Officers to reach a reasoned conclusion on the likely significant effects of the proposed development, which forms the basis of the assessment presented in this report.

Energy & Environmental Sustainability

Energy

7.838 At the national level, the NPPF directs the planning system to support the transition to a low carbon future in a changing climate. In this regard, the planning system should help to, amongst other things, shape places in ways that contribute to radical reductions in greenhouse gas emissions and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

7.839 At the strategic level, Chapter 9 of the London Plan requires development to contribute to mitigation and adapt to climate change. Specifically, Policy SI2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions and directs that major developments should be net zero-carbon. This means reducing greenhouse gas emissions and minimising energy demand in accordance with the following hierarchy:

1. Be Lean: Use Less Energy
2. Be Clean: Supply Energy Efficiently
3. Be Green: Use Renewable Energy
4. Be Seen: Monitor and Report

7.840 At the local level, the national and strategic policies are echoed in Policies S.ES1 and D.ES7 of the Local Plan. Policy D.ES7 specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in-lieu contribution. Policy D.ES7 also requires that for the non-residential component, zero carbon should also be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions with the remaining regulated carbon dioxide emissions to be off-set.

7.841 The application has been accompanied by an Energy Strategy prepared by AECOM. The Energy Strategy demonstrates that the scheme is anticipated to achieve an overall site-wide on-site reduction in carbon dioxide emissions of 71% over Part L[26] of the Building Regulations 2021. In terms of the domestic and non-domestic components of the scheme individually, the domestic component will achieve an on-site reduction in carbon dioxide emissions of 75% whilst the non-domestic component will achieve an on-site reduction of 23%.

7.842 Be Lean measures incorporated into the development include the orientation and layout of dwellings, high performance U-values for the building fabric, high levels of air tightness and high efficiency lighting and ventilation systems including heat recovery. All north-facing units within the scheme are dual aspect or 'enhanced single aspect' with pop-outs and stepped features on the building elevation to maximise access to daylight and sunlight. The opportunity to provide dual aspect dwellings has been maximised within the site, aiding cross ventilation and improving passive cooling. All dwellings are proposed to incorporate highly efficient mechanical ventilation systems with heat recovery (MVHR) to provide sufficient background air change rates. During the heating season, the MVHR will reduce space heating demand by recovering heat from the background ventilation exhaust air. To mitigate against overheating, cooling coils are integrated into the MVHR ducts in all units. The coils receive chilled water from the ambient loop through unit level water source heat pumps. The Energy Strategy also reports that 100% low energy fixed lighting is proposed within the dwellings and expresses a commitment to ensure the provision or purchase of energy efficient white goods.

7.843 In terms of the school and other non-residential components of the development, Be Lean measures will also include the provision of high performance U-values for the building fabric, high level of air tightness and high efficiency lighting and ventilation systems including heat recovery. The school building will be served by five HVAC systems (Heating Ventilation Air Conditioning): natural ventilation heating recycling units (NVHR), radiators with MVHR,

[26] The Building Regulations 2010 Approved Document L: Conservation of Fuel and Power

radiators with mechanical extract, fan coils and a constant volume system. The non-domestic commercial units within the scheme will be served by an Energy Centre which provides centralised ambient loop distributed to the different assets. The Energy Strategy reports that very low temperature water will be distributed around the site via a dedicated district network. The ambient loop system within the site will utilise heat pumps and an open loop system connecting to the dock, located adjacent to the site. The ambient loop can be used to provide both heating and cooling via locally installed water source heat pumps.

7.844 In terms of the 'Be Clean' component of the Mayor of London's Energy hierarchy, the proposed development is situated in proximity to the existing Barkantine District Heating Network (DHN) and there are no other proposed DHNs within the vicinity of the site. The Energy Assessment reports that Breath Energy, the operator of the DHN, have outlined that the heat-on date for the first phase of the proposed development is likely to be a few months before the agreement to operate the network expires. Given that a lengthy procurement process for a future operator is likely, there is currently uncertainty regarding the future of the Barkantine DHN.

7.845 The Energy Assessment also reports that it was confirmed by the Council's Energy Officer that, at present, the Barkantine DHN has no spare capacity for new connections and no immediate plans for expansion. As such an on-site solution with spatial provision and safeguarded routes provided to allow a connection to a DHN should this become viable is proposed. The development will utilise a site-wide loop heating and cooling network based on the Millwall Outer Dock as the primary source of energy. This will take heat and cool from the dock's water temperatures and will use Water Source Heat Pumps (WSHP) to elevate or lower the temperatures and deliver heating/cooling to the site. As such no carbon savings are reported from the 'Be Clean' stage of the energy hierarchy.

7.846 In terms of 'Be Green' measures, the Energy Assessment reports that the development will maximise the provision of roof-mounted Photovoltaic Panels (PV Panels) on all areas that are not to be utilised for roof top amenity, maintenance areas or are significantly overshaded. For the residential blocks it is estimated that an array of 820.8sqm is required and 880sqm for the school building.

7.847 The use of Water Source Heat Pumps sourcing water from the local dock as mentioned above is also a viable option for serving the space heating and domestic hot water demands. This is deemed more favourable than Air Sourced options due to more consistent source temperatures throughout the year. The Energy Assessment reports that initial site energy demands, and correspondence with the Canal and River Trust and the Environment Agency, demonstrated that using dock water to source heat for the development's space heating, cooling and hot water demands was a feasible approach. The Energy Centre will provide a centralised ambient loop distributed to the different assets including offices, school, retail, residential and residents' facilities. Very low temperature water will be distributed around the site via a dedicated district network. The ambient loop system within the site will utilise water source heat pumps and an open loop system connecting to the dock located adjacent to the site. The ambient loop will be used to provide both heating and cooling to the end users via locally installed water source heat pumps and water-cooled condensers for commercial space heating and cooling. Air Source Heat Pumps (ASHPs) will be provided on the roof of the central buildings to provided full back-up of the scheme's energy requirements in the event that the dock water is not available i.e. maintenance or environmental limitations. Each residential apartment will contain a reversable water source heat pump (WSHP) providing heating, cooling and domestic hot water within utility cupboards. The commercial units will be provided with capped-off pipework connections to the Energy Centre for the provision of heating, cooling and hot water.

7.848 The Energy Assessment reports that the scheme will also explore the feasibility of utilising waste heat from the cooling network of the data centre (situated at the eastern boundary of the site) at the detailed design stage.

7.849 Due to the phasing of the development, the secondary school may be required to have a temporary Energy Strategy which would be in place for a period of between 12 to 24 months, until completion of the Energy Centre and the installation of its associated plant. Temporary

ASHPs will be provided in lieu of the dock water source heat pumps that will eventually be installed within the Energy Centre.

7.850 Overall, whilst the proposed Energy Strategy does not strictly follow the order of the GLA's Energy hierarchy, the scheme as a whole with the domestic and non-domestic components combined exceeds Local Plan and national planning policies' requirement for the minimum on-site carbon dioxide emissions through the provision of passive efficiency measures, an ambient loop site-wide heat network which will be future-proofed for a future district heating network connection, and centralised dock WSHPs together with PV panels. The site-wide savings in on-site carbon emissions will equate to 71%. The domestic component of the Energy Strategy will exceed the Council's and the GLA's minimum target for on-site reduction in carbon dioxide emissions, however the non-domestic component in isolation will only achieve an on-site reduction in carbon dioxide emissions of 23%. Notwithstanding this however the Energy Strategy reports that current GLA 'Be Green' CO_2 emission targets are recognised to be challenging to pass under the updated Part L 2021 Building Regulations.

7.851 The Energy Strategy has been reviewed by the Council's Energy Officer and the GLA's Energy Team and both have accepted the Energy Strategy put forward for the development. The Applicant will also be submitting the 'Be Seen' reporting spreadsheet to the GLA to comply with the requirement to monitor, verify and report on the scheme's energy performance. The proposed development has the following regulated carbon profile after each step of the energy hierarchy:

- Baseline: 1262.4 tonnes CO_2 per annum
- Proposed Scheme: 362.7 tonnes CO_2 per annum

7.852 The proposal results in a carbon off-set contribution of £1,033,722 based on a rate of £95 per tonne over a 30-year period as identified in the London Plan. This contribution would be expected to be paid prior to the occupation of the development and secured via the S106 legal agreement should planning permission be granted for this development. Future connection to a district heating network will also be secured via the S106 agreement or a suitable condition.

Overheating

7.853 In terms of overheating and cooling, modelling of the residential component of the development has been undertaken in line with CIBSE (The Chartered Institution of Building Services Engineers) TM59 (Technical Memorandum) and Approved Document O[27] of the Building Regulations. In total 84 units covering different occupancies, orientations, aspect and locations were selected as a sample. The Energy Assessment reports that acoustic studies identified that during the night-time period, the majority of the blocks opening could only be partially opened to meet the acoustic criterion.

7.854 The overheating assessment has analysed the following conditions: Base Case (prior to design development), Option 1 (the development design without any site constraints) and Option 2 (with site acoustic constraints considered).

7.855 In the Option 1 scenario, the scheme was tested without any site constraints (any opening restrictions could be overridden and all the openings could be fully open when rooms were occupied). The Energy Assessment reports that testing of Option 1 indicated a full pass for all of the sample units under weather profile DSY1 (a moderately warm summer).

7.856 In the testing of Option 2, opening restrictions of approximately 100mm were applied to the openings at night to represent the partial openings, with the exception of the sliding doors which were fully closed at night. The assessment reports that when opening restrictions are applied to the units, the bedrooms in particular perform worse, due to the lack of natural ventilation to mitigate overheating. To mitigate against overheating, a proposed air tempering solution which utilises the ambient loop system is proposed. This enables cooling to be generated through an apartment heat pump unit whereby cooling is supplied by chilled water

[27] The Building Regulations 2010 Overheating (2021 edition).

to a cooling coil on the MVHR to temper the supply air into the apartments. The solution should be capable of generating up to 2-3kW of cooling per apartment and the air tempering to the spaces is proposed to be activated only to prevent the room environment exceeding the upper threshold of 26°C. The assessment reports that the manually activated tempering solution would meet the requirements of Part O of the Building Regulations and the CIBSE criterion for the DSY1 weather profile. The majority of the sample units tested also complied with the more extreme weather profiles of DSY2 (a year with a very intense single warm spell) and DSY3 (a year with a prolonged period of sustained warmth). The tempering solution proposed will be applied to residential units across the development.

7.857 In terms of the school building, the analysis of overheating has been divided into the three differently served areas within the school: the naturally ventilated spaces, the spaces served by Breathing Building NVHR (Natural Ventilation Heat Recovery) units and the mechanically controlled/cooled spaces. In terms of the naturally ventilated spaces, all rooms would comply with the TM52 (applicable to any type of building) criteria for DSY1. In terms of the spaces within the school that utilise the natural/hybrid strategy, the assessment reports that all rooms tested would comply with the criteria of BB101 – *Guidelines on ventilation, thermal comfort and indoor air quality in schools (August 2018).* Finally, in spaces within the school that include cooling systems (such as the Atrium), the assessment reports that the actual area-weighted average cooling demand (58.88 MJ/m2) is higher than the notional (32.88 MJ/m2) as is the total area-weighted cooling demand for the actual (99,118 MJ/m2) compared to the notional (55,358 MJ/m2) however the introduction of blinds could mitigate the excessive solar gains in the spaces with cooling, which can be investigated in the next stage of the design process.

7.858 For the remaining non-domestic components of the development which consist of the retail and commercial units and communal amenities spread across the development, the assessment reports that the actual area-weighted cooling demand is higher than the notional however these units are commercial units which will have a large amount of glazing for display reasons. The g-values proposed for the units have already been lowered to match the non-domestic notional building and as such the assessment reports that a balance needs to be had between the g-value and the amount of solar gain that enters the spaces.

BREEAM

7.859 Policy D.ES7 of the Local Plan also requires all new non-residential development over 500sqm floorspace to meet or exceed BREEAM 'Excellent' rating. The submitted Sustainability Statement accompanying the planning application confirms that BREEAM pre-assessments undertaken confirms that the school will achieve a BREEAM rating of 'Excellent'. The commercial units are all individually below 500sqm and thus will achieve a BREEAM rating of 'Very Good'. Target scores achieved in the pre-assessment are 72.97% for the school and 62.90% for the commercial units in the wider masterplan. The proposal therefore accords with development plan policy in this regard.

Circular Economy and Whole Life Carbon

7.860 The application has been accompanied by a detailed Circular Economy Statement that sets out key circular economy targets and commitments for the proposed development. These include as follows:

- Achieve the target of a minimum of 95% of demolition waste material diverted from landfill for reuse, recycling or recovery.
- Achieve the target of a minimum of 95% of excavation waste materials diverted from landfill for beneficial reuse.
- Achieve the target of a minimum of 95% construction waste materials diverted from landfill for reuse, recycling, or recovery.
- Achieve the target of a minim of 65% municipal waste recycling rate by 2030.
- Achieve the target of a minimum of 20% of the building material elements to be comprised of recycled or reused content.

7.861 The key commitments identified within the submitted Circular Economy Statement are considered acceptable and GLA Officers have confirmed following receipt of further clarifications that they are satisfied with the details submitted. GLA Officers have requested that a detailed Circular Economy Statement should be secured for each reserved matters application, however as this is a full detailed application it would be appropriate to secure this per phase. A condition will also be secured requiring the Applicant to submit a post-construction report. The scheme is therefore considered to be in accordance with Policy SI7 of the London Plan.

7.862 The Applicant has also submitted Whole Life-cycle Carbon (WLC) Assessments for the development in accordance with the GLA's requirements. The WLC Assessments report that the WLC performance of the proposed development (phases 0-4) improves upon the GLA's residential benchmark. For the school component, it confirms that the WLC performance exceeds the GLA's education benchmark. The GLA's Energy Officers have confirmed that the two GLA WLC templates submitted for review were mostly compliant with GLA policy subject to minor clarifications. GLA Officers have also requested a condition requiring the Applicant to submit a post-construction assessment to report the development's actual WLC emissions.

Home Quality Mark

7.863 Policy SD1 of the Isle of Dogs Neighbourhood Plan requires residential buildings to meet the Home Quality Mark standards. The application has not detailed how this shall be achieved. Officers will seek to impose a condition requiring the development to achieve an appropriate level of Home Quality Mark certification.

Summary and Securing the Proposals

7.864 It is considered that the proposals are in accordance with development plan policies for sustainability and CO_2 emission reductions and it is recommended that should planning permission be granted for this development, conditions require the following to be secured:

- Submission of a Zero Carbon Futureproofing Statement
- Submission of Circular Economy Statement per phase
- Submission of post-construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO_2 emissions have been delivered on-site.
- Submission of post-construction assessment to report the actual WLC emissions.
- Implementation of the submitted Energy Strategy, including a minimum of 71% reduction in carbon emissions compared to baseline.
- BREEAM rating of 'Excellent' for the school and 'Very Good' for commercial units below 500sqm.

7.865 Overall, the Energy Strategy and sustainability measures incorporated into the development are considered to be broadly compliant with the London Plan and the Tower Hamlets Local Plan. Should planning permission be granted for this development, a carbon off-setting contribution of £1,033,722 would be required to deliver a policy-compliant net zero development and this would be secured via the S106 legal agreement.

Air Quality

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

7.867 The Air Quality Assessment comprises Chapter 10 of the Environmental Statement and has considered the potential for both the construction works and the operational component of the development to result in air quality effects. The assessment considers dust emissions from construction works, emissions from construction vehicles and construction works machinery during construction, as well as road traffic emissions once the proposed development is completed and operational. As the Barkantine Energy Centre (BEC) is sited within close

proximity of the development, the site's suitability in relation to the BEC flue has also been considered.

7.868 The site is within the borough-wide Air Quality Management Area (AQMQ) (an area identified due to the exceedance of the air quality objectives for annual mean and 1-hour mean NO_2 and 24-hour mean PM_{10} objectives). NO_2 refers to Nitrogen Oxide and PM_{10} is any particulate matter in the air with a diameter of 10 micrometres or less (i.e. smoke, dust, soot, salts, acids and metals).

Construction Traffic

7.869 In terms of the assessment of road traffic impacts on air quality during the construction phase of the development, the ES has considered the number of HGVs that will access the site for 2 construction years (2026 and 2028) within the overall construction programme. These years represent peak construction traffic flows for construction Phases 1-3, and Phase 4 and partial operation of the proposed development respectively, thus representing the worst-case scenario.

7.870 The ES reports that the number of vehicles that will access the site each day for the peak construction year for Phases 1-3 (2026) will be 248 daily vehicles, and the peak construction year for Phase 4 with partial operation of the proposed development (2028) will be 1,297 daily vehicles. In terms of predicted annual mean concentrations of NO_2 in 2026 and 2028 for existing receptors, these are set out in the table below for both the 'without construction' and 'with construction' scenarios and includes emissions from the BEC.

Predicted Impacts on Annual Mean NO_2 Concentrations during the Peak Construction of Phases 1-3 (2026) and Peak Construction of Phase 4 with Partial Operation (2028), including Emissions from the BEC (Existing Flue Layout) (µg/m³)

Receptor	Peak Construction of Phases 1-3 (2026)				Peak Construction of Phase 4 with Partial Operation (2028)			
	Without Construction (µg/m³)	With Construction (µg/m³)	% Change *	Impact Descriptor	Without Construction (µg/m³)	With Construction (µg/m³)	% Change *	Impact Descriptor
E1	23.6	23.7	0	Negligible	23.2	23.4	0	Negligible
E2	24.6	24.8	0	Negligible	24.1	24.3	1	Negligible
E3	26.4	26.7	1	Negligible	25.6	25.9	1	Negligible
E4	26.8	27.1	1	Negligible	26.0	26.2	1	Negligible
E5	23.8	23.9	0	Negligible	23.3	23.4	0	Negligible
E6	23.6	23.8	0	Negligible	23.1	23.3	0	Negligible
E7	22.6	22.7	0	Negligible	22.2	22.4	0	Negligible
E8	24.9	25.0	0	Negligible	24.2	24.3	0	Negligible
E9	24.1	24.2	0	Negligible	23.5	23.6	0	Negligible
E10	22.9	23.1	1	Negligible	22.8	23.5	2	Negligible
E12	23.7	23.8	0	Negligible	23.5	24.1	1	Negligible
E13	23.5	23.6	0	Negligible	23.3	23.9	1	Negligible
E19	22.9	22.9	0	Negligible	22.5	22.6	0	Negligible
E20	25.7	25.7	0	Negligible	25.0	25.1	0	Negligible
E21	28.9	28.9	0	Negligible	27.7	28.0	1	Negligible
E22	26.6	26.6	0	Negligible	25.7	25.9	0	Negligible
E23	24.9	24.9	0	Negligible	24.2	24.5	1	Negligible
E24	23.1	23.1	0	Negligible	22.8	22.9	0	Negligible
Objective	40							

* % changes are relative to the objective and are rounded to the nearest whole number.

Table 11: Predicted NO_2 concentrations as presented in the Environmental Statement

7.871 The assessment reports that annual mean concentrations of NO_2 are below the objective at all receptor locations, with or without the proposed development in 2026 and 2028. Changes in concentrations are between zero and 1% in 2026 and zero and 2% in 2028. The ES assesses the impact to be Negligible (Not Significant) at all receptors.

7.872 In terms of predicted annual mean concentrations of PM_{10} in 2026 and 2028 for existing receptors, as demonstrated in the table below, these are predicted to be below the objective in both the with and without construction scenarios with changes in concentration being zero at all receptors in 2026 and 2028, thus the ES assesses the effects to be Negligible (Not Significant) in both years.

Predicted Impacts on Annual Mean PM_{10} Concentrations during the Peak Construction of Phases 1-3 (2026) and Peak Construction of Phase 4 with Partial Operation (2028) (µg/m³)

Receptor	Peak Construction of Phases 1-3 (2026)				Peak Construction of Phase 4 with Partial Operation (2028)			
	Without Development(µg/m³)	With Development (µg/m³)	% Change [a]	Impact Descriptor	Without Development(µg/m³)	With Development (µg/m³)	% Change [a]	Impact Descriptor
E1	18.4	18.4	0	Negligible	18.4	18.4	0	Negligible
E2	18.5	18.6	0	Negligible	18.5	18.5	0	Negligible
E3	18.7	18.7	0	Negligible	18.7	18.7	0	Negligible
E4	18.7	18.8	0	Negligible	18.7	18.8	0	Negligible
E5	18.5	18.6	0	Negligible	18.5	18.6	0	Negligible
E6	18.5	18.6	0	Negligible	18.5	18.6	0	Negligible
E7	18.4	18.4	0	Negligible	18.4	18.4	0	Negligible
E8	18.6	18.6	0	Negligible	18.6	18.6	0	Negligible
E9	18.5	18.5	0	Negligible	18.5	18.5	0	Negligible
E10	18.0	18.1	0	Negligible	18.0	18.1	0	Negligible
E12	18.1	18.1	0	Negligible	18.1	18.2	0	Negligible
E13	18.1	18.1	0	Negligible	18.1	18.2	0	Negligible
E19	18.3	18.3	0	Negligible	18.3	18.3	0	Negligible
E20	18.7	18.7	0	Negligible	18.7	18.7	0	Negligible
E21	19.1	19.1	0	Negligible	19.1	19.1	0	Negligible
E22	19.0	19.0	0	Negligible	19.0	19.0	0	Negligible
E23	18.7	18.7	0	Negligible	18.7	18.7	0	Negligible
E24	18.3	18.3	0	Negligible	18.3	18.3	0	Negligible
Criterion	32 [b]		-	-	32 [b]		-	-

[a] % changes are relative to the objective and are rounded to the nearest whole number.
[b] While the annual mean PM_{10} objective is 40 µg/m³, 32 µg/m³ is the annual mean concentration above which an exceedance of the 24-hour mean PM_{10} objective is possible and is used as a proxy value for assessment.

Table 12: Predicted PM_{10} concentrations as presented in the Environmental Statement

7.873 In terms of concentrations of $PM_{2.5}$, the assessment reports that these are predicted to be below the objective with or without the proposed development at all receptors in 2026 and 2028. Changes in concentration are zero at all receptors compared to the assessment value of 20µg/m³, with all impacts described as Negligible (Not Significant).

<u>Completed Development</u>

7.874 In the completed development scenario, the proposed development will lead to a change in AADT (Annual Average Daily Traffic) flows of more than 100 LDVs (Light Duty Vehicle) on a number of roads along the local road network. Annual mean concentrations of NO_2 in 2031 for existing receptors are well below the objective at all receptor locations, with or without the proposed development in 2031. Changes in concentration are between zero and 1% and the ES assesses the impact to be Negligible (Not Significant) at all receptors.

7.875 In terms of PM_{10} and $PM_{2.5}$ concentrations, these are predicted to be below the objective with or without the proposed development at all receptors in 2031. Changes in PM_{10} concentrations are zero at all receptors compared to the assessment value of 32µg/m^3, with all effects described as Negligible (Not Significant). Changes in $PM_{2.5}$ are also zero at all receptors compared to the assessment value of 20µg/m^3, with all impacts assessed as Negligible (Not Significant).

7.876 Overall, the operational phase effects of the proposed development are assessed to be Not Significant.

BEC NO_2 Impacts

7.877 The ES states that as the flues at the BEC emit NO_2 at an elevated height, there is potential to affect introduced receptors at heights above ground due to impaction of flue gases into the proposed development at height. The assessment of the existing BEC flue location with the proposed development buildings finds that there are 26 receptor locations at which the annual mean NO_2 objective is predicted to be exceeded in 2028 and 2031 and several others within 10% of the objective. In terms of the short term (1-hour mean) NO_2 objective, there are 83 modelled receptor locations at which the 1-hour mean NO_2 objective is predicted to be exceeded in 2028 and 2031.

7.878 The ES reports, however, that the extant planning permission contains a condition (condition 35 of planning permission PA/15/02216) requiring a further assessment of the impact of the emissions from the BEC and identification of any mitigation or remedial measures to be submitted for approval by the local planning authority. Given the uncertainty around the BEC, it is expected that a similar approach will be adopted for this application. In the event that the BEC flue is relocated, there are no modelled receptor locations at which the 1-hour mean NO_2 objective is predicted to be exceeded in 2028 and 2031. Once further details are known regarding the specific design and location of any replacement flue, a further assessment of the air quality impacts associated with that flue will be secured via condition as detailed above. It should also be noted, however, that as part of the contractual renewal of the BEC, there is potential to decarbonise the BEC by replacing the existing gas-fired CHP and boilers with zero-emission heat pumps. This would eliminate emissions of NO_2 from the BEC and ensure that there would be no exceedances of any objectives at the introduced receptors and subsequently negate the need for the flues to be relocated.

Mitigation Measures

7.879 Any construction mitigation measures will comply with the Council's Code of Construction Practice which will require the submission of documents such as the Construction Environmental Management & Logistics Plan and Dust Management Plan. In the completed development scenario, the assessment has demonstrated that the overall air quality effects of the proposed development will be Not Significant and as such no further mitigation measures are proposed.

Cumulative Scenario

7.880 In the cumulative scenario, predicted annual mean concentrations of NO_2 in 2026 and 2028 demonstrate that changes in concentrations are between zero and 1% in 2026 and zero and 2% in 2028. The impacts are Negligible at all receptors in 2026, with two Minor Adverse impacts in 2028. These two receptors have been modelled at 1.5m height and represent retail uses.

7.881 In terms of concentrations of PM_{10} emissions, these are predicted to be below the objective with or without the construction of the proposed development at all receptors in 2026 and 2028. Changes in concentrations are zero at all receptors in 2026 and 2028, with the exception of one receptor where the change is 1% in 2028. All impacts are described as Negligible (Not Significant) at all receptors in both years. The concentrations of $PM_{2.5}$ are predicted to be below the objective with or without the construction of the proposed development at all receptors in 2026 and 2028. Changes in concentrations are zero at all receptors with the impacts described as Negligible (Not Significant).

7.882 In the completed development cumulative scenario, the ES reports that annual mean concentrations of NO_2 are well below the objective at all receptor locations, with or without the proposed development in 2031. Changes in concentrations are between zero and 1% and the impacts are Negligible (Not Significant) at all receptors. Concentrations of PM_{10} are predicted to be below the objective with or without the proposed development at all receptors in 2031 with changes in concentration being zero at all receptors. Concentrations of $PM_{2.5}$ are predicted to be below the objective with or without the proposed development at all receptors in 2031 with changes in concentration being zero at all receptors. The effects of PM_{10} and $PM_{2.5}$ concentrations in 2031 are therefore assessed as Negligible (Not Significant).

Summary

7.883 Overall, the assessment reports that the construction works have the potential to create dust and effects of emissions from construction vehicles on local air quality. However, residential effects have been identified as being Negligible (Not Significant) in all scenarios. Similarly, in the operational phase of the development the air quality effects of the proposed development on existing sensitive receptors will be Not Significant. The assessment also confirms that the scheme will be air quality neutral from both building and transport emissions. The ES has been reviewed by Temple and the Council's Air Quality Officer and subject to clarifications and the imposition of conditions to secure the management of dust, PM_{10} monitoring, details of any extraction systems for commercial uses and details of all plants and machinery, the scheme is considered to be compliant with relevant development plan policies.

Wind/Microclimate

7.884 Policies D3, D8 and D9 of the London Plan requires developments, particularly those with tall buildings, to be considerate of microclimate impacts associated with their scale and mass. Similarly, Local Plan Policies S.DH1 and D.DH6 seek to ensure that new developments do not adversely impact on the microclimate and amenity of the application site and the surrounding area. Policy D.OWS4 of the Local Plan states that development within or adjacent to the borough's water spaces is required to demonstrate that, amongst other things, it does not have an adverse impact on other existing active water uses.

7.885 Chapter 13a (Pedestrian Wind Microclimate) and 13b (Sailing Wind Microclimate) of the Environmental Statement reports the findings of the wind and microclimate study. The pedestrian wind microclimate assessment is based on worst-case wind speeds, expected to be encountered during the winter seasons (December-February) in the UK. Additional consideration has been given to summer (June- August) wind conditions due to the presence of ground floor and above ground amenity spaces within the proposal.

Pedestrian Wind Microclimate

7.886 Wind microclimate conditions have been assessed at various on-site street and elevated level locations such as: pedestrian throughfares, entrances and amenity areas such as ground floor, podiums, balconies and roof terraces. Off-site locations include all receptors falling outside of the boundary of the site, such as users of roads, bus stops, surrounding building entrances, and amenity areas at ground level and elevated levels. The assessment of wind comfort and safety is based on the City of London (CoL) Lawson Comfort Criteria, an industry-standard practice for wind microclimate assessments which sets wind speeds and frequency ranges for pedestrian comfort and safety. Pedestrian activities assessed are namely sitting, standing, strolling and walking. Under this assessment method if the measured wind conditions exceed the threshold for more than 5% of the time, then they are unacceptable for the stated pedestrian activity.

7.887 The ES reports that wind microclimate across the site was tested for 6 configurations as follows:

Configuration 1: The existing site with existing surrounding buildings (the baseline condition).

Configuration 2: The proposed development with existing surrounding buildings.

Configuration 3: The proposed development with proposed landscaping, wind mitigation measures and existing surrounding buildings.

Configuration 4: The proposed development with cumulative surrounding buildings.

Configuration 5: The proposed development with proposed landscaping, wind mitigation measures and cumulative surrounding buildings.

Configuration 6: The phased scenario (school with phase 1 and 2) with existing surrounding baseline.

7.888 It should be noted that configurations that include cumulative surrounding buildings only include those developments located within 360m of the site for the purposes of the wind microclimate assessment as these are the only schemes[28] from the full list of the cumulative developments listed in the ES that would potentially meaningfully impact upon the wind microclimate of the proposed development.

7.889 The assessment reports that based on configuration 1 (baseline scenario), it would be expected that conditions during enabling works would be suitable for a working construction site and pedestrian thoroughfares around the site (with the hoarding in place). The likely effect is expected to be Negligible (Not Significant) with no specific wind mitigation measures required.

7.890 In the interim scenario (Configuration 6) with the school and Phases 1 and 2 constructed which would result in a mid-construction environment, the ES reports that the effects of the construction buildings in these phases would be similar to those around the same buildings in the completed development scenario, with the addition of the following Minor Adverse (Significant) effects to the following:

- Entrances on the south sides of Building N2 (measurement location 185) and N3 (measurement location 122) which would have walking conditions[29] during the windiest season;
- Ground level amenity seating areas at measurement locations 105, 141, 142, 156, 184, 298 and 299, which would have strolling conditions during the summer season; and
- Balconies on Buildings C2 and T3 (measurement locations 439, 440 and 450) which would have walking conditions during the summer.

7.891 The above additional effects would be temporary until the remaining phases are constructed. All other wind effects during this scenario would be the same as or better than those in the completed development scenario for the respective buildings and there would be no instances of strong winds in this configuration. As such the ES reports that landscaping and mitigation will be implemented together with their respective buildings to ensure that potential adverse effects are mitigated at the time when buildings are occupied.

7.892 The remaining configurations with the completed development are considered further below:

Configuration 2:

7.893 <u>Pedestrian Comfort:</u> The ES reports that the proposed development would increase the wind conditions on-site within the passageways between the buildings of the proposed development as the prevailing south-westerly wind would channel between the plots and around the south-eastern corners as the down-washing winds would accelerate around these corners. Wind conditions at and around the proposed development would be suitable for frequent sitting with conditions uncomfortable for pedestrian use during the windiest season. Wind conditions during the summer season would generally be one category calmer, being suitable for frequent sitting to walking use and strolling use.

[28] PA/23/01395 and PA/16/03518 – 49-59 Millharbour, 2-4 Muirfield Crescent and 23-29 Pepper Street and PA/10/01177 – Glengall Bridge, 1-1 Muirfield Crescent and 47 Millharbour.

[29] "walking conditions" refer to the walking wind comfort category which means that the locations specified would have a walking category condition of 5m/s during the windiest season.

7.894 Thoroughfares (Windiest Season): The majority of on-site throughfares would be suitable for frequent sitting to walking use during the windiest season and suitable for the intended use. The ES reports that this would result in Major Beneficial (Not Significant) to Negligible (Not Significant) effects. Wind conditions uncomfortable for pedestrian use (measurement locations 290, 291, 293 and 308) would represent a Minor Adverse (Significant) effect and would require wind mitigation measures. In terms of off-site thoroughfares, wind conditions would be suitable for frequent sitting to walking use during the windiest season and would be suitable for their intended use. As such the assessment reports that this would result in Negligible (Not Significant) effects.

7.895 Entrances (Windiest Season): The majority of on-site entrances to the proposed development are reported to be suitable for frequent sitting to standing use during the windiest season and suitable for the intended use and as such the ES reports the effects to be Moderate Beneficial (Not Significant) to Negligible (Not Significant). Entrances to tower T2 (measurement location 136) and tower T3 (measurement location 198) on the western facades would have walking conditions during the windiest season, which would be one category windier than suitable for the entrance use. This would represent a Minor Adverse (Significant) effect and would require mitigation measures. In terms of off-site entrances, wind conditions at these locations would be suitable for frequent sitting use during the windiest season and provide suitable conditions for the intended use. The ES reports that this would represent a Negligible (Not Significant) effect.

7.896 Bus Stops (Windiest Season): The bus stops along Westferry Road would be suitable for standing use during the windiest season. This would be one category windier than the baseline scenario but would remain suitable for the intended use. This would represent a Negligible (Not Significant) effect.

7.897 Ground Level Amenity – Mixed Use (Summer Season): The assessment reports that on-site ground level mixed use amenity spaces would have wind conditions suitable for occasional sitting to standing use conditions during the summer season. Standing conditions on play areas represented by measurement locations 118 and 282 would be acceptable as fixed seating is not proposed within these play spaces and as such the ES reports that this would represent a Negligible (Not Significant) effect.

7.898 In terms of off-site amenity spaces, these would have wind conditions suitable for frequent sitting and occasional sitting use during the summer season and would be suitable for the intended use. These conditions would be similar or calmer than configuration 1 and would represent a Negligible (Not Significant) effect.

7.899 Ground Level Amenity – Seating (Summer Season): The assessment reports that the majority of the proposed seating provisions would have wind conditions suitable for frequent sitting and occasional sitting use during the summer season and suitable for the intended use. This would represent a Negligible (Not Significant) effect.

7.900 The assessment reports that standing (measurement locations 47,79, 129, 137, 155, 210, 217, 285, 314 and 316) and walking (measurement locations 199 and 318) conditions on the proposed seating provisions would be up to two categories winder than suitable for the intended use. This would represent Minor Adverse (Significant) and Moderate Adverse (Significant) effects respectively and would require wind mitigation measures.

7.901 Podium Level Amenity (Summer Season): On-site podium amenity spaces would be suitable for occasional sitting and standing use during the summer season and would provide suitable conditions for mixed-use amenity spaces where fixed seating provisions are not proposed. The ES reports that this would represent a Negligible (Not Significant) effect.

7.902 Terrace Amenity (Summer Season): On-site terrace amenity spaces would have wind conditions suitable for occasional sitting use during the summer season and suitable conditions for mixed use amenity, representing a Negligible (Not Significant) effect. Off-site terrace amenity spaces would be suitable for occasional sitting use during the summer season and would represent a Negligible (Not Significant) effect.

7.903 Balconies (Summer Season): The majority of on-site balcony amenity spaces throughout the proposed development would have wind conditions suitable for frequent sitting to standing use during the summer season. As these balconies are private amenity spaces without fixed seating provisions proposed, where the user has control over the useability of these spaces, these conditions would be suitable for the intended private amenity use. This would represent a Negligible (Not Significant) effect.

7.904 Balconies at the north-west corner of building C2 (measurement location 424), the 15 uppermost balconies at the south-east corner of tower T3 (measurement location 451), balconies at the north-west corner of tower T4 (measurement location 456) and the balconies at the south-east corner of tower T4 (measurement locations 460 and 461) would have wind conditions suitable for walking use during the summer season. This would be one category windier than suitable for the intended use and would represent a Minor Adverse (Significant) effect and would require wind mitigation measures.

7.905 In terms of off-site balconies, the assessment reports that balconies on Tiller Road and 2 Old Bellgate would be suitable for frequent sitting and standing use during the summer season. These conditions would be similar to or calmer than configuration 1 and would represent a Negligible (Not Significant) effect.

7.906 Strong Winds: The ES reports that there would be two instances of strong wind exceedances at balconies on tower T4 (measurement locations 456 and 461 as identified in the image below) as these are exposed to the prevailing south-westerly winds. This would represent a Major Adverse (Significant) effect and would require wind mitigation measures. There would be no winds exceeding the safety threshold occurring at off-site locations.

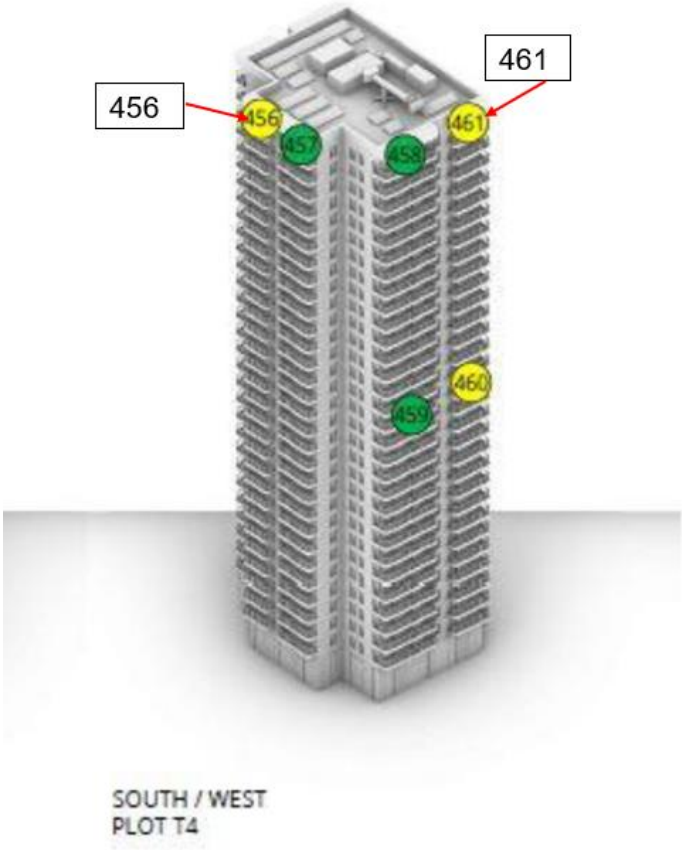


Figure 73: Measurement Locations 456 and 461 on tower T4

Configuration 3:

7.907 Pedestrian Comfort: In the configuration with the proposed development with proposed landscaping and wind mitigation measures in place, wind conditions on the thoroughfares, entrances, ground level mixed amenity spaces, majority of the ground level seating provisions, podium and the terrace mixed use amenity spaces and the balconies of the proposed development would remain suitable for the intended use. This would represent Major Beneficial (Not Significant) to Negligible (Not Significant) effects.

7.908 As per configuration 2, wind conditions at off-site throughfares, entrances, amenity spaces and bus stops would have wind conditions suitable for the intended use or consistent with configuration 1. This would represent a Negligible (Not Significant) effect.

7.909 On-Site Entrances: With the inclusion of the proposed landscaping and wind mitigation measures, the majority of the on-site entrances would have wind conditions suitable for the intended use. The assessment reports that the entrance to tower T3 (measurement location 198) was assessed with a 1m-long 2m-high solid side screen which would provide some beneficial shelter. However, the walking conditions would be one category windier then suitable for the intended use. The entrance would be recessed however by 0.5m and this recess together with the high screen next to the entrance would be expected to have wind conditions suitable for the intended use, representing a Negligible (Not Significant) effect.

7.910 On-Site Seating Provisions: The ES reports that with the inclusion of the proposed landscaping scheme, the majority of the seating provisions would have wind conditions suitable for the intended use during the summer season. However, the proposed seating provisions at measurement locations 79, 137, 153, 210 and 217 would have wind conditions suitable for standing use during the summer season, which would represent a Minor Adverse (Significant) effect. The assessment therefore recommends relocating these seating spaces to the nearby areas with conditions suitable for occasional sitting use during the summer season. Alternatively, the inclusion of 1.5m high shrub planting behind these seating provisions would provide beneficial localised shelter and with these measures in place the seating provisions would be expected to have wind conditions suitable for the intended use, representing a Negligible (Not Significant) effect.

7.911 Strong Winds: The ES reports that with the inclusion of wind mitigation measures, strong winds exceeding the safety threshold would not occur at and around the proposed development.

Configuration 4: Cumulative Effects Assessment

7.912 Pedestrian Comfort: The two cumulative schemes are located north-east of the proposed development. The assessment reports that inclusion of these taller schemes would be beneficial to reduce the windiness on the eastern side of the proposed development site as the massing of these taller buildings would reduce the acceleration of the approaching winds. Wind conditions at and around the proposed development would be suitable for frequent sitting with conditions uncomfortable for pedestrian use during the windiest season. Wind conditions during the summer season would generally be one category calmer, being suitable for frequent sitting to walking and strolling use.

7.913 Thoroughfares (Windiest Season): The majority of on-site throughfares would be suitable for frequent sitting to walking use during the windiest season and suitable for the intended use. This would represent Major Beneficial (Not Significant) to Negligible (Not Significant) effects. Wind conditions uncomfortable for pedestrian use (measurement location 291) would represent a Minor Adverse (Significant) effect and would require wind mitigation measures.

7.914 In terms of off-site thoroughfares, these would have wind conditions suitable for frequent sitting to walking use during the windiest season and provide suitable conditions for the intended use. This would represent a Negligible (Not Significant) effect.

7.915 Entrances (Windiest Season): The majority of the entrances to the proposed development would be suitable for frequent sitting to standing use during the windiest season, and suitable for the intended use. This would represent Moderate Beneficial (Not Significant) to Negligible

(Not Significant) effects. The entrances to tower T2 (measurement location 136) and tower T3 (measurement location 198) on the western facades would have walking conditions during the windiest season which would be one category winder than suitable for the entrance use. This would represent a Minor Adverse (Significant) effect and would require wind mitigation measures.

7.916 In terms of off-site entrances, window conditions would be suitable for occasional sitting use during the windiest season and suitable for the intended use. This would represent a Negligible (Not Significant) effect.

7.917 Bus Stops (Windiest Season): The assessment reports that the bus stops along Westferry Road would be suitable for occasional sitting use during the windiest season and provide suitable conditions for the intended use. This would represent a Negligible (Not Significant) effect.

7.918 Ground Level Amenity – Mixed Use (Summer Season): The ground level mixed-use amenity spaces would have wind conditions suitable for occasional sitting to standing use conditions during the summer season. Standing conditions on play areas represented by measurement locations 41, 118 and 282 would be acceptable as fixed seating is not proposed within these play spaces. This would represent a Negligible (Not Significant) effect.

7.919 In terms of off-site amenity spaces, these would have wind conditions suitable for frequent sitting and occasional sitting use during the summer season and be suitable for the intended use. The assessment reports that these conditions would be similar or calmer than configuration 1 and would represent a Negligible (Not Significant) effect.

7.920 Ground Level Amenity – Seating (Summer Season): The majority of on-site seating provisions would have wind conditions suitable for frequent sitting and occasional sitting use during the summer season and provide suitable conditions for the intended use, representing a Negligible (Not Significant) effect. Standing (measurement locations 47, 79, 129, 137, 153, 155, 210, 217, 285 and 316) and walking (measuring location 199) conditions on the proposed seating provisions would be up to two categories winder than suitable for the intended use. This would represent Minor Adverse (Significant) and Moderate Adverse (Significant) effects respectively and would require wind mitigation measures.

7.921 Podium Level Amenity (Summer Season): The on-site podium level amenity spaces would be suitable for occasional sitting and standing use during the summer season and provide suitable conditions for a mixed use amenity space where fixed seating provision is not proposed. This would represent a Negligible (Not Significant) effect.

7.922 Terrace Amenity (Summer Season): The on-site terrace amenity spaces would have wind conditions suitable for occasional sitting use during the summer season and provide suitable conditions for mixed-use amenity and would represent a Negligible (Not Significant) effect. In terms of off-site terrace amenity, amenity spaces on Tiller Road and 2 Old Bellgate would be suitable for occasional sitting use during the summer season and would represent a Negligible (Not Significant) effect.

7.923 Balconies (Summer Season): The majority of the balcony amenity spaces would have wind conditions suitable for frequent sitting to standing use during the summer season and suitable for the intended use. The assessment reports that this would represent a Negligible (Not Significant) effect. Balconies at the north-west corner of building C2 (measurement location 424), the 15 uppermost balconies at the south-east corner of tower T3 (measurement location 451), balconies at the north-west corner of tower T4 (measurement location 456) and the balconies at the south-east corner of tower T4 (measurement locations 460 and 461) would have wind conditions suitable for walking use during the summer season. This would be one category windier than suitable for the intended use and would represent a Moderate Adverse (Significant) effect and would require wind mitigation measures.

7.924 In terms of off-site balcony locations, these would be suitable for frequent sitting and standing use during the summer season. These conditions would be similar or calmer than configuration 1 and would represent a Negligible (Not Significant) effect.

7.925 Strong Winds: The assessment reports that with the inclusion of the cumulative schemes, there would be one instance of strong wind exceedances at the column of balconies at the north-west corner of tower T4 (measurement location 456) as these are exposed to the prevailing south-westerly winds. This would represent a Major Adverse (Significant) effect and would require wind mitigation measures. In term of off-site locations, strong winds exceeding the safety threshold would not occur at off-site locations.

Wind Mitigation Measures

7.926 In summary the following areas of the development in the completed development configuration would require wind mitigation measures to improve wind conditions so that they would be suitable for the intended pedestrian/occupant uses:

- On-site thoroughfares with conditions uncomfortable for pedestrian use during the windiest season (measurement locations 290, 291, 293, 294 and 308);
- Entrance to tower T2 (measurement location 136) and tower T2 (measurement location 136) and tower T3 (measurement location 198) with walking conditions during the windiest season;
- Ground level proposed seating provisions with standing (measurement locations 47, 79, 129, 137, 153, 155, 210, 217, 285, 314 and 316) and walking (measurement locations 199 and 318) conditions during the summer season;
- Balcony amenity spaces (measurement locations 424, 451 and 460) with walking conditions during the summer season; and
- Balcony amenity spaces (measurement locations 456 and 461) with walking conditions during the summer season and strong wind exceedances.

7.927 During the construction stage of the development, areas under construction are expected to be surrounded by hoarding until the point at which the landscaping measures have been incorporated and the relevant buildings become occupied, which would provide some shelter to the site. The landscaping (trees and planters) tested within the wind tunnel and the mitigation measures proposed would need to be put in place prior to the completion and occupation of the respective phases of the proposed development to ensure that the conditions at the site are suitable for their intended pedestrian uses.

7.928 The ES identifies that the proposed on-site wind mitigation measures shall include the following:

- The proposed landscaping scheme as identified on drawing number WFP-LDA-ZZ-00-DR-L-0100 prepared by LDA Design;
- Five x 5m high deciduous trees to the northwest tower T4 (in the vicinity of measurement locations 290, 291, 293 and 294);
- 1.5m-high 3m-long shrub planting to the northwest of the tower of T4 (as above);
- 1.5m-high 2m-long 50% porous screen at the southeast corner of tower T4 (in the vicinity of measurement location 308);
- 1.5m-high shrub planting added to the planter to the west of the entrance to tower T2 (represented by measurement location 136);
- 2m-high, 1m-long screen between the entrances to tower T2 on the western façade (measurement location 136);
- 2m-high, 1m-long screen between the entrances to tower T3 on the western façade (measurement location 198), in addition to the entrances at this location being recessed by 0.5m.

- Full height 50% porous side screen on the northern side of the balconies at the northwest corner of tower T4 (measurement location 456);
- 1.5m-high 50% porous balustrade on the western and southern sides of the tower T4 balconies on levels 1-15;
- Full height, 50% porous side screen on the eastern side of the 15 uppermost balconies at the southeast corner of tower T4 (measurement location 461);
- 1.5m-high, 50% porous balustrade along the perimeter of the levels 1-15 balconies at the southeast corner of tower T4 (measurement location 460);
- 1.5m-high, 50% porous balustrade along the perimeter of the four uppermost balconies at the northwest corner of building C2 (measurement location 424) and the southwest corner of building C3 (measurement location 440).
- 1.5m-high, 50% porous balustrade along the perimeter of the thirteen uppermost balconies at the southeast corner of tower T3 (measurement location 451);
- Removing the easternmost tree and the planter underneath the trees between building C1 and tower T2 (measurement location 138); and
- Moving the proposed 70% porous screen closer to the southeast boundary of the site.

7.929 With the above mitigation measures incorporated the majority of measurement locations identified for concern would be safe and suitable for the intended use. The ES has been reviewed by Temple Group who with the exception of some clarifications sought, have found the wind/microclimate assessment to be acceptable.

Sailing Microclimate

7.930 To assess the wind impacts of the proposed development on the dock, during the scoping process for the extant consent a site-specific set of criteria applicable to novice and inexperienced sailors was developed in agreement with the Council, the Greater London Authority and the Docklands Sailing and Watersports Centre (DSWC). This approach was considered to be acceptable under the Scoping Opinion undertaken prior to the submission of the planning application. This was done as there are no regulatory parameters or published guidelines that exist to assess the sailing quality of a particular location across a range of wind speeds, direction and duration of time.

7.931 Wind tunnel tests on a 1:300 scale model was undertaken with the mean and peak wind speeds measured at 48 probe locations throughout the dock on a grid at a height representing 2.4 metres above the water surface, for a range of wind directions. The height is representative of the centre of the sail plan of a dinghy typical of those sailed at the site. Wind tunnel testing with the use of Wu Tubes (a pressure device that precisely measures wind speeds and directions) provides a detailed assessment of the mean wind speeds and directions at measurement locations over the dock for 36 wind directions, in 10° increments. Downdraughts have not been considered in the assessment as they typically only occur directly adjacent to tall buildings and the dock edge is considered to be at a sufficient distance from the buildings so that there will not be any direct impact of downdraughts on the dock or sailing activity.

7.932 The ES reports that the following scenarios were tested in the wind tunnel:

- C1: Existing Cleared Site with Existing Site Surrounding Buildings, used as the main Baseline reference;
- C2: Proposed Development with Existing Surrounding Buildings;

- C3: Proposed Development with Cumulative[30] Surrounding Buildings; and

- C4: The Phased Construction Scenario (School with Phase 1 and 2) with Existing Surrounding Baseline.

7.933 The objective of the sailing analysis is to predict the effects that the proposed development will have on the ability to sail in the Millwall Outer Dock during the operational stage (i.e. with the proposed development built out in full) as this represents the permanent, long term condition of the site and the intermediate phasing condition scenario. Particular attention has been paid to wind speed characteristics that would affect novice sailors as they are particularly sensitive to changes in wind speed and direction, as they would not yet have developed the skills to predict, sense and adjust to local changes (in time and location), that would be expected of a more experienced sailor.

7.934 The sailing analysis has been carried out using the following criteria/thresholds for 'good' sailing quality:

- Wind speed limits between 3-9 knots for novice sailors: this wind speed limit would provide controllable sailing without a novice being excessively overpowered;

- Change of wind speed between adjacent locations of no greater than 30% - i.e. a wind speed change of 30% between probe locations that are within 40 metres of each other or the nearest adjacent probe location for those with greater spacing. This would be the maximum wind speed change that could be accommodated by a novice sailor;

- Change of wind direction of no greater than 20 degrees between adjacent points; and

- A direction change of 20 degrees or more between probe locations within 40m of each other or the nearest adjacent location for those with greater spacing. This would be the maximum angle change that could be accommodated by a novice sailor.

7.935 The above criteria have been applied to each probe to predict the percentage of time with 'good' sailing conditions, averaged over the typical sailing season for DSWC (between March and November inclusive).

7.936 The table below extracted from the ES indicates the receptors and the associated activity and area of the dock in which they occur.

Receptor Type	Activity	Area
Dock Users		
Novice Dinghy Sailors	Launching and recovery of craft	Western Dock End
Novice Dinghy Sailors	Sailing	Entire Dock
Experienced Dinghy Sailors	Launching and recovery of craft	Western Dock End
Experienced Dinghy Sailors	Sailing	Entire Dock

Table 13: Receptors and Receptor Sensitivity

7.937 In terms of defining the scale and nature of effect, the assessment of the likely scale of effect has been based on the comparison of the predicted sailing quality conditions at a particular measurement location. The ES describes that the nature of the effect can either be adverse, beneficial or negligible. Where Adverse effect occurs, lower sailing quality conditions would be experienced. Beneficial effect refers to conditions that are of higher sailing quality then the existing site whereas where Negligible effects have been assessed, sailing quality conditions

[30] PA/16/03518/A3 – 49-59 Millharbour, 2-4 Muirfield Crescent and 23-39 Pepper Street, London, E14.

are not materially changed by the proposed development. The table below extracted from the ES sets out the expected sailing quality against the scale of effects. If the level of sailing quality change compared to the baseline is greater than 15% then this is deemed to be a Significant effect and this would be applicable in either an increase or decrease in sailing quality percentage in excess of 15%. The ES reports however that where the 15% threshold relates to a reduction in the time the conditions are not met, this does not necessarily preclude the ability to sail.

Expected Sailing Quality	Scale and Nature of Effect
Sailing quality percentage point difference is an increase in excess of 15% for entire dock	Major Beneficial
Sailing quality percentage point difference is an increase of 10 - 15 % for entire dock, or in designated zone (i.e. Western or Eastern Dock)	Moderate Beneficial
Sailing quality percentage point difference is an increase of 10 - 15 % in designated zone (i.e. Western or Eastern Dock)	
Sailing quality percentage point difference is an increase of 5 – 10 % for entire dock, or for an individual measurement location(s)	Minor Beneficial
Sailing quality percentage point difference is an increase of 5 – 10 % for an individual measurement location(s)	
Sailing quality percentage point difference for all measurement locations less than 15 %	Negligible
Sailing quality percentage point difference is a reduction in excess of 15 % for an individual measurement location(s)	Minor Adverse
Sailing quality percentage point difference is a reduction of 5 – 10 % points for entire dock	
Sailing quality percentage point difference is a reduction in excess of 15 % for designated zone, i.e. Western or Eastern Dock	Moderate Adverse
Sailing quality percentage point difference is a reduction of 10 - 15 % points for entire dock	
Sailing quality percentage point difference is a reduction in excess of 15 % points for entire dock	Major Adverse

Table 14: Scale and Nature of Effect

Baseline Scenario C1:

7.938 In the baseline existing site scenario, the prevailing winds are from the south-west, with a secondary peak of north easterly winds common during the spring season. The prevailing south-westerly winds interact with the existing buildings on the southern side of the Millwall Outer Dock. For south-westerly winds, this results in lower wind speeds to the south as these areas are sheltered by the massing of the buildings to the south creating a zone of lower wind speed conditions. The westerly winds are less affected by the existing buildings resulting in more uniform wind speeds across the dock from west to east. The north-easterly winds generally flow unobstructed across the majority of the dock area tested before interacting with the existing buildings south of the dock, which reduces wind speeds in this area.

7.939 The image below extracted from the ES shows the sailing quality results for the baseline scenario. The green highlights areas where sailing quality is either unaffected or improved; orange indicates a drop in sailing quality, but within the predetermined parameter of acceptability; and red indicates a deterioration of sailing quality equal to or in excess of the pre-determined parameter for acceptability (>15% adverse change). The numbers in the dock area reflect the probe locations assessed.

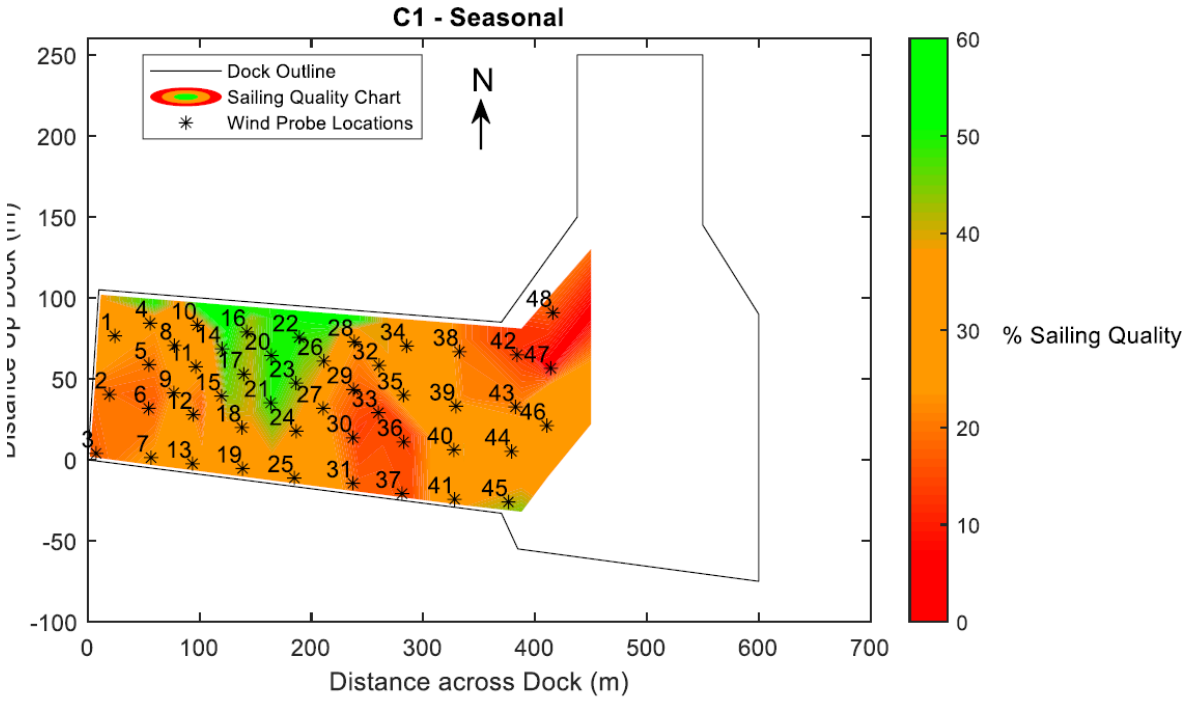


Figure 74: Configuration C1 – Baseline Sailing Season Sailing Quality

7.940 In the baseline scenario, the sailing quality conditions when averaged across the entire dock area show that 32% of time the dock has good sailing quality. This translates to an average of 9.6 days per month and a maximum of 17.1 days per month with good sailing quality across the entire dock. The assessment also reports that the results vary across the dock and that the northern central area of the dock has the best conditions with percentages in excess of 40% of the time with good sailing quality (areas identified in green). The best condition achieved is 57% of the time with good sailing quality, located to the north of the dock (probe location 22). The remainder of the dock area exhibits a lower sailing quality percentage due to the proximity to existing buildings around the dock impacting the flow conditions. The area with the worst sailing conditions is the north-eastern corner of the dock and around probe location 47 which achieves only 5.0% of the time with good sailing quality.

7.941 In terms of the western end of the dock (probe locations 1 to 25), in comparison to the wider dock area, has a better average wind condition with 36.7% of the time with good sailing quality, compared to 32.0% of the time with good sailing quality respectively. The western area of the dock is used for launching and recovering the dinghies on the existing pontoon facilities by novice sailors. Probe locations 2,3 and 6 in the southwestern corner of the dock and closest to the sailing centre has the lowest amount of time with good sailing quality.

7.942 The assessment summarises that in the baseline scenario, the existing sailing conditions on the dock vary by location. The northern central region of the dock has the highest percentage of time with good sailing quality, which includes part of the western end of the dock which is mainly used by novice sailors. Areas in south central and north-east result in the lowest percentage of time with good quality sailing conditions however the assessment reports that these lie outside of the area used most often by novice sailors for launching and recovering the dinghies on the existing pontoon facilities.

Sailing Quality Results

7.943 Table 15 below extracted from the ES summarises the percentage (%) sailing quality results across all 4 configurations, averaged over the entire dock measurement area, the average for the western end of Millwall Outer Dock (probe locations 1 to 25) and the eastern end (probe locations 26-48). The table also includes the minimum and maximum sailing quality range for an individual probe location.

Location	Threshold	Configuration 1: Existing Site	Configuration 2: Proposed Development	Configuration 3: Proposed Development with Cumulatives	Configuration 4: Phased Condition
Entire Dock	Average	32.0	22.4	22.6	23.0
	Minimum	5.0	6.3	6.0	7.1
	Maximum	57.0	52.1	51.3	38.2
Western Dock (Points 1 – 25)	Average	36.7	20.0	20.2	19.0
	Minimum	17.1	7.6	7.7	7.1
	Maximum	57.0	32.6	32.8	38.2
Eastern Dock (Points 26 – 48)	Average	26.9	24.9	25.2	27.3
	Minimum	5.0	6.3	6.0	19.8
	Maximum	51.7	52.1	51.3	37.3

Table 15: Sailing Season Average, Minimum and Maximum % Sailing Quality Values

7.944 The above is also simplified in the table below into the equivalent number of days per month with good sailing quality.

Location	Threshold	Configuration 1: Existing Site	Configuration 2: Proposed Development	Configuration 3: Proposed Development with Cumulatives	Configuration 4: Phased Condition
Entire Dock	Average	9.6	6.7	6.8	6.9
	Minimum (per point)	1.5	1.9	1.8	2.1
	Maximum (per point)	17.1	15.6	15.4	11.5
Western Dock (Points 1 – 25)	Average (per point)	11.0	6.0	6.1	5.7
	Minimum (per point)	5.1	2.3	2.3	2.1
	Maximum (per point)	17.1	9.8	9.9	11.5
Eastern Dock (Points 26 – 48)	Average (per point)	8.1	7.5	7.5	8.2
	Minimum (per point)	1.5	1.9	1.8	5.9
	Maximum (per point)	15.5	15.6	15.4	11.2

Table 16: Sailing Season Average, Minimum and Maximum number of days per month with good sailing quality.

7.945 To contextualise the above results, the average percentage point difference in sailing quality between each tested configuration across the entire dock would be a reduction in sailing quality of 9.6% between the baseline scenario and configuration 2 (proposed development); a reduction of 9.4% between the baseline scenario and configuration 3 (proposed development with cumulative schemes) and a reduction of 9% in configuration 4 (phased scenario) from the baseline. Translating this into the equivalent number of average days per month with good sailing quality across the entire dock the difference would be a reduction of 2.9 days per month in configuration 2, a reduction of 2.8 days in configuration 3 and a reduction of 2.7 days in configuration 4 from the baseline scenario.

7.946 A more detailed summary of configurations C4, C2 and C3 are provided below.

Configuration C4: Phased Construction Scenario

7.947 In this scenario, the ES reports that due to the location of the site, the impact on the predominant wind direction from the southwest is minimal with the wind direction from the north and northeast being the main wind direction which is affected by the proposed development. The north and north-eastern wind component are more prominent in April and May with some levels of wind throughout the other months. In terms of the entire dock, the sailing quality conditions when averaged across the dock area would change from 32.0% in the existing baseline to 23%; an average reduction of 9.0%. This translates to an average of 6.9 days per month and a maximum of 11.5 days per month where good sailing quality would be achieved across the entire dock. The ES reports that as this change is less than 15%, this would be a Minor Adverse effect (Not Significant).

7.948 Sailing quality varies across the dock and there are both reductions and increases in the time with good sailing quality at individual probes. Areas northwest tending towards the centre of the dock will experience a reduction in time with good sailing quality, with the largest reduction in time with good sailing being 44.1% at probe location 10. There would be an increase in time with good sailing quality in the north-eastern area of the dock. The biggest increase in time with good sailing quality is 17.0% at probe location 33 and for the southern area of the dock, there is some variation with probe locations 7, 18, 24 and 45 exceeding the 15% threshold. For the remainder of the dock area (i.e. eastern areas), sailing quality remains similar, and further to the east marginally better with the introduction of the construction phase of the proposed development. The ES assesses these localised effects to be Minor Adverse (Not Significant).

7.949 In terms of the western end of the dock, this area would experience a reduction in time with good sailing quality. The ES reports that there is a predicted reduction of 17.7% time with good sailing quality when averaged over the western end of the dock. The level of impact exceeds the 15% significance level threshold and therefore the ES assesses the significance of effect to be Moderate Adverse (Significant).

Configuration C2: Proposed Development with Existing Surrounding Buildings:

7.950 In this scenario, the ES reports that the sailing quality conditions when averaged across the dock area tested is 22.4% of the time with good sailing quality. This translates into an average of 6.7 days per month and a maximum of 15.6 days per month where good sailing quality would be achieved across the entire dock. In this configuration, the placement of structures to the north of the dock has impacted the wind speeds and flow quality over the dock with wind directions from the north. These wind directions from the north and northeast are the main wind direction which is affected by the proposed development. The percentage sailing quality conditions for the proposed development is demonstrated diagrammatically in the image below:

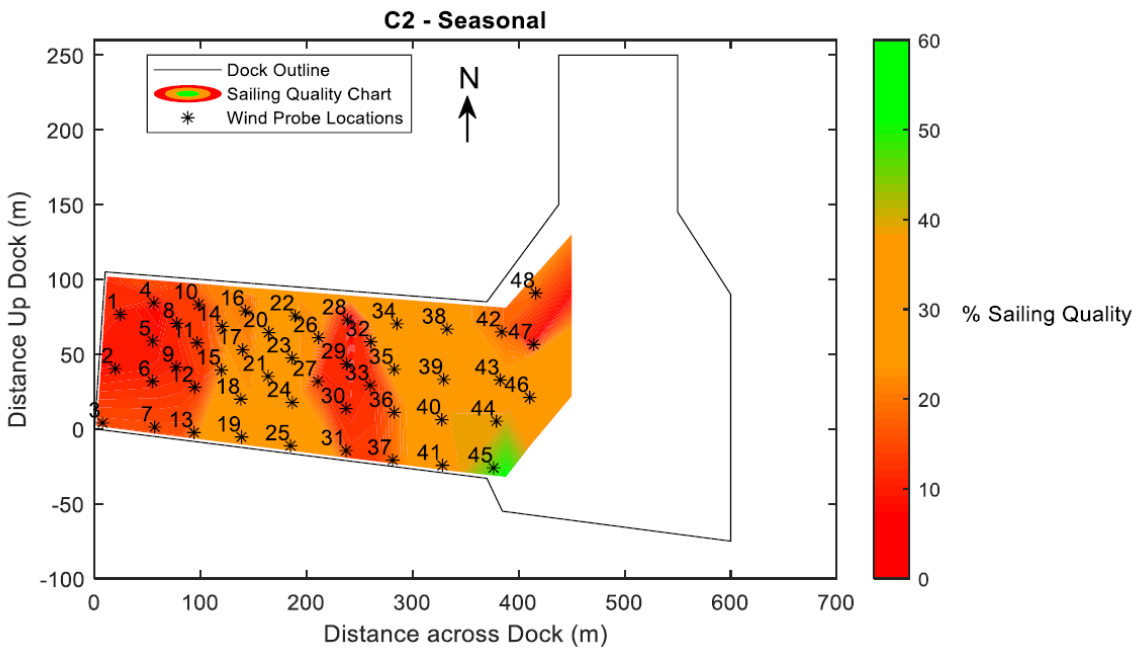


Figure 75: Configuration C2: Sailing Season Sailing Quality

7.951 In terms of the entire dock, the sailing quality conditions of 22.4% of the time with good sailing quality represents a reduction of 9.6% from the baseline scenario (32.0%) and would be less than 15%. The ES reports this to result in a Minor Adverse effect (Not Significant).

7.952 The assessment reports that whilst these results are average, the sailing quality does vary across the dock with both reductions and increases in the time with good sailing quality at individual probe locations. The north and northwestern corner of the dock will experience a reduction in time with good sailing quality with the biggest decrease in time with good sailing quality being 33.3% at probe location 4. There would also be increases in time with good

sailing quality in the north-eastern area of the dock with the biggest increase in time with good sailing quality being 10.8% at probe location 44. For the southern area of the dock, there is a slight reduction; however, the ES reports that this is still within the significance threshold and for the remainder of the dock area (i.e. eastern areas), sailing quality remains similar, and further to the east marginally better with the introduction of the proposed development. The ES concludes that these localised effects represent Minor Adverse effects (Not Significant).

7.953 The probe locations experiencing decreases in time with good sailing quality are generally adjacent to the sailing centre at its currently located pontoons and launch/recovery facilities and towards the centre of the main dock. These reductions to the sailing quality would make it more challenging for novices to sail in those areas, but this is predominantly only when the wind direction has a northern component.

7.954 In terms of the western dock, this area will experience a reduction of 16.7% in time with good sailing quality when averaged over the western end of the dock. The ES assesses this level of impact to be Moderate Adverse (Significant) when applying the 15% significance threshold.

Configuration C4: Proposed Development with Cumulative Surrounding Buildings

7.955 The assessment reports that in this configuration, there would be only subtle differences between configurations C2 and C4. The cumulative[31] scheme considered is located to the north-east and therefore predominately affects winds travelling from that direction.

7.956 The sailing quality conditions when averaged across the dock area in configuration C3 changes from 32.0% in the baseline to 22.6% (average reduction of 9.4%) and as this change is less than 15%, the ES assesses this to be a Minor Adverse (Not Significant) effect. This would also be an increase of 0.2% of sailing quality when compared to the proposed development on its own (configuration C2).

7.957 As with the other configurations tested, the sailing quality varies across the dock. There would be both reductions and increases in time with good sailing quality at individual probe locations. The northwestern corner of the dock will experience a reduction in time with good sailing quality. The biggest decrease in time with good sailing quality is 35.5% at probe location 22 (located at the north central side of the dock) which experiences a further 4% reduction in time with good sailing quality from the configuration C2 scenario.

7.958 The assessment reports that in general the probe locations showing reductions in time with good quality sailing of more than 15% are the same as C2 vs C1 and the probe locations showing reductions in time with good sailing quality below the 15% threshold are the same as C2 vs C1. These effects are assessed to be Minor Adverse (Not Significant).

7.959 It is also reported that there would be increases in time with good sailing quality in the northeast area of the dock; the biggest increase in time with good sailing quality would be 9.5% at probe 44 in the eastern end. The results in this configuration are very similar to configuration C2 (proposed development with existing surrounding buildings).

7.960 The area adjacent to the sailing centre in the western dock (where pontoons and launch recovery facilities are located) would be affected. Reductions to the sailing quality in this area would make it more challenging for novices to sail, which is likely to occur when the wind direction has a northern component. There would be a reduction of 16.5% when averaged over the western end of the dock and when applying the 15% significance level threshold this level of impact would be Moderate Adverse (Significant).

Comparison between the Proposed Development and the 2017 consented (extant) scheme

7.961 The ES has also undertaken a comparative analysis with the extant planning permission (described as configuration C2017) to ascertain if the proposed development (configuration C2) has the same or altered wind sailing results. This has been appended into the

[31] Cumulative scheme considered is PA/16/03518/A3): 49-59 Millharbour, 2-4 Muirfield Crescent and 23-39 Pepper Street.

Environmental Statement. The extant planning permission was not retested in 2023 but previous wind tunnel testing data gathered in 2017 has been utilised.

7.962 In terms of configuration C2017 (Extant Consent), the sailing quality conditions when averaged across the dock area is 25.4%. The sailing quality conditions for the extant consent can be seen in the image below:

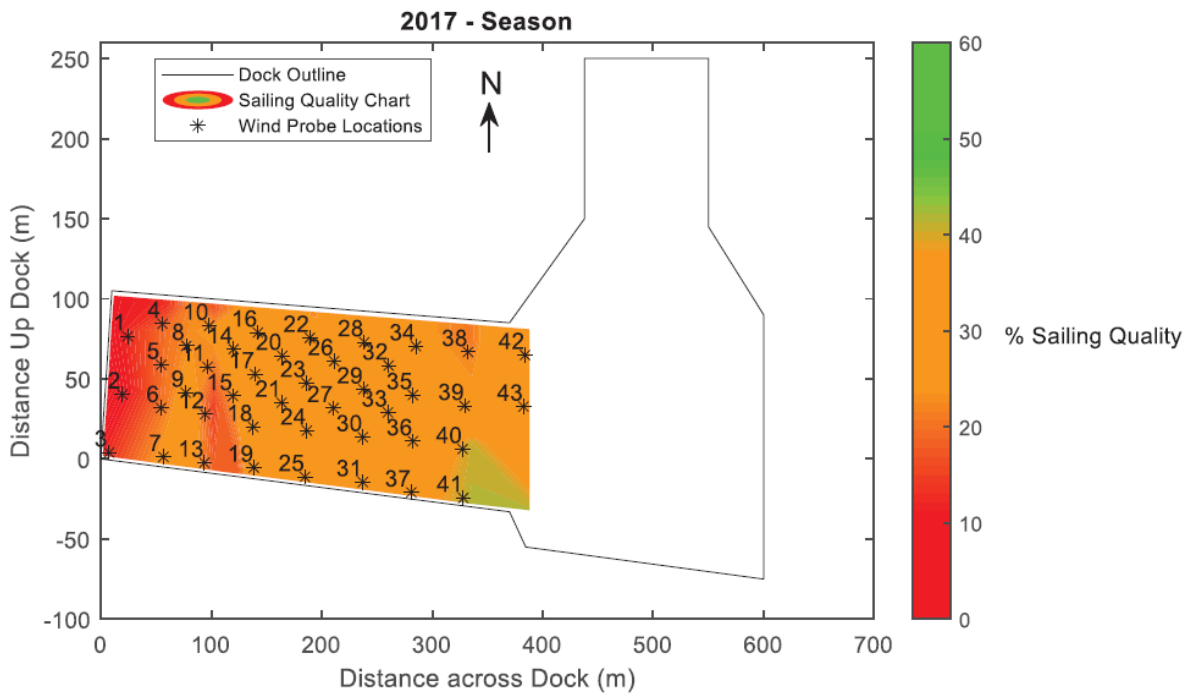


Figure 76: Configuration C2017: Extant Consent Sailing Quality

7.963 In the extant consent scenario, the eastern end of the dock has the best sailing quality conditions with the highest sailing quality of 41.7% being achieved (probe location 41). The western end of the dock exhibits lower sailing quality percentage ranging between 6.2% and 36.5% of the time with good sailing quality. The area with the worst sailing conditions under the extant consent is in the southwestern corner of the dock (around probe 2) which achieves 6.2% of the time with good sailing quality reported above.

7.964 In terms of the western end of the dock (probes 1-25), when compared to the wider dock area, it has slightly less time with good sailing quality: 22.5% of the time with good sailing quality, compared to 25.4% of the time with good sailing quality respectively.

7.965 When comparing the proposed development (configuration C2) with the extant consent (configuration C2017), the assessment reports that for the entire dock, neither the extant consent nor the proposed development exceed the 15% threshold, and therefore neither generates significant effects. When compared to one another, there is a reduction of 2.8% of the time with good sailing quality averaged over the entire dock for the proposed development. Whilst this is an average, the sailing quality varies across the dock with both reductions and increases in time with good sailing quality, as a result of the proposed development and the extant consent.

7.966 For the western end of the dock, the extant consent is within the significance threshold with the proposed development exceeding the 15% threshold by 0.9% points. The sailing quality conditions for the western end of the dock demonstrate that there would be 22.5% of the time with good sailing quality with the extant consent and 20.5% of the time with good sailing quality with the proposed development. When compared to one another, there would be a reduction of 2.0% of sailing quality for the western end of the dock for the proposed development and therefore a marginal difference.

Conclusions

7.967 The residual effects resulting from the proposed development are summarised and presented in the table below as extracted from the ES.

Receptor	Description of the Residual Effect	Scale and Nature	Significant / Not Significant	Geo	D I	P T	St Mt Lt
Demolition and Construction							
DSWC Sailors and other wind propelled water users	Reduction of sailing quality in western dock, (principally when wind from Northerly direction)	Moderate Adverse	**Significant**	L	D	T	St
DSWC Sailors and other wind propelled water users	Reduction of sailing quality for the entire dock as assessed.	Minor Adverse	Not Significant	L	D	T	St
DSWC Sailors and other wind propelled water users	Reduction of sailing quality for individual probe locations	Minor Adverse	Not Significant	L	D	T	St

Receptor	Description of the Residual Effect	Scale and Nature	Significant / Not Significant	Geo	D I	P T	St Mt Lt
Completed Development							
DSWC Sailors and other wind propelled water users	Reduction of sailing quality in western dock, (principally when wind from Northerly direction)	Moderate Adverse	**Significant**	L	D	P	Lt
DSWC Sailors and other wind propelled water users	Reduction of sailing quality for the entire dock as assessed.	Minor Adverse	Not Significant	L	D	P	Lt
DSWC Sailors and other wind propelled water users	Reduction of sailing quality for individual probe locations	Minor Adverse	Not Significant	L	D	P	Lt
Notes: Residual Effect Scale = Negligible / Minor / Moderate / Major Nature = Beneficial or Adverse Geo (Geographic Extent) = Local (L), Borough (B), Regional (R), National (N) D = Direct / I = Indirect P = Permanent / T = Temporary St = Short Term / Mt = Medium Term / Lt = Long Term N/A = not applicable / not assessed							

Figure 77: Residual effects of the proposed development

7.968 The assessment demonstrates that, overall, the scheme will result in Minor Adverse (Not Significant) to Moderate Adverse (Significant) effects during demolition, construction and completed development phases. In both the construction and completed development phases as detailed earlier, Moderate Adverse (Significant) effects will occur at the western end of the dock with reductions in sailing quality for novice and inexperienced sailors. However, the ES identifies that there are no direct mitigation measures or adjustments that are considered appropriate for implementation to prevent wind changes and notably increase the levels of sailing quality.

7.969 It is noted that the extant planning permission secured a sailing centre mitigation contribution of £756,000 which was proposed to be increased to £1,139 million under the Appeal Scheme. Both schemes demonstrated significant adverse effect on sailing quality in the western part of the dock. To provide some context to Members, it was reported in the Inspector's first appeal report (IR.A) that the ES for the appeal scheme found that in the then baseline scenario (i.e appeal site cleared), the quality criteria would be met on 17.9 days per month. With the Appeal Scheme in place, the criteria would be met on 10.3 days per month (equating to a reduction of 58% from the then baseline scenario). It was reported that with the extant scheme in place, the criteria would be met on 11.0 days per month equating to a reduction of 61% of the then baseline scenario. The Inspector in his report for the Appeal Scheme (IR.A) did not consider

that a difference of 3% was significant and concluded that the effect of the appeal scheme on sailing quality would not be materially different to that of the consented scheme[32].

7.970 In considering the unilateral undertaking presented at the appeal public inquiry, it was the Inspector's view that it had not been demonstrated that the package of measures identified (i.e. river-based infrastructure and equipment, a river works license, staffing, staff training and maintenance costs) would be directly related to the development or necessary to make the development acceptable in planning terms. The Inspector concluded that the obligations relating to the sailing centre mitigation contribution would not meet the tests contained in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. The Inspector maintained this position in the reopened Inquiry. For Member clarification this statutory test requires that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

7.971 Therefore, in considering the above, Officers agree that whilst the proposed scheme demonstrates adverse impacts particularly along the western end of the dock, there are no identified means of mitigating against these impacts. The ES has been reviewed by Temple Group and with the exception of some clarifications sought, have found the sailing microclimate assessment to be acceptable and have also accepted that no mitigation measures can be secured. For Member information only, it should be noted that the Applicant is in detailed private discussions with the DSWC regarding a package of measures that the DSWC consider will address the impacts of the proposed development on their activities and help support their long-term viability. This is a private arrangement between the Applicant and the DSWC and does not form part of this planning application. Details of any such measures cannot be considered or assessed under the planning application for the reasons set out above. It should also be noted that no formal representations have been submitted from the DSWC in respect of this planning application.

Flood Risk & Drainage

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

7.973 The site falls within Flood Zone 3A and is protected to a high standard by the River Thames Tidal defences. In terms of ground water flood risk, the scheme includes a large basement as detailed elsewhere in this report. The basement would have a Finished Floor Level (FFL) of 1.85m AOD which is approximately 3m below ground level and there would be the potential that it could encounter groundwater. However, the FRA states that aquifers that are located below the site have high transmissivity and would therefore allow for groundwater to freely migrate vertically and laterally and it is considered unlikely that this will result in groundwater emergence at the surface. A Basement Impact Assessment will be provided at the detailed design stage and this will be secured via condition.

7.974 The majority of the site has a very low risk of surface water flooding. The FRA reports however that there are areas of up to high risk of flooding within the north-eastern, central and western extents of the site. This would mean that ponding would occur outside of building N1 within the Boulevard. As such the FFL of building N1 is raised to a level of 5.28m AOD and as such water during a low-risk event would not enter into the building. The Boulevard would also be raised to tie into built manholes on site and would provide refuge above the 2100 (year) breach flood level. The entrance from the north-east of the site will be raised up from a level of around 4.12m AOD to a level of 5.15m AOD within the Boulevard. Any ponding that would occur outside of Plot N1 in the north-east and T1 in the north-west would be redistributed to the new low points within the site which will be towards the areas of public open space.

[32] Para.483 of IR.A of Appeal Decision dated 18th November 2021.

7.975 The risk of surface water flooding within the site would be reduced through the implementation of a sustainable drainage strategy which would provide significant betterment compared to the existing drainage arrangement. This will be secured via planning condition.

7.976 In terms of the school, this is located in the north-western corner of the site and the 2100 breach flood level at this location is 5.01m AOD. It is proposed to raise the eastern entrance and the external levels around the eastern and southern extent of the school to a level of 5.31m AOD which allows for a 300mm freeboard above the 2100 breach defence flood level. As such the first floor and southern and eastern part of the school will be free from flooding in both the current and future breach scenarios.

7.977 The FRA reports that given the alignment of the site with Westferry Road, it would not be possible to raise the western part of the school and as such the entrance into the ground floor will be located at a level of 1.9m AOD and therefore the land to the west and the ground floor would flood in the event of a 2100 breach event. It is proposed to incorporate flood resilience measures such as providing durable materials and using construction methods and materials that promote easy draining and drying as well as damp proof membranes as means of providing additional protection. In terms of the sports hall, the 2100 breach flood level at this location is 4.98m AOD and it is proposed to raise the entrance to the sports hall to the same level as the school at 5.31m AOD which allows for over 300mm freeboard above the 2100 breach flood level.

7.978 The FRA confirms that there is very low flood risk associated with the Millwall Outer and Inner Docks as they are actively managed and regularly inspected by the Canal and River Trust.

7.979 The submitted Flood Risk Assessment (FRA) has also been amended to address the Council's Flood and Water Management Team's comments and the Environment Agency have expressed no overall objections to the proposal. Conditions will be imposed to ensure relevant flood defence mitigation measures are in place as detailed above, including setting electrically sensitive and critical infrastructure throughout the site to be set at 300mm above the TE2100 threshold and ensuring that where FFL are below the TE2100 breach level that no sleeping accommodation is proposed. A Flood Warning and Evacuation Plan will also be secured via condition.

Land Contamination

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

HEALTH IMPACT ASSESSMENT

7.981 Policy D.SG3 of the Local Plan requires developments that are referrable to the Mayor of London to be supported by a Health Impact Assessment (HIA). A detailed HIA, given the scale of the application, is required. The application has not been accompanied by a detailed HIA however it was agreed during the Environmental Impact Assessment Scoping process that in place of a standalone HIA, Human Health will be scoped into the ES as a topic chapter.

7.982 The Health ES chapter has been structured around the following themes: Construction (Transport, Access and Permeability; Noise and Vibration; Land Quality; Water Quality or Availability) and Completed Development (Physical Activity; Housing Provision; Diet and Nutrition/Healthy Food; Open Space, Leisure and Play Space; Transport Modes, Access and Permeability; Community Safety; Community Identity and Social Participation; Education and Training; Employment and Income; Climate Change and Adaption; Noise and Vibration; Health and Social Care Services; Water Quality or Availability and Land Quality).

7.983 The assessment identifies that during the construction of the proposed development there would be a Moderate Beneficial effect on human health in relation to employment and income at the borough level (i.e. the provision of approximately 395 FTE jobs per year over the construction period; minimum of 20% construction job vacancies exclusively to local residents

and reasonable endeavours to advertise 20% of goods and services procured to local companies and suppliers based in the borough) .

7.984 During the operation of the proposed development, Moderate Beneficial effects on human health have been identified in relation to Physical Activity (e.g. promotes physical activity of residents, workers and visitors and provides access to new a new park on site, woodland walk, Boulevard and promenade and promotes active travel) and Community Safety (e.g. natural surveillance of pedestrian routes, active ground floor frontages and controlled access to the site for vehicles) at the local level whilst Major Beneficial effects have been identified in relation to Housing Supply (provision of 1358 new homes of which 379 would be affordable, dual aspect units maximised and all homes constructed to policy-complaint requirement for M4(2) and M4(3) units) at the local and borough level; Open Space, Leisure and Play Space (a minimum of 1 hectare of public open space proposed which includes a new park and a variety of character areas and spaces) and Transport, Accessibility and Permeability (e.g. road network improvements, car free scheme with improvements for walking and cycling) at the local level.

7.985 The Council's HIA Officer has reviewed the Health chapter of the ES and subject to a number of clarifications, no objections have been raised to the scheme. The HIA Officer has however requested a meanwhile use strategy particularly for Phase 4 of the site, the provision of some SEND child's play space, mechanisms to secure a Community Events Strategy which details community identity and social participation post-completion of the development and the submission of a post-completion Health Impact Monitoring Report. At the time of the writing of this report, the Applicant has yet to confirm agreement to the Community Events Strategy and the Health Impact Monitoring Report. Should the Applicant agree to these obligations, these will be secured via the S106 legal agreement. The Applicant has agreed to the provision of a meanwhile use strategy and SEND play provision; these will be secured via the S106 legal agreement and conditioned accordingly.

INFRASTRUCTURE IMPACT

7.986 In accordance with Policy D1 of the Isle of Dogs Neighbourhood Plan, the application has been accompanied by an Infrastructure Impact Assessment which provides a high-level summary of the potential infrastructure impacts associated with the development. Further detail has been provided across the suite of application documents including the Environmental Statement. A summary of relevant infrastructure topics are provided below:

<u>Utilities</u>

7.987 Gas, Electricity and Water: A medium pressure main has been diverted from its original route along the northern boundary into the Boulevard and the pressure-reducing station has been relocated and is now installed underground in an area that will become public realm along Westferry Road. The Energy Strategy proposes to use the dock water as the primary source for heating and hot water for the development therefore there is no requirement for gas to the site. In terms of electricity, there is a large UKPN (UK Power Network) switch room at the eastern end of the site which is retained. The Applicant has advised that an application has been made to UKPN for additional capacity to serve the full development and this would be available from other primary substations in the area: Glaucus Road, Simpsons Road and Westferry Road.

7.988 In terms of water demand, the report confirms that Thames Water has been consulted about the capacity requirement for the site. Two modelling studies have been undertaken under the two previous planning applications which confirmed that there was sufficient capacity in the network to support the development. However, Officers have also consulted Thames Water directly as part of the statutory consultation process and Thames Water have advised that they are yet to agree with the Applicant that there is sufficient capacity within the system to accommodate the development. However, 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 the development to

be occupied. This will ensure that there is sufficient water supply to serve the proposed development. Should planning permission be granted for this development, the appropriate conditions requested by Thames Water will be imposed.

Education

7.989 **Early Years:** Chapter 7 (Socio-Economics) of the ES assess the development's impact on local education provision. In terms of early years provision, the ES reports that it is anticipated that the proposed development would yield an early years' population (0-4 years old) of 217 children which equates to an 18% increase in the LIA (Local Impact Area). There is an identified shortfall in capacity for early years provision in the LIA and any additional demand may lead to further pressure on providers. However, the ES reports that it is not anticipated that all 217 0-4 year olds will be eligible for Free Early Education Entitlement provision (FEEE), nor will all carers seek to access early years childcare provision within the LIA

7.990 The proposed development includes a nursery/crèche measuring 349.5sqm (GIA) and could accommodate approximately 100 x 0-4 year olds. This would be sufficient to accommodate more than the 22% to 31% of families who may be eligible for FEEE. On this basis the development would give rise to a direct, long-term and Minor Adverse (Not Significant) effect at the LIA level.

7.991 **Primary School Provision:** The proposed development is expected to yield a primary school age population of 117 children aged 5 to 11 years old. As a worst-case scenario, this would lead to an erosion of existing surplus capacity in the LIA (4%) and a subsequent deficit in capacity of 2%. However, the ES reports that the Council has indicated in the Planning for School Places update that three new schools could be delivered in Area 4 (Isle of Dogs), within the plan period, which will lead to a substantial increase in capacity. This would lead to a direct, long-term and Minor Adverse (Not Significant) effect at the LIA level.

7.992 **Secondary School Provision:** The proposed development is expected to yield a secondary school age population of 170 children aged 12 to 18 years. The delivery of a 1,200 place secondary school on site will substantially increase capacity in the borough within a modern setting. As a worst-case scenario, assuming all children are additional and not already attending schools in the borough, the combination of both these factors would result in a 4% point increase in surplus capacity (from 9%-13%) meaning that capacity rises above the DfE recommended upper benchmark of 10%. This would result in a direct, long-term and Moderate Beneficial (Significant) effect at the borough level.

7.993 It is noted that George Green School have submitted an objection to the planning application expressing concerns that the inclusion of a secondary school appears to contradict the Borough's assessment of secondary school places required. The Council's Education Team acknowledges that whilst the forecasted pupil numbers across the Borough have not been realised since Canary Wharf College Crossharbour was opened by the DfE, the school has been operating on a reduced PAN (Published Admission Number) and in temporary buildings which is less than ideal for the pupils of the Borough and therefore the Education Team welcome a permanent site for the school. The Council's Education Team have also carefully considered the funding agreements of the DfE to Canary Wharf College and the needs of the wider Borough in its assessments of sites and the overall places available under the Local Plan to reflect this evolving position. Any reduction in the capacity for the site would impact negatively on the Local Authority's ability to meet its statutory duty in the provision of secondary school places within the Borough.

Health

7.994 The proposed development is expected to yield an overall population of around 3,000 persons. As a worst-case scenario, assuming all of these people would be additional (and not already registered with GPs in the LIA), this would lead to an increase in the number of registered patients per FTE GP in the LIA from 2,347 to 2,461 (+4.7%). The same increase in resident population (assuming all would be additional and not already registered), would lead to a further increase in the population per dentist. This would lead to a direct long-term and Moderate Adverse (Significant) effect at the LIA level.

Open Space

7.995 The ES reports that the baseline assessment of open space indicates that at the borough level, there is an average of 0.89ha of open and play space per 1,000 residents in the borough[33] which is marginally higher than the Fields in Trust (FIT) standard of 0.8 ha per 1,000 population. The Council's Local Plan requires that 1.2 ha per 1,000 residents of open space is required. The baseline assessment of the borough's open space indicates that borough-wide open space provision is below the Local Plan required standard and that future population growth will add further pressure on demand for open space.

7.996 The ES reports that the scheme will bring forward 20,898sqm (approximately 2.1 ha) of public open space which includes a new park, a woodland walk, and Boulevard as described in the public open space section of this report. Whilst the expected population yield of 3,000 residents at the proposed development will increase demand for open space, not all of this population will be net additional in the borough. The scheme would give rise to a direct, long-term and Minor Beneficial (Not Significant) effect at the borough level.

Mitigation

7.997 As identified above, once completed the proposed development will lead to a moderate adverse effect on the demand for GP facilities and minor adverse effect on the demand for early years and primary school places. The development will generate a substantial Community Infrastructure Levy (CIL) payment, which may be used to fund a range of infrastructure including education and healthcare which would mitigate the potential for adverse effects with regards to these infrastructure provisions.

S106 OBLIGATIONS

7.998 Development plan policies seek appropriate mitigation to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.

7.999 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. Several non-financial obligations are also required to ensure that the development is acceptable in planning terms.

7.1000 It is noted that NHS North East London have requested a S106 contribution of £4,699,614 attributed to the increase in residential properties proposed on the development. However, this request is not considered to meet the tests set out in Regulation 122 of the CIL (Community Infrastructure Levy) Regulations 2010 in that it has not been demonstrated by the NHS that the planning obligation sought is a) necessary to make the development acceptable in planning terms, b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Moreover, the NHS has been advised that CIL is the mechanism by which strategic infrastructure (i.e. infrastructure that is required to support more than one development) should be funded.

7.1001 In terms of Sport England's representations, CIL (as detailed in the next section) would also be the appropriate mechanism to secure any additional sporting and leisure facilities beyond what has been proposed as part of the development.

LOCAL FINANCE CONSIDERATIONS

7.1002 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments £35, 691,511.71 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £7,492,341.83 (inclusive of social housing relief and exclusive of indexation).

7.1003 Members are advised that the Council set CIL charging rates at a level that is the maximum viable, alongside a policy compliant affordable housing offer. In order to maintain viability, the

[33] LBTH Parks and Open Space Strategy (2017-2027)

costs to the Applicant of delivering strategic infrastructure on a site may be reduced from the CIL payment applicable to the site. For this application, the land and layout costs of the strategic open space are applicable to such a reduction and this is known as CIL in Kind. The value of the land and layout costs of the strategic open space are to be finalised and included in the S106 legal agreement and are currently estimated to be c.£18.3m. There are also currently on-going discussions in respect of the applicability of the proposed community centre to CIL in Kind. Any CIL in Kind value for the facility, if found appropriate, would be considerably lower than the open space value, potentially £1m-£1.5m. These discussions may also result in some minor alterations to the internal layout of the community centre.

7.1004 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 sport facilities, healthcare facilities, district heating schemes and other community 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).

7.1005 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would qualify 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

7.1006 The proposal does not have any 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.

7.1007 The proposed new residential accommodation meets inclusive design standards and 10% of the new homes will be wheelchair accessible. The proposal will also provide blue badge spaces which will be allocated according to need. The development will also secure cycle parking in accordance with the London Design Cycling Standards to enable cycle parking for different user groups i.e., wider cycle parking spaces to accommodate non-standard sized cycles.

7.1008 The provision of 35% affordable housing would be of a particular benefit to groups that are socially/economically disadvantaged.

7.1009 Publicly accessible open space will be provided which will include new playspaces and will be fully accessible.

7.1010 A new community facility will also be provided which will be accessible to all residents.

7.1011 The application has undergone the appropriate level of consultation with public and Council consultees. The Applicant has also undertaken engagement with nearby residents and occupiers prior to the submission of the planning application.

7.1012 The proposed development would not result in adverse impacts upon equality or social cohesion.

PLANNING BALANCE

7.1013 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF emphasises the need to deliver sustainable development.

7.1014 This concluding section of the report will examine the overall planning balance of the proposed scheme and consider the public benefits of the scheme against the identified departures from relevant development plan policies.

7.1015 The application proposes a comprehensive masterplan approach to regenerating this part of the Isle of Dogs. Whilst the proposed housing densities are high, the site lies in an Opportunity Area whereby growth is expected to be accelerated. The scheme delivers a considered approach to place-making and connectivity.

7.1016 The masterplan would deliver new homes, including affordable homes. If permission is granted and the scheme is delivered, these homes would make a major and substantial contribution to Tower Hamlets' housing supply.

7.1017 A total of 35% affordable housing based on habitable rooms is proposed and the scheme would be eligible for the Fast Track route in accordance with development plan policy. The housing tenure and mix would depart from Local Plan policies, but the scheme would deliver 46.3% of the Affordable Housing tenure as larger family homes. This exceeds the minimum policy requirement of 45% in this tenure and would make a significant contribution to meeting housing needs. Officers afford this element substantial weight.

7.1018 The scheme would not meet development plan policy standards for the quantity of play space required by policy (shortfall of 779sqm). The scheme relies on utilising the MUGAs and Sports Pitch on the school grounds as contributing towards the overall play space quantum which is not considered to be justified by Officers. However, Officers recognise that the play strategy across elsewhere in the masterplan adopts good urban design principles to ensure provision of a range of play environments.

7.1019 The scheme will improve north-south connectivity towards the docks and improve permeability and legibility, prioritising pedestrians and cyclists across the masterplan. The scheme would provide new well-designed and spacious areas of public open space spread across the masterplan and there will be good quality public realm and landscaping improvements throughout the site which further assist in improving connectivity and permeability in the area, demonstrating good placemaking principles. The total quantum of public open space substantially exceeds the site allocation requirement of a minimum of 1 hectare and therefore Officers afford this element substantial weight.

7.1020 There are a number of financial and non-financial contributions to be secured as a result of the proposed development. The development would also be liable for the Council's and Mayor of London's Community Infrastructure Levy. However, these obligations and CIL would be required as a direct consequence of the scheme, to mitigate its impacts.

7.1021 The scheme would result in identified significant effects on sailing conditions with Moderate Adverse (significant) effects occurring in the western end of the dock, contrary to relevant development plan policies that seek to ensure that development proposals do not result in unacceptable microclimate impacts on existing active water uses. These impacts cannot be mitigated against however, the scheme is considered to comply with the development plan as a whole.

7.1022 The daylight and sunlight impacts to neighbouring properties from the proposed development have been set out in detail in this report. The conclusion is that the development would cause harm to the residential amenity of some neighbouring properties that surround the site when assessed against the BRE Guidelines and as such does not comply with relevant development plan policies that seek to protect neighbouring amenities. However, the scheme is considered to comply with the development plan as a whole and these impacts are weighed against the wider regeneration and place-making benefits of the proposal, which will provide much-needed new homes and amenities for the locality.

7.1023 The scheme would provide 1358 additional new homes of which 379 would be affordable homes. This is an uplift of 239 affordable units on the site compared to the extant planning permission. All the new residential units meet or exceed minimum London Plan housing standards. The scheme will deliver new areas of public open space in an area that has deficiency in access to nature. These spaces will be universally accessible by all members of the community and significantly strengthen and enhance the connectivity and legibility of the locality.

7.1024 In conclusion, the proposal is considered to comply with the development plan as a whole. In considering the above in the round and the good place-making principles of the scheme which will directly benefit existing and new residents in the Isle of Dogs, Officers therefore, on balance, find the proposal to be acceptable and consider that the wider benefits associated with the development outweighs the departure from identified Development Plan policies.

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. £651.826.40 towards construction phase employment skills training
b. £99,796.13 towards end-user phase employment skills training
c. £1,033.722 toward carbon emission off-setting
d. £152,496.1 towards development co-ordination and integration.
e. £300,000 towards bus services (provision by TFL)
f. £220,000 towards cycle hire (provision by TfL)
g. £1,186.600 DLR contribution (provision by TfL)
h. Monitoring fee to be calculated once final heads of terms are in agreement following any permission granted.
i. £20,000 towards feasibility of extending the hours of operation of the local parking zone(s)

8.3 **Non-financial obligations:**

a. Affordable housing (35% by habitable room)
   - 259 affordable rented housing units comprising 50% London Affordable Rent and 50% Tower Hamlets Living Rent.
   - 120 homes as Intermediate Housing
   - Early Stage Viability Review
   - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)

b. Access to employment
   - 20% local procurement
   - 20% local labour in construction
   - 20% local labour in end-use phase
   - 135 construction phase apprenticeships
   - 1 x end-user phase apprenticeships

c. Transport matters:
   - Car Free development (residential)
   - Approval and implementation of Car Park Management Plan
   - Residential, Commercial and School Travel Plans
   - S278 Agreement (Westferry Road access realignment, northbound bus stop extended in length, double yellow lines proposed along Westferry Road, provision of a pedestrian zebra crossing and installation of Copenhagen style crossing on Westferry Road entrance).

d. School:
   - Agreement for lease to DfE
   - Public access of Multi-Use Games Area and other school sports facilities

e. Community Centre
   - Lease to a locally-based charity or community organisation, to be approved by LBTH

f. Creche operation and letting strategy (on commercial basis)

g. Phasing obligations (to ensure delivery of scheme within agreed sequencing and timeframes)

h. 'Be Seen' energy monitoring

i. Architect retention and design certification

j. Public Realm/Public Open Space (including temporary public open space provision) and playspace access/ management including compliance with Public London Charter

k. Strategic Public Realm delivery, including access and management

l. Land to be safeguarded for Cycle Hire Docking Station (TfL)

m. Amenities strategy to allow occupiers of Affordable Housing units to access common amenities on a pay-to-use basis.

n. Meanwhile Use Strategy

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**

<u>Compliance</u>

1. Time Limit (development to begin no later than three years from date of permission)
2. Development in accordance with Approved Plans
3. Quantum of Development (restriction on floor spaces for individual land uses)
4. Maximum Floorspace for Class E Uses (restriction on Class E floorspace)
5. Environmental Statement Mitigation Measures (development to be implemented in accordance with)
6. PD Restriction on Commercial, Business and Services (Class E) to Residential.
7. PD Restriction on Erection of Fences
8. PD Restrictions on Painting of External Brickwork and Masonry
9. No Plant, Water Tanks on Roof.
10. No Pipes on Building Face
11. Smart Meter Installation
12. S61 Restrictions on Demolition and Construction Activities:
    a) All works in accordance with Tower Hamlets Code of Construction Practice;
    b) Standard hours of construction and demolition;
    c) Ground-borne vibration limits; and
    d) Noise pollution limits

13. Nesting Birds
14. School Operation Hours (to teaching hours to start by 08:30AM and finish by 15:55PM)
15. No Roller Shutters
16. Public Routes (public routes to be maintained during construction)
17. No construction within 5m of Thames Water main.
18. Hours of Use (Use Class E(b) (f) and F2(b)) (uses restricted to 08:00 to 00:00 Monday to Saturdays and Bank Holidays and 10:00 to 23:00 hours on Sundays)
19. Control of the use of Communal Terraces (communal roof terraces not to be used after 21:00).
20. Active Ground Floor Frontages (external glazed surfaces to the ground floor frontages to be maintained wholly transparent).

Pre-commencement

21. Phasing Plan (phasing plan to be submitted and development to be implemented sequentially).
22. CIL Phasing (phasing plan for the purposes of CIL charging to be submitted)
23. Code of Construction Practice Checklist (checklist to be submitted together with Construction Management Plan, Site Environmental Management Plan, Dust and Air Quality Management Plan, Site Waste Management Plan and application for S61 consent).
24. No Aerials on Roof
25. Digital Connectivity
26. Basement Impact Assessment
27. Non-Road Mobile Machinery (including proof of registration of all Non-Road Machinery (NRMM))
28. Land Contamination (submission of a remediation scheme, site investigation scheme, risk assessment, verification report and monitoring and maintenance plan)
29. Groundwater Monitoring
30. Waterborne Transport Feasibility
31. Archaeology Written Scheme of Investigation
32. Cranes (submission of construction methodology, location, height and operating radius)
33. Bird Hazard Management Plan
34. Circular Economy Statement
35. Construction Phase Ecological Mitigation (submission of Biosecurity Plan, mitigation for impact of piling noise and vibration of fish, Jersey Cudweed Strategy for translocation, root protection of any retained trees and sensitive lighting to avoid spill to Millwall and West India Dock SINC).
36. Community Use (details of a community use condition for the sports block)
37. Sport Hall, MUGA and Artificial Pitch Design (details to be submitted of design and layout of the sports hall, MUGAs and artificial pitch).

Prior to Superstructure/Above Ground Works

38. Materials – submission of details (details of external cladding, brick or other material, details of bond, mortar, pointing, samples, drawings of fenestration, details of entrances, roofings, balconies terraces, balustrades, soffits and drainage, details of external rainwater goods, glues, grilles, louvres and vents, external plant and a Green Procurement Plan)
39. Inclusive Communal Amenity and Play Spaces
40. Fire Strategy
41. Landscaping – submission of details (hard landscaping including public realm materials, planter enclosures, drainage, kerbs, permeable and impermeable paving surfaces, accessibility and inclusivity details including ground levels, gradients, improvements to the Green Grid, soft landscaping including tree species, number and spacing of trees, tree pit details and urban greening, provisions for communal gardening, play equipment details, hard infrastructure including lighting, cctv, security measures, street furniture, boundary treatment, public art locations, and wind mitigation measures)
42. Water Efficiency
43. Secure by Design
44. Sustainable Urban Drainage
45. Flood Warning Evacuation Plan
46. Biodiversity Measures (submission of site wide and per phase Ecology Strategies to include details of biodiverse roofs, landscaping to include good diversity of nectar-rich plants, at least 50% of trees to be native, details to retain viable population of Jersey Cudweed, details of external lighting to minimise light spill onto areas likely to be used by foraging bats, details of minimum areas priority habitats, bat boxes, insect boxes, nest boxes, submission of a Biosecurity Plan to prevent the introduction and/or spread of non-native species and details of maintenance and management provisions)
47. Piling Method Statement
48. Waterway Wall Survey (survey condition of Waterway Wall to ensure its stability)

49. Details of Measures to Protect Millwall Outer Dock (details to be submitted include plans demonstrating proximity of the works, risk assessment and method statement, an assessment of any excess loadings to the dock walls, details of how the basement structure will be lined or waterproofed to prevent water ingress.
50. Barkantine Energy Centre Air Quality Mitigation (submission of a report assessing impact of emissions from the existing energy centre flues on buildings N1, N2 and N3 together with any mitigation and remedial measures).

Prior to Completion/Occupation

51. Inclusive Access (10% of dwellings to be M4(3) and 90% M4(2))
52. Wheelchair Unit Marking (9 months prior to completion of first wheelchair housing unit within a Phase)
53. Energy and Sustainability Standards (compliance with approved Energy Strategy, achieve a minimum of 71% site wide reduction in carbon dioxide emissions, installation of photovoltaic array system, non-residential units to achieve BREEAM 'Very Good' and the school to achieve BREEAM 'Excellent', connection to a future district heating network, compliance with Building Regulations in respect of water consumption, post completion verification report for photovoltaic array system)
54. Whole Life-Cycle Carbon Assessment
55. Shopfronts (submission of details including all materials, finishes and drawings at a scale of no less than 1:20).
56. On-site Car Parking (20% of residential spaces to be EVCP with remaining 80% to have passive provision and submission of a car parking management plan)
57. Cycle Parking (compliance with London Plan standards, cycle management plan and 5% of long stay spaces to be designed to London Cycling Design Standards)
58. Delivery and Servicing Plan (Non-Residential)
59. Delivery and Servicing Plan (Residential)
60. Operational Site Waste Management Plan
61. Noise Insulation Verification Report for New Residential Units (restriction on ambient noise and vibration levels)
62. Noise from Plants
63. Details of Lighting (including a lux plan indicating any light spill over the waterspace)
64. Lifesaving Equipment (details of riparian lifesaving equipment such as grab chains access ladders and life buoys)
65. Development and Infrastructure Phasing Plan (confirmation to Thames Water that all water network upgrades have been completed or a development and infrastructure phasing plan has been agreed with Thames Water).
66. Kitchen Extract Standards for Commercial Use (details of extract systems for all food and drink uses)
67. Proposed Tree Planting (full details of tree planning per Phase)
68. School Floodlights (details of school floodlighting)
69. Biodiverse Roofs (details of biodiverse roofs and evidence of installation)
70. Wellbeing and Satisfaction Survey (to be distributed to all residents within 6 months of occupation of each Phase).

8.7 **Informatives**

1. Permission subject to a legal agreement
2. Development liable for CIL
3. Street naming and numbering
4. Cadent Gas asset protection (legal rights of access or restrictive covenants must not be infringed)
5. Code of Construction Practice Checklist
6. Canal and River Trust (access to CRT land and water during construction must be agreed and developer should refer to the CRT Code of Practice for works affecting the CRT)
7. Air Emission Flue (Flues must discharge at least 1 metre above highest part of nearby buildings)

8. Biosecurity Plan (in accordance with the Marine Biosecurity Planning Guidance and relevant best practice management principles)
9. Contact S106 Officer (evidence compliance with S106 legal obligations)
10. Sport Egland informative - Design and Layout of sports facilities should comply with relevant industry technical guidance.

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Application Drawing No:	Revision No:	Description
Existing Plan		
WFP-PLP-MP-DRG-A-03000	01	Site Location Plan as Existing
Site Location Plan		
WFP-PLP-MP-DRG-A-03001	01	Site Location Plan as Proposed
Masterplan Elevations		
WFP-PLP-MP-DRG-A-03204	00	Masterplan East Elevation
WFP-PLP-MP-DRG-A-03200	00	Masterplan North Elevation 01
WFP-PLP-MP-DRG-A-03201	00	Masterplan North Elevation 02
WFP-PLP-MP-DRG-A-03202	00	Masterplan South Elevation 01
WFP-PLP-MP-DRG-A-03203	03	Masterplan South Elevation 02
WFP-PLP-MP-DRG-A-03205	00	Masterplan West Elevation
Masterplan Floor Plans		
WFP-PLP-MP-DRG-A-03100	03	Proposed Ground Floor Masterplan
WFP-PLP-MP-DRG-A-03099G	00	Proposed Lower Ground Floor Masterplan
WFP-PLP-MP-DRG-A-03100M	03	Proposed Mezzanine Masterplan
WFP-PLP-MP-DRG-A-03199	01	Proposed Roof Masterplan
WFP-PLP-MP-DRG-A-03100Z	01	Proposed Typical Floor Masterplan
Masterplan Sections		
WFP-PLP-MP-DRG-A-03300	00	Masterplan Section A-A
WFP-PLP-MP-DRG-A-03301	01	Masterplan Section B-B
WFP-PLP-MP-DRG-A-SK004	00	East West Sections
Public Realm Plans		
WFP-LDA-ZZ-ZZ-DR-L-06000	P2	Levels and Drainage Site Wide Plan
WFP-LDA-ZZ-00-DR-L-02000	P2	Public Realm Detail Hardworks Plan Sheet 1 of 5
WFP-LDA-ZZ-00-DR-L-02001	P2	Public Realm Detail Hardworks Plan Sheet 2 of 5
WFP-LDA-ZZ-00-~DR-L-02002	P2	Public Realm Detail Hardworks Plan Sheet 3 of 5
WFP-LDA-ZZ-00-DR-L-02003	P2	Public Realm Detail Hardworks Plan Sheet 4 of 5
WFP-LDA-ZZ-00-DR-L-02004	P2	Public Realm Detail Hardworks Plan Sheet 5 of 5
WFP-LDA-XX-XX-DR-L-2031	P1	Public Realm Hardworks Edge Types Key
WFP-LDA-XX-XX-DR-L-2032	P1	Public Realm Hardworks Furniture Types Key
WFP-LDA-XX-XX-DR-L-2030	P1	Public Realm Hardworks Paving Key
WFP-LDA-XX-XX-DR-L-03005	P1	Public Realm Softworks Key
WFP-LDA-ZZ-00-DR-L-02020	P2	School Hardworks Plan Sheet 1 of 2
WFP-LDA-ZZ-00-DR-L-02021	P2	School Hardworks Plan Sheet 2 of 2
WFP-LDA-ZZ-ZZ-DR-L-01001	P2	Site Wide Podium Terraces General Arrangement Plan
WFP-LDA-ZZ-00-DR-L-1000	P2	Site Wide Public Realm General Arrangement Plan
WFP-LDA-ZZ-ZZ-DR-L-01009	P2	Site Wide Roof General Arrangement Plan
WFP-LDA-ZZ-00-DR-L-01011	P2	Site Wide Tree Removal Plan

WFP-LDA-ZZ-ZZ-DR-L-01010	P2	Urban Green Factor Plan
Basement Plans		
WFP-PLP-BA-DRG-A-03099	00	Basement Plan
WFP-PLP-MP-DRG-A-03099	00	Proposed Basement Masterplan
W1 Elevations and Sections		
WFP-PLP-W1-DRG-A-03200	00	W1 Elevations
WFP-PLP-W1-DRG-A-3300	00	W1 Sections
W1 Floor Plans		
WFP-PLP-W1-DRG-A-03100	00	W1 Lower and Upper Ground Floor Plan
WFP-PLP-W1-DRG-A-03101	01	W1 L01-L02 Floor Plan
WFP-PLP-W1-DRG-A-03103	01	W1 L03-L09 Floor Plan
WFP-PLP-W1-DRG-A-03110	01	W1 L10 Floor Plan
WFP-PLP-W1-DRG-A-03199	00	W1 Roof Plan
E1 Elevations and Sections		
WFP-PLP-E1-DRG-A-03200	00	E1 Elevations (1 of 2)
WFP-PLP-E1-DRG-A-03201	00	E1 Elevations (2 of 2)
WFP-PLP-E1-DRG-A-03300	00	E1 Sections
E1 Floor Plans		
WFP-PLP-E1-DRG-A-03100	00	E1 Ground Floor & Mezzanine Plan
WFP-PLP-E1-DRG-A-03101	01	E1 L01-13 Floor Plan
WFP-PLP-E1-DRG-A-03114	01	E1 L14 Floor Plan
WFP-PLP-E1-DRG-A-03199	00	E1 Roof Plan
E1 and W1 Façade Detail Plan		
WFP-PLP-E1-DRG-A-03400	00	E1 and W1 Façade Details
N1 and N2 Elevations and Sections and Façade Details		
WFP-PLP-N12-DRG-A-03200	01	N1 N2 Elevations (1 of 2)
WFP-PLP-N12-DRG-A-03201	00	N1 N2 Elevations (2 of 2)
WFP-PLP-N12-DRG-A-03300	00	N1 N2 Sections
WFP-PLP-N2-DRG-A-03400	00	N2 Façade Details
N1 and N2 Floor Plans		
WFP-PLP-N12-DRG-A-03099	00	N1 N2 Basement Plan
WFP-PLP-N12-DRG-A-03100	01	N1 N2 Ground Floor Plan
WFP-PLP-N1-DRG-A-03101	01	N1 L01-L03 Floor Plan
WFP-PLP-N1-DRG-A-03104	01	N1 L04 Floor Plan
WFP-PLP-N1-DRG-A-03105	01	N1 L05-08 Floor Plan
WFP-PLP-N2-DRG-A03101	01	N2 L01-L03 Floor Plan
WFP-PLP-N2-DRG-A-03104	01	N2 L04 Floor Plan
WFP-PLP-N2-DRG-A-03105	01	N2 L05-09 Floor Plan
WFP-PLP-N12-DRG-A-03199	01	N1 N2 Roof Plan
N3 Elevations and Sections		
WFP-PLP-N3-DRG-A-03200	01	N3 Elevations (1 of 2)
WFP-PLP-N3-DRG-A-03201	01	N3 Elevations (2 of 2)
WFP-PLP-N3-DRG-A-03300	01	N3 Sections
N3 Floor Plans		

WFP-PLP-N3-DRG-A-03100	01	N3 Ground Floor Plan
WFP-PLP-N3-DRG-A-03101	01	N3 L01-08 Floor Plan
WFP-PLP-N3-DRG-A-03109	01	N3 L09 Floor Plan
WFP-PLP-N3-DRG-A-03199	00	N3 Roof Plan
N1 and N3 Façade Details		
WFP-PLP-N1-DRG-A-03400	00	N1 N3 Façade Details
C1 and T1 Elevations		
WFP-PLP-C1-DRG-A-03200	01	C1 Elevations (1 of 2)
WFP-PLP-C1-DRG-A-03201	01	C1 Elevations (2 of 2)
WFP-PLP-T1-DRG-A-03200	00	T1 Elevations (1 of 2)
WFP-PLP-T1-DRG-A-03201	00	T1 Elevations (2 of 2)
C1 and T1 Floor Plans		
WFP-PLP-C1T1-DRG-A-03100	01	C1 T1 Ground Floor Plan
WFP-PLP-C1T1-DRG-A-03100M	01	C1 T1 Mezzanine Plan
WFP-PLP-C1T1-DRG-A-03100Z	01	C1 T1 Typical Floor Plan
WFP-PLP-C1T1-DRG-A-03199	01	C1 T1 Roof Plan
WFP-PLP-C1-DRG-A-0310N	01	C1 L01 Floor Plan North
WFP-PLP-C1-DRG-A-03101S	01	C1 L01Floor Plan South
WFP-PLP-C1-DRG-A-03102N	01	C1 L02-05 Floor Plan North
WFP-PLP-C1-DRG-A-03102S	01	C1 L02-05 Floor Plan South
WFP-PLP-C1-DRG-A-03106N	01	C1 L06 Floor Plan North
WFP-PLP-C1-DRG-A-03106S	01	C1 L06 Floor Plan South
WFP-PLP-C1-DRG-A-03107N	01	C1 L07 Floor Plan North
WFP-PLP-C1-DRG-A-03107S	01	C1 L07 Floor Plan South
WFP-PLP-T1-DRG-A-03101	01	T1 L01-L06 Floor Plan
WFP-PLP-T1-DRG-A-03107	01	T1 L07-18 Floor Plan
C1 and T1 Sections		
WFP-PLP-C1-DRG-A-03300	00	C1 Sections
WFP-PLP-T1-DRG-A-03300	00	T1 Sections
C1 Façade Details		
WFP-PLP-C1-DRG-A-03400	00	C1 Façade Details
C2 and T2 Elevations		
WFP-PLP-C2-DRG-A-03200	00	C2 Elevations (1 of 2)
WFP-PLP-C2-DRG-A-03201	01	C2 Elevations (2 of 2)
WFP-PLP-T2-DRG-A-03200	00	T2 Elevations (1 of 2)
WFP-PLP-T2-DRG-A-03201	00	T2 Elevations (2 of 2)
C2 and T2 Floor Plans		
WFP-PLP-C2T2-DRG-A-03100	01	C2 T2 Ground Floor Plan
WFP-PLP-C2T2-DRG-A-03100M	01	C2 T2 Mezzanine Plan
WFP-PLP-C2T2-DRG-A-03100Z	01	C2 T2 Typical Floor Plan
WFP-PLP-C2T2-DRG-A-03199	01	C2 T2 Roof Plan
WFP-PLP-C2-DRG-A-03101N	01	C2 L01 Floor Plan North
WFP-PLP-C2-DRG-A-03101S	01	C2 L01 Floor Plan South
WFP-PLP-C2-DRG-A-03102N	01	C2 L02-L06 Typical Floor Plan North
WFP-PLP-C2-DRG-A-03102S	01	C2 L02-L06 Typical Floor Plan South
WFP-PLP-C2-DRG-A-03107N	01	C2 L07 Floor Plan North
WFP-PLP-C2-DRG-A-03107S	01	C2 L07 Floor Plan South
WFP-PLP-C2-DRG-A-03108N	01	C2 L08 Foor Plan North
WFP-PLP-C2-DRG-A-03108S	01	C2 L08 Floor Plan South
WFP-PLP-C2-DRG-A-03109N	01	C2 L09 Floor Plan North
WFP-PLP-C2-DRG-A-03109S	01	C2 L09 Floor Plan South

WFP-PLP-T2-DRG-A-03101	01	T2 L01-L06 Floor Plan
WFP-PLP-T2-DRG-A-03107	01	T2 L07-22 Floor Plan
C2 and T2 Sections		
WFP-PLP-C2-DRG-A-03300	01	C2 Sections
WFP-PLP-T2-DRG-A-03300	00	T2 Sections
C2 Façade Details		
WFP-PLP-C2-DRG-A-03400	00	C2 Façade Details
C3 and T3 Elevations		
WFP-PLP-C3-DRG-A-03200	00	C3 Elevations (1 of 2)
WFP-PLP-C3-DRG-A-03201	01	C3 Elevations (2 of 2)
WFP-PLP-T3-DRG-A-03200	00	T3 Elevations (1 of 2)
WFP-PLP-T3-DRG-A-03201	00	T3 Elevations (2 of 2)
C3 and T3 Floor Plans		
WFP-PLP-C3T3-DRG-A-03100	01	C3 T3 Ground Floor Plan
WFP-PLP-C3T3-DRG-A-03100M	01	C3 T3 Mezzanine Plan
WFP-PLP-C3T3-DRG-A-03100Z	01	C3 T3 Typical Floor Plan
WFP-PLP-C3T3-DRG-A-03199	01	C3 T3 Roof Plan
WFP-PLP-C3-DRG-A-03101N	01	C3 L01 Floor Plan North
WFP-PLP-C3-DRG-A-03101S	01	C3 L01 Floor Plan South
WFP-PLP-C3-DRG-A-03102N	01	C3 L02-L07 Floor Plan North
WFP-PLP-C3-DRG-A-03102S	01	C3 L02-L07 Floor Plan South
WFP-PLP-C3-DRG-A-03108N	01	C3 L08 Floor Plan North
WFP-PLP-C3-DRG-A-03108S	01	C3 L08 Floor Plan South
WFP-PLP-C3-DRG-A-03109N	01	C3 L09 Floor Plan North
WFP-PLP-C3-DRG-A-03109S	01	C3 L09 Floor Plan South
WFP-PLP-C3-DRG-A-03110N	01	C3 L10 Floor Plan North
WFP-PLP-C3-DRG-A-0310S	01	C3 L10 Floor Plan South
WFP-PLP-T3-DRG-A-03101	01	T3 L01-L05 Floor Plan
WFP-PLP-T3-DRG-A-03106	01	T3 L06 Floor Plan
WFP-PLP-T3-DRG-A-03107	01	T3 L07-26 Floor Plan
C3 Façade Details		
WFP-PLP-C3-DRG-A-03400	00	C3 Façade Details
C3 and T3 Sections		
WFP-PLP-C3-DRG-A-03300	01	C3 Sections
WFP-PLP-T3-DRG-A-03300	00	T3 Sections
T1-T3 Façade Details		
WFP-PLP-T1-DRG-A-03400	00	T1-T3 Façade Details
T4 Elevations, Façade Details and Sections		
WFP-PLP-T4-DRG-A-03200	00	T4 Elevations (1 of 2)
WFP-PLP-T4-DRG-A-03201	00	T4 Elevations (2 of 2)
WFP-PLP-T4-DRG-A-03400	00	T4 Façade Details
WFP-PLP-T4-DRG-A-03300	00	T4 Sections
T4 Floor Plans		
WFP-PLP-T4-DRG-A-03100	00	T4 Ground Floor and Mezzanine Plan
WFP-PLP-T4-DRG-A-03101	01	T4 L01-09, L11-19 Floor Plan
WFP-PLP-T4-DRG-A-03110	01	T4 L10 Floor Plan
WFP-PLP-T4-DRG-A-03120	01	T4 L20-27 Floor Plan

WFP-PLP-T4-DRG-A-03128	01	T4 L28 Floor Plan
WFP-PLP-T4-DRG-A-03129	01	T4 L29 Floor Plan
WFP-PLP-T4-DRG-A-03130	01	T4 L30 Floor Plan
WFP-PLP-T4-DRG-A-03199	00	T4 Roof Plan
School Plans		
12-1578-HLM-01-ZZ-D-A-00100	P05	Proposed Site Plan
12-1578-HLM-01-00-D-A-00101	P05	Proposed Lower Ground Floor GA Plan
12-1578-HLM-01-01-D-A-00102	P05	Proposed Ground Floor GA Plan
12-1578-HLM-01-02-D-A-00103	P05	Proposed First Floor GA Plan
12-1578-HLM-01-03-D-A-00104	P05	Proposed Second Floor GA Plan
12-1578-HLM-01-04-D-A-00105	P05	Proposed Third Floor GA Plan
12-1578-HLM-01-RF-D-A-00106	P05	Proposed Roof Level GA Plan
12-1578-HLM-01-XX-D-A-00201	P04	Proposed East and West Elevations
12-1578-HLM-01-XX-D-A-00202	P04	Proposed North and South Elevations
12-1578-HLM-01-XX-D-A-00203	P04	Proposed Sports Block Elevations
12-1578-HLM-01-XX-D-A-00301	P04	Proposed Section A & B
12-1578-HLM-01-XX-D-A-00302	P04	Proposed Section C & D
12-1578-HLM-01-XX-D-A-00303	P04	Proposed Section E & F
Substation Plan		
WFP-PLP-MP-DRG-A-SK005	00	Proposed Switch Room
Masterplan – GEA, GIA and Unit Mix Schedules		
WFP-PLP-MP-SCH-A-03600	03	

APPLICATION DOCUMENTS

DOCUMENT TITLE	PREPARED BY
Planning Statement – December 2023 (Revised May 2024)	DP9
Affordable Housing Statement – December 2023 (Amended June 2024)	DP9
Infrastructure Impact Assessment – December 2023	DP9
Statement of Community Involvement – December 2023 (Amended June 2024)	DP9
Design and Access Statement Volume 1 Masterplan and Design Development – December 2023	PLP Architecture, LDA Design and HLM Architects
Design and Access Planning Addendum – May 2024	PLP Architecture, LDA Design and HLM Architects
Design and Access Statement Volume 2 Proposed Buildings – December 2023	PLP Architecture, LDA Design and HLM Architects
Design and Access Statement Volume 2 Proposed Buildings (school) – December 2023	PLP Architecture, LDA Design and HLM Architects
Design and Access Statement Volume 3 – Public Realm – December 2023	PLP Architecture, LDA Design and HLM Architects
N1, N2 & N3 Podium Courtyard-Landscape and Public Realm – May 2024	PLP Architecture andLDA Design
Play Summary Report - June 2024	LDA Design
Transport Assessment – December 2023	Royal HaskoningDHV
Operational Waste Management Strategy – December 2023	Royal HaskoningDHV

Addendum to the Waste Management Strategy – 8th July 2024	Royal HaskoningDHV
Framework Travel Plan – December 2023	Royal HaskoningDHV
School Travel Plan – December 2023	Royal HaskoningDHV
Outline Construction Logistics Plan – December 2023	Royal HaskoningDHV
Delivery and Servicing Plan – December 2023	Royal HaskoningDHV
Flood Risk Assessment 15th May 2024 Issue 4	RMA Environmental
Energy Statement – December 2023	AECOM
Sustainability Statement Rev 04 – December 2023	AECOM
Utilities Infrastructure Report Rev 01 – December 2023	AECOM
Whole Life Carbon Assessment	AECOM
Circular Economy Statement	AECOM
Overheating Technical Note Rev 03 – 17th May 2024	AECOM
Construction Management Plan LBTH Proforma - December 2023	Westferry Developments Limited
Outline Construction Environmental Management Plan (CEMP) – December 2023	Mace
Archaeology Desk Based Assessment Issue 2 – December 2023	MOLA
Arboricultural Impact Assessment - December 2023	Valley Trees
Commercial Demand and Strategy Report – December 2023	Shackleton
Town Centre Use Impact Assessment – December 2023	Urban Shape Planning Consultants
Gateway 1 + London Plan Fire Statement – December 2023	Kiwa Fire Safety Compliance
Outline Fire Strategy (Courtyard Buildings & Waterfront Towers) – December 2023	Kiwa Fire Safety Compliance
Aviation Impact Assessment	Pagerpower Urban & Renewables
Outline Drainage Strategy – December 2023	WSP
Drainage Strategy Technical Note – 17th May 2024	WSP
Daylight and Sunlight Within Report – December 2023	Anstey Horne
Daylight & Sunlight within the Proposed Dwellings and Sunlight to Proposed Amenity Spaces Addendum Report – 17th May 2023	Anstey Horne
Biodiversity Net Gain Assessment – November 2023	LUC
Economic Benefits Statement – December 2023	Ekosgen

ENVIRONMENTAL STATEMENT DOCUMENTS

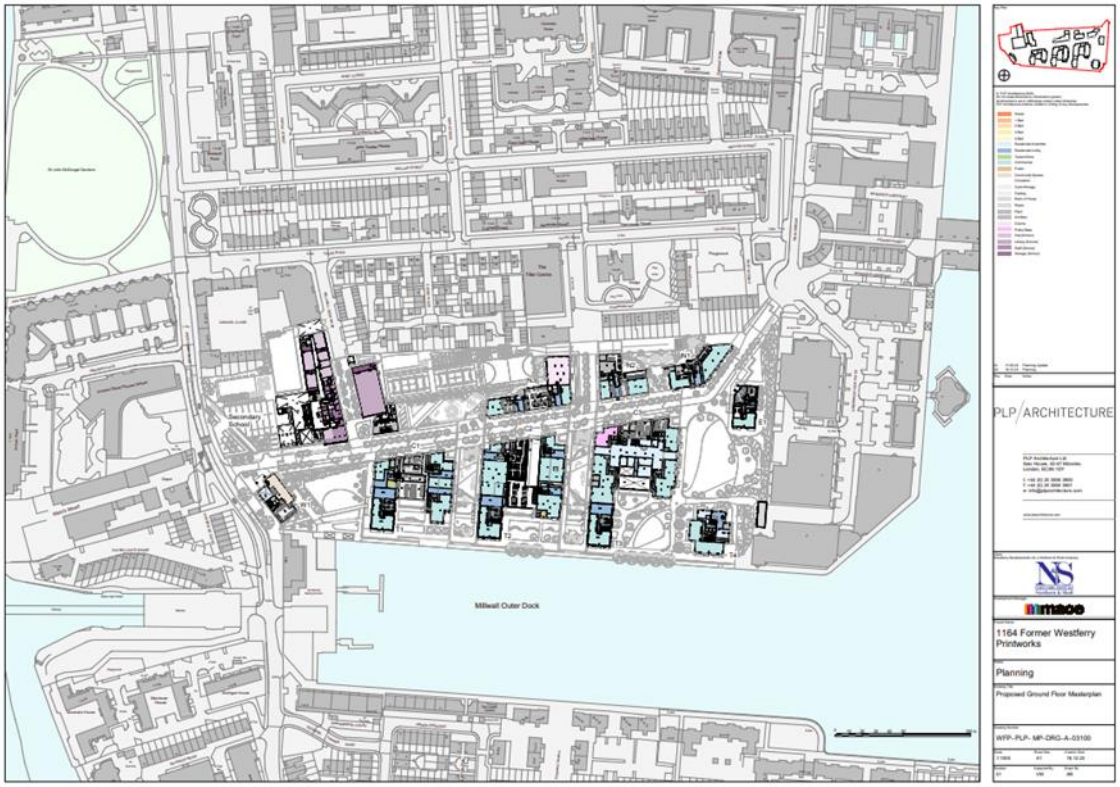
VOLUME/REPORT	DOCUMENT	PREPARED BY
	Non-Technical Summary (NTS)	Trium

VOLUME 1	Chapter 1: Introduction	Trium - All Volume 1 Chapters
	Chapter 2: EIA Methodology	
	Chapter 3: Alternatives and Design Evolution	
	Chapter 4: The Proposed Development	
	Chapter 5: Construction	
	Chapter 6: Climate Change	
	Chapter 7: Socio-Economics	
	Chapter 8: Health	
	Chapter 9: Traffic and Transport	
	Chapter 10: Air Quality	
	Chapter 11: Noise and Vibration	
	Chapter 12:Daylight, Sunlight, Overshadowing, Light Spillage, Solar Glare and Solar Irradiance	
	Chapter 13a: Pedestrian Wind Microclimate	
	Chapter 13b: Sailing Wind Microclimate	
	Chapter 14a: Terrestrial Ecology	
	Chapter 14b: Aquatic Ecology	
	Chapter 15: Geoenvironmental (Ground Conditions, Groundwater and Soils)	
	Chapter 16: Water Resources, Flood Risk and Drainage	
	Chapter 17: Effects Interactions	
	Chapter 18:Likely Significant Effects and Conclusions	
	Chapter 19: Environmental Management, Mitigation and Monitoring Schedule	
VOLUME 2	Built Heritage, Townscape and Visual Impact Assessment	Trium
VOLUME 3 (TECHNICAL APPENDICES)	Introduction	Trium – All Volume 3 Appendices
	EIA Methodology	
	Construction	
	Climate Change	
	Socio-Economics	
	Health	
	Traffic and Transport	
	Air Quality	
	Noise and Vibration	
	Daylight, Sunlight, Overshadowing, Light Spillage, Solar Glare and Solar Irradiance	
	Pedestrian Wind	
	Sailing Wind	
	Terrestrial Ecology	
	Aquatic Ecology	
	Geoenvironmental	
	Waer Resources	

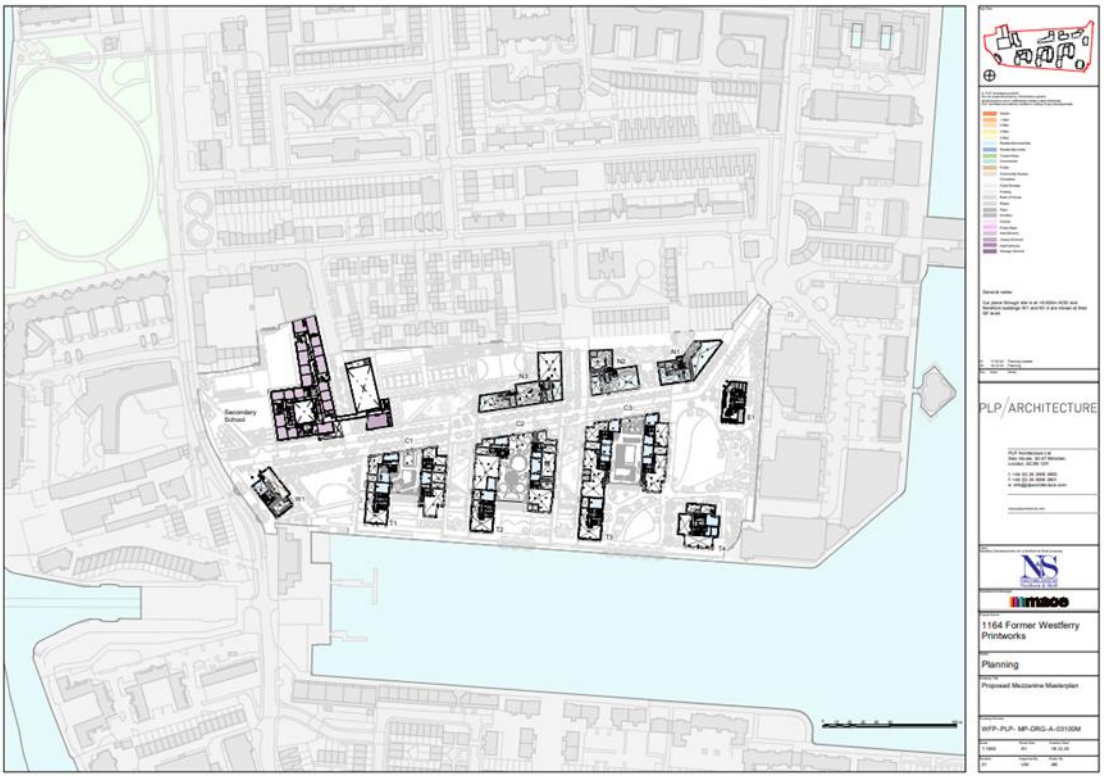
ENVIRONMENTAL STATEMENT	Statement of Conformity – May 2024	Trium
THIRD PARTY REVIEW	Interim Review Report: March 2023	Temple Group
	Final Review Report 001: April 2024	Temple Group
	Final Review Report 002: May 2024	Temple Group
	Final Review Report 003: June 2024	Temple Group
ES FURTHER/OTHER INFO	ES Interim Review Report Response Letter: April 2024	Trium
	ES FRR Response Letter: May 2024	Trium
	ES FRR 002 Response Letter: June 2024	Trium

APPENDIX 2 – SELECTION OF PLANS AND IMAGES

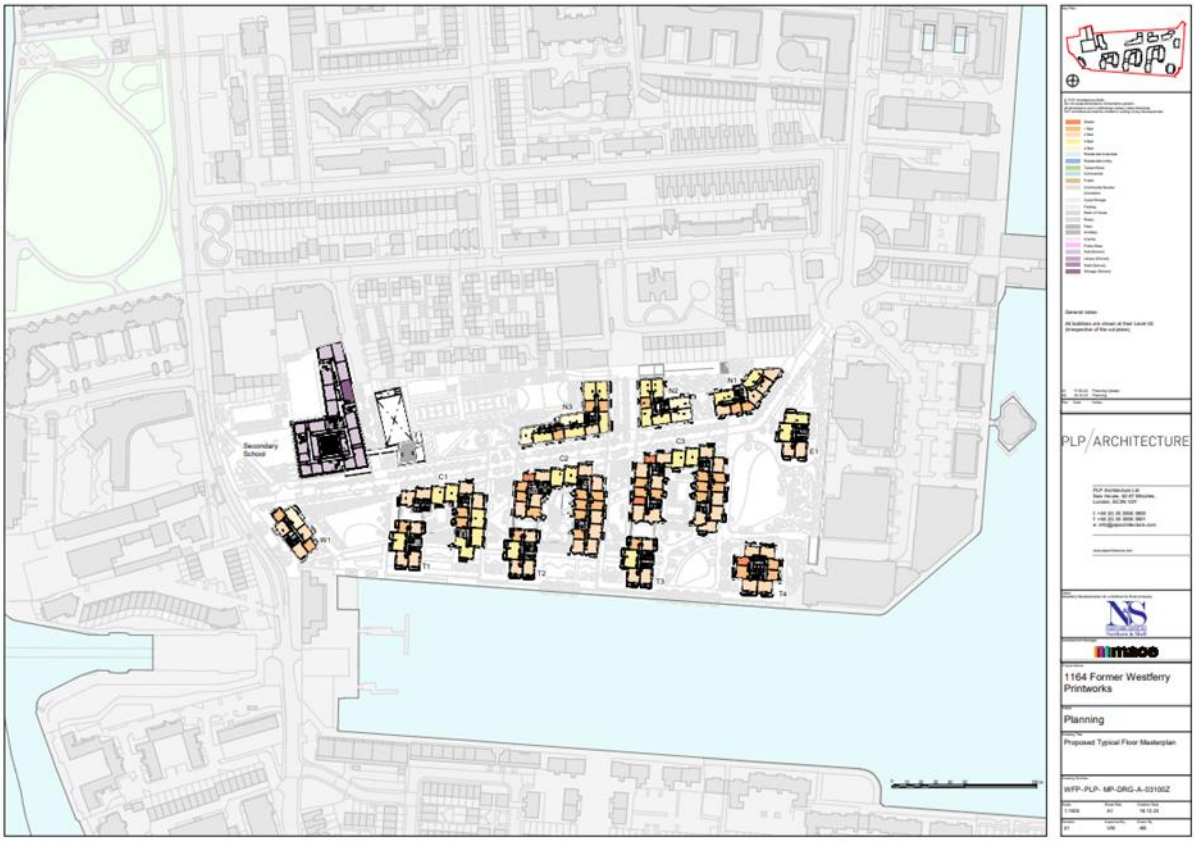
Proposed Ground Floor Masterplan



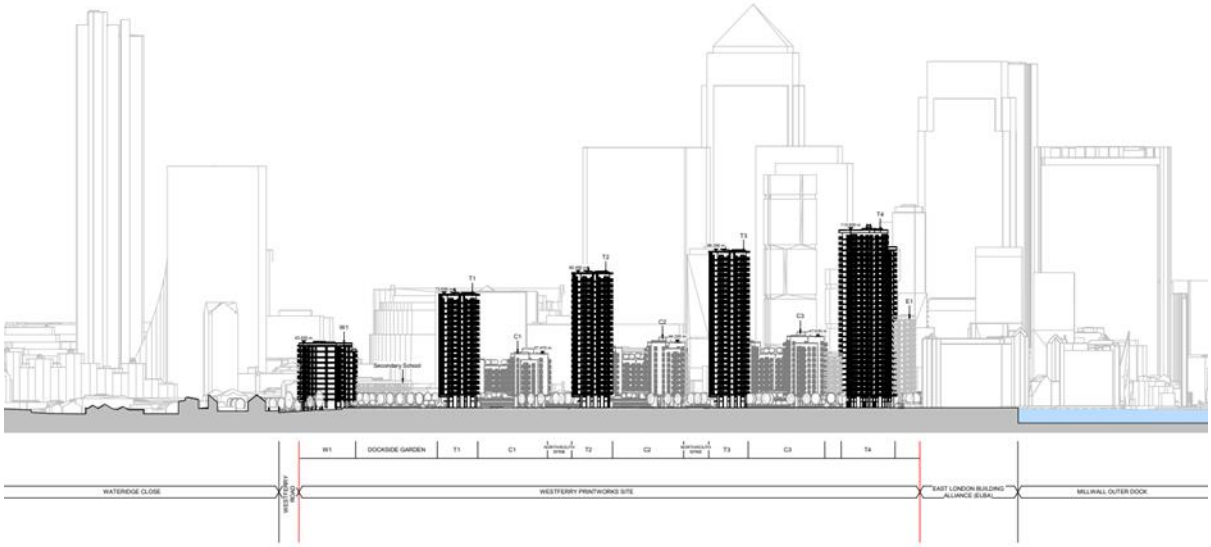
Proposed Mezzanine Masterplan

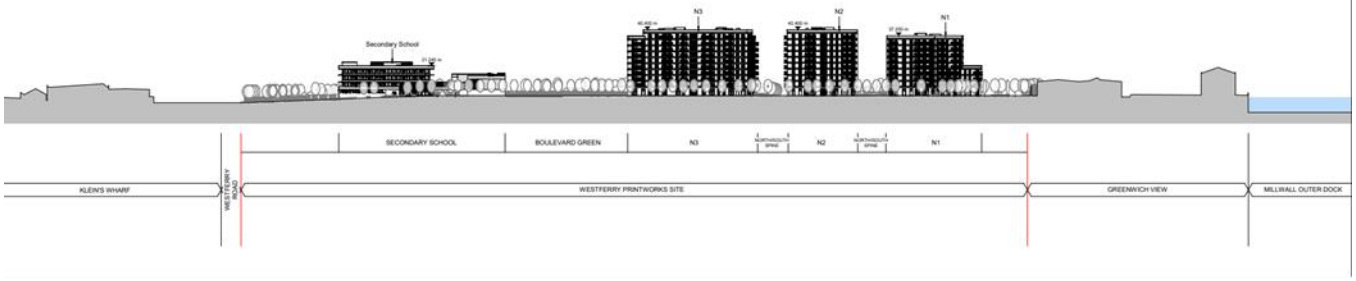


Proposed Typical Floor Masterplan

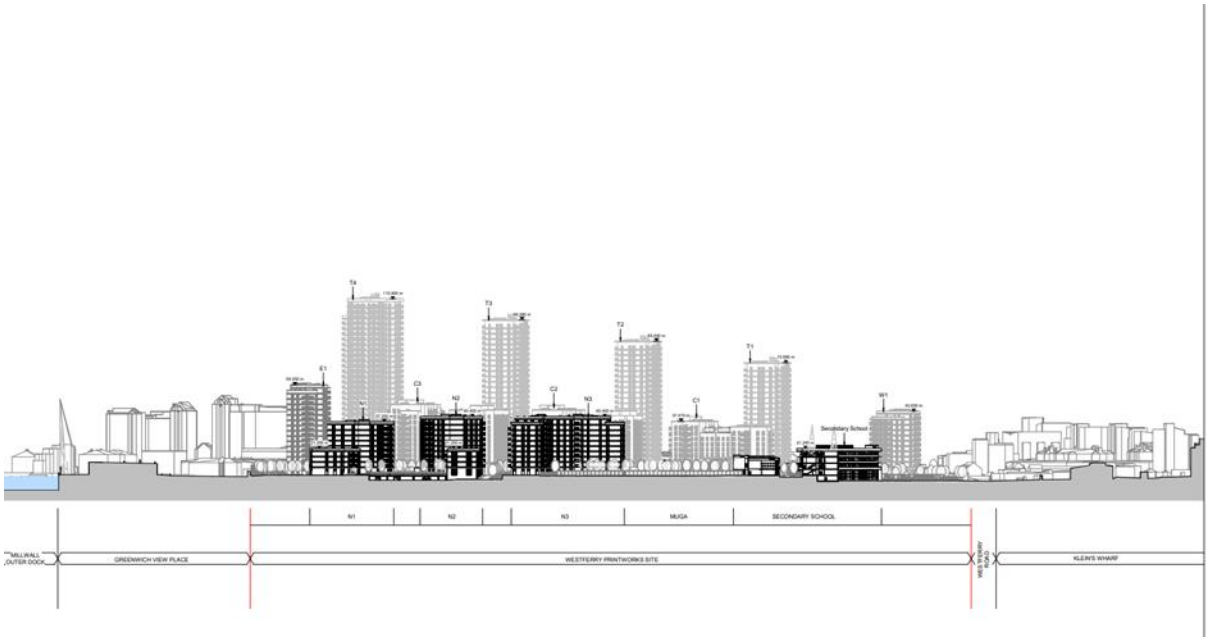


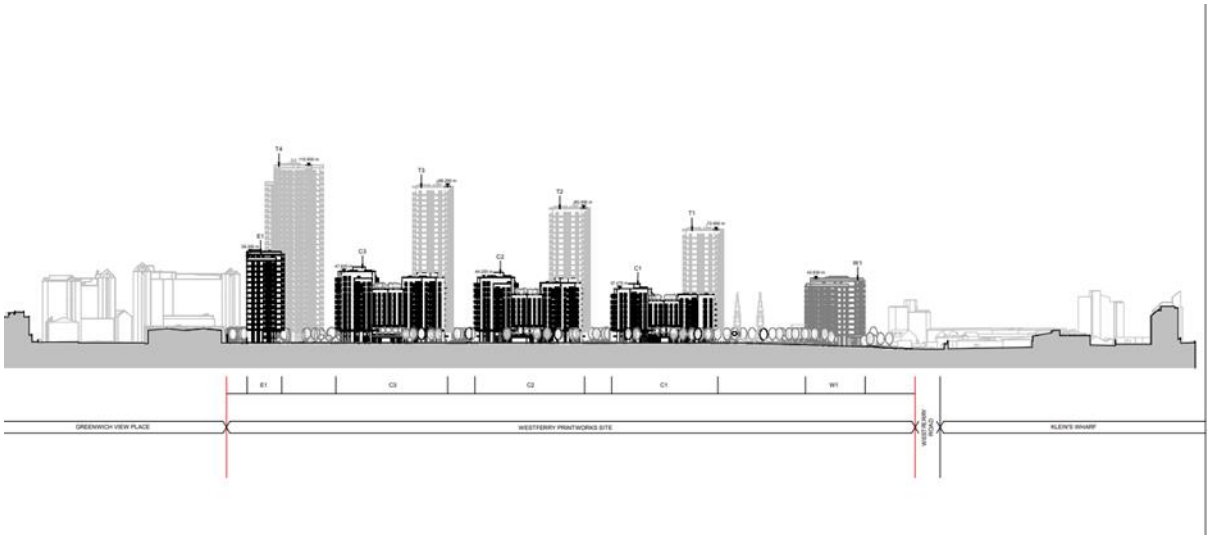
Masterplan South Elevations



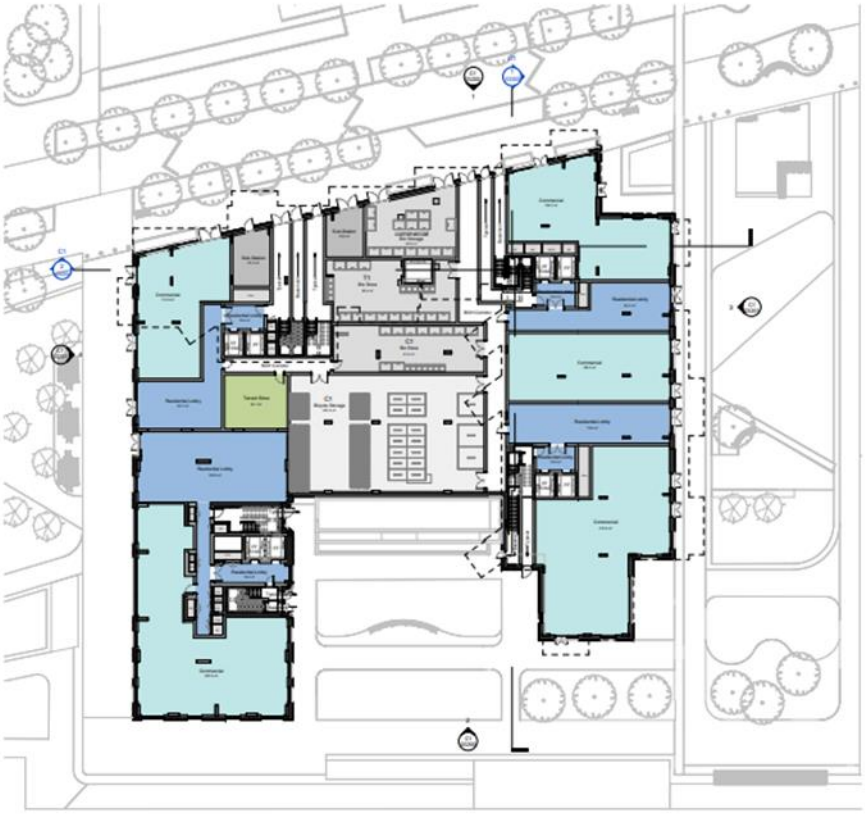


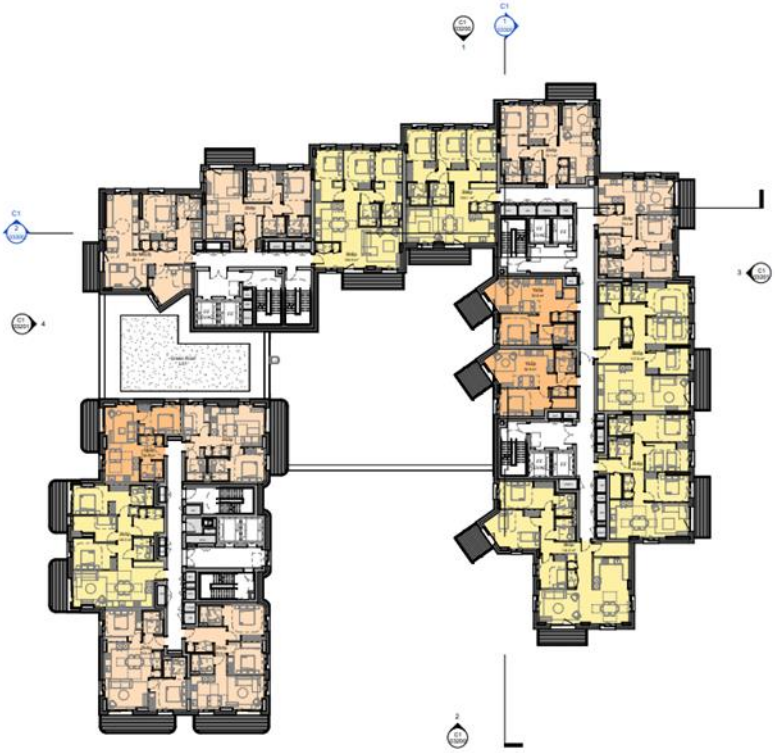
Masterplan North Elevations



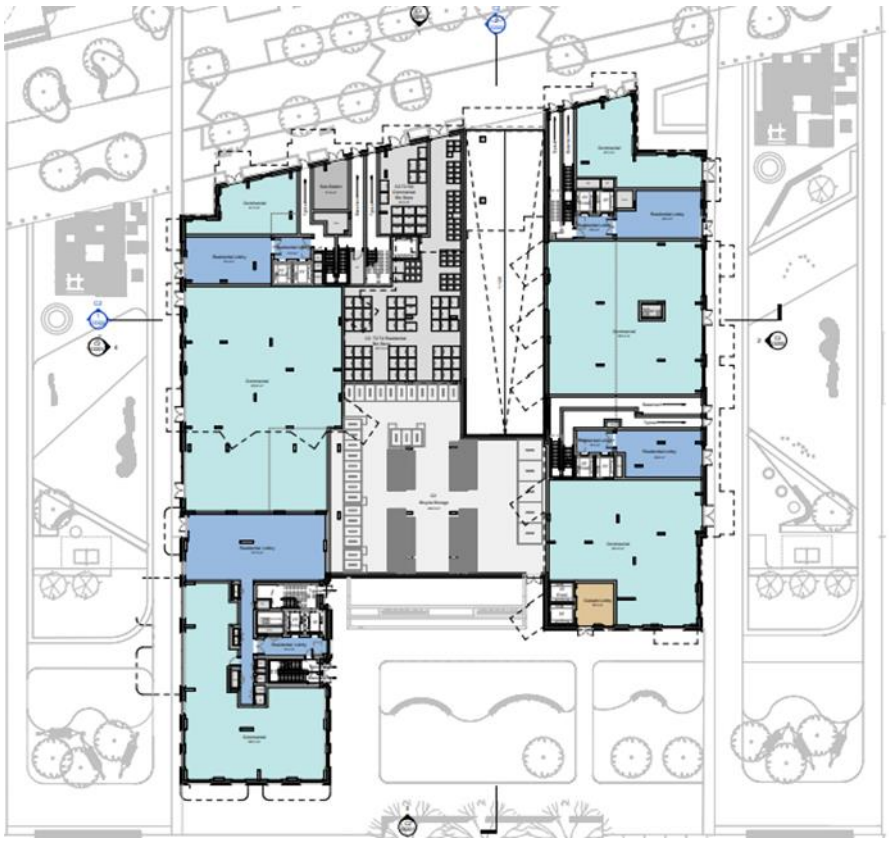


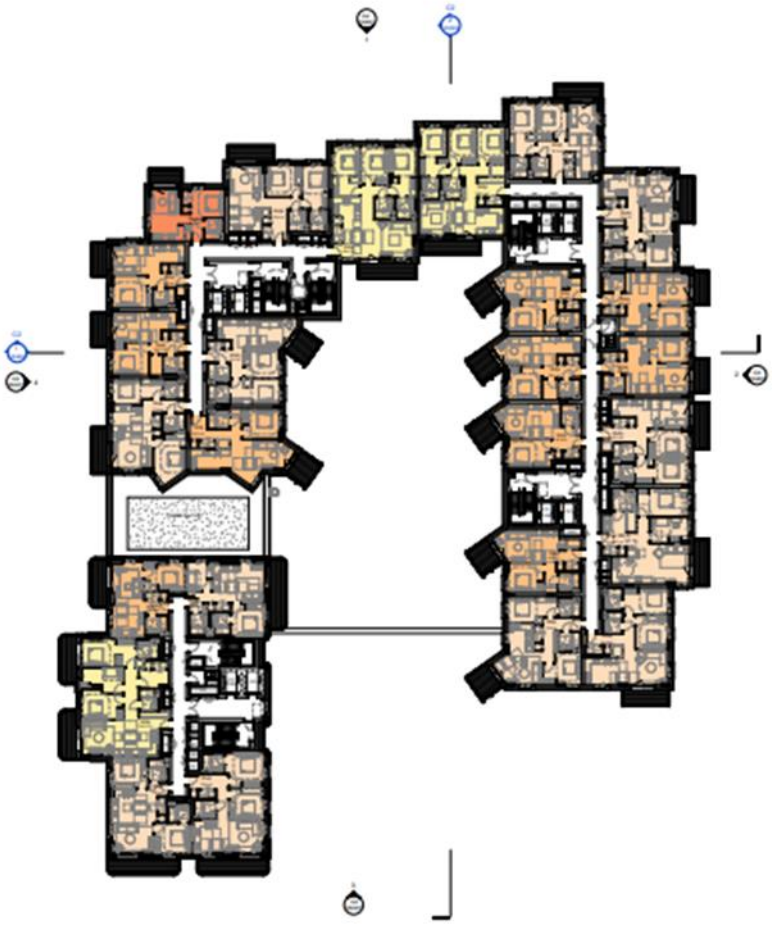
C1 and T1 Ground Floor and Typical Floor Plans



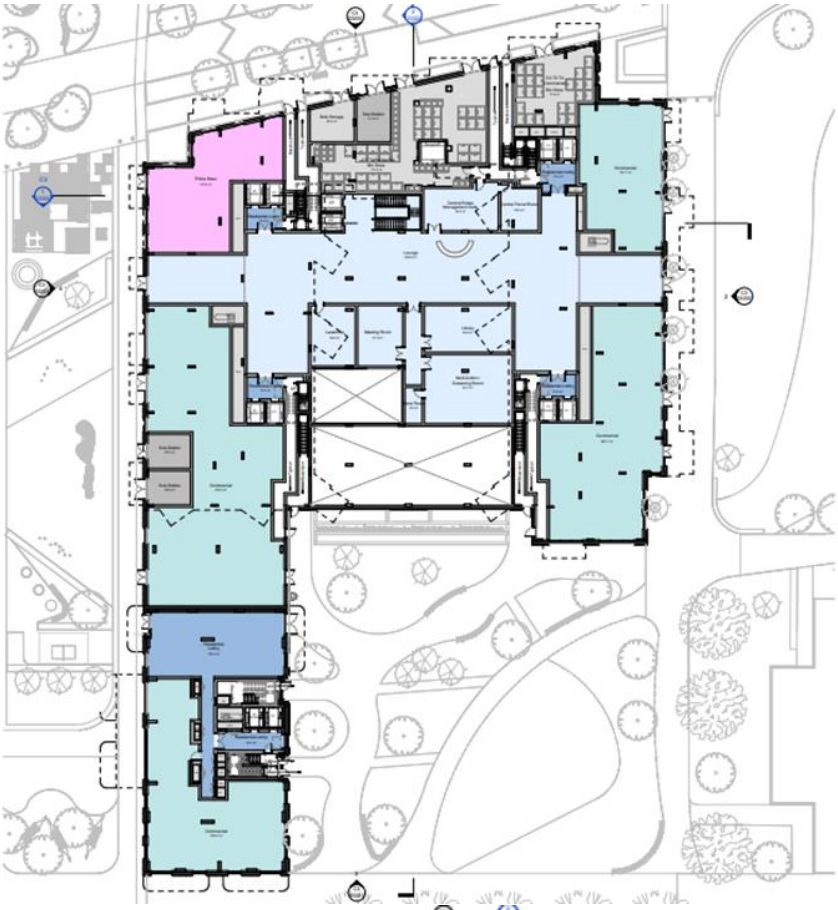


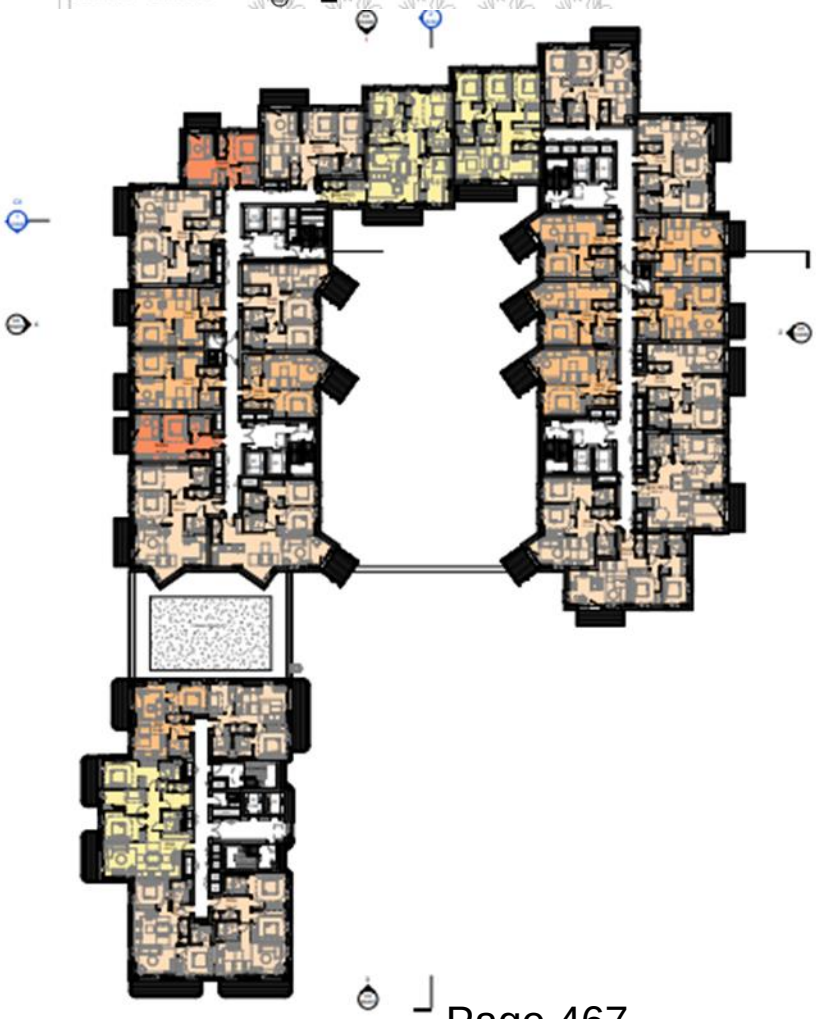
C2 and T2 Ground Floor and Typical Floor Plans



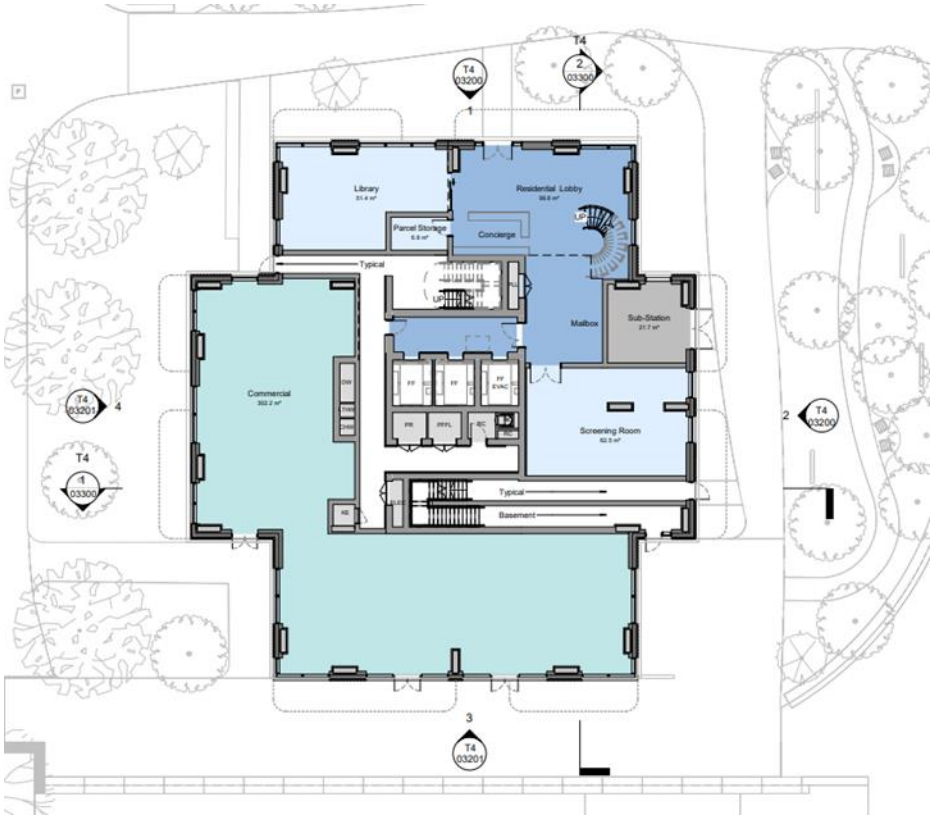


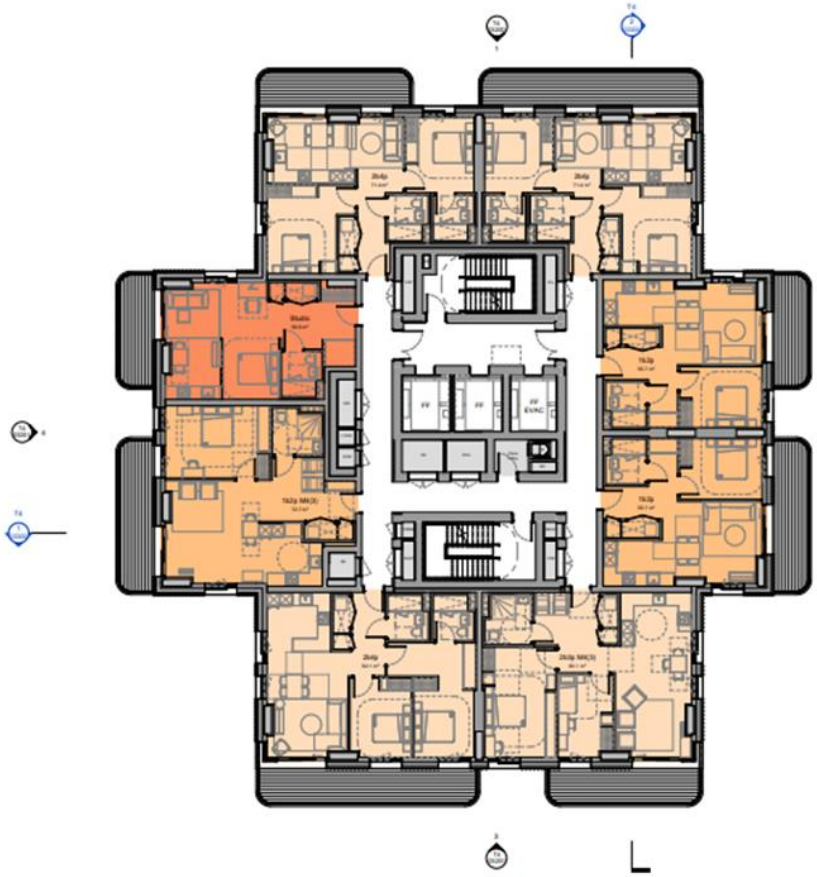
C3 & T3 Ground Floor and Typical Floor Plans



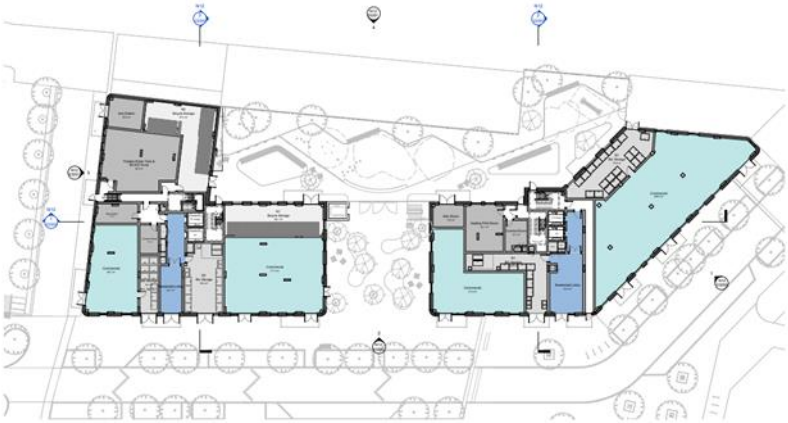


T4 Ground Floor and Typical Floor Plans

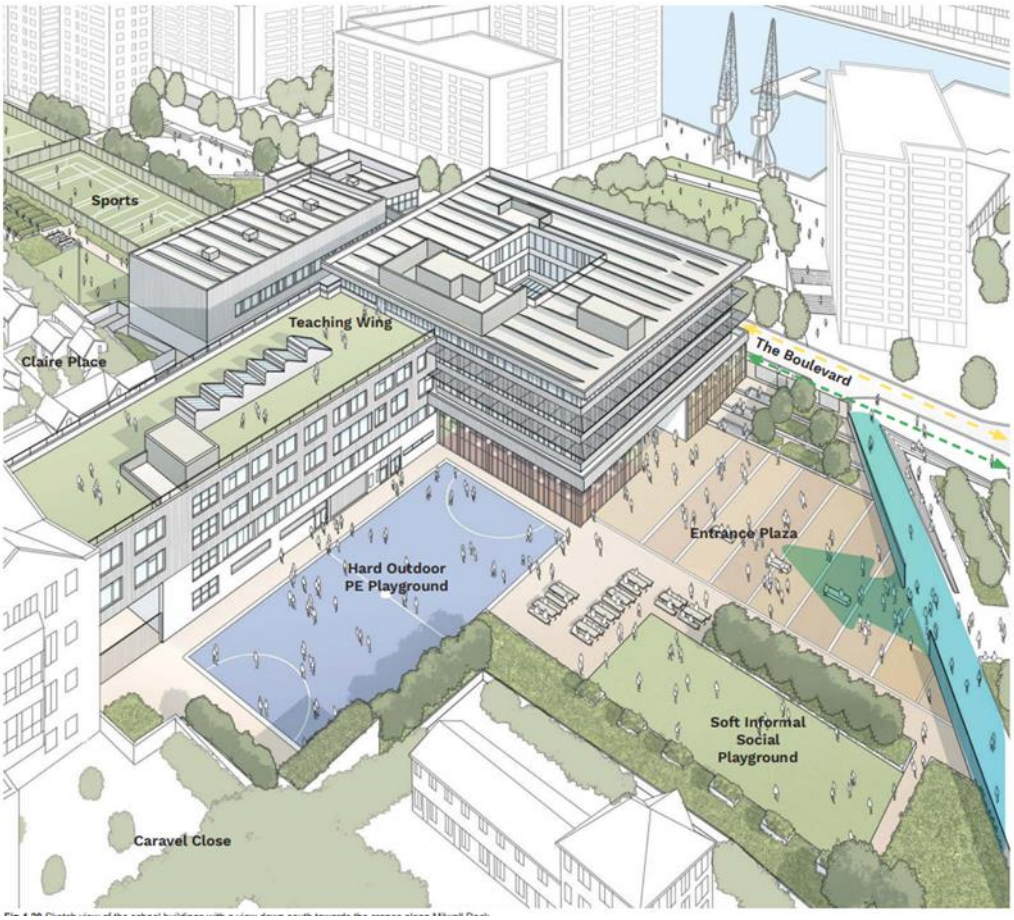


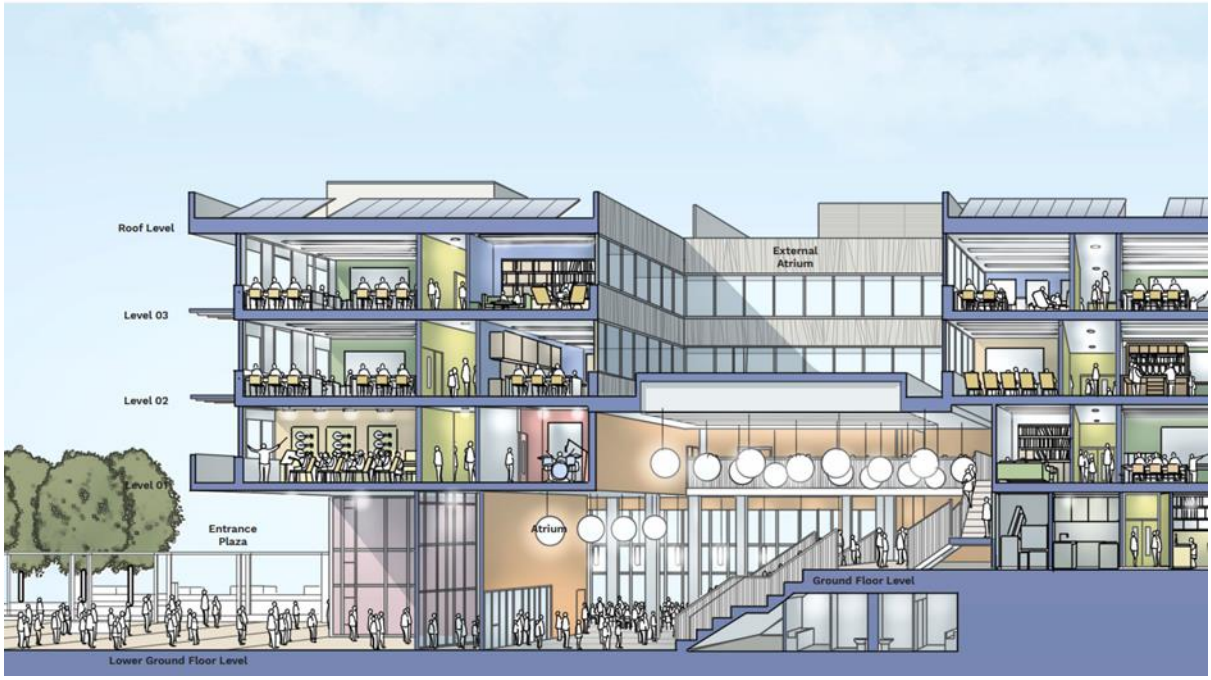


N1 and N2 Ground Floor and Typical Floor Plans



Sketch images of School





Sketch image of School and Palette of Materials

Palette of Materials

The image to the right shows how the materials will be utilised within the school facade, and how they will be layered to inform the architectural language.

1) Moulded white concrete (Reckli 2/169 Columbia)

2) Polished White Concrete Cladding

3) Glazed Curtain Walling including Doors with copper and Light Grey coated window mullions (for example KME TECU Gold) and Light Grey solid cladding panels

4) Light Grey Ventilation Louvres

5) Light Grey Acoustic Louvres

6) Copper Balusters with Glass Infill

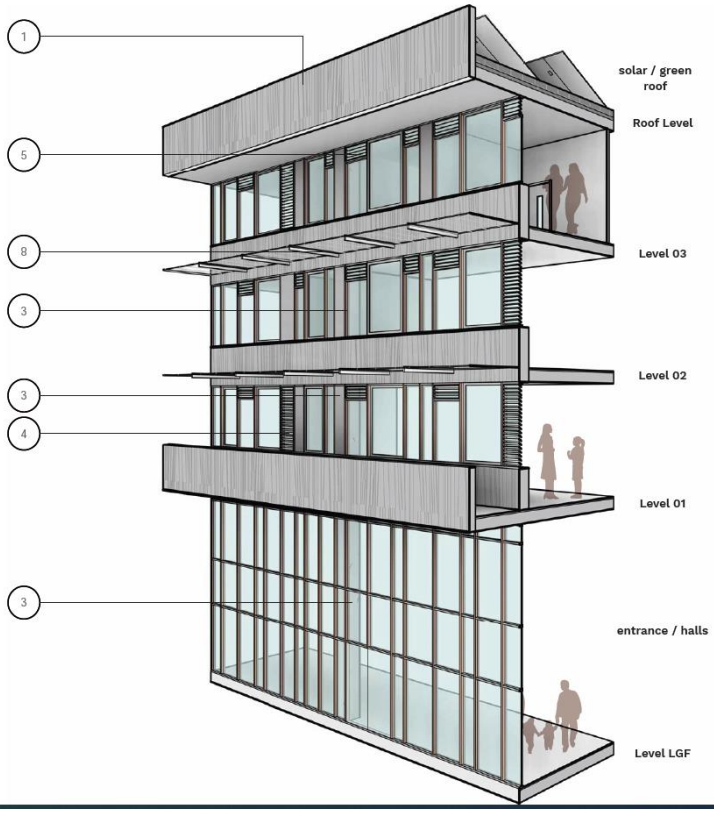
7) Light Grey Louvred Plant Room Screen

8) Light Grey Horizontal Sun Louvres

9) Light Grey Secure Gates and Fencing

10) Light Grey Solar Shading Louvres

11) Glazed Roof lights



CGI view from Lower Promenade looking East towards Promenade Place and T4

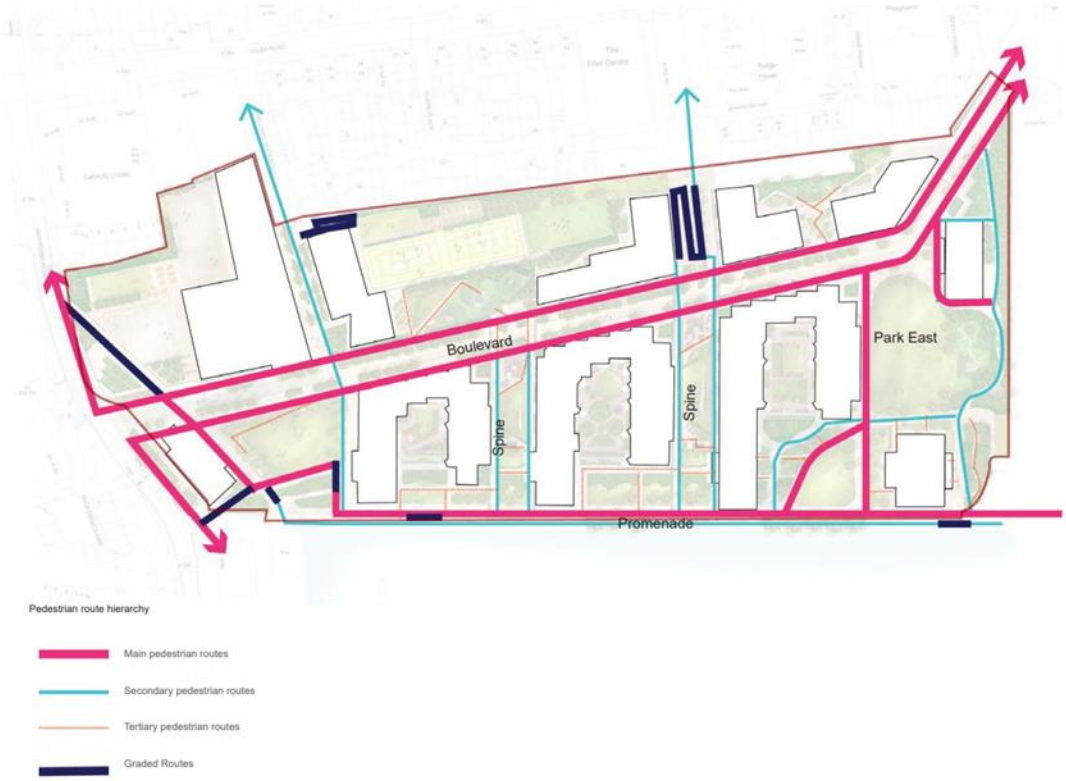
CGI view from Millharbour of building E1

CGI view of Woodland Walk

CGI view looking north along one of the North-South Spines

CGI night view from Greenwich Park

Pedetrian Route Hierarchy



Drainage Strategy

Public Realm and Open Space Hierarchy and Function

Communal Amenity Areas

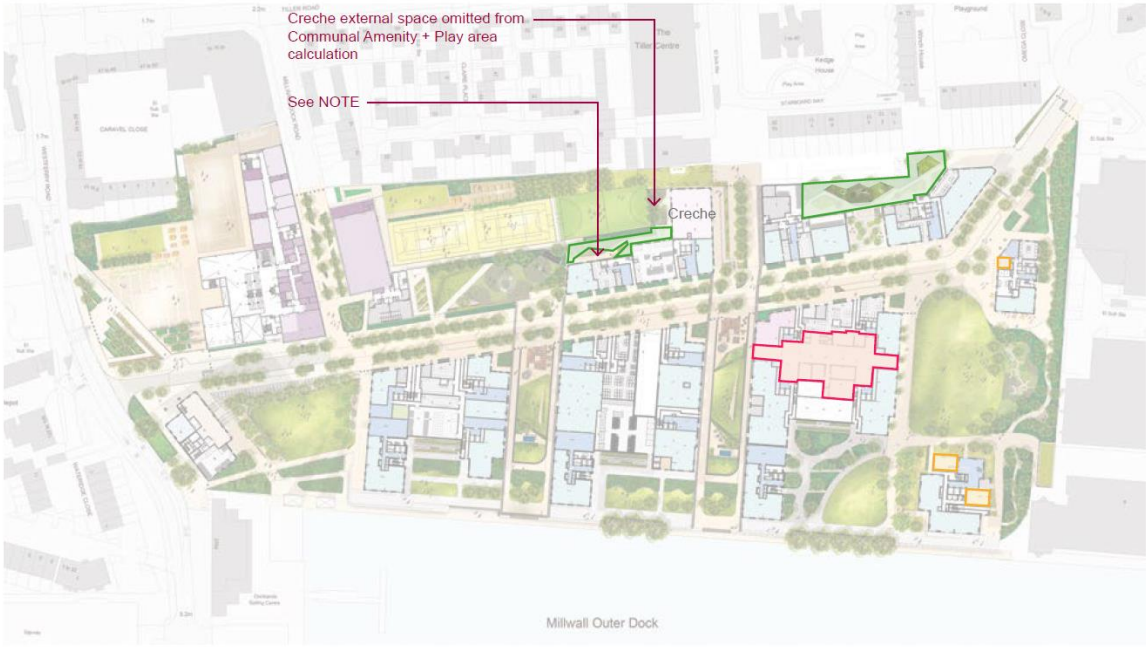


Fig 7.1 Ground Floor Communal Amenity Area

A Communal Amenity within Buildings
B Communal Amenity Shared between Buildings
C C3 Central Hub for Market units

Fig 7.2 Basement Communal Amenity Areas

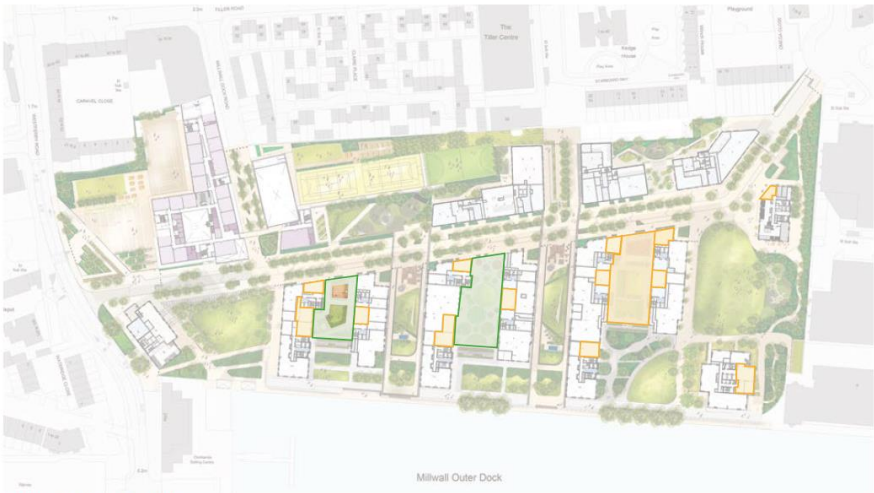


Fig 7.3 Mezzanine Communal Amenity Areas

A Communal Amenity within Buildings
B Communal Amenity Shared between Buildings
C C3 Central Hub for Market units

Communal Amenity Type	MARKET						INTERMEDIATE		AFFORDABLE RENT				
	T4	T3	C3	T2	C2	T1	C1	E1	E1	W1	N1	N2	N3
A	277.2m²	81.9m²	1,355.3m²	144.1m²	148.9m²	168.9m²	132.6m²	66.2m²		-			
B	-			1,090.4m²		431.0m²		825.5m²					
C	1,649.3m²						-						

Children's Play Space Distribution

	Planning Scheme Requirement m2 (GLA)	Planning Scheme Provision m2
TOTAL	**5,634**	**6,756**
Under 5	2166	1,551 Formal Play 922 Informal Play =Total 2473
5-11	1767	1818 Formal Play 0 Informal Play =Total 1818
12+	1701	1378 Formal Play 803 Informal Play =Total 2181
All ages playable	0	284

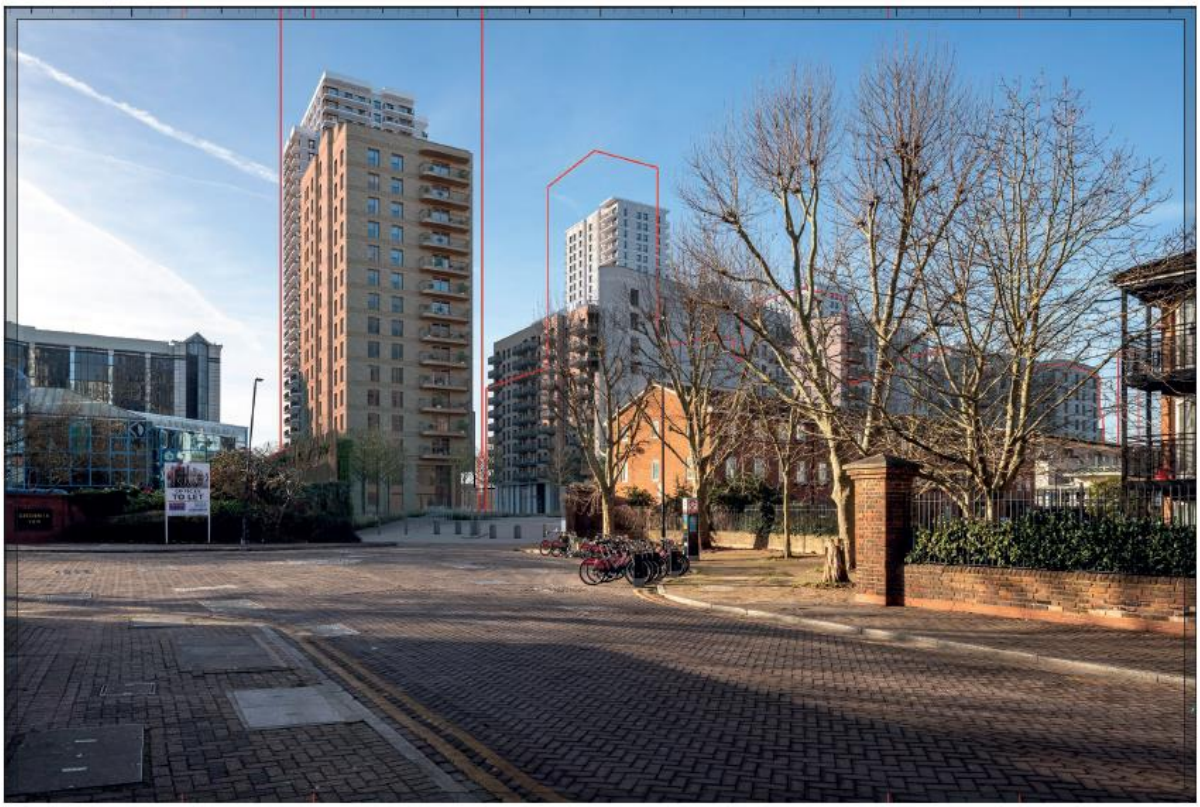
Urban Greening Factor

UGF_Calculations				
UGF Surface Cover Type Name	UGF Surface Cover Type Description	Material: Area	UGF Factor	**UG Score**
Semi-natural vegetation	(e.g. trees woodland, species-rich grassland) maintained or established on site	7351 m²	1	0.120
Intensive green roof or vegetation over structure	Substrate minimum settled depth of 150mm	2683 m²	0.8	0.035
Standard trees planted in connected tree pits	with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree	7527 m²	0.8	0.098
Extensive green roof	with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket)	2305 m²	0.7	0.026
Flower-rich perennial planting	-	1875 m²	0.7	0.021
Rain gardens and other vegetated sustainable drainage elements	-	1535 m²	0.7	0.017
Green wall	modular system or climbers rooted in soil	1161 m²	0.6	0.011
Hedges	(line of mature shrubs one or two shrubs wide)	165 m²	0.6	0.002
Standard trees planted in pits	with soil volumes less than two thirds of the projected area of the mature tree	825 m²	0.6	0.008
Amenity grassland	(species-poor, regularly mown lawn)	4883 m²	0.4	0.032
Permeable paving	-	9271 m²	0.1	0.015
Total Score		39582 m²		0.385

URBAN GREEN FACTOR

Surface Cover type	Factor
Semi natural vegetation (eg. Woodland, flower-rich grassland) created on site	1
Wetlands or **open water** (semi-natural; not chlorinated) maintained or established on site	1
Intensive green roof of vegetation over structure. Vegetated sections only. Substrate minimum settled depth of 150mm	0.8
Standard trees planted in natural soils or in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree	0.8
Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) - meets the requirements of GRO code 2014	0.7
Flower-rich perennial planting	0.7
Rain gardens and other vegetated sustainable drainage elements	0.7
Green wall - modular system or climbers rooted in soil	0.6
Hedges (line of mature shrubs one or two shrubs wide)	0.6
Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree	0.6
Groundcover planting	0.5
Amenity grassland (species-poor, regularly mown lawn)	0.4
Extensive green roof of sedum mat or other lightweight systems that do not meet GRO Code 2014	0.3
Water features (chlorinated) or unplanted detention basins	0.2
Permeable paving	0.1
Sealed surfaces (e.g. concrete, asphalt, waterproofing, stone)	0

APPENDIX 3 - View 13: Millharbour South Cumulative View



View 13 with appeal scheme outlined in red wireline.

APPENDIX 4 - TREE SPECIES

Lower Promenade Replacement Tree Proposals

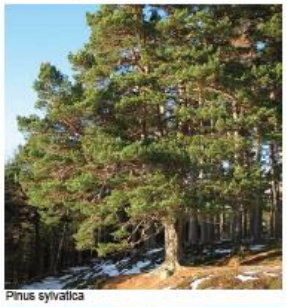
Liriodendron tulipifera

Acer campestre

Ginkgo biloba

Liquidambar

Other Species Proposed Elsewhere on Site


Pinus sylvatica

Quercus palustris

Cornus kousa

Magnolia grandiflora

Tilia europaea

Gelditsia tricanthos 'Enermis'

Populus tremula

Taxodium distichum

Amelanchier lamarckki

Betula pendula

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STRATEGIC DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

STANDING ADVICE ON APPLICATIONS FOR DECISION

1. INTRODUCTION

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

1.2 The following information and advice applies to all those reports.

2. THIRD PARTY REPRESENTATIONS

2.1 Under section 71(2)(a) of the TCPA 1990and 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 "duty …..to 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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STRATEGIC DEVELOPMENT COMMITTEE 9th October 2024

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

Application for Planning Permission *click here for case file*

Reference	PA/22/01749
Site	Blackwall Way Yard Jetty, Blackwall Way, London
Ward	Blackwall and Cubitt Town
Proposal	Minor Material Amendments to Planning permission Ref: PA/21/00288, Dated 14/07/2022: Amendment(s) sought: Amendment to the wording of Condition 22 – Operational Requirements. This application is accompanied by an Environmental Statement.
Summary Recommendation	Grant application for a minor material amendment.
Applicant	Hadley Blackwall Yard Property Limited
Agent	Avison Young
Case Officer	Aleksandra Milentijevic
Key dates	- Application registered as valid on 12/10/2022 - Further amendments received on 05/06/2024 and 26/06/2024 - Public re-consultation finished on 24/07/2024

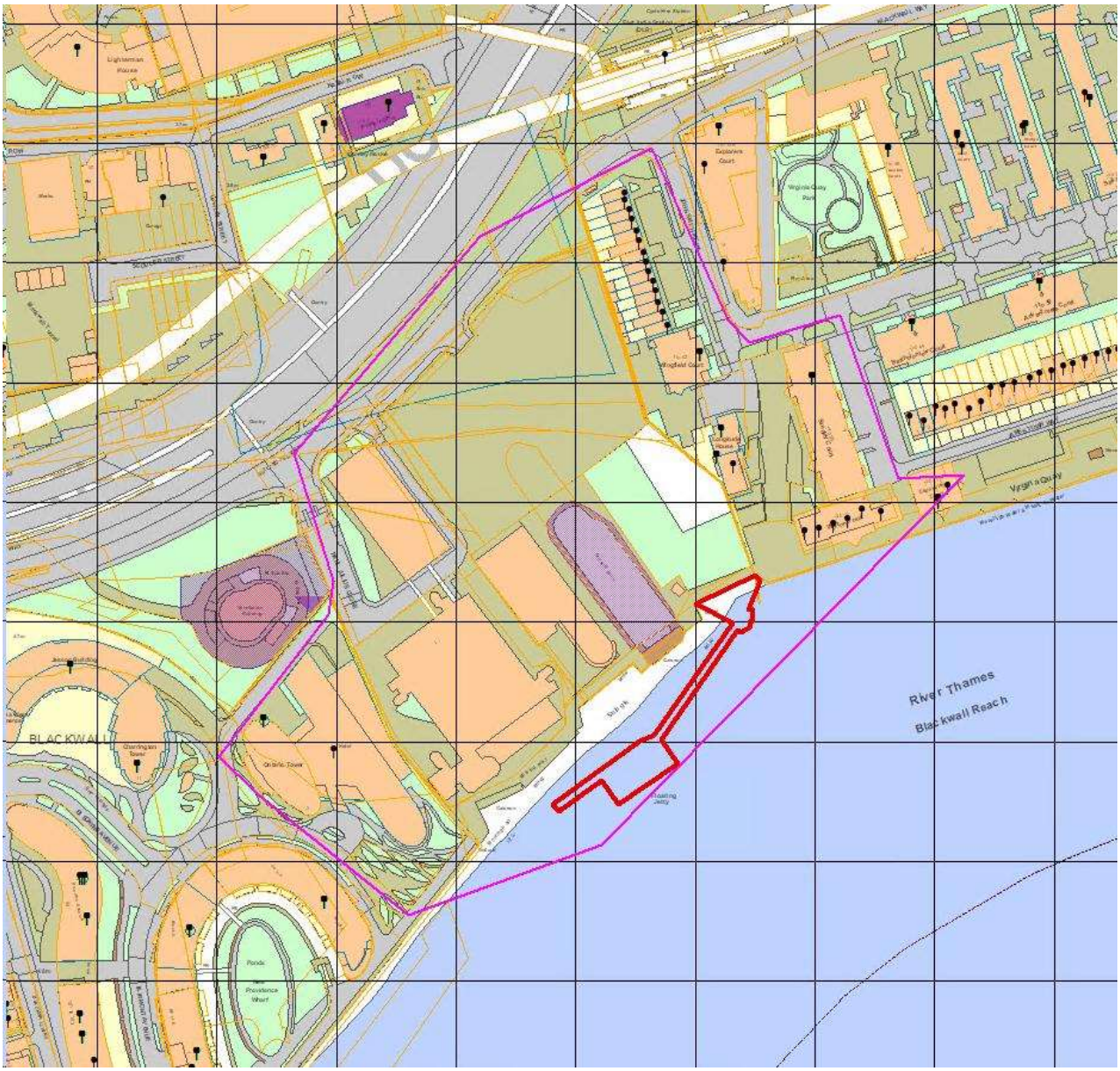
EXECUTIVE SUMMARY

The proposed amendments considered under this application relate to Condition 22 of Planning Permission PA/21/00288 which sets out the operational requirements for the consented Riverboat Jetty Station at the Blackwall Yard site.

The amendment seeks to change the wording of the condition which was included to manage the impact on the air quality and noise of the area. The application is supported by updated assessments to justify the proposed amendments.

Following the detailed review of the submitted information, it is considered that the amended wording of Condition 22 is acceptable, and it would not result in an unacceptable impact on air quality, noise and general amenity of the area, as well as neighbouring residential properties.

On this basis, Officers recommend the approval of the amended wording of Condition 22 of the Planning Permission PA/21/00288.



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

Planning Application Site Map PA/21/00288

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

TOWER HAMLETS

London Borough of Tower Hamlets

Scale: 50m grid squares

Date: 01 October 2024

1. SITE AND SURROUNDINGS

1.1 The application site is a piece of waterbody which follows the shape of the proposed jetty structure, situated within the River Thames connecting to the land at Blackwall Yard site, which is bounded by the Virginia Quay residential development to the east, Telehouse data centre to the west and Aspen Way to the north.

1.2 The application site forms part of the River Thames and tidal tributaries Site of Important of Nature Conservation (SINC) and also sits within the Blackwall Archaeological Priority Area. The graving dock at Blackwall Yard is a grade II listed structure.

1.3 The area of the north and north-west of the application site represents an area of particularly poor air quality conditions.

2. PROPOSAL

2.1 The proposals considered under this application relate to the amendment to the wording of Condition 22 to the consented riverboat station for passenger transport and associated jetty structure. The original consent provided a riverboat station at the application site to facilitate the stopping of Uber Boat by Thames Clippers service (previously known as Thames Clippers), which would connect the site and the surrounding area to other Thameside areas and stations across London.

2.2 The proposed amendment relates to the changes to Condition 22 which stipulates the operational requirements of the consented riverboat station. Condition 22 reads as approved read as follows:

The development hereby approved shall comply with the following operational requirements, in accordance with the Environmental Statement:

a. *Operating hours shall be limited to the existing weekday peak RB1 route (7am to 9:30am, 6:00pm to 9:00pm) and the weekend RB1/5 route (8.30am to 10pm).*

b. *There shall be no more than 5 clipper movements per hour to the jetty, based on current clipper timetable.*

c. *All vessels should have an engine capacity of 1300kW and Tier III NOx emissions (2g/kWh) or better.*

Reason: To manage the impact on the natural environment and amenity of the surrounding area in line with policy S.ES1 and D.DH8 of the Tower Hamlets Local Plan 2031.

2.3 The proposed amendment would result in the following changes to condition 22:

The development hereby approved shall comply with the following maximum operational requirements:

a. *Average Engine Emissions at Full Power: 8,317 g/hr.*

b. *Vessel annual average daily traffic (AADT) flow of 212, allowing for <u>passenger service boat, excluding private boat hire,</u> movements to and from the jetty to account for 106 unique stops at the jetty.*

c. *Maximum hourly boat movements of up to 6 per hour between 23:00 and 06:00 not exceeding SEL/LAE 73 dB per movement, as measured during the boats departure at a distance of approximately 70m from the pier.*

The Applicant shall ensure that full monitoring data in relation to the above operational requirements is kept for the lifetime of the development and shall provide such details to the Council upon request.

Reason: To manage the impact on the natural environment and amenity of the surrounding area in line with policies S.ES1, D.ES2, D.ES9 and D.DH8 of the Tower Hamlets Local Plan 2031.

2.4 It should be noted that the proposed amendments initially included the removal of Condition 22, which has been amended during the application process, following extensive discussions with Officers. The current proposals consider the latest amendments to the wording of Condition 22, as outlined above. The underlined sections of the amended wording of Condition 22 relate to further negotiations with the Applicant, following the submission of the final set of documents by the Applicant.

3. RELEVANT PLANNING HISTORY

3.1 The proposed minor material amendments relate to the following application related to the site:

PA/21/00288 – Full planning permission granted on 14/07/2022.

Riverboat station, jetty and associated works at Blackwall Yard.

3.2 The wider Blackwall Yard site has the following planning history:

PA/20/02509 – Full planning permission granted on 06/04/2022.

Phased redevelopment of the site and construction of 5 buildings (with maximum heights of between 9 and 39 storeys) comprising residential dwellings of mixed tenure, primary school & nursery, commercial, business & service floorspace, communal floorspace, public house, realignment of & environmental improvements to Blackwall Way, associated car & cycle parking, landscaping & public realm works (including alterations to the existing graving dock), installation of plant and associated works. External repairs and alterations to Grade II listed graving dock.

PA/20/02510 – Listed building consent granted on 06/04/2022.

Listed works associated with the mixed-use redevelopment of the site.

PA/24/01230 – Section 73 application currently under consideration.

Variation of Condition 2 (approved plans) of Planning Permission Ref: PA/20/2509 dated 06/04/2022 for minor material amendments including amendments to façade design of Plots 1 and 2, reduction of floor-to-floor heights and introduction of an additional storey to Buildings 1.1 and 1.2, increase of 15 additional units to Plot 1, and addition of second stair core and reconfiguration to floors within Plot 2.

4. PUBLICITY AND ENGAGEMENT

Applicant's pre-application engagement

4.1 The non-statutory consultation was carried out by the applicant in relation to the original planning permission for the riverboat station and the adjacent Blackwall Yard redevelopment. No engagement was carried out with the public associated with the proposed minor material amendments considered under this application.

Council's statutory consultation during this application

4.2 The application was initially consulted with the public by way of putting up a planning notice on the site, issuing a press notice in the local newspapers, and sending out 483 neighbour letters. The initial 30-day statutory consultation period for the application ended on 27/11/2022.

4.3 The applicant has been amended the proposal during course of the application given that the proposal initially sought the removal of Condition 22, and it was later revised to include amendments to the wording of the condition rather than its full removal. The first re-consultation was carried out in August 2023 for 14 days by way of sending neighbour letters and putting up a site notice. The second re-consultation for 14 days on the further amended changes to the wording of the condition, which are put forward in this report for consideration, was carried out in July 2024. The 14-day re-consultation period for the application ended on 24/07/2024.

4.4 A total of 288 representations were received from the local community as a result of the Council's above consultation processes during the course of the application. Out of the total representations, 197 received representations are in objection and 91 in support of the proposed amendments to Condition 22.

4.5 The representations in support have been received as bundles of 3, 5 and 75 signatures with the remainder submitted as individual representations. The bundled representations in support followed a template with an option to add additional comments which was sometimes left blank. Similarly, the majority of representations in objection followed a template, however, they were all submitted individually.

4.6 A post-code analysis of the received representations has been undertaken given that some of them are outside of LBTH. Within LBTH, the majority of objections and support letters are from E14 postcode. It has been noted that riparian residents from south of the river have sent through their objections and supports, including from South East and South West postcodes. However, it should be also noted that about a third of all representations, mainly objections, have not provided any address details.

4.7 Objections have been received from the following groups: Clean Air in London, River Residents Group and New Providence Wharf Leaseholders & Residents Association.

4.8 The following considerations were raised by the supporters:

- Access to river transportation offering affordable, accessible and sustainable transport mode to other locations across London
- Increase in river use
- Increase in connectivity further towards East London, reduction in journey time to Greenwich and Canary Wharf, and easier access to the O2 Arena
- Expensive prices
- Necessity for more travelling modes in this area and London
- Alleviation of pressure on local transport network
- Reopening of the inaccessible Thames Path
- Benefit for the local community and the area
- Heritage preservation
- Ecological features to support the aquatic ecology.

4.9 The following considerations were raised by objectors, which have been categorised as follows:

Existing issues in the area

- Existing noise issues in the surrounding area, including from the Raddison Hotel, road traffic, DLR, and the jetty at Trinity Buoy Wharf
- No current vessel operation in the area, and during nighttime by Uber Boats
- Sailing of other boats in the area during night
- Location of the Application Site in an area of conservation, historical and archaeological importance, and in close proximity to Billingsgate Market
- Current use of hybrid ferries and electric engine mode by Uber Boats between Tower Bridge and Battersea piers and conventional engine vessels running on biofuel outside of these areas

General planning issues

- Objections to the removal of the condition
- Objection to the proposed amended wording of the condition
- Objection to introduction of vessels movements throughout the nighttime, and particularly any operation between midnight and 6am
- Creation of a precedent
- Limited environmental and noise impact of the consented development, and the benefit of the consented Condition 22
- Extent and timing of the consultation process
- Lack of engagement from the Applicant with the local community
- Request for further engagement with the local community at New Providence Wharf
- Extent of the proposed change, not considered a minor amendment
- General objection to the procedure which allows the removal of conditions
- Requirement for an independent analysis of the proposed changes
- Insufficient evidence to justify the proposed operations and incompliance with planning policies and guidance documents
- Misleading information in the submission documents and lack of independent environmental reports
- Proposal inclusive of the cross-river ferry boat service

Comments on assessments

- Use of different figures for engine loads in the assessments
- Level of emissions during different activities such as acceleration and cruising
- Insufficient details on the baseline emissions levels
- Lack of clarity with the use of 5% 'separation factor' in the assessment
- Noise limit calculated as 70 metres from the jetty results in an impact to residents when boats are passing through westwards next to the New Providence Wharf development
- The increase of emissions to not be larger than 0.04 tonnes per year in order to be less than 1% than 2019 baseline figure

Air quality concerns

- Adverse impact on and worsening of air quality
- Diesel engine would fail to achieve air quality neutral
- Necessity of the condition to restrict air quality pollution, including compliance with IMO Tier III NOx emissions

Noise concerns

- Adverse impact on and worsening of noise pollution

Ecology concerns

- Impact on the river and ecology
- Impact on marine and terrestrial wildlife in the area, including protected species and from noise impacts
- No analysis of wash on the river wall

Amenity concerns

- Adverse impact on the amenity, health and wellbeing of local residents and businesses
- Adverse impact on the amenity and safety of the area, including increase in antisocial behaviour and light pollution

Transport concerns

- Increase in traffic, footfall and number of vessels

Other issues

- Land ownership and submission of an incorrect Ownership Certificate
- Proposed extended hours beyond the operating hours of Thames Clippers
- Proposed number of movements and comparison with the existing timetabled journeys
- Potential use by other larger boats and commercial boats such as the Ocean Diva, other party boats and Thames RIB Experience

Other matters

- An example of airport restrictions by London Borough of Newham
- Impact from other vessels on the River Thames on the air quality pollution
- Need for LBTH and stakeholders to reduce other vessels emissions
- Need to restrict movements, noise and emissions of river boat service even further in residential areas
- The Council's declaration of a climate emergency and commitment to net zero
- The Port of London's consideration of developing a River Ultra Low Emission Zone
- Potential plans to revive the old jetty next to the nature conservation area (this is understood to relate to the disused jetty along the entrance to the East India Dock Basin)
- No night operation at other piers

Proposals for alternative condition wording

- Requests to control a minimum number of dockings, hours of operation, vessel size and emission of PM2.5 and NOx, through an amended condition for a transport movement plan
- Impose noise limit during all hours of the day, not just nighttime
- Request for battery power use by hybrid vessels when vessels are passing the New Providence Wharf development, notwithstanding whether they are stopping at the jetty
- Request for revised condition wording with an absolute cap restricting the emissions to 'negligible' levels

- Requirement for electric or IMO Tier II standard or better engines, together with limits on emissions, noise and operating hours

- Proposal for alternative wording of the condition consisting the use of electric vessels, battery power within 200m, operating hours and restriction on the use of the jetty by party boats or Thames RIB Experience boats.

4.10 It should be noted that the proposals do not include a cross-river ferry service. The jetty application site does not include a small portion of the Thames Path, noting that the remainder of it depends on the wider Blackwall Yard redevelopment scheme. At present, there are no proposals for bringing the disused jetty at the entrance to the East India Dock Basin into use.

4.11 The received representations provided details of the existing issues in the area, which have been taken into consideration as relevant, such as existing levels of air pollution, noise background levels and other vessels movements in the area.

4.12 With regards to the land ownership, the Applicant has confirmed that the legal agreement is subject to the title which relates to the Applicant, i.e. Hadley Blackwall Yard Property Limited.

4.13 The issues raised with regards to the air quality, ecology and noise matters, as well as the impact on the amenity of the area are addressed in the report below given that these are considered to be material planning considerations resulting from the proposed amendment to Condition 22 given that the changes would have an impact on these matters.

5. CONSULTATION RESPONSES

5.1 Below is a summary of the consultation responses received from both internal and external consultees which were all taken into consideration in the assessment detailed in section 7 of this report.

External responses

Crime Prevention Design Advisor (Metropolitan Police)

5.2 No comments received.

Environment Agency

5.3 No comments received.

Historic England

5.4 No comments to make.

Greater London Archaeological Advisory Service

5.5 No comments to make. It is not considered that consulting GLAAS is necessary for this application.

Greater London Authority

5.6 A letter was issued stating that the amendments do not give rise to any new strategic planning issues, given the scale and nature of the proposals. The Mayor of London does not need to be consulted further on this application.

Historic Royal Palaces

5.7 No comments received.

London Borough of Greenwich

5.8 No further observations to make.

London Borough of Newham

5.9 No comments received.

Marine Management Organisation

5.10 Any works within the marine area require a licence from the Marine Management Organisation (MMO). The applicant should be directed to the MMO's online portal.

Maritime Greenwich World Heritage Co-ordinator

5.11 No comments received.

National Amenity Societies

5.12 No comments received.

Natural England

5.13 No comments received.

Port of London Authority

5.14 No objection to the removal of condition 22.

Thames Water Authority

5.15 No comments received.

The Gardens Trust

5.16 No comments received.

Transport for London

5.17 The removal of restrictions on the operating hours of river services would be welcomed, in line with London's Passenger Pier Strategy, which envisions the safe and sustainable growth of piers to make river services an integral part of London's transport network.

Internal responses

Biodiversity Officer

5.18 There would not be significant adverse ecological impacts from removal of Condition 22 as the removal of the condition will have no impact on the total number of Clipper journeys along the Thames.

Design & Conservation

5.19 No comments received.

Environmental Impact Assessment (EIA) Officer

5.20 The Environmental Statement (ES) is considered to be adequate. The amended condition should be secured as recommended in the ES Review Report.

Environmental Health

5.21 *Air quality* – The conclusions of the Council's external consultants Temple on the air quality assessment is agreed.

5.22 *Contaminated land* – No adverse comments.

5.23 *Noise* – Noise survey and assessment was carried out at an existing jetty to determine likely levels at the proposed Blackwall Yard jetty. Based on the carried-out assessment, it is not considered necessary or appropriate to limit the number of boat movements. Therefore, there is no objection to the removal of condition 22.

Suds officer

5.24 No comments received.

Transportation & Highways Officer

5.25 No comments received.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

- The London Plan 2021
- Tower Hamlets Local Plan 2031

6.3 The key development plan policies relevant to the proposed minor material amendments are:

Amenity (noise)

- Local Plan policies: D.DH8

Environment (air quality, biodiversity, contaminated land, flooding, noise)

- London Plan policies: G5, G6, SI1, SI5, SI12,
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES8, D.ES9

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

- National Planning Policy Framework (2023)
- National Planning Practice Guidance (updated 2024)

7. PLANNING ASSESSMENT

7.1 Section 73 of the Town and Country Planning Act 1990 (as amended) makes provisions to vary or remove conditions associated with a planning permission. In this regard the proposal is to vary a condition which has a material consideration to the consented proposal.

7.2 Under section 73 of the aforementioned Act, upon receipt of such an application, the local planning authority shall consider the conditions subject to which planning permission should be granted. As such, in the assessment and determination of any planning application for minor material amendments, Officers are not required to revisit the principle of the development and must only consider the potential impact of the proposed changes.

7.3 There is no statutory definition on what constitutes a minor material amendment and the degree of change permissible to condition under a Section 73 application. This is a matter of judgement for the local planning authority, based on the context of each case. However, it should be noted that any amendment should not result in a materially different development from the one that has been approved under the original permission.

7.4 The effect of a grant of planning permission under Section 73 results in a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission can sit alongside the original permission, which remains intact.

Consented development

7.5 The consented development relates to the provision of the riverboat station structure which includes three distinct parts: the pontoon, brow and bankseat.

7.6 The pontoon would serve for embarking and disembarking, an interconnecting brow would be for accessing the pontoon, and the bankseat would provide two access points in the form of a

bridge connecting to the land, one directly into the Blackwall Yard development and the other to the Meridian Square and Thames Path.

7.7 The pontoon structure will be semi-enclosed with the enclosed elements for the waiting area reaching a height of a single storey. Other semi-enclosed space of the riverboat station includes two small, covered seating area on the bankseat.

7.8 The consented riverboat station would facilitate the river stop for the Uber Boat by Thames Clippers services to and from the site, connecting the area with the rest of east and west London areas. The consented riverboat station would be an additional stop in the current operations of the Thames Clippers services.

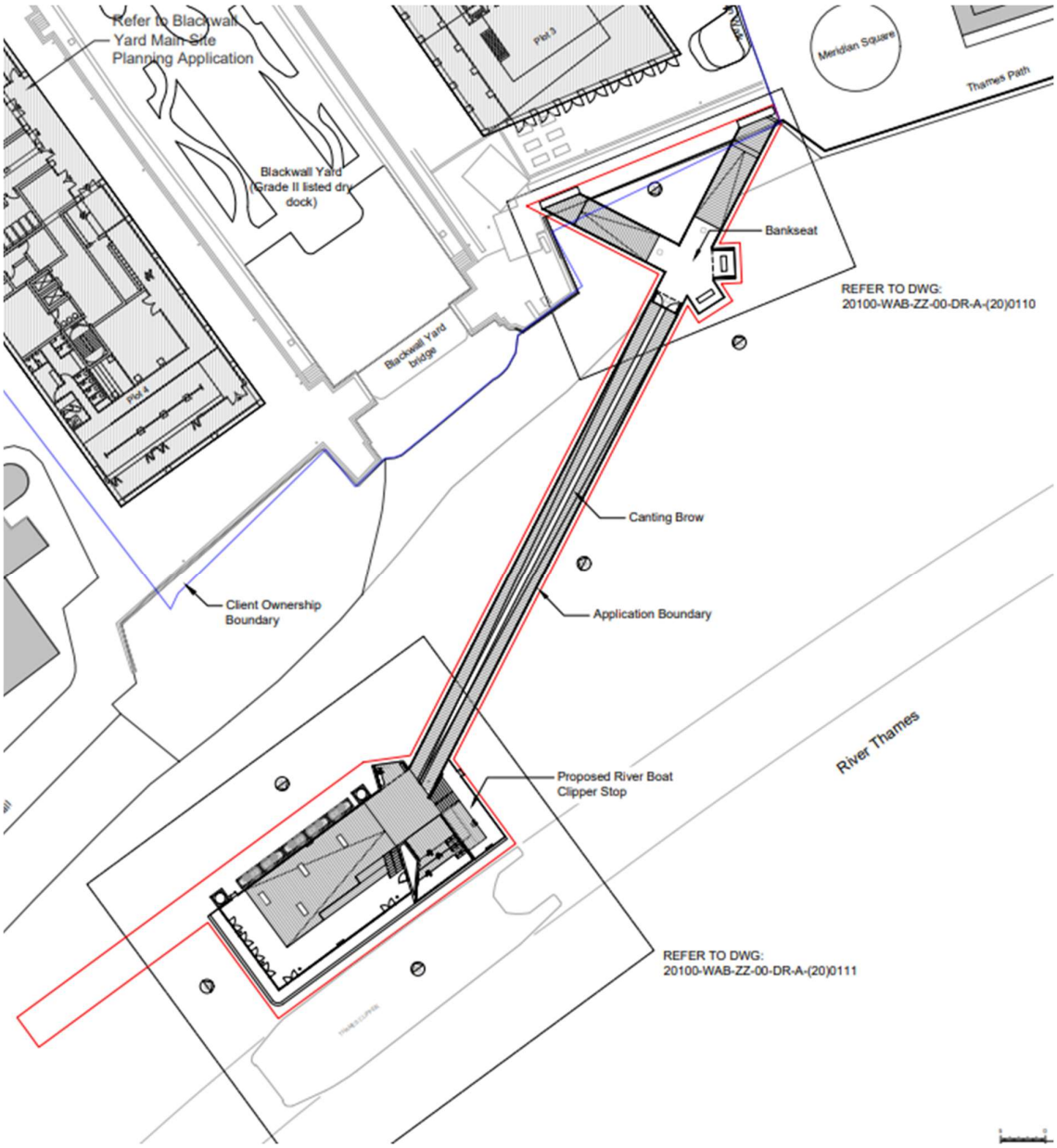

Image 1. Consented Site Plan of the riverboat station.

Image 2. Consented riverboat station structure viewed from the River Thames with Blackwall Yard development in the background.

7.9 The wording of Condition 22 as consented under the original permission was based on the applicant's details contained within the Environmental Statement, referencing the operation times, number/ frequency and types of vessels.

Proposed amendments

7.10 The Applicant's rationale for the initially proposed full removal of Condition 22 was due to the condition being onerous on the operations of the pier. This was following the Applicant's better understanding of the intended end user's operations. However, the wording of the condition imposed was based on the information provided by the applicant in the assessment as part of the original application and Officers disagree in principle with a full removal of the condition.

7.11 Through the application process, the Applicant has extensively engaged in discussions with Officers and Council's commissioned consultants in order to reach an acceptable position for the proposed amendments to Condition 22. This is further detailed in the sections below.

Assessment of the proposed amendments

7.12 The proposed amendments only relate to Condition 22 which sets out the operational requirements for the riverboat station. The main consideration of the proposed changes relates to the following matters, which have been separately addressed in the sections below:

- Air quality,
- Noise, and
- Amenity of the neighbouring properties and the area.

7.13 It should be noted that the impact associated with the proposed changes to the wording of Condition 22 relates to the boats moving from the middle of the River to the jetty given that the original permission for the jetty did not seek to introduce a new river boat service but to present an additional stop to the already existing service.

7.14 Officers remain supportive in general of the proposed riverboat station which would introduce sustainable alternative transport mode to the area, enhancing existing passenger transport piers and their capacity across London, in accordance with the Transport for London's Passenger Pier Strategy. In addition, one of the Council's climate emergency actions was the adoption of the Transport Strategy 2019-41 that sets out the vision and priorities for travel in Tower Hamlets, including investigating new locations for passenger piers and new services.

7.15 It has been noted that a River Ultra Low Emissions Zone (RULEZ) is being considered by the Port of London Authority (PLA), however, there are no details published on the feasibility study as yet. Nonetheless, Condition 25 of the original permission for the jetty will continue to apply, which requires the submission of a Carbon Strategy setting out the details for the future use of carbon neutral and negative vehicles. As such, it is considered that the permission allows for any strategic change to be considered directly through the permission.

7.16 As mentioned in section 4 of this report, some residents have raised concerns regarding the impact on the marine ecology and the river environment as a result of the proposed changes to Condition 22. Whilst the proposed amendments would result in additional vessel movement at the jetty, the impact arising from the principle of bringing the vessels to the jetty structure has been addressed in the original permission. All effects were found to be non-significant, with Condition 12 of the original permission securing further details through the submission of foreshore enhancements, a foreshore change mitigation plan and a foreshore monitoring strategy. The proposed change to Condition 22 would result in an increase in the maximum number of movements, however this would not be material to the previous findings of the assessment of the foreshore ecology, provided that Condition 12 of the current permission is complied with.

7.17 Condition 15 of the original permission secured ecological mitigation and enhancements relating to the river wall and pier structures, including eco-piles for the pier, floating tier ecosystem islands and biodiverse roof on pontoon shelter. In addition, Condition 17 requires the submission of an Aquatic Ecological Management Plan whilst an Operational Lighting Strategy is to be submitted under Condition 18 to minimise illumination onto the surface of the river and ensure there are no negative effects on the river ecology.

7.18 It should also be noted that the original application for planning permission initially proposed the cross-river ferry service which was removed during the course of the original application. The consented jetty only relates to the Thames Clippers service operated by Uber Boats.

Environment

Air quality

7.19 London Plan policy SI1 and Tower Hamlets Local Plan policy D.ES2 require major developments to ensure that they do not lead to deterioration of existing poor air quality.

7.20 The information relating to air quality is contained within Chapter 10 of the Environmental Statement and the ES supporting documents. The specific documents containing the Applicant's assessment details with regards to the proposed amendments to the wording of Condition 22 are included in the Air Quality Technical Note by Buro Happold (dated 13 August 2024; it should be noted that the August 2024 does not change the outcomes or calculations of the assessment but corrects the details on the vessel with Type B emissions tier).

7.21 The Institute of Air Quality Management Guidance on assessing impacts on nature conservation sites[1] states that any change in pollutant concentration of less than 1% of a relevant environmental standard is likely to be insignificant. This was used to determine the scale of vessel emissions as a proportion of the total generated in the absence of specific guidance, and it represents a widely accepted approach in air quality assessments. In the case where dispersion modelling is required, the relevant guidance is the 'Land use planning & development control: planning for air quality' (2017) by the Environmental Protection UK & Institute of Air Quality Management.

7.22 The submitted technical note calculates the increase in emissions attributable to the change in the oxides of nitrogen (NOx) emissions relating to the proposed operation of the jetty. The parameters on which the assessment is based include travelling speed of vessels, engine load for each type of the activity, vessel emissions, distance travelled, time spent at the jetty while disembarking and embarking passengers, and number of vessels calling at the jetty.

[1] air-quality-impacts-on-nature-sites-2020.pdf (iaqm.co.uk)

7.23 The basis of the assessment utilises the London Atmospheric Emissions Inventory (LAEI) 2019, which is a comprehensive data set providing emissions from river vessels for each 1km^2 gris across London and is a key tool used for air quality analysis. Whilst the current iteration of the LAEI estimates emissions from vessels in 2019, 2025 and 2030, the use of LAEI 2019 in the Applicant's assessment is considered acceptable as the LAEI 2019 data remains the most recent iteration of the LAEI available, with the 2016 LAEI being superseded by the 2019 one and since emissions for vessel emissions in 2025 in the area containing the jetty are similar to the 2019 emissions.

7.24 Utilising the LAEI 2019 and information provided by Uber Boats, the Applicant has calculated the contribution of emissions created by Uber Boats only. From the overall emissions of 22.5 tonnes per year as reported through the LAEI 2019, the Applicant calculated that Uber Boats accounted for 5.454 tonnes per year in 2019. Additional details were presented for the current operations of Uber Boats which are lower, amounting to 4 tonnes per year, however, the relevant comparisons have been carried out with the 2019 figure of 5.454 tonnes per year.

7.25 In the assessment, the Applicant considers four scenarios: the situation as it was in 2019; the Future Do Nothing scenario without any jetty; the consented scenario with the jetty; and the Future proposed scenario with the jetty (as proposed under this application). The emissions from Uber Boats as based on the consented operational requirements would amount to 2.23 tonnes per year, however, this is on the basis that 80 vessels would be stopping at the jetty and 40 would just pass through but not stop at the jetty.

7.26 For the proposed changes to operational requirements considered under this application, total emissions from Uber Boats were calculated by the Applicant to equate to 5.299 tonnes per year. Alongside other vessels, the Applicant calculated that this would equate to total emissions in the area of 22.345 tonnes per year. Given that the LAEI 2019 for the 1km^2 grid in which the jetty would be located equates to 22.5 tonnes per year, this confirms that the Uber Boats emissions as based on the proposals would not exceed 1% of the total LAEI 2019 emissions.

7.27 The Council commissioned Temple Group to review the submitted information and a review letter dated 29th May 2024 includes the final review. Temple's air quality specialists confirmed that the calculation process relating to the change in emissions generally looks reasonable based on the data and information provided by the Applicant in relation to the 2019 baseline and future proposed scenario inclusive of the jetty. It is noted that the Applicant has also stated in their assessment that emissions when slowing down towards the jetty, at berth or speeding up away from the jetty would be slower than at normal operational speed. This assumption has been confirmed with Uber Boats and thus this was accepted, although independent evidence of this has not been provided.

7.28 The Applicant has sought permission to allow for three more unique stops per day (106 unique stops) than is currently operated (103 unique stops), to provide some flexibility in operations. However, these have already been considered in the baseline and assessment of the proposed changes, and as such this would not affect that emissions from the vessels would not increase by more than 1% of the LAEI if the fleet emits the same on average.

7.29 The Applicant calculated that the 'Future with Jetty' proposed scenario would lead to a 16% increase of the LAEI background emissions when compared to the 'Future with Jetty' scenario which uses the vessel characteristics of the consented condition. It is noted that the Applicant's calculations assume 80 stops and 40 passing vessels per day, which is greater than the five per hour and limited operating hours as consented in Condition 22. Moreover, the consented scheme calculations assumed 120 vessel movements rather than 103, as is expected to be passing at present.

7.30 The assessment has considered the change in emissions from vessels at source, rather than pollutant concentrations. It was mentioned that the Applicant's attempt of scaling down emissions to estimate the change in annual mean nitrogen dioxide (NO_2, which is formed from NOx) concentrations at receptors, i.e. residential units near the jetty, is not supported by the reviewer. The assessment does not itself present how the change in emissions could change pollutant concentrations with the jetty in place due to repositioning of vessels within the

Thames to serve the jetty or how this would affect pollutant concentrations at receptors on the jetty or at the bank (in terms of impacts or exposure to pollutants against air quality objectives and standards etc.), for NO_2 or other pollutants. This is a limitation of the applicant's assessment.

7.31 However, pollutants are expected to disperse over a distance of 40 – 50 metres, in relation to changes at the receptors on the bank, so impacts on air pollutant concentrations from the vessels will be less than at source. Secondly, in relation to NOx, emissions since 2019 from the fleet of vessels have decreased so concentrations would decrease, whereas the concentrations at receptors on the bank will likely increase from pollutant emissions which would be expected by bringing vessels closer.

7.32 An additional minor amendment was suggested by Temple to part b) of the amended condition was suggested to reference 106 unique stops at the jetty, for the avoidance of doubt. This has been accepted by Officers and the Applicant and reflects the latest wording of the condition.

7.33 Officers have noted that the proposed changes to the consented operational requirements under Condition 22 would result in an increase in emissions of 118% when compared to the consented operational requirements. However, it has been accepted that the consented operational requirements are unrealistic to ensure the jetty's operation, as it has been consistently raised by the Applicant, as well as Uber Boats. As such, the alternative threshold of comparison to the 2019 baseline is considered appropriate, and it has been met as detailed above, given that the emissions would remain below the 1% against the LAEI 2019 background air quality levels.

7.34 Restricting the vessels to the proposed operational requirements would not unacceptably worsen the air quality in the area, which is considered acceptable and accords with the objectives set out in planning policies.

Noise

7.35 London Plan policies D13 and D14 and Tower Hamlets Local Plan policy D.ES9 require developments to minimise noise impacts and provide appropriate mitigation measures.

7.36 The information relating to noise is contained within Chapter 11 of the Environmental Statement and its supporting documents. The specific documents containing the applicant's assessment details with regards to the proposed amendments to the wording of Condition 22 are included in the Jetty Noise Impact Assessment (dated 13 February 2023, which originally formed part of the Interim Review Report Response dated February 2023 but was submitted as a standalone document in September 2024 for the ease of record keeping).

7.37 The noise modelling is based on calculating the number of hourly movements that could take place at the jetty without resulting in significant effects to the closest noise sensitive receptors, when considered against the prevailing noise levels in the noise survey forming part of the original ES that also included the aircraft noise from London City Airport into consideration. The modelling concluded that there could be up to 70 movements per hour at the jetty without resulting in significant adverse effects.

7.38 However, this initial assessment has not included the details for the relevant hours when London City Airport (LCY) is not operational which in essence would eliminate this noise impact from the baseline. The applicant has undertaken an updated modelling to demonstrate the number of hourly boat movements between the hours of 23:00 and 06:00. This has concluded that the highest number of boat movements during these hours should be 6 per hour, which would continue to have a non-significant impact on the approximate location of the receptors within the Blackwall Yard development, which represent the nearest receptors to the jetty.

7.39 However, it should be noted that LCY is closed from 1pm on Saturdays until 12.30pm on Sundays. Whilst reduced noise from LCY would be expected during these times, Officers consider that these times would be less sensitive than night-time due to the existence of other

background noises such as road traffic from Aspen Way and other vessels passing by the site, which is further reduced during night-time.

7.40 It should be also noted in general that boat movements are quieter stopping at the jetty than passing by continuously, due to the need to shut down the engine and coast towards the jetty structure. Similarly, when departing from the jetty, vessels would gradually build their velocity making it less noisy than a vessel passing by. In addition, the jetty's original permission and this section 73 application is for existing Uber Boats passing the site to stop at the jetty which would represent a noise reduction in noise from those vessels.

7.41 On the basis of the applicant's assessment, the noise impact during daytime would allow for a maximum number of boat movements being up to 70 per hour, and whilst this is not likely to be realistic as noted by the applicant, the assessment shows that the impact from the Thames Clippers movements would be acceptable in noise terms. However, it is considered appropriate to restrict the number of boat movement and the maximum allowed noise levels during night-time to safeguard the amenity of the neighbouring properties and the area in general. This would be secured through part c) of the amended condition wording which sets out a maximum noise limit applicable between 23:00 and 6:00 hours.

Environmental Impact Assessment

7.42 The original planning application represented Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and was accompanied by an Environmental Statement (ES) coordinated by Trium. As per the mentioned legislation, equally applies for a section 73 application with regards to such developments, as a section 73 application is considered to be new application for planning permission under this legislation. Where the original application was an EIA application, an ES must be submitted with the section 73 application.

7.43 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.

7.44 The application is supported by the environmental information examined as part of the original application and additional information as considered relevant. The original information consists of the submitted ES (October 2020) considered as part of the original consent (including ES Interim Review Report Response (April 2021), ES Final Review Report Response (May 2021) and Air Quality Technical Note (June 2021)) and Non-Technical Summary (NTS) (October 2020), EIA Statement of Conformity (October 2021).

7.45 The submitted ES assesses the environmental impacts of the development under the following topics:

- Archaeology;
- Built Heritage;
- Socio-economics, Health and Wellbeing;
- Highways and Transport;
- Air Quality;
- Noise and Vibration;
- Daylight, Sunlight, Overshadowing and Solar Glare;
- Aquatic Ecology and Biodiversity;
- Water Resources, Drainage and Flood Risk;
- Wind Microclimate;
- Greenhouse Gas Emissions; and
- Townscape and Visual Impact.

7.46 It should be noted that the original ES also relates to the adjacent Blackwall Yard redevelopment scheme as well as the jetty structure. This was considered acceptable as the jetty would not come forward without the mixed-use residential-led scheme adjacent to it.

7.47 Additional ES submissions were made specifically relating to this section 73 application as follows: Air Quality Technical Note (dated 13 August 2024), Jetty Noise Impact Assessment (dated 13 February 2023), and Environmental Impact Assessment (EIA) Statement of Conformity (dated 20 August 2024).

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

7.49 The Council appointed Temple Group to independently examine the additional environmental information to confirm whether the ES satisfies the Regulations. The original review of the ES consisted of the following documents: Interim Review Report (April 2021), and Final Review Report 002 (July 2021). The review specifically relating to the ES submissions for this section 73 application consisted of the following documents: Statement of Conformity Review Interim Review Report (December 2022) and Final Review Report 001 (March 2023) relating to noise, and a review letter (May 2024) with respect to air quality.

7.50 The submitted assessments and additional information with regards to air quality and noise matters under the proposed changes to the wording of Condition 22 relating to the operational requirements have been detailed in the sections above and are considered acceptable. In EIA terms, none of the proposed amendments to operational requirements would result in increased likely significant effects with regards to air quality and noise, and as such, the conclusion of the original ES remain valid with regards to those topics.

7.51 As part of the EIA Statement of Conformity (dated 20 August 2024), the Applicant's EIA consultants Trium have confirmed that all previous conclusions related to all other topics assessed as part of the EIA process and as listed above remain valid.

7.52 None of the additional ES information was considered to be 'further information' under Regulation 25 given that the conclusions of the amended operational requirements do not result in different likely significant effects.

7.53 The Council's EIA officer and the Council's appointed EIA consultants have confirmed that the submitted ES and the subsequently submitted ES information meets the requirements of the EIA Regulations 2017 (as amended).

7.54 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.

7.55 The review of the environmental information concludes that it is appropriate to secure the amended wording for Condition 22 relating to the operational requirements, as based on the submitted assessments presented by the applicant.

7.56 For the avoidance of doubt, none of the already secured mitigation and monitoring measures as part of the EIA process will be changed as a result of this application.

Neighbour Amenity

7.57 Tower Hamlets Local Plan policy D.DH8 seeks to protect neighbour amenity safeguarding by not allowing unacceptable levels of noise and disruption during the operational stage of developments. These requirements are detailed in planning policies specifically relating to noise, as referenced in the section above.

7.58 Consideration has been given to the impact of the proposed changes to the amenity of the neighbouring properties, and the area in general. As detailed in the sections above, the impact

from the proposed amendments to Condition 22 during the operational stage of the jetty would result in an impact that is considered acceptable in terms of air quality and noise.

7.59 It has been noted that the wording of Condition 22 of the Planning Permission included restrictions on the overall operating hours, which were based on the Uber Boats by Thames Clipper's timetable as assessed in the original Environmental Statement. However, the applicant has submitted additional information which demonstrates that the impact would be negligible, particularly during day-time. Furthermore, the condition would additionally restrict operations during night-time which could be subject to change in the future, and having a holistic approach to the assessment of the impacts from noise and air quality is appropriate.

7.60 In addition, Condition 22 has been further amended to exclude the potential for any private hire boats to dock at the jetty, which would ensure that the amenity of the area will not be impacted by any other type of boats which would have further noise implications.

7.61 Nonetheless, it has been noted that the noise impact could be higher during night-time due to a lower level of background noise from other sources, mainly London City Airport, and as such it is considered appropriate to limit the number of boat movements and noise levels between 23:00 and 06:00, as presented in the applicant's assessment, to ensure that the noise impact is acceptable.

7.62 Concerns regarding safety, including increase in antisocial behaviour and light pollution, have been raised in some representations received by the local community. No changes have been proposed to how the proposed riverboat station will be managed during out of working hours, and as such, the entrance portal with lockable metal railings at the end of the bankseat would ensure that the pontoon is secure.

7.63 In addition, the original permission secured conditions for the Secured by Design details and the submission of a Management Plan, which would provide further details on how the jetty structure and its surrounding space would be managed to ensure that any impact experienced by the neighbouring properties and the area is acceptable.

7.64 Subject to securing the proposed operational restrictions, it is considered that the impact on the neighbouring properties and the area in general would be acceptable and in accordance with the planning policy.

Conclusion

7.65 It is considered that the proposed amendments to the wording of Condition 22 would allow a different way of operating the jetty from the one that has been approved under the original permission. However, it should be noted that the original permission for the jetty does not seek to include a new service onto the River Thames, but to amend the existing Uber Boats service to stop at the jetty.

7.66 In terms of air quality, it has been accepted that there would be an increase in emissions when compared against the consented requirements. However, when compared against existing background levels in the London Atmospheric Emissions Inventory (LAEI) 2019, the increase is considered marginal as it remains under 1%. Similarly with noise, the identified impact from additional vessels would have implications on night-time background noise levels, for which restrictions have been secured as part of the amended wording.

7.67 Whilst any increase in air and noise pollution should be avoided, the identified impacts are not deemed to be harmful that permission should be withheld when balanced against the benefits of the proposed jetty providing a means of sustainable transport.

7.68 No changes are proposed to the physical extent of the jetty structure and the proposed changes to its operational requirements are considered to be acceptable and justified on the basis of the additionally submitted information.

7.69 Officers and the Council's consultants have worked extensively with the Applicant's team to reach an acceptable position with regards to air quality, ecology, noise and amenity

considerations in order to ensure that the jetty can be used on realistic terms once it has been built out, given that the consented operational requirements would restrict its purpose as a riverboat passenger station.

7.70 No objections have been received from Transport for London and Port of London's Authority even when the proposals included a full removal of the condition. The GLA have stated that the proposed changes do not introduce further strategic issues.

7.71 As a result, it has been concluded that the proposed amendments to the wording of Condition 22 would constitute minor material amendment to the original permission and as such would be acceptable to be approved under the subject Section 73 application, in accordance with the provisions made in the Town and Country Planning Act 1990 (as amended).

7.72 This application, if approved, would represent a new permission for the development, however, all other originally secured conditions and obligations would continue to apply.

Infrastructure Impact

7.73 Planning obligations secured as part of the original planning permission remain unchanged as a result of the proposed amendments to Condition 22.

Human Rights & Equalities

7.74 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.

7.75 The proposed riverboat station would continue to meet inclusive design requirements and would be wheelchair accessible, as secured in the original planning permission.

7.76 The application has undergone the appropriate level of consultation with the public and Council consultees.

7.77 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, Section 73 application to vary Condition 22 – operational requirements **to be GRANTED** with the following wording:

The development hereby approved shall comply with the following maximum operational requirements:

a. Average Engine Emissions at Full Power: 8,317 g/hr.

b. Vessel annual average daily traffic (AADT) flow of 212, allowing for passenger service boat, excluding private boat hire, movements to and from the jetty to account for 106 unique stops at the jetty.

c. Maximum hourly boat movements of up to 6 per hour between 23:00 and 06:00 not exceeding SEL/LAE 73 dB per movement, as measured during the boats departure at a distance of approximately 70m from the pier.

The Applicant shall ensure that full monitoring data in relation to the above operational requirements is kept for the lifetime of the development and shall provide such details to the Council upon request.

Reason: To manage the impact on the natural environment and amenity of the surrounding area in line with policies S.ES1, D.ES2, D.ES9 and D.DH8 of the Tower Hamlets Local Plan 2031.

8.2 All other conditions secured under the original planning permission will be re-applied to the new permission should it be granted, which include the following:

1. Commencement of development shall begin by 14th July 2025 (3 years from the date of the original planning permission). (compliance)
2. Development in accordance with approved plans. (compliance)
3. Restrictions on demolition and construction activities:
   a. All works in accordance with Tower Hamlets Code of Construction Practice;
   b. Standard hours of construction and demolition;
   c. Air quality standards for construction machinery;
   d. Ground-borne vibration limits; and
   e. Noise pollution limits.
4. Additional improvements or repairs to the flood defence (if required). (compliance)
5. Piling restrictions. (compliance)
   a. Piling works to take place between 1 September and 31 March;
   b. Soft start procedures during piling;
   c. Use of vibro piles where possible.
6. Forbidden dredging procedures. (compliance)
7. Off-site fabrication of the pier parts. (compliance)
8. Timescales for the installation of the pier (after sealing of the dry dock). (compliance)
9. Provision of safety measures prior to first operation. (compliance)
10. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL and PLA). (pre-commencement)
11. Controls on non-road mobile machinery used during construction. (pre-commencement)
12. Foreshore survey and monitoring strategy, including foreshore change mitigation plan (in consultation with the EA and PLA). (pre-commencement)
13. Circular Economy Post Completion Report. (pre-operation)
14. Biosecurity Plan (in consultation with the PLA). (pre-commencement)
15. Biodiversity mitigation and ecological enhancements. (pre- on-site structure works)
16. Air quality (PM10) continuous monitoring. (pre-commencement)
17. Aquatic Ecological Management Plan. (pre-commencement)
18. Operational Lighting Strategy (in consultation with the PLA). (pre- on-site structure works)
19. Samples of external facing materials and detailing. (pre-installation of the structure)
20. Landscaping scheme. (pre- on-site structure works)
21. Site Waste Management and Deliveries and Servicing Plan. (pre-operation)
22. ***Operational requirements. (compliance, as amended)***
23. Secured by Design. (pre-operation)
24. Management Plan. (pre-operation)
25. Carbon Strategy. (pre-operation)
26. Accordance with the mitigation measures set out in the Environmental Statement. (compliance)
27. Written scheme of investigation for archaeological evaluation. (pre-commencement)
28. Foreshore visit and survey with regards to archaeology. (pre-commencement)
29. Provision of free drinking water fountain. (compliance)

8.3 Informatives

1. Permission subject to legal agreement.
2. River Works Licence requirements for construction and operational stages.
3. Marine Licence requirement.

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Existing Location Plan, Drawing No: 20100-WAB-ZZ-00-DR-A-(20)0010

Environmental Statement, by Trium

Blackwall Yard + Pier Proposals ES Review – Trium Response, dated 29 April 2021, by Trium

Blackwall Yard + Pier Proposals ES FRR – Applicant Response, dated 28 May 2021, by Trium

Air Quality Technical Note, dated 22 June 2021, by Buro Happold

EIA Statement of Conformity October 2021 Proposed Amendments, by Trium

Planning Statement, dated August 2022, by Avison Young

Air Quality Technical Note, dated 13 August 2024, by Buro Happold

Environmental Impact Assessment (EIA) Statement of Conformity, dated 20 August 2024, by Trium

Jetty Noise Impact Assessment, dated 13 February 2023, by Burro Happold

Cover Letter, dated 26 June 2024, by Avison Young

Cover Letter, dated 18 September 2024, by Avison Young