

# Development Committee

## Agenda

**Thursday, 5 September 2024 at 6.30 p.m.  
Council Chamber - Town Hall, Whitechapel**

### **Members:**

**Chair:** Councillor Iqbal Hossain

### **Vice Chair:**

Councillor Gulam Kibria Choudhury, Councillor Amin Rahman, Councillor Bellal Uddin, Councillor Faroque Ahmed, Councillor Mufeedah Bustin and Councillor Mohammad Chowdhury

### **Co-opted Members:**

**Substitutes:** Councillor Shafi Ahmed, Councillor Bodrul Choudhury, Councillor Ahmodur Khan, Councillor Marc Francis and Councillor James King

[The quorum for this body is 3 voting Members]

### **Contact for further enquiries:**

Thomas French, Democratic Services,

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



## Public Information

### Viewing or Participating in Committee Meetings

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**Please note:** Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

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## **A Guide to Development Committee**

The role of the Development Committee is to determine applications for planning/listed/conservation area consent which have triggered over 20 representations (in support or against) and/or that meet certain criteria with regards to size amongst other issues.

The Committee is made up of seven Members of the Council as appointed by Full Council. Political balance rules apply to the Committee. Meetings are normally held on a monthly basis and are open to the public to attend.

Objectors to planning applications and applicants may request to speak at the 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, as shown on the committee timetable. For further information, see the Council's website.

### **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.

# London Borough of Tower Hamlets



## Development Committee

Thursday, 5 September 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

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

To confirm as a correct record the minutes of the meeting of the Development Committee held on 12 June 2024.

#### 3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 15 - 16)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Housing and Regeneration along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Housing and Regeneration is delegated authority to



do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

- 3) To note the procedure for hearing objections at meetings of the Development Committee and meeting guidance.

## 4. DEFERRED ITEMS

## 5. PLANNING APPLICATIONS FOR DECISION

### 5.1 PA/22/02363 Compass Point, 5 Grenade Street, London E14 8HL (Pages 23 - 48)

#### **Proposal**

Construction of an additional storey to create six new residential apartments, with ancillary cycle and refuse stores.

#### **Summary Recommendation**

Grant planning permission with conditions and planning obligations

### 5.2 PA/24/00568/A1 Empson Street Industrial Estate, Empson Street, E3 (Pages 49 - 114)

#### **Proposal**

Demolition of existing buildings and structures, and the redevelopment of the site to provide flexible industrial floorspace (Use Class E(g)(ii)/E(G)(iii)/B2/B8), with ancillary offices, central yard space, landscaping, and other associated works. Retention, refurbishment and change of use of the MOT garage to provide flexible industrial floorspace (Use Class E(g)(ii)/E(G)(iii)/B2/B8) and a circular economy hub. This application is accompanied by an Environmental Impact Assessment.

#### **Summary Recommendation**

Grant planning permission with conditions and s106 obligations

## 6. OTHER PLANNING MATTERS

#### **Next Meeting of the Development Committee**

Thursday, 3 October 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

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

### **(i) Disclosable Pecuniary Interests (DPI)**

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

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

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

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

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

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

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

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

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

### **Guidance on Predetermination and Bias**

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

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

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

**Further Advice** contact: Janet Fasan, Divisional Director Legal and Monitoring Officer Tel: 0207 364 4800.

## **APPENDIX A: Definition of a Disclosable Pecuniary Interest**

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

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



## LONDON BOROUGH OF TOWER HAMLETS

### MINUTES OF THE DEVELOPMENT COMMITTEE

**HELD AT 18:39 ON WEDNESDAY, 12 JUNE 2024**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

#### **Members Present:**

Councillor Iqbal Hossain (Chair)  
 Councillor Gulam Kibria Choudhury  
 Councillor Amin Rahman  
 Councillor Bellal Uddin  
 Councillor Faroque Ahmed  
 Councillor Mufeedah Bustin  
 Councillor Mohammad Chowdhury  
 Councillor Shafi Ahmed (for item 7.1)

#### **Officers Present:**

Paul Buckenham	(Head of Development Management)
Astrid Patel	(Senior Planning Lawyer)
Jerry Bell	(Area Planning Manager)
Kirsty Gilmer	(Team Leader West)
Kevin Crilly	(Principal Planner East)
Catarina Cheung	(Planning Officer)
Simon Westmorland	(Team Leader West)
Gareth Gwynne	(Area Planning Manager)
Michael Ritchie	(Place Shaping Manager)
Thomas French	(Democratic Services Officer (Committees))

#### **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

Members declared interests in items on the agenda for the meeting as set out below:

Councillor	Item(s)	Type of interest	Reason
Cllr Iqbal Hossain	7.1	Non-pecuniary	Related to interested party
Cllr Amin Rahman	7.3	Non-pecuniary	Board member of Tower Hamlets Community Housing

**2. ELECTION OF VICE - CHAIR FOR THE COMMITTEE FOR 2024-25**

Cllr Amin Rahman was Elected Vice Chair.

**3. MINUTES OF THE PREVIOUS MEETING(S)**

The Committee **RESOLVED**

That the unrestricted minutes of the meetings of the Committee held on 30 November 2023 and 25 April 2024 be agreed as a correct record and signed by the Chair.

**4. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE**

The Committee **RESOLVED** that:

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

**5. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS**

The Committee **RESOLVED** that

- Note the current terms of reference, quorum, membership and dates of future meetings as set out in Appendices 1, 2 and 3 to this report.
- Determine the preferred time at which the scheduled meetings will start.
- Agree the proposed changes to the terms of reference as set out in appendix 4 and request these be approved via the appropriate decision route.

**6. DEFERRED ITEMS**

Nil items.

## 7. PLANNING MATTERS FOR DECISION

### 7.1 PA/24/00368 Land comprising Harriot, Apsley & Pattison Houses and the Redcoat Community Centres, Stepney Green, London, E1

As the Chair has declared an interest in this item, he excused himself for this item. Cllr Amin Rahman chaired the item, with Cllr Shafi Ahmed substituting for the item.

Paul Buckenham, Development Manager, introduced the application for redevelopment of the site comprising the demolition of existing buildings (including Harriot House, Apsley House, Pattison House, The Redcoat Centre and Redcoat Community Centre) to provide 407 residential units (Class C3) across buildings ranging in height from 4-8 storeys and community centre building of 1,167m<sup>2</sup> GIA (Class E (e-f), Class F1 (e-f), Class F.2 (b)), together with associated landscaped communal amenity space, accessible car parking, secure cycle parking spaces and refuse/recycling storage facilities.

Kevin Crilly case officer, provided a presentation on the application. The Officer's recommendation was to grant planning permission subject to conditions and planning obligations.

Further to questions from the Committee, officers, provided more details on the following elements of the application:

- From the approved plan, there has been a reduction in housing size, can officers confirm what they are? Officers confirmed that a reduction of 4 four bed units and 1 three bed units. There will be 60 per cent family housing on the development.
- The placement of the community centre has changed, what is the benefit of this? The applicants confirmed that the move will accommodate community group usage, including space of a community mosque. The separation will help with noise to the residential buildings.
- What was the consultation with residents on this application? Officers confirmed that only 3 responses were received on this application, based on the letters sent to residents. However, the applicant has also engaged locally as well. The application also attracted 2 objections.

The Committee debated the application, highlighting the importance of increased housing, but noting the decrease in family housing, before moving to the vote.

On a vote of 6 in favour, 0 against and 1 abstentions the Committee **RESOLVED** that planning permission is **GRANTED** for Land comprising Harriot, Apsley & Pattison Houses and the Redcoat Community Centres, Stepney Green, London, E1 for:

Redevelopment of the site comprising the demolition of existing buildings (including Harriot House, Apsley House, Pattison House, The Redcoat Centre and Redcoat Community Centre) to provide 407 residential units (Class C3) across buildings ranging in height from 4-8 storeys and community centre

building of 1,167m<sup>2</sup> GIA (Class E (e-f), Class F1 (e-f), Class F.2 (b)), together with associated landscaped communal amenity space, accessible car parking, secure cycle parking spaces and refuse/recycling storage facilities.

Subject to conditions and planning obligations

## 7.2 PA/24/00531 8 Whites Row, London, E1 7NF

Paul Buckenham, Development Manager, introduced the application for Erection of two additional storeys at roof level to existing building to provide one 4-bedroom self-contained apartment, plant and associated works.

Catarina Cheung provided a presentation on the application. The Officer's recommendation was to grant planning permission with conditions.

At the invitation of the Chair, objections were raised to the committee, highlighting concerns of access to the fire escape in the building, inadequate recycling facilities and loss of privacy & daylight.

At the invitation of the Chair, the agent for the applicant highlighted that permission was previously agreed, but delays including Covid-19 has meant this application has been brought back to committee.

Further to questions from the Committee, officers, provided more details on the following elements of the application:

- What are the differences between this application and the previous application that was approved? The applicant confirmed the applications are largely the same with improvements as outlined in the planning conditions.
- Concerns have been raised by objectors on access to the roof fire escape, what is the applicant doing on this area? The applicant confirmed that statutory health and safety legislation has been followed.
- There has been concerns raised about access to waste storage and the further impact this application will cause? The applicant stated that the current residents will see no change in their current access to waste storage. The application follows the council's waste requirements. Officers confirmed there has been a waste management plan agreed but this is an area that is captured in the next stage of the application.

The Committee debated the application, before moving to the vote

On a vote of 4 in favour, 1 against and 2 abstentions the Committee **RESOLVED** that planning permission is **GRANTED** for 8 Whites Row, London, E1 7NF for:

Erection of two additional storeys at roof level to existing building to provide one 4-bedroom self-contained apartment, plant and associated works.

Subject to planning permission with conditions.

**7.3 Confirmation of the Dinmont Estate E2 Tree Preservation Order 2024/2**

Cllr Amin Rahman excused himself from the rest of meeting as he had declared a non-pecuniary interest in this item.

Michael Ritchie, Place Shaping Manager presented the Tree Preservation Order.

The Committee **Resolved** to:

- Note the objection to the protection of the trees at Dinmont Estate.
- Confirm the Dinmont Estate Tree Preservation Order 2024/2 to protect the significant amenity value which these trees offer.

**8. OTHER PLANNING MATTERS**

Nil items.

The meeting ended at 20:58

Chair, Councillor Iqbal Hossain  
Development Committee

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## DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

### Guidance for Development Committee/Strategic Development Committee Meetings.

#### Who can speak at Committee meetings?

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

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

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

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

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

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

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

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

**What can be circulated?**

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

**How will the applications be considered?**

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

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

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

**How can I find out about a decision?**

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

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

<p><b>Deadlines.</b>                  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 <a href="http://www.towerhamlets.gov.uk/committee">www.towerhamlets.gov.uk/committee</a> - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p><b>The Rules of Procedures for the Committee are as follows:</b></p> <ul style="list-style-type: none"> <li>• Development Committee Procedural Rules – Part C of the Council’s Constitution Section 35 Appendix B.</li> <li>• Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7).</li> </ul>	 <p>Council’s Constitution</p>





## DEVELOPMENT COMMITTEE

### Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

#### STANDING ADVICE ON APPLICATIONS FOR DECISION

##### 1. INTRODUCTION

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

##### 2. THIRD PARTY REPRESENTATIONS

- 2.1 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to consider any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.
- 2.2 All representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.3 Any further representations, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Update Report.

##### 3. ADVICE OF DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

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

##### **Decisions on planning applications**

- 3.2 The Committee is required to determine planning applications in Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:
  - the provisions of the Development Plan, so far as material to the application;
  - a post-examination draft neighbourhood development plan, so far as material to the application
  - any local finance considerations, so far as material to the application; and
  - to any other material considerations.
- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the

Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains policies relevant to the application and there are no other material considerations, the application should be determined in accordance with the Development Plan.

- 3.4 The Committee has several choices when considering each planning application:
- to grant planning permission unconditionally;
  - to grant planning permission with conditions;
  - to refuse planning permission or
  - to defer the decision for more information (including a site visit).
- 3.5 If the committee resolve to refuse planning permission, they must provide reasons that are based on evidence, development plan policies and material considerations. The Council may be subject to an award of costs in the event that reasons for refusal cannot be defended at appeal.

### **The Development Plan and other material considerations**

- 3.6 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
- The London Plan 2021;
  - Tower Hamlets Local Plan 2020;
  - The Isle of Dogs Neighbourhood Plan 2021.
- 3.7 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are relevant to each planning application, and to other material considerations.
- 3.8 Material considerations are those that are relevant to the use and development of land in the public interest and relevant to the development proposed in the application.
- 3.9 National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.10 Other material planning considerations may include (but are not limited to):
- the design, size and height of new buildings or extensions;
  - the impact of new uses of buildings or of land;
  - loss of light and the privacy of neighbours;
  - access for disabled people;
  - the provision of affordable housing;
  - the impact of noise from proposed development;
  - the impact of development on public transport, the highway network, parking and road safety;
  - effect on heritage assets such as listed buildings and conservation areas;
  - environmental impacts.
- 3.11 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to

take. Applicants and objectors may also want to direct the Committee to other provisions of the Development Plan (or other material considerations) which they believe to be relevant to the application.

- 3.12 The Planning Officer's report summarises statutory consultee responses, non-statutory responses and third party representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations. Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

#### **Local finance considerations**

- 3.13 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration.
- 3.14 The prevailing view is that in some cases Community Infrastructure Levy (CIL) and potential New Homes Bonus payments can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a 'material consideration', it must relate to the planning merits of the development in question.
- 3.15 Accordingly, NHB or CIL receipts will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

#### **Listed buildings and conservation areas**

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

#### **Trees and the natural environment**

- 3.19 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

- 3.20 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

### **Crime and disorder**

- 3.21 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “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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### Application for Planning Permission

[click here for case file](#)

<b>Reference</b>	PA/22/02363
<b>Site</b>	Compass Point, 5 Grenade Street, London E14 8HL
<b>Ward</b>	Limehouse
<b>Proposal</b>	Construction of an additional storey to create six new residential apartments, with ancillary cycle and refuse stores.
<b>Summary Recommendation</b>	Grant planning permission with conditions and planning obligations
<b>Applicant</b>	G&O Investments LTD
<b>Architect/agent</b>	Geoff Beardsley & Partners UK LLP
<b>Case Officer</b>	Shahin Amin
<b>Key dates</b>	<ul style="list-style-type: none"><li>• Application registered as valid on 07/11/2022</li><li>• Initial public consultation finished on 14/12/2022</li><li>• Second public consultation finished 23/08/2024. Re-consultation due to amendments to the cycle parking and refuse arrangements.</li></ul>

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### EXECUTIVE SUMMARY

The proposal comprises the erection of a single storey rooftop extension to the existing flatted development, to provide six new self-contained flats, with ancillary cycle parking and refuse storage within the rear car park area.

The development would provide a contribution of £280,135.99 towards affordable housing in the borough, which has been found to be the maximum reasonable contribution, in compliance with Local Plan policy S.H1.

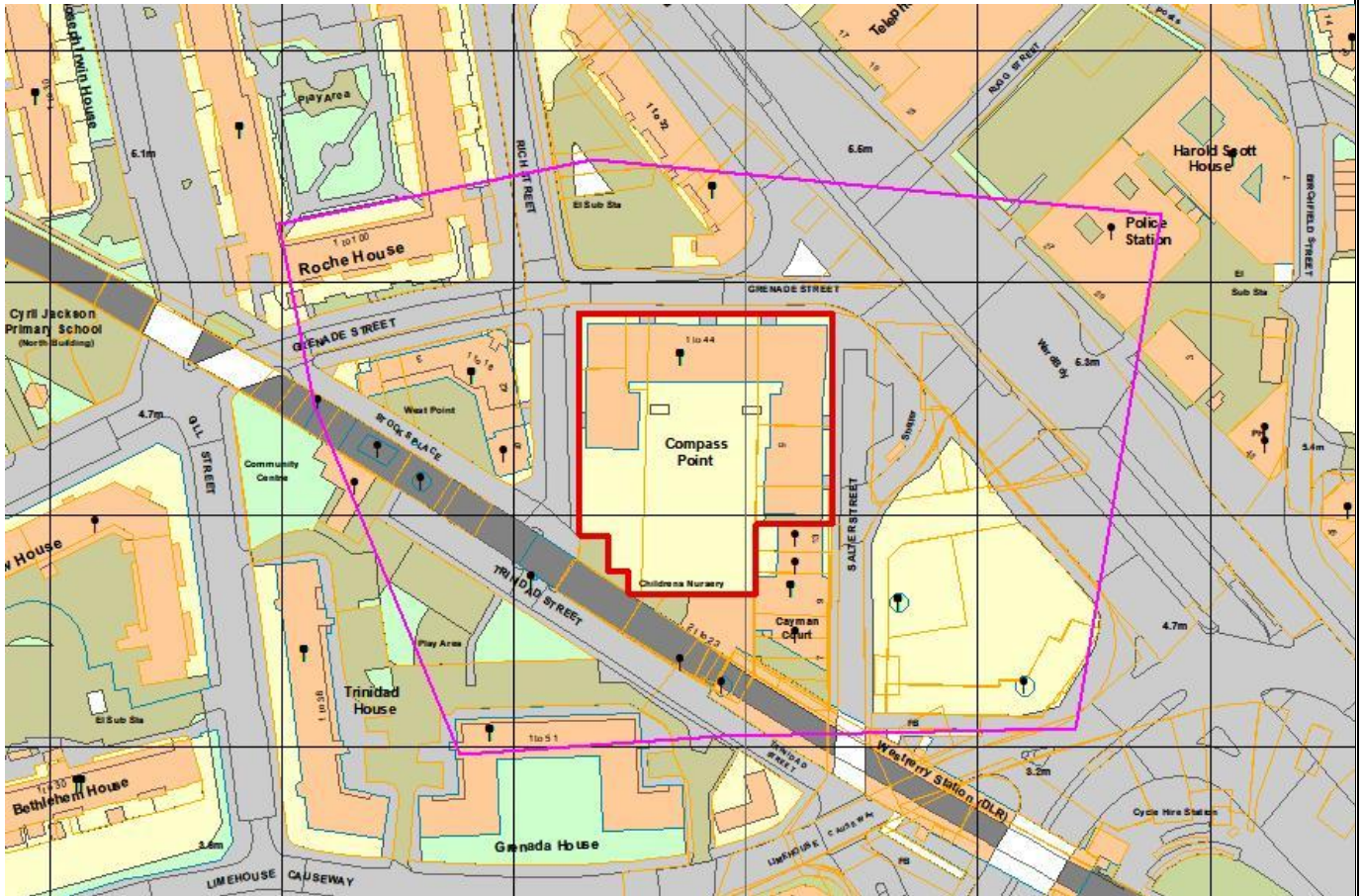
The proposal provides an acceptable unit size mix; and one family sized dwelling. Each new dwelling would have dual aspect accommodation, policy compliant private amenity space and good availability of light, outlook and privacy for the future occupiers.

The proposal presents a high-quality design which is in keeping with the scale and form of the surrounding built form; and with materials to match the host building.

There would be no undue impacts upon the amenities of neighbouring occupiers by way of light, overshadowing, loss of privacy or increased sense of enclosure. Conditions are recommended to ensure that impacts arising from the construction phase of the development are minimised and mitigated for the occupants of the host building and surrounding buildings.

The new dwellings would be car- free and it is not considered that there would be any undue impact upon the surrounding highway network as a result of the development.






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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/22/02363

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

Scale: 50m grid squares



**TOWER HAMLETS**

London Borough  
of Tower Hamlets

Date: 28 August 2024

## **1. SITE AND SURROUNDINGS**

- 1.1 The site contains a modern, 'U' shaped building which gained planning permission in 1996. It has a primarily brick façade with glazed elements, grey cladding to the top storey and a hipped roof. Of the 44 dwellings in the building, 18 flats have 1 bedroom and 26 flats have 2 bedrooms. The building features six stair cores: one along Rich Street, two along Salter Street, and three along Grenade Street.
- 1.2 The building is three storeys high, except at its north western and north eastern corners, where it rises to four storeys. The site contains a large rear residents car park to the south of the building, accessed off Rich Street, which also contains refuse facilities and hard and soft landscaping.
- 1.3 The site is bound by Salter Street to the east, Grenade Street to the north, Rich Street to the west and the raised DLR line to the south. The residential block at 'Cayman Court' adjoins the site to the south on Salter Street. The residential block at 'West Point' lies to the west of the site, on the western side of Rich Street. The residential block known as '1- 32 Rich Street' lies directly to the north of the site.
- 1.4 The surrounding area is residential in character. To the immediate north, south and west there are residential buildings which vary in height from four to five storeys. Immediately to the east of the site lies the recently constructed 30 storey tower at 82 West India Dock Road, which is a hotel. The site does not lie within the setting of any heritage assets. The nearest heritage asset is the St Anns Church Conservation Area, which lies some 80m to the north of the site.
- 1.5 The site has a PTAL rating of 6a, which is the best level of public transport connectivity. The site is located in Flood Zone 3A and the northern and eastern section of the site is located within an area of poor air quality.

## **2. PROPOSAL**

- 2.1 The applicant proposes the construction of a single storey roof extension to accommodate six new self-contained flats, including 3x one-bedroom flats, 2x two-bedroom flats, and 1x three-bedroom flat.
- 2.2 The proposal comprises of two separate single storey elements. The first extension would sit along the northern elevation of the building, fronting Grenade Street and would span the gap between the four storey sections of the existing building. The second element would sit above the south easterly most part of the building, fronting Salter Street.
- 2.3 The two elements would be similarly designed and articulated, to match the existing building, with hipped roofs. The new facades would be finished with yellow stock brick, grey cladding panels and grey framed windows. Each new flat would be provided with an in-set front facing balcony.
- 2.4 Five Sheffield cycle stands with a roof cover are proposed within the rear car park area. Additional refuse stores are also proposed in the same area, to accommodate refuse, recycling and food waste for the existing and proposed dwellings.

## **3. RELEVANT PLANNING HISTORY**

### **Planning Applications**

- 3.1 PA/96/00584: Redevelopment by the erection of a part three/part four storey residential building comprising 18 no. 1 bed and 2 no. 2 bed flats, with vehicular access to Rich Street,

car parking and landscaping. Former 5-11 Grenade Street, Salter Street, Rich Street, E14.  
Permit March 1997

### **Pre- application Advice**

- 3.2 PF/17/00080: Advice sought on a proposal for single storey roof extensions to the existing building to provide an additional 6 residential dwelling (consisting of 5x 2 bed and 1 x3 bed flat over second floor. Advice given July 2017.

## **4. PUBLICITY AND ENGAGEMENT**

- 4.1 Upon validation of the application, the Council sent out consultation letters to 277 neighbouring owners and occupiers.
- 4.2 A total of 37 letters of objection were received, from 26 responders. A petition with 61 signatories was also received, from residents of Compass Point, West Point, Cayman Court and Rich Street. The themes and issues raised in objection during this initial round of consultation are summarised as follows:

### Construction phase concerns

- Noise, disturbance, dust and disruption to existing and neighbouring occupiers
- Highways, traffic and parking issues
- Potential structural damage to the existing building
- Possible electricity, gas and water outages
- Potential delays in construction due to supply issues
- Loss of light and security due to scaffolding
- Loss of safe areas on site for play

### Operational phase concerns

- Pressure on parking within the site
- Concern with the removal of the roof causing rainwater damage.
- Fire risk from additional residents using stairwells and from cladding
- Loss of privacy
- Loss of daylight and sunlight
- Loss of outlook – onto new refuse area
- Noise travel through the building due to poor soundproofing
- Proposed cycle parking and waste storage would eat into landscaped area
- Strain on the communal areas of the building with additional residents

### Design

- Proposal out of character with the area
- Materials not properly specified and no GCI's submitted
- Loss of view from Cayman Court to the historical Grade I listed St Annes Church Limehouse

### Other

- Value of existing flats will decline
- Developer is seeking to increase revenue at the expense and inconvenience of residents
- No benefits to the community
- The new dwellings will not be affordable
- Waste storage already insufficient/ rodent issues
- No bike storage for existing residents
- Overpopulation leading to strain on local services and infrastructure

- Impact on CO2 emissions
- Increase in antisocial behaviour
- No consultation by applicant with the existing residents

4.3 The material planning considerations raised above are addressed in the main body of this report.

4.4 **In relation to the matters raised which are not material to the consideration of this application:** The impact of a proposal on the value of existing flats is not a material planning consideration. Consents other than planning permission would be required prior to construction, including Building Control Regulations which would cover with the structural integrity and safety of the building during construction. Concern has been raised regarding the fire safety of the proposal. The host building is not a 'relevant building' under planning gateway 1; and as such consideration by the Health and Safety Executive is not triggered. Nevertheless, the fire safety of the proposal and the materials used would be assessed under the Building Regulations consent process. St Anns Church lies some 200m north west of the site and the subject building does not lie within its setting. The loss of a private 'view' is not a material planning consideration. CGI's and other visual impressions are not validation requirements. All the necessary information has been provided with the application.

4.5 A re-consultation was carried out on 9<sup>th</sup> August 2024, in relation to amendments made during the course of the application, to the location of the proposed cycle parking and refuse stores. 277 neighbouring occupiers were reconsulted. A total of 13 additional letters of objection were received, from 8 responders. The letters did not raise any new issues, over and above those raised in relation to the initial consultation, which are referenced above.

## 5. CONSULTATION RESPONSES

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

### **Internal Responses**

#### Environmental Health (noise and vibration)

5.2 No objections. It is recommended that a condition restricting construction hours be attached, as well as a condition ensuring that the new units designed in compliance with sound insulation guidance.

#### Environmental Health (air quality - pollution)

5.3 No objections. A condition for the submission of a Construction Environmental Management Plan is recommended, to prevent dust nuisance and air pollution during construction. An Air Quality Neutral Assessment and details of mechanical ventilation should be secured via condition, to manage and prevent further deterioration if existing low-quality during the operational phase.

#### Waste Policy and Development

5.4 No objections. The proposal would provide sufficient refuse and recycling for the existing and proposed occupiers.

#### Transport and Highways

5.5 As amended, the proposed cycle parking would be conveniently located, accessible and sheltered. Given the constraints of the site, it is on balance acceptable.

5.6 The applicant is required to enter into a 'permit free' agreement, to ensure that new residents would not be entitled to on- street parking permits.

5.7 A Construction Management Plan should be provided and agreed with the LPA before commencement, to ensure there is minimal impact to pedestrians, vehicles and to the public highway.

## Design and Conservation

- 5.8 No objection to the size, scale or design of the proposal. The materials to be used in its construction should match those of the existing building, including the brick, balcony railings, windows, cladding and roofing. Full details of all materials to be agreed by condition prior to the commencement of works.

## **External Consultees**

### Environment Agency

- 5.9 No objection

## **6. RELEVANT PLANNING POLICIES AND DOCUMENTS**

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

- 6.2 In this case the Development Plan comprises:

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

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

### **Land Use – (residential)**

London Plan - H1

Local Plan – S.H1

### **Design and appearance (layout, townscape, appearance, massing)**

London Plan - D1, D3, D4, D5

Local Plan - S.DH1, D.DH2

### **Affordable Housing (small sites contribution)**

London Plan - D6, D7, H4, H10

Local Plan - S.H1, D.H2, D.H3

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

London Plan – D3, D6

Local Plan - D.DH8, D.ES9

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

London Plan - T2, T4, T5, T6, T6.1, T7

Local Plan - S.TR1, D.TR2, D.TR3, D.TR4

### **Environment (energy efficiency, noise, waste)**

London Plan – D14, SI 1, SI 3

Local Plan - S.ES1, D.ES2, D.ES3, D.ES9, D.MW3

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

- National Planning Policy Framework (NPPF, 2023)
- National Planning Practice Guidance (as updated)
- LBTH Reuse, Recycle and Waste SPD (2021)

- Central Area Good Growth SPD (2021)
- LBTH Planning Obligations SPD (2021)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- Building Research Establishment's Site Layout 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. Housing
- ii. Standard of Accommodation
- iii. Design and Appearance
- iv. Neighbouring Amenity
- v. Transport
- vi. Environment

### **Housing**

#### Provision of Housing

7.2 London Plan policy H1 sets a 10 year housing delivery target for Tower Hamlets of 34, 730 new homes. Part 2 of the policy states that local authorities must optimise the potential for housing delivery on all suitable sites, including sites with high PTAL ratings and small sites.

7.3 The proposed development would provide 6 additional homes on a site which has very good access to public transport. The proposal would optimise the potential for housing delivery on this sustainable site and would make a small but welcome contribution towards meeting this target. This is strongly supported.

#### Housing mix

7.4 Local Plan policy S.H1(2) states that development will be expected to provide a range of unit sizes, including family homes, to responds to local need. The councils preferred unit size mix (based on the Council's most up to date Strategic Housing Market Assessment, 2017) is set out in part 3 of Local Plan policy D.H2.

7.5 The table below sets out the proposed mix of unit sizes and the policy target. While the proposal does not fully comply with the councils preferred mix of unit sizes, only six homes are proposed here overall, so some deviation is to be expected. The layout of the development is also dictated to an extent by the constraints of the existing building. The proposal would provide a 3 bed family home, which is welcomed and overall the proposal would provide an acceptable mix of unit sizes.

	Number of units proposed	As a percentage	Policy Target
1 bed	3	50%	30%
2 bed	2	33%	50%
3 bed	1	17%	20%
total	6	100%	100%

Figure 1 – Proposed unit size mix

### Affordable housing

- 7.6 Local Plan Policies S.H1 and D.H2 state that developments providing 2-9 new homes are required to help to address affordable housing need in the borough through provision of a financial contribution, subject to viability through the submission of a Financial Viability Assessment. The policy is considered necessary as Tower Hamlets has a high housing need, a high housing target and a significant need for affordable housing.
- 7.7 A Financial Viability Assessment was submitted during the course of the application, which was scrutinised by Tower Hamlets Viability team. It was concluded that the development could viably provide a contribution of £280,135.99. The contribution obtained by this development is welcomed and would be used to provide affordable housing within the borough as part of the council’s affordable housing delivery programme.

### Standard of Accommodation

- 7.8 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings. London Plan standards require a minimum ceiling height of 2.5m so that new housing is of adequate quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space.

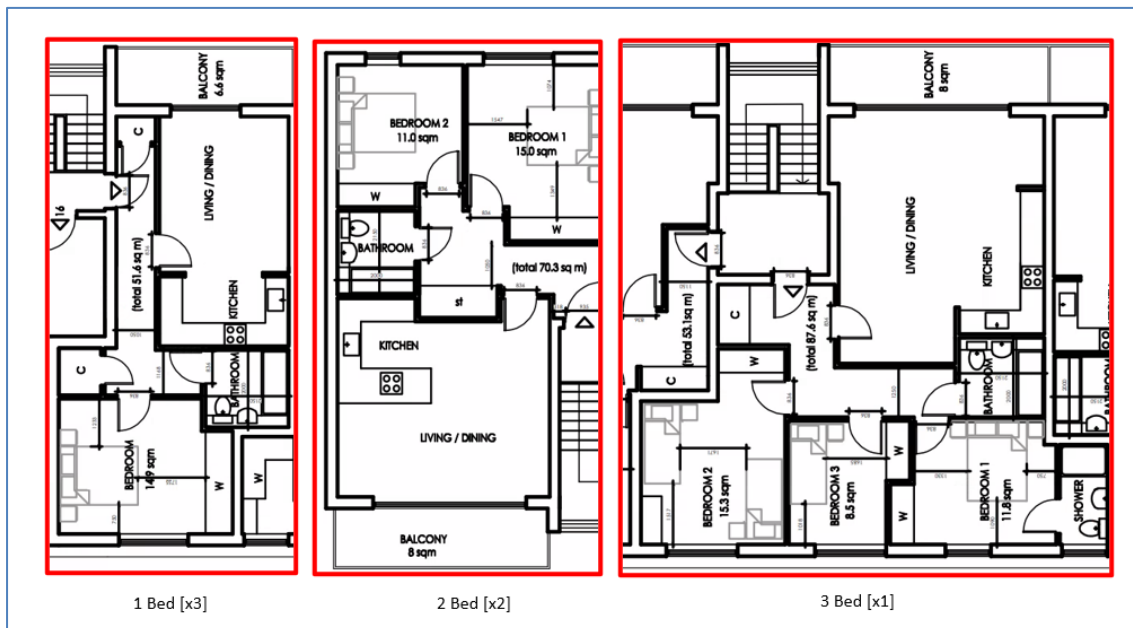


Figure 2 - Proposed typical unit layouts Page 31

- 7.9 Figure 2 shows the proposed layout of the flats. All 6 flats meet the required space standards, proposing 87.6sqm of internal floor space for the 3 bed, 5 person flat, 70.3sqm for both the 2 bed, 4 person flats and 51.6sqm, 53.1sqm and 50.6sqm for the three 1 bed 2 person flats. The floor to ceiling height for all the proposed flats would be greater than 2.5 metres. Each flat would be well laid out with windows to the front and rear; and with good levels of light, outlook, privacy and through ventilation. Access from the street would be via the existing entrances to the building and would utilise the existing stair cores. These entrances are visible from the street, safe and convenient.
- 7.10 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. The plans indicate that all 1 bed flats will have access to a private balcony of 6.6 to 8 sqm, and each 2 bed flat and the 3 bed flat would have access to 8sqm of private balcony space which meets the Local Plan requirements. Overall, the new dwellings would provide a good standard of accommodation for the future occupiers.

### **Design and Appearance**

- 7.11 Section 11 of the NPPF focuses on 'making effective use of land'. It states that planning decisions should support opportunities to use the airspace above existing residential premises for new homes. In particular, planning decisions should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed and can maintain safe access and egress for occupiers.
- 7.12 Policy S.DH1 of the Local Plan (2020) seeks to ensure development meets the highest standards of design and layout. Development should positively respond to its context by demonstrating appropriate scale, height, mass, bulk and form in its site and context; and represent good urban design by providing coherent building lines, roof lines and setbacks, complement streetscape rhythm and ensure optimal plot coverages to avoid over-development.

### Townscape, Massing and Heights

- 7.13 Figure 3 below shows the proposed single storey roof extension along the north elevation of the building. As can be seen, the extension would infill the gap between the existing four storey sections of the building. The extension would sit below the ridge height of these higher elements and would be set back from the main northern façade of the building, to allow for the inset balconies. Its sensitive massing and subordinate design ensure that it would be in keeping with the scale and form of the existing building; and with the height of the built form surrounding the site to the north.





Figure 3 - Existing (top) and Proposed (bottom) north elevations

7.14 Figure 4 below shows the proposed single storey roof extension to the south eastern section of the building. As can be seen, its height would match that of the existing 4 storey element at the north eastern corner of the building, creating a symmetrical effect. The extension would remain lower than the building adjoining the site to the south and significantly lower than the 30 storey tower directly to the east.



Figure 4 – Existing (top) and Proposed (bottom) east elevations

7.15 Overall, the proposal would be consistent with the prevailing height and form of neighbouring properties and the overall street scene; and is well designed, in compliance with NPPF section 11 and Local Plan policy S.DH1.

### Appearance & Materials

- 7.16 The proposed extensions have been carefully designed to incorporate architectural features of the existing building.
- 7.17 Each extension would have a hipped roof with slopes angles to match those of the existing building, finished with matching grey interlocked roof tiles. The proposed cladding would be a lightweight grey aluminium panel, to match the existing cladding on the fourth floor, which is considered to be of an acceptable in appearance and material
- 7.18 The proposed balcony doors would be similar in size to existing balcony doors found within the development and would be proportional with the second-floor windows. Full details of all materials to be used within the construction of the proposal would be required to be submitted to and approved by the local planning authority prior to the commencement of works, to ensure that the materials are high quality and in keeping with those used within the existing building.
- 7.19 In terms of landscaping, a strip of grass within the rear car park area would be replaced with hardstanding to facilitate the provision of bike storage. A small area of hedging and a tree would be removed to make way for the additional waste stores. The appearance of these waste stores would be subject to details secured by condition, to ensure that their appearance is high quality and complimentary to the existing brick built refuse stores.
- 7.20 Overall, and with the recommended condition, the proposal, by reason of its size, form, detailed design and materials, would be in keeping with the character of the building and the street scene, in compliance with NPPF section 11, London Plan policy D4 and Local Plan policy S.DH1.

### **Neighbouring residential amenity**

- 7.21 Policy D.DH8 of the Local Plan requires new developments to protect the residential amenities of existing buildings and their occupants. To this end development should maintain good levels of privacy and outlook, not result in any material deterioration of sunlight or daylight and ensure that there are no unacceptable levels of overshadowing to surrounding outdoor space. There should be no unacceptable exposure to odour, noise, fume or dust pollution during the construction and life of the development.

### Privacy, Enclosure & Outlook

- 7.22 The residential development at '1- 32 Rich Street' is approximately 13m to the north of Compass Point. There are windows in the south elevation of that block which would face the windows of the proposed extension. However, this relationship exists already in relation to the windows in the lower floors of Compass Point, where may already be an element of mutual overlooking. In addition, the south facing windows would maintain their open aspect to the west and east. Given these factors and the separation distance, there would no undue loss of privacy or outlook; nor any undue sense of enclosure to the occupiers of this block.
- 7.23 No other neighbouring properties would be adversely affected by way of outlook, privacy or enclosure. Given the location of the extensions above the existing building, the occupiers of the subject building would not be unduly affected by way of loss of privacy or outlook, or by way of sense of enclosure.

### Daylight and Sunlight

- 7.24 The submitted Daylight and Sunlight assessment tested the 12 south facing windows at 1- 32 Rich Street for daylight and sunlight. The results demonstrate that there would be some marginal losses of daylight to these windows, but that these losses would be well within BRE guidance tolerances. As such there would be no noticeable reduction in daylight to these rooms with the development in place. In relation to sunlight, the results demonstrate that windows at the lower levels would be subject to some loss of sunlight during the winter months,

but all windows would retain good annual sunlight levels. All the tested windows therefore pass the BRE test in relation to sunlight in this regard.

- 7.25 Given the location of the extensions away from other neighbouring windows and properties, there would be no undue loss of daylight or sunlight to any other neighbouring occupier or amenity spaces.
- 7.26 In relation to the occupiers of the existing building, the proposed extension would sit directly on top of the building and as such, would not lead to any undue loss of daylight or sunlight to existing windows. A concern was raised in relation to the location of the proposed refuse stores and their proximity to ground floor windows. It is noted that there are two existing refuse stores within the car park area of the development and the proposed refuse stores would sit adjacent to them. They would be modest in size and sit no closer to windows than the existing stores and would not result in any additional, undue loss of light to or outlook from these ground floor windows.

#### Construction and Operational Noise, Disturbance and Air Quality

- 7.27 The Council's Environmental Health officers have reviewed the application. No objections were raised subject to a condition which restricts the working hours of the construction activities.
- 7.28 It is acknowledged that construction activities will inevitably cause some short-term noise and disturbance, particularly in this case to occupiers of the existing building and also to the surrounding area and to neighbouring occupiers. Impacts relating to noise, disturbance, dust and traffic and parking would be mitigated and minimised, through the submission of a detailed Construction and Environmental Management Plan (CEMP), which would be scrutinised by the local planning authority prior to the commencement of any works. It would be a requirement that the agreed CEMP be followed for the entirety of the construction phase of the development.
- 7.29 In relation to operational impacts for the existing residents of the subject block, the design of the proposal means that the six proposed flats would be served by four of the existing stair cores. Therefore the additional use of individual stair cores would be minimal and well within London Housing Standards guidance relating to number of units per core. Sound insulation within the new flats would mitigate undue sound travel through the building.

#### **Transport**

- 7.30 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.

#### Car Parking

- 7.31 Tower Hamlets Local Plan policy D.TR3 requires all new dwellings to be permit free.
- 7.32 The proposal supports sustainable transport objectives and would be a car free development, in line with local plan policy, and this will be secured through a legal agreement.

#### Cycle Parking and Facilities

- 7.33 Cycle parking would be provided within the rear car park area, on what is an existing narrow grassed area close to the entrance gate on Rich Street. A hardstanding surface would be provided and a total of 5 Sheffield cycle parking stands installed, along with a cover, full details of which would be secured by condition. It is noted that the existing flats do not benefit from any cycle parking facilities currently on site. The proposed cycle parking spaces would be available on a first come first served basis for both the existing and proposed occupiers. Whilst it would be preferable for the proposed cycle parking to be in a secure, indoor space, the constraints of the site are such that there is no space for such a facility. In these circumstances, the proposed quantity and quality of provision is considered appropriate and acceptable.

### Demolition and Construction

- 7.34 The applicant would be required to provide a Construction Management Plan as part of a pre-commencement condition, to ensure there is minimal impact to pedestrians, vehicles and the public highway from the construction of the development.

### **Environment**

#### Waste

- 7.35 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.36 The existing refuse stores are located in the rear car park area. As proposed, additional stores would be provided to accommodate for refuse, recycling and food waste. The proposed 6x flats would require 615L for waste and 480L for recycling as per policy requirements. The proposed waste store would provide for 6x 1100L Eurobins, 4x 1100L recycling bins and 2x 240L waste bins. The proposal would provide for sufficient capacity for both the existing (44) flats and proposed (6) flats within the development. Waste collection would take place within the existing arrangements for the building.

#### Infrastructure Impact

- 7.37 Local residents have raised concerns that the development will lead to an increased pressure on local services and infrastructure. The pressure on services caused by this development would be limited given its size. Nevertheless, the development would be liable for the Community Infrastructure Levy (CIL), which is a planning charge that helps fund the infrastructure needed to support new development. This would ensure that the development pays for the infrastructure it uses, such as school, roads and parks.

### **Human Rights & Equalities**

- 7.38 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.
- 7.39 There will be short term impacts of the construction which are acknowledged, but given their short term implications, these are not considered to raise any human rights of equalities implications. The development does provide a number of benefits such as delivering much needed housing in the borough as well as a monetary contribution towards the delivery of affordable housing in the borough.
- 7.40 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **8. RECOMMENDATION**

- 8.1 That **planning permission is GRANTED** subject to conditions and the prior completion of a legal agreement to secure the following planning obligations:

### **8.2 Financial obligations**

- £280,135.99 small sites contribution to Affordable Housing in the borough

### **8.3 Non-financial obligations:**

- Car Free agreement

- 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. Refuse storage in place prior to occupation
4. Cycle storage in place prior to occupation
5. Sound insulation for the new residential units
6. Air quality standards for boilers
7. 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.

### Pre-commencement

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

8. Construction Environmental Management and Logistics Plan
9. Details of materials including cycle store and refuse stores
10. Air Quality Neutral Assessment
11. Plant and Machinery – NRMM
12. Mechanical Ventilation System details for the residential units

## 8.7 Informatives

1. Permission is subject to legal agreement
2. CIL liable

## **APPENDIX 1**

### **LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL**

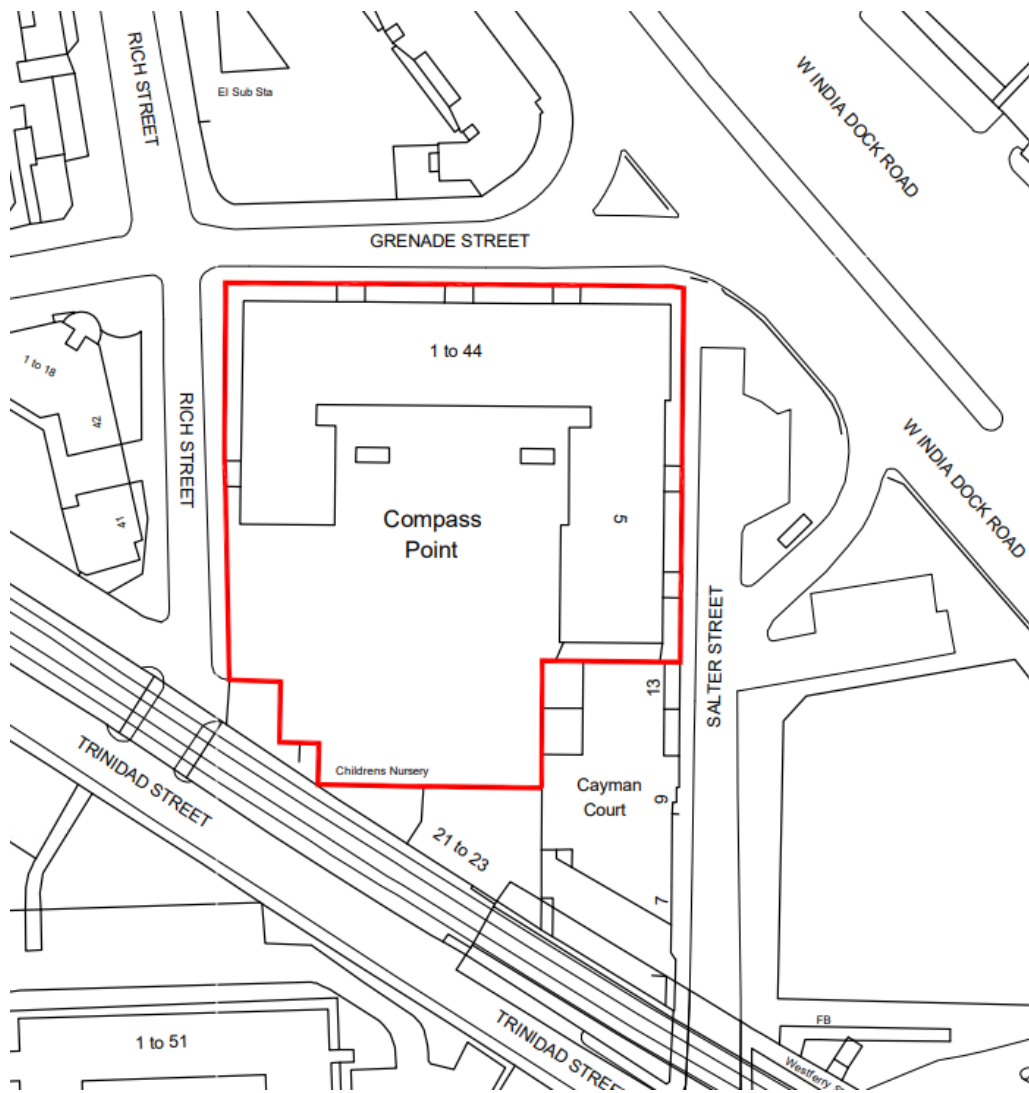
1707/210F - Proposed Site Plan  
1707/221A - Proposed Landscape Plan  
1707/217B - Proposed West and East Elevations  
1707/219A - Proposed East and West Inner Elevations  
1707/214A - Proposed 3rd floor Plan  
1707/211 - Proposed Ground Floor Plan  
1707/212 - Proposed First Floor Plan  
1707/219 - Proposed East and West Elevations  
1707/218 - Proposed Context Elevations  
1707/215 - Proposed Roof Plan  
1707/216 - Proposed North and East Elevations

1707/010 - Location Plan  
1707/011 - Block Plan  
1707/110B - Existing Site Plan  
1707/121 - Existing Landscape Plan  
1707/111 - Existing Ground Floor Plan  
1707/112 - Existing First Floor Plan  
1707/117 - Existing South and East Elevations  
1707/113 - Existing Second Floor Plan  
1707/114 - Existing Third Floor Plan  
1707/115 - Existing Roof Plan  
1707/116 - Existing East and West Elevations

Planning, Design and Access Statement dated October 2022  
Daylight, Sunlight and Overshadowing Assessment dated October 2022  
Waste storage Document  
Flood Risk Assessment dated January 2023

**APPENDIX 2**

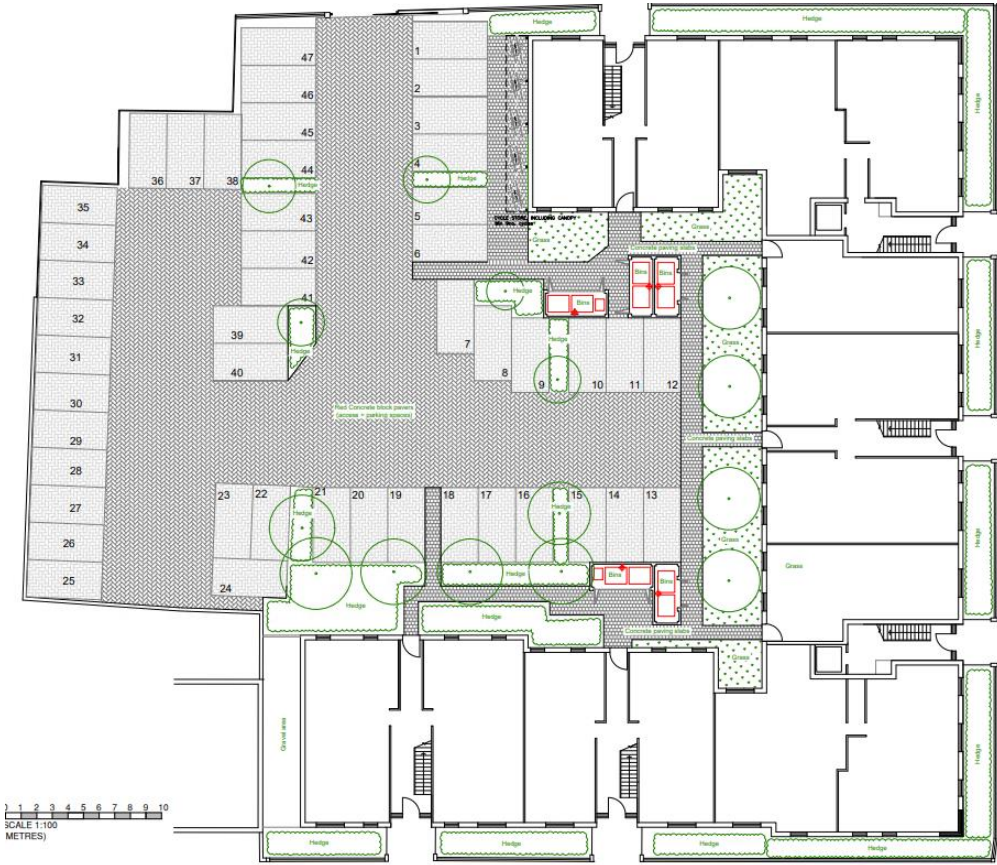
**SELECTION OF APPLICATION DRAWINGS**



**Site Location Plan**

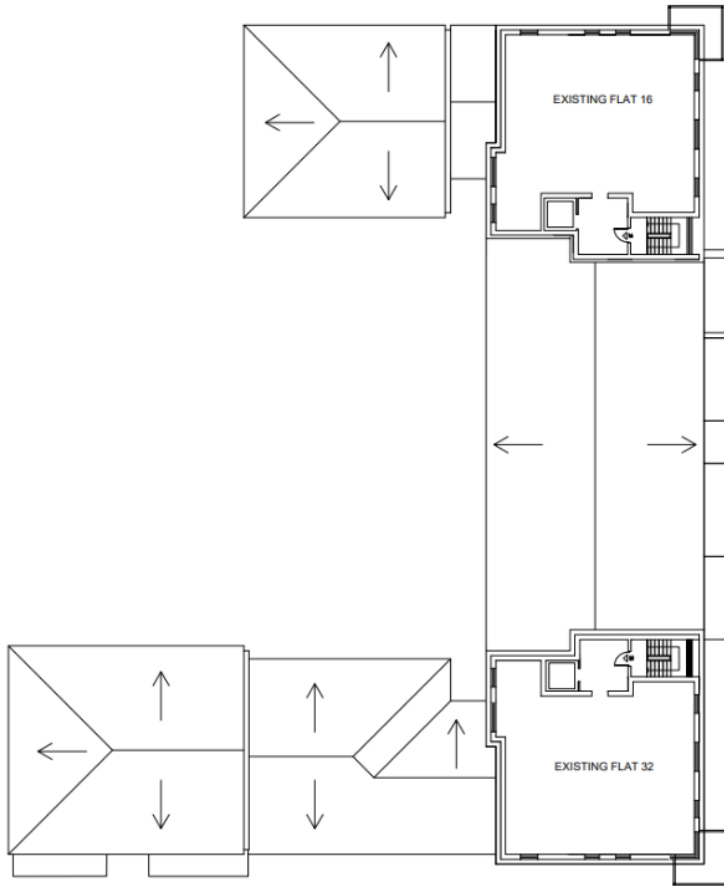


**Existing Landscaping Plan**

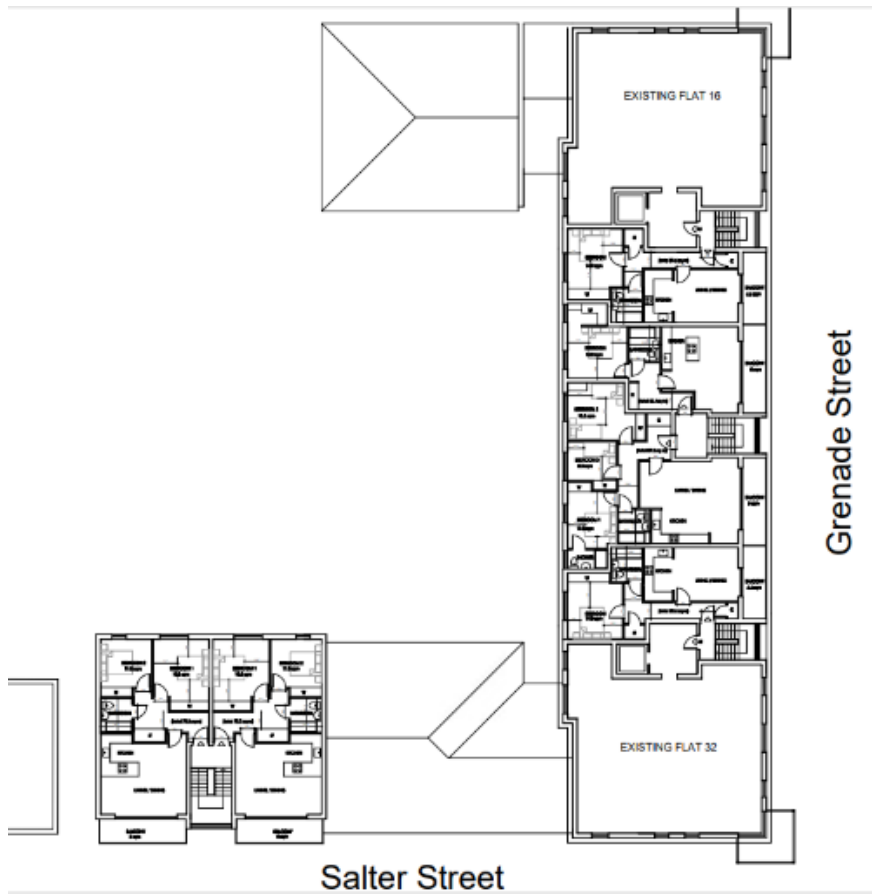


**Proposed landscaping plan**

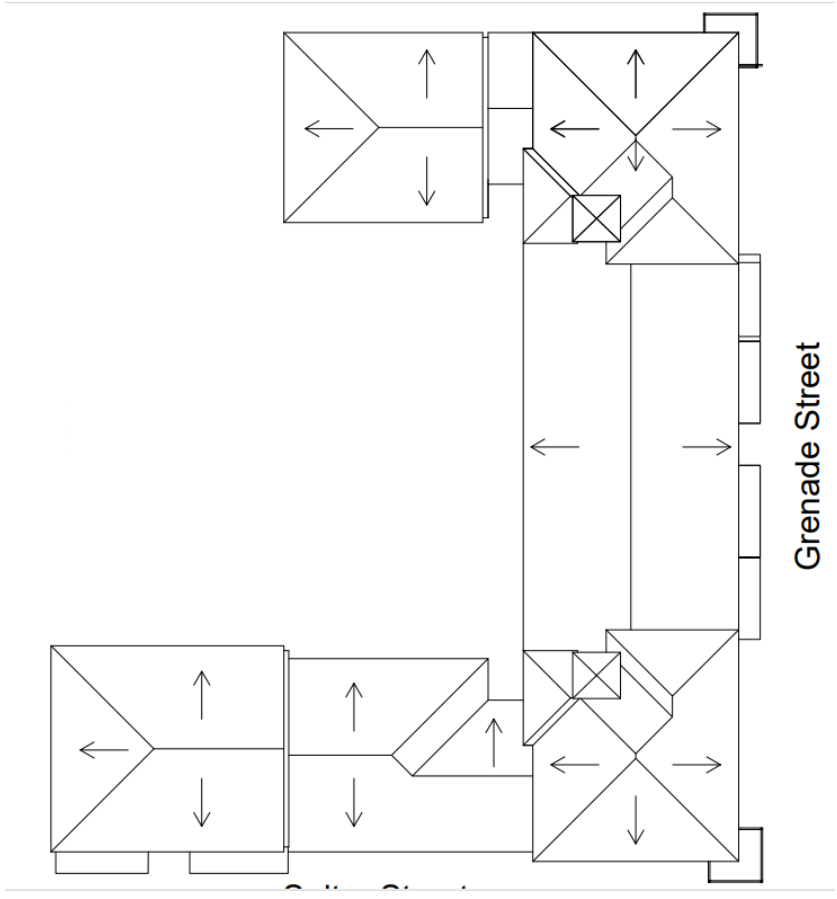




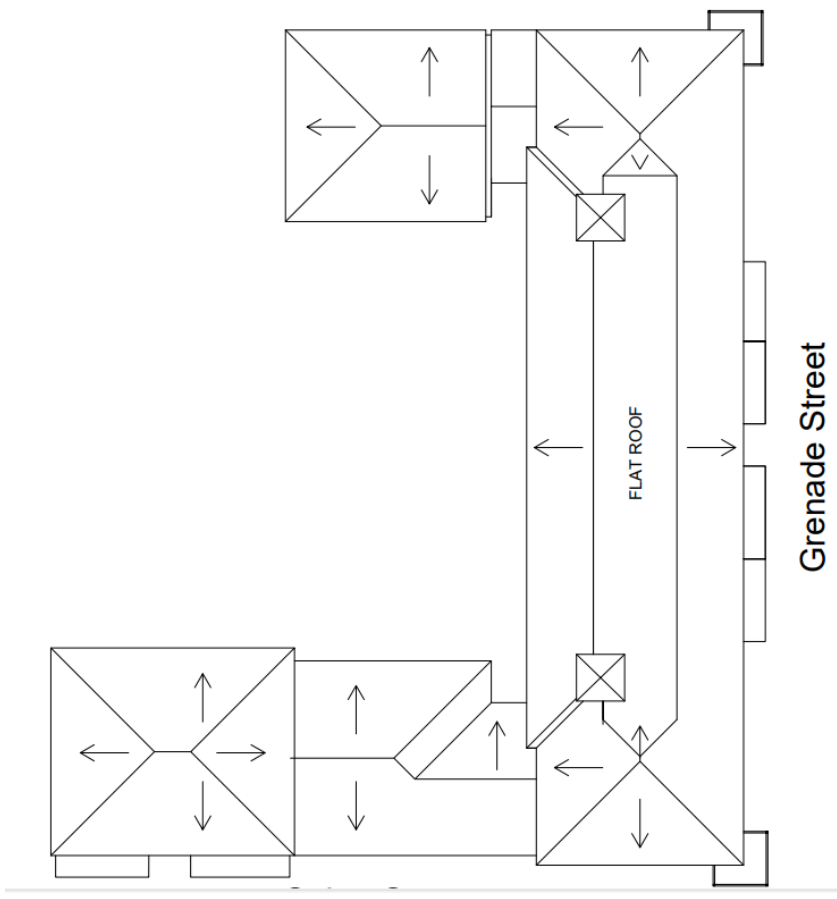
**Existing Third Floor Plan**



**Proposed Third Floor Plan**



**Existing Roof Plan**



**Proposed Roof Plan**



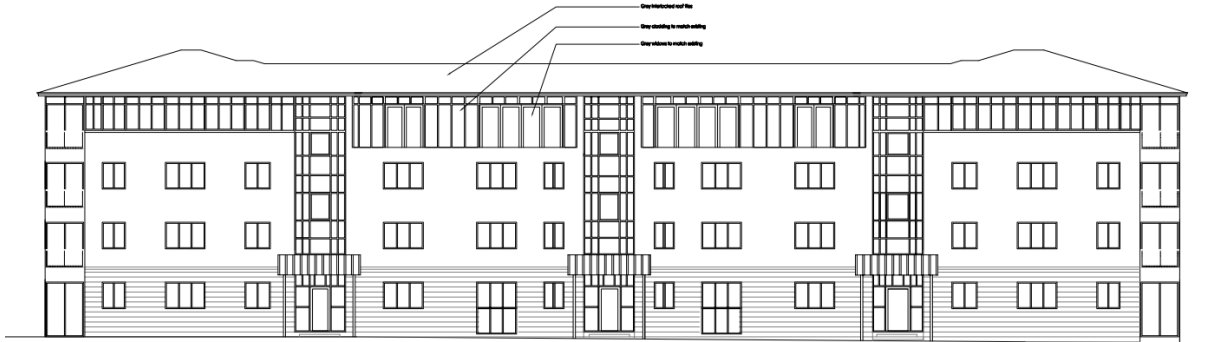
**Existing East Elevation**



**Proposed East Elevation**



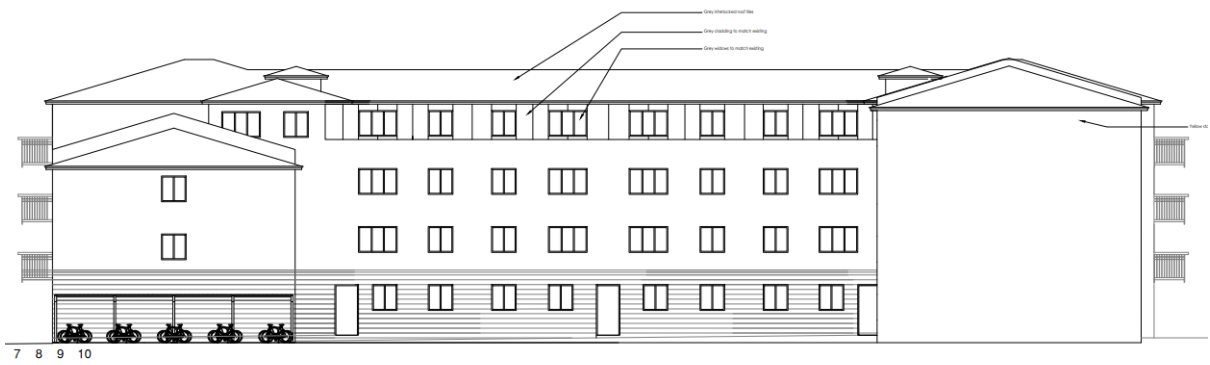
**Existing North Elevation**



**Proposed North Elevation**



**Existing South Elevation**



**Proposed South Elevation**

**APPENDIX 3: EXISTING SITE PHOTOS**



**Aerial View**



**Looking into the rear park area from Rich Street**



**The rear park area from Rich Street**



**Northern elevation of building from West India Dock Road**



**Eastern elevation of building from West India Dock Road**





## DEVELOPMENT COMMITTEE

05 September 2024

Report of the Corporate Director of  
Housing and Regeneration

Classification: Unrestricted

### Application for Planning Permission

[click here for case file](#)

<b>Reference</b>	PA/24/00568/A1
<b>Site</b>	Empson Street Industrial Estate, Empson Street, E3
<b>Ward</b>	Bromley South
<b>Proposal</b>	<p>Demolition of existing buildings and structures, and the redevelopment of the site to provide flexible industrial floorspace (Use Class E(g)(ii)/E(G)(iii)/B2/B8), with ancillary offices, central yard space, landscaping, and other associated works.</p> <p>Retention, refurbishment and change of use of the MOT garage to provide flexible industrial floorspace (Use Class E(g)(ii)/E(G)(iii)/B2/B8) and a circular economy hub.</p> <p>This application is accompanied by an Environmental Impact Assessment.</p>
<b>Summary Recommendation</b>	Grant planning permission with conditions and s106 obligations
<b>Applicant</b>	Fabrix London Ltd
<b>Architect/agent</b>	Gerald Eve LLP / Haworth Tompkins
<b>Case Officer</b>	Oliver Cassidy-Butler
<b>Key dates</b>	<ul style="list-style-type: none"><li>- Application registered as valid on 03/04/2024</li><li>- Public consultation finished on 09/06/2024</li></ul>

## EXECUTIVE SUMMARY

The application seeks full planning permission for the demolition of existing buildings and structures, and the redevelopment of the site to provide flexible industrial floorspace (Use Class E(g)(ii)/E(g)(iii)/B2/B8), with ancillary offices, central yard space, landscaping, and other associated works.

The application also includes the retention, refurbishment and change of the site's existing MOT garage to provide flexible industrial floorspace (Use Class E(g)(ii)/E(g)(iii)/B2/B8) and a circular economy hub.

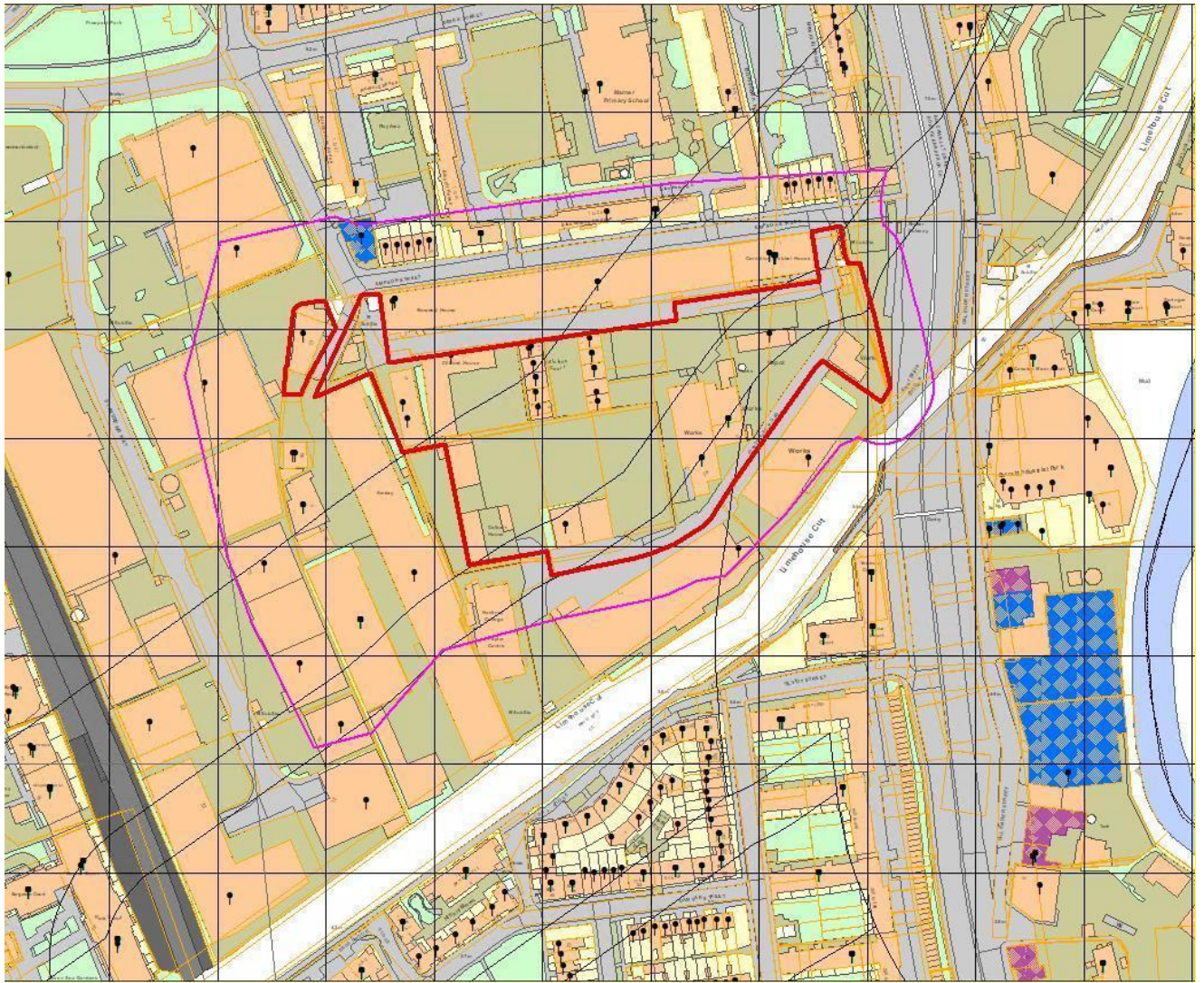
The proposed flexible land uses are consistent with those designated appropriate for London's Strategic Industrial Locations. Furthermore, the intensification of said uses is further supported in accordance with policies GG2 and E5 of the London Plan (2021), and policy D.EMP2 of the Local Plan (2020).

The project would provide 11,964sqm of employment floorspace. Of which , it is proposed that 1,198sqm would be delivered as affordable workspace, meeting the minimum provision of at least 10% of all workspace being affordable, in accordance with policy D.EMP2. The subsidised rate will be secured for a period of not less than 10 years, by way of a S106 agreement, in accordance with the LBTH Planning Obligations SPD.

The application proposes to introduce a Circular Economy Hub (CEH) to the existing MOT building. The CEH will be located within one of the two ground floor units (Unit 2), which measures approximately 122sqm (GIA). It will be serviced by a private yard to the rear of the unit, measuring approximately 84sqm.

As part of the application, it has been agreed that the Circular Economy Hub will be delivered with no rental cost to the final managing organisation, for a period of no less than 10 years. This planning benefit will be secured by s.106 agreement with the Local Planning Authority and represents an important planning benefit which will support the occupation of continued viability of the Circular Economy Hub. Not only is it envisaged that this would support local business present within the borough, but it will also help to reduce the quantum of waste products created each year.

The application is supported by an Environmental Impact Assessment. The scheme will, if permitted, have minor impacts upon the Local Transport for London Road Network (TLRN) , as well as existing active travel routes, that exist with the local area, specifically, the Limehouse Cut Tow Path. s.106 obligations have been secured to mitigate the impacts of the development, which will serve to promote and improve pedestrian and cycle access to the site, and thus reduce the development's overall impact upon the local environment.



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<ul style="list-style-type: none"> <li><span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> Planning Application Site Boundary</li> <li><span style="border: 2px solid pink; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> Other Planning Applications</li> <li><span style="border: 2px solid magenta; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> Consultation Area</li> <li><span style="display: inline-block; width: 0; height: 0; border-left: 5px solid transparent; border-right: 5px solid transparent; border-bottom: 8px solid black; margin-right: 5px;"></span> Land Parcel Address Point</li> <li><span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> Locally Listed Buildings</li> <li><span style="background-color: lightpurple; border: 1px solid black; display: inline-block; width: 20px; height: 10px; margin-right: 5px;"></span> Statutory Listed Buildings</li> </ul>	<h3>Planning Applications Site Map</h3> <h4>PA/23/00568</h4> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	<p>London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 8<sup>th</sup> August 2024</p>

## 1. SITE AND SURROUNDINGS

- 1.1 The application site comprises approximately 19,250 sqm (4.7 Acres) of industrial use land, located within the east section of the Empson Street Strategic Industrial Location. It is bounded by; Empson Street and Empson Street Studios, to the north; The A12 (Blackwall Tunnel Northern Approach) to the east; Towcester Road, inclusive of 4 and 4a Towcester Road (Bow Bunker), Scorpio House and 17 Towcester Road (Appleton and Sons Ltd), as well as the Lime House Cut, to the South East and South of the Site. 1 Towcester Road (occupied by the Limehouse Art Foundation), and the rear of a series of vacant warehouses located on Brickfield Road to the west; as well as the rear of several large warehouses situated on 7 St. Andrews Way.
- 1.2 The application site comprises of a number of low-rise, dilapidated industrial buildings, many of which are vacant. The existing buildings situated within the application site provide 6,042sqm GIA industrial floorspace; with a low-density plot ratio (amount of the site occupied by buildings) of approximately 32%. In the northwest corner of the site lies an unoccupied former MOT centre, which the current application seeks to retain.
- 1.3 The application site is neither locally nor statutory listed. It does however sit adjacent to the Limehouse Cut Conservation Area, which includes the Limehouse Cut's canal system, a row of disused warehouses, and Limehouse Arts Foundation, which run adjacent to the west edge of the application of the site.
- 1.4 Although no locally or statutory buildings are included within the site, it is noted that the Grade II Listed Building, *Dowgate Wharf P B Burgoyne and Company Limited Warehouse*, is situated approximately 126m to the south east of the site; which sits adjacent to a series of locally listed buildings which populate Gillender Street. Additionally, to the north of the site by approximately 35m lies the Locally Listed Beehive Public House.
- 1.5 The application site falls within the Empson Street Strategic Industrial Location (SIL). This designation plays an important sub-regional industrial, warehousing and waste management role serving not just the borough but other parts of central London. Housing is not suitable in this location due to potential conflict with existing and future industrial uses.
- 1.6 The site achieves a PTAL (Public Transport and Accessibility Level) rating of 3-4; which is moderate to good, on a scale from 0-6b where 0 is very poor access to public transport, and 6b is excellent access to public transport.
- 1.7 To the south of the site lies the Limehouse Cut, which forms a Site of Importance for Nature Conservation (SINC). Additionally, it should be noted that the site sits within the Tower Hamlets' Green Grid Buffer Zone.
- 1.8 The site is within the designation of; CIL Zone 3, Flood Zone 1. Additionally, the east side of the site falls within the borough's designated area of poor air quality.

## 2. PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of existing buildings and structures, and the redevelopment of the site to provide flexible industrial floorspace (Use Class E(g)(ii)/E(g)(iii)/B2/B8), with ancillary offices, central yard space, landscaping, and other associated works.

The application also includes the retention, refurbishment and change of the site's existing MOT garage to provide flexible industrial floorspace (Use Class E(g)(ii)/E(g)(iii)/B2/B8) and a circular economy hub.

- 2.2 The proposals can be split into two broad sections. The first consists of two main industrial blocks, arranged in two linear wings around a central shared yard. The two banks of warehouses will run along a east-west axis, and provide a total of 10 individual units of varied sizes. Each unit would be provided with its own demised loading area, to be accessed from within the centralised shared yard, suitable for white van, 10m rigid trucks and cargo bikes, with operational parking and accessible parking bay.

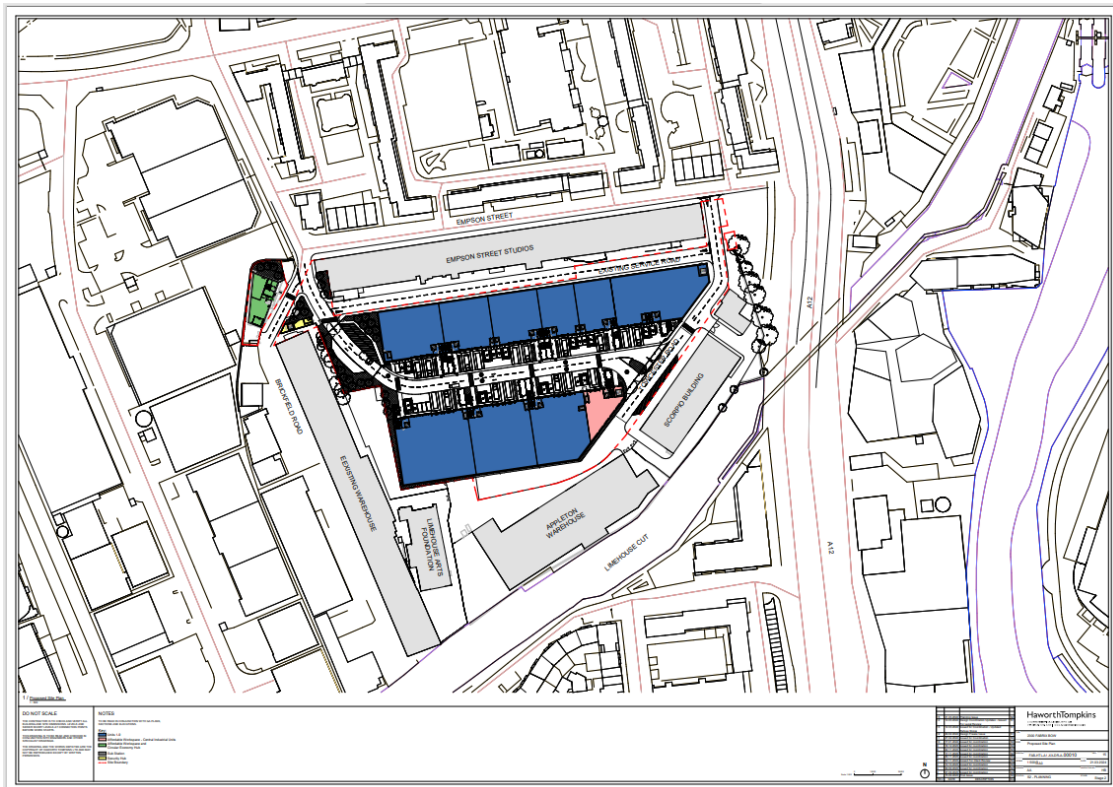


Figure 1.1: Proposed site plan

- 2.3 The second section pertains to the north-west corner of the site, which contains the former MOT centre. The proposals seek to retain and refurbish the existing building, so that it may be purposed as a site for affordable workspace, and a circular economy hub too.
- 2.4 Within the warehouse units, workspace will be arranged over two levels (ground and mezzanine) for units 1-9, and over three levels in unit 10. The size of the units is outlined below in Table 1.1 below:

Block	Unit	Total Proposed NIA (Including Mezzanine)	
		(sqm)	(sqft)
North Block	Unit 1	1,130	12,163
North Block	Unit 2	913	9,827
North Block	Unit 3	913	9,827
North Block	Unit 4	683	7,352
North Block	Unit 5	683	7,352
North Block	Unit 6	1,525	16,415
South Block	Unit 7	1,824	19,633
South Block	Unit 8	1,532	16,490
South Block	Unit 9	1,352	14,553
South Block	Unit 10	1,009	10,861
<b>TOTAL</b>		<b>11,564</b>	<b>124,474</b>

Table 1.1: Unit sizes provided within industrial warehouse units.

- 2.5 Within the MOT Centre, it is proposed that the building be separated into 4 units. Units 1, 3 and 4 will be provided as affordable workspace. Unit 2 will be provided as a circular economy hub. The size of units is outlined below in table 1:2 below:

Room Name	Total Proposed GIA	
	(sqm)	(sqft)
Unit 01	78	840
Unit 02	122	1,313
Unit 03	17	183
Unit 04	15	161

Table 1.2: Unit sizes provided within the MOT Building.

Additionally, it is noted that a small security cabin is proposed to be located in the north west corner of the site, immediately to the south east of the MOT Building. The Security building will measure 4.2m (width) x 19.5m (length) x 3.3m height. It will feature signage with place branding on its rooftop. This signage will stand to a

maximum height of 4m (above roof level). Although tall, the signage is slender in appearance.

## **RELEVANT PLANNING HISTORY**

### ***Planning History relevant to the application site***

- 3.1 The site comprises of many individual buildings and units and thus has an extensive planning history. For this reason, officers have summarised the site's planning history to showcase only those applications which are deemed relevant to the current application, below.
- 3.1 PA/23/02407: Request for an 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 comprehensive redevelopment of the site to include demolition of a majority of buildings on site and site enabling works, and development of flexible industrial facilities approximately 11,000sqm GEA (Use Class B2/B8/E(g)(iii)) comprising of approximately 8-10 industrial units arranged in 2 blocks with flexible internal layouts, retention and reuse of former MOT garage of approximately 350sqm GEA for community uses, flexible and affordable workspaces, potential circular economy hub, potential site management and security offices. | Empson Street (Bromley by Bow Industrial Park), London, E3 3LT. Scoping Opinion Issued – 07 December 2023.
- 3.2 PA/12/02972: Internal and external alterations for the division of the existing building into 24 workshop/studios (non-residential) with ancillary office and storage space, and external alterations for alterations to windows, doorways and alterations to external stairs. | 1 Empson Street, London, E3 3LT. Permitted – 23 January 2013.
- 3.3 PA/05/00050: Partial redevelopment of site to create 4 units (Class B2) and a cement colourant plant. | Unit 1 Lusty Industrial Est Empson Street and 3 Towcester Road, Empson Street, London, E3 3LT. Permitted – 05 April 2005.
- 3.4 PA/03/01434: Creation of an additional floor and the division of the building into 8 separate units each providing workshop space with ancillary office and storage space, changing the use of the building from warehouse (B8) to light industry (B1). | 1 Empson Street, London, E3 3LT. Permitted – 21 November 2003.
- 3.5 PA/03/00545: Change of use and conversion of the ground and first floor warehouse and office accommodation 8 live/work units. | 1 Empson Street, London, E3 3LT. Refused – 27 May 2003.
- 3.6 PA/01/01050: Demolition of existing brick built office to provide for a temporary two storey office building at first floor with parking below and a new vehicle access. | Unit 1, Lusty Industrial Estate, Empson Street, London, E3 3LT. Permitted – 20 September 2001.
- 3.7 PL/89/00122: Refurbishment for light industrial and warehousing purposes with ancillary showroom and office accommodation. | 1 Empson Street, London, E.3. Withdrawn by Applicant – 21 September 1990.
- 3.8 PL/88/00041: The installation of a asbestos waste skip container and decontamination units. | Clifford House Towcester Road London E3. Permitted – 02 December 1998.

- 3.9 PA/87/00846: Erection of 12 general industrial units. | 1 Empson Street, London, E3 3LT. Permitted – 04 July 1998.
- 3.10 PA/86/00870: Redevelopment to provide ten individual units and ready mix concrete depot. | 1 Empson Street, London, E3 3LT. Permitted – 23 August 1988.
- 3.11 PL/86/00001: The redevelopment to provide ten individual units and ready mix concrete depot. | 1 Empson Street, London, E3 3LT. Permitted - 23 August 1988.
- 3.12 PA/86/00741: Use of the site for the storage and distribution of industrial air products and erection of a single storey filling shed and portakabin office. Permitted – 13 May 1986.

***Planning History relevant to the local setting***

- 3.13 PA/24/00974: Redevelopment of the site to provide a building comprising a self-storage facility (Class B8), together with associated car and cycle parking, refuse storage, landscaping and access arrangements. | 4 and 4A Towcester Road, London, E3 4ND.

***Pre-application advice meetings, relevant to the current application***

- 3.14 PF/23/00104: The application proposes to redevelop the site to provide a creative light-industrial campus. The proposals can be split into two primary sections.

The first relates to the centralised industrial units, comprising of two rows of industrial warehouses, positioned on opposing sides of a centralised access route. The warehouses will be split to provide 9 units and approximately 11,770sqm GEA (including mezzanine level).

The second section of the site pertains to an existing former MOT garage, positioned within the site's north-west corner. It is proposed that the existing structure be retained and further developed to provide approximately 350sqm GEA of affordable workspace and a circular economy hub.

- 3.15 *Officer's response:*

The proposals have continued to develop in a positive manner. The proposed redevelopment of the Empson Street Industrial Site to provide a creative campus, which provides a mixture of light industrial, and employment uses, alongside a circular economy hub are supported.

The proposals are well considered and of a high standard of design. Further work is required to ensure that the landscaping strategy and biodiversity improvements are optimised. Likewise, the proposed waste management and transport strategies are progressing well, and do not pose any major concerns at this stage in time.

The contribution of affordable workspace does require further consideration. At present we are not convinced by the intent to concentrate the affordable workspace across three floors in Unit 09, in a manner which would not be replicated elsewhere within the development. Furthermore, you are advised to reconsider the rate of discount provided and the length of time for which it is proposed. With consideration for the redevelopment of the Aberfeldy Estate, local business will be presented with alternative low-cost affordable workspace, and thus to ensure the site's competitiveness you are encouraged to meet said rate of discount.



#### **4. PUBLICITY AND ENGAGEMENT**

4.1 The Council notified 334 neighbouring owners/occupiers by post. The application was also publicised online and in the local press.

4.2 Two Site Notices were published on 09 May 2024. One Site Notice was posted at the east entrance to the Empson Street Industrial Site, and the second was posted at the western entrance.

4.3 A total of 6 letters of representation were received in response to the proposals. 5 letters were received in support of the proposals, and 1 was received in objection.

4.4 Below is a summary of representations received from the public, in support of the proposals:

- If traffic is properly managed on Empson Street, the industrial development should uplift the area.
- The community has been properly consulted throughout, and engagement should continue if permission is granted.
- The proposals would be a massive improvement to existing factory setting with broke down infrastructure. Hopefully it improves the areas outlook and liveability for local residents.
- The proposals will if permitted improve the aesthetic quality and character of the local area.

4.5 Below is a summary of representations received on behalf of Poplar HARCA:

- Having attended the applicant's consultation events and having viewed the plans, Poplar HARCA support the current proposals.
- The introduction of a new, flexible, best in class industrial campus aimed at startup businesses and with workshops, maker spaces and studios will be a welcome addition to the area and would significantly improve the Empson Street site.
- The inclusion of affordable workspace will positively contribute to local employment.

4.6 Below is a summary of representations received in objection of the proposals:

- Concerns are held that the construction phase of development may result in disruption, lasting up to 2 years, which would prevent access for businesses located to the south of Empson Street Industrial Estate, along Towcester Road.
- Any disruption to the existing 24 hour-a-day access arrangements to the site would adversely affect local businesses.

#### **5. CONSULTATION RESPONSES**

##### **External Consultees**

### **Cadent Gas**

- 5.1 No objections. Informative must however be attached should consent be granted.

Cadent Gas Ltd own and operate the gas infrastructure within the area of the development. There may be a legal interest (easement and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

### **Canal and River Trust**

- 5.2 The proposed development would be a little way from the Trust's waterways, would not have direct impact.

It is however noted that the Transport Assessment identifies the Limehouse Cut towpath as a green space within walking distance from the site, which also provides a car-free walking and cycling route.

- 5.3 The site is within the Green Grid Buffer Zone in Tower Hamlets Local Plan Policies Map, and paragraph 13.46 of the Local Plan "Development sites located adjacent to or in close proximity to the green grid (i.e. within the Green Grid Buffer Zone, (as shown on the Policies Map) – including the Lee Valley Regional Park, Lea River Park, Thames Path Nation Trail and canal towpaths – will be required to contribute to linking and improving the connectivity of green grid links in accordance with Green Grid Strategy and the May of London's All London Green Grid Supplementary Planning Guidance.

The application form states that the number of employees on the site will increase from 55 to 232 full time equivalent, and it is likely, particularly given that parking spaces are to be reduced on site from 26 to 14, that many employees will travel to the site via walking or cycling along the local towpath network or make use of this local amenity during breaks.

The Canal & River Trust consider that £60,000 would be a reasonable contribution towards local towpath works to support active travel to and from the development, and to mitigate the impacts of additional users.

### **GLA**

- 5.4 No comments provided.

### **Historic England - GLAAS**

- 5.5 The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluations being undertaken prior to determination, in this case consideration with the nature of the development, the archaeological interest and/or practical constraints are such that officers consider that a two-stage archaeological condition could provide appropriate safeguard.

### **LLDC**

- 5.6 No comments provided.

### **LFB**

- 5.7 London Fire Brigade note that access is provided >15% of the respective elevation as recommended under BS 9999 2017. Please ensure that all parts of the 15% perimeter proposed for each commercial unit is within 18m of the fire appliance parking position, with pedestrian access to a door giving access to the interior of the building. Reference should be made to clause 21.2 and Figure 26 of BS 9999: 2017.

### **Natural England**

- 5.8 No objection.

### **TfL**

- 5.9 No objections, having received further clarification from the applicant team. Conditions and s.106 obligations should however be secured, should planning permission be granted. Further details outlined below.

### Site description

The site is to the south of Empson Street and is bounded to the north, west and the south by other industrial uses, and to the east by public realm adjacent to the A12. The nearest section of the Transport for London Road Network (TLRN) is the A12 Blackwall Tunnel Approach Road which is accessed via Devas Street / Twelvetreets Crescent approximately 400 metres from the main highway access to the site.

The closest stations are Devons Road on the Docklands Light Railway (DLR), approximately 300m to the west of the site and Bromley-by-Bow on the District / Hammersmith & City line approximately 350m north of the site. There are two bus stops within walking distance of the site, on A12 and Devas Street, served by the D8 and 323 services respectively. The D8 southbound stop is accessed by a subway below the A12. The site records public transport accessibility levels (PTALs) of 3-4 on a scale 0-6b, where 6b is the highest. A Mayor of London cycle hire docking station is 400m to the north of the site.

### Trip generation and mitigation

The majority of all vehicles, and all HGVs are predicted to access the site along Devas Street where there is a link onto the A12 providing access for vehicles (pedestrian and cycle connectivity is addressed below).

The majority of traffic would access the site via A12 rather than the immediate local road network, which helps ensure that impacts on local highways would be limited, however impacts on Empson Street and Devas Street to improve conditions for all users would be supported, and where physical works should be secured through a S278 or other appropriate planning mechanism.

The trip generation profile for the operational use shows that trips are expected across the day, rather than in a tidal AM / PM peak pattern, the most intensive period for vehicle trips would be during the middle of the day. The assessment shows that would be a net trip generation increase:

- AM 3 hour = +90 (out of 663) two way trips by car driver / passenger and motorbike
- PM 3 hour = +62 (out of 479) two way trips by car driver / passenger and motorbike

The effect on Devas Street for example has +33 in the AM 3 hour peak and +23 in PM 3 hour peak, on top of 2030 future base respectively 2,522 and 3,168, so an increase of +2.6% and +1.4%.

Although the applicant considered that this a “very minor increase in traffic flow as a proportion of the future baseline traffic” and in line with typical daily variations in traffic flows, there will be a cumulative impact from this, and other emerging and live sites (e.g. Teviot Estate to the south), where mitigation needs to be secured to promote active travel and to avoid significant impact on local and strategic highway networks.

TfL considers that mitigation towards local connectivity should be prioritised from this site rather than a mitigation towards potential significant highway interventions which will need to continue to be assessed and secured in the A12 corridor. There are potential improvements to local connectivity which form part of wider approach to west-east strategic connectivity which should be addressed in line with London Plan policy and emerging Leaside AAAP Policy. The Devas Street / Twelvetrees Crescent highway axis does have very limited pedestrian and cycle provision, and west-east pedestrian and cycle routes need to use other routes and north-south routes promoted to avoid the A12. There are two particular potential connectivity interventions relevant to this site, besides any other locations which Tower Hamlets may be aware of on the local highway network.

1. Empson Street A12 Subway. The ATZ assessment did not include this subway, which is the nearest to the site and would connect to the southbound D8 bus stop (also proposed to be served by another extended route towards Leven Road), and to existing and emerging residential sites in the vicinity of the site. Ambience improvements to flooring, tiles and lighting would improve conditions for future occupiers of the site and would support west-east connectivity and in the interests of personal safety. A S106 contribution of £120,000 towards these works would meet Regulation 122 tests to be directly related to the site and reasonable and justified compared to other sites and secured S106 agreements. The options for delivery can include that TfL would commission the work to a contractor for the area, or that the applicant carries out the work themselves if there were to be any other highway or public realm works between the site and the subway.
2. Limehouse Cut to the south of the site has a shared cycle pedestrian path on its south side and connects from Limehouse to the west to the River Lea and Bow Back rivers to the east. This route is also likely to be a well-used walking and cycling route by occupants of and visitors to the site and facilitate deliveries and trips avoiding the local and strategic highway network. The views of Canal and River Trust should be sought for the likelihood and scope and an amount for such an intervention and its delivery, and there would be the potential for works to the towpath which may facilitate routes in the medium to longer term.

The proposed impact on the local and strategic highway can be mitigated by contributions to other measures to support active travel and west-east connectivity in the Lower Lea Valley and make this development acceptable in planning terms in line with London Plan policies T2 and T4.

### Car Parking

The justification for standard car-parking, (where the starting point should be car free, compared to office standards in an Opportunity Area). The applicant response refers to shift working patterns, employees of trades operations visiting other sites, local deliveries.

One mitigation to justify the provision of active electric vehicles spaces is to support the increased use of a higher proportion of sustainable electric vehicles and micro-vehicles. The key policy driver towards sustainable distribution facilities is the London Plan. Policy T7 states that new distribution facilities should be supported, provided that they enable sustainable last-mile movements, including by cycle and electric vehicle. Similar schemes in neighbouring boroughs, have secured a commitment within the Heads of Terms where all outbound deliveries by B8 users will occur via a 100% sustainable vehicle fleet within 5 years of operation. Sustainable vehicles are defined as electric light vehicles, e-cargo bikes, and cargo bikes. A commitment to these measures and targets to be met would be considered positive and in line with the intentions of the London Plan.

Appropriate planning mechanisms are also required seeking:

- Confirmation of number of car parking spaces and disabled persons parking spaces and electric vehicle active and passive provision.
- The submission of a car parking management strategy
- Obligations including a travel plan and monitoring
- Appropriate restrictions to ensure that these spaces are used for operational purposes only and not for commuter vehicles, and
- Occupiers cannot apply for on-street parking permits in the adjacent controlled parking zone.

#### Cycle Parking

The amendment to the design to install bollards to reduce the risk of collision between large vehicles and parked bicycles is supported. These free-standing cycle spaces would also act as a suitable area for cargo bike deliveries to and from the site. Further information on cargo bikes is available here: <https://content.tfl.gov.uk/tfl-cargo-bike-action-plan-2023-acc.pdf>. A planning condition should be secured to confirm the provision of cycle parking and also for changing facilities and showers and storage in line with London Plan Policy T5 and London Cycle Design Standards.

#### Internal Consultees

##### **LBTH Arboricultural**

- 5.10 LBTH Arboricultural Officers are happy with British Standard categorisations given to each tree and the proposed methodology for all retained trees.

Officers have no objection to the removal of T20, T14, G16, T17, S18 and S19 and believe their loss can be suitably mitigated by the proposed on-site planting.

Where the removal of a tree is agreed with LBTH, the following mitigation is required; a minimum net gain of 2:1 for any trees removed and these are to be planted with a stock size of Semi Mature in line with BS 3936. Evidence of viability to plant upon completion of the development will also need to be submitted, including consideration of both current and proposed underground utilities and service runs. Planting locations should be chosen to mitigate the amenity impact any tree removals will have on the surrounding area and should also consider post development pressures, such as excessive shade and litter once fully established. Tree species will preferably be native to the UK and of a suitable size, shape and form to allow them to reach their intended proportions without significant or regular pruning.

Condition should be applied to secure the submission of a tree planting methodology in line with BS 8542 describing the process for planting and maintaining you trees that will result in them successfully establishing in the landscape.

### **LBTH Biodiversity**

5.11 No comments provided.

### **LTBH Employment**

5.12 During the pre-application process, concerns were raised with respect to the provision of affordable workspace provision, in terms of the extent to which discounted rates were applied to the workspace: citing, that recent LBTH had been successful in securing greater levels of discount for large scale developments, located within the local area.

Additionally, concerns were raised in terms of the overconcentration of affordable workspace, within Unit 10, when compared to the wider estate.

5.13 Whilst the concerns regarding the proposed rate of discount for the affordable workspace remain, it should be noted that the scheme does meet policy requirements. Furthermore the applicants willingness to provide the Circular Economy Hub at a nil rent for no less than 10 years is recognised as an important planning benefit associated with the scheme.

5.14 If permission is to be granted, it is recommended that the below s.106 contributions be secured in accordance with the LBTH Planning Obligations SPD.

- Construction Phase Skills and Training: £47,944.00
- Local Enterprise: 20% of total value of contracts
- End Use Employment: £134,706.95
- Apprenticeships: x5 apprenticeships

### **LBTH Energy Efficiency and Sustainability**

5.15 The submitted Energy Assessment (Watkins Payne – March 2024) sets out the proposals to reduce energy demand through:

- energy efficiency measures – thermal fabric performance level are set out
- efficient delivery of heating/cooling through air source heat pumps
- renewable energy generating technologies including 121kWp (anticipated) photovoltaic array are proposed.

The specification of biosolar installation should be considered to maximise the benefits associated with PV installation and green roofs.

The proposed scheme has the following CO2 emission profile:

- Resi Baseline – 41.97 tonnes CO2 per annum
- Resi Proposed – 22.07 tonnes CO2 per annum

The total on-site wide CO2 emission reduction is anticipated to be 47.41% against the building regulation baseline. The proposals are for A 19.9 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £62,901 to offset the remaining 22.07 tonnes CO2 and achieve net zero carbon.

It is noted in the energy assessment that peak electrical output of the PV panels is for illustrative purposes only. The peak output and anticipated energy generation per year is important for the energy assessment and calculations as it directly relates to the anticipated CO2 emission reduction proposed and the carbon offset required to meet residual emissions. It is recommended that this renewable energy generation be secured as a minimum.

In relation to sustainability the proposals are designed to achieve a BREEAM Excellent (70%). This should be secured with final score/rating evidence post completion.

If the proposals are recommended for approval they should be secured through suitable conditions or legal wording for:

- PV energy generation (121kWp) should be maximised with Biosolar roofs installed where feasible
- The carbon savings are delivered as identified in the Energy Assessment (47%)
- Post completion report (including As Build calculations) is submitted to demonstrate CO2 savings have been delivered.
- BREEAM final certificates to be submitted to demonstrate 'Excellent' rating
- Carbon Offsetting contribution is secured (£62,901).

#### **LBTH Environmental Health – Air Quality Team**

5.16 No objections towards the proposed development subject to the application of conditions securing details of a Dust Risk Assessment and of methods in place to ensure that any development associated with the appraisals does not adversely affect local air quality to an unacceptable degree.

#### **LBTH Environmental Health – Smell and Pollution**

5.17 No objections towards the proposals.

#### **LBTH Environmental Health – Contaminated Land**

5.18 No objections to the proposals.

#### **LBTH Transportation and Highways**

5.19 The proposals have been through a comprehensive pre-application phase. The applicant has taken on board most, not all, of the advice given by LBTH Transportation and Highways.

Currently the site is used for various uses which results in unrestricted and unsightly vehicle parking. The proposals seeks to rationalise the uses and to provide regulated parking and servicing areas. The proposals should result in a much more pleasant environment in terms of vehicle use (numbers and parking).

In terms of access it would have been preferable from the perspective of LBTH Transportation and Highways to remove the eastern most access on Empson Street, as this would have removed vehicles needing to drive past residential blocks in Empson Street, and instead would have concentrated the vehicle movements to an improved eastern entrance. The applicant team however, did not agree with this.

The entrances, particularly the western entrance, through which the heavier goods will be concentrated, will be improved in looks and in safety terms. This is welcomed. The

internal layout works in a loop fashion, allowing vehicles to enter and exit the site in forward gear.

Accessible car parking and cycle provision is provided and considered acceptable for the type of use proposed. The internal public realm is accessible to pedestrians, cyclists and wheelchair users and a vast improvement on the existing conditions. An area of land is put aside for a landing area should a future proposal for a new bridge over the canal come forward.

LBTH Transportation and Highway would seek to improve the public realm through a s278 agreement in Empson Street and the public highway part of Towcester Road. Should planning permission be granted we would also request that conditions be applied to ensure that:

- All accessible parking bays and cycle facilities are maintained for their approved use one only for the lifetime of the development.
- All accessible parking bays and cycle facilities are only to be used by registered blue badge holders – either staff or visitors. These are not to be sold or leased to anyone not associated with the development.
- A Construction Management Plan is to be secured as a pre-commencement condition.
- A Travel Plan is to be secured also.

#### **LBTH HIA Officer**

- 5.20 With respect to the Circular economy hub the applicant is to provide further information on how this will be managed and advise on how the long term sustainability of the hub will be achieved.

In terms of Affordable workspace, the unit offered as affordable seems of a compromised shape.

The Applicant should advise how the triangular shape is intended to be used, and provide assurances that the discounted rate is applied to this unit takes into account the compromised shape to maximize affordability. I.e. What is the market rate of a triangular unit.

The proposals refer to the inclusion of community art. This may be better-provided off-site due to the lack of permeability of the site. Community art should be reflective of local community particularly vulnerable groups. Applicant should advise how this is to be ensured.

#### **LBTH Waste Management**

- 5.21 The proposals have been through a rigorous consultation process and pre-application meetings.

The proposals are for commercial units to be serviced by external waste collection contractors who can adapt to varying needs. Consideration has been given in accordance with the RRW SPD guide.

As commercial units, the proposed weekly waste collections per week can be considered. The application proposes that the main vehicle access and egress point be from the western access on Empson street, and this has been designed to accommodate 16.5m arctic as the largest vehicle. The proposed controlled access (gated central area) and the waste plan coordinator will also manage the vehicular movement and avoid vehicles queuing back onto the highway. This is supported.



The submitted waste strategy does proposed bin storage areas within each commercial unit and provisions have been made in line with SPD guidance. The proposed weekly collection of waste is deemed acceptable noting the presence of a waste plan coordinator to manage any variation in capacity.

## 6. 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)
- The Tower Hamlets Local Plan (2020)

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

Land Use - (*Concentration of existing use*)

- o Local Plan policies – S.EMP1, S.MW1, D.EMP2, D.EMP3, D.EMP4, D.MW2
- o London Plan policies – GG2, E5, E4, SI8, SI8

Design - (*layout, townscape, massing, heights and appearance*)

- o Local Plan policies – S.DH1, D.DH2, S.DH3
- o London Plan policies – D1, D3, D4, D8, HC1, SI2

Amenity - (*privacy, noise, light pollution, odour construction impacts*)

- o Local Plan policies – D.DH8 and D.ES9
- o London Plan policies – D3

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

- o Local Plan policies – S.TR1, D.TR2, D.TR3, D.TR4, D.MW3
- o London Plan policies – T1, T2, T3, T5, T6

Environment - (*air quality, odour, waste, climate change,*)

- o Local Plan policies – S.ES1, D.ES2, D.ES4, D.ES5, D.ES7, D.ES9,
- o London Plan Policies – SI1, SI2, S13, S17, D14

Biodiversity – (*biodiversity, trees, SINC*)

- o Local Plan policies – S.OWS1, S.OWS2, D.OWS3, D.OWS4
- o London Plan Policies – G5, G6, G7

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

- GLA Sustainable Design and Construction (2014)
- GLA Accessible London (2014)
- GLA Character and Context SPG (2014)
- National Planning Policy Framework (2023)
- National Planning Policy Guidance (updated 2023)
- The Planning (Listed Buildings and Conservation Areas) Act 1990

- Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations)
- LBTH Planning Obligations SPD (2021)
- LBTH Reuse, Recycling and Waste SPD (2021)
- TfL London Cycling Design Standards (2014)

## **7. ASSESSMENT**

7.1 The decisive issues are:

- i. Land Use
- ii. Design
- iii. Neighbouring Amenity
- iv. Transportation and Highways
- v. Waste Management
- vi. Environment
- vii. Biodiversity
- viii. Public Engagement
- ix. Equalities and Human Rights

### **Land Use**

- 7.2 The application site pertains to the Empson Street Strategic Industrial Location (SIL), which plays an important sub-regional industrial warehousing and waste management role serving not just the borough but other parts of central London. Tower Hamlets has a relatively limited supply of industrial land and floorspace, despite high levels of market demand, in the face of increasing competition from other land uses, such as housing. There are clusters of existing industrial activity predominantly in the north east of the borough along key transport routes. These sites need to be protected to support the long term needs of the borough and role of the City of London and Canary Wharf as global economic hubs.
- 7.3 Strategic Industrial Locations should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy, in accordance with E5 of the London Plan (2021). Development proposals in SILs should be supported where they propose uses which fall within the industrial-type activities set out in Part A of Policy E4 (Land for industry, logistics and services to support London's economic function).
- 7.4 The application site currently comprises of low-quality industrial accommodation, with many of the buildings either dilapidated or vacant, and which fundamentally do not meet the needs of modern industrial occupiers. A cement works is also located on the site, which currently not in use at present. Additionally, it should be noted that the site is currently used as a place of unregulated car parking. The site contains a total of 9 buildings, which include; MOT Building (GIA of 312sqm); Colbart House (GIA of 379sqm); Clifford Warehouse (GIA of 433sqm); Clifford Office (GIA of 380sqm); Hillstone Court (GIA of 1,432 sqm); Café (GIA of 33sqm); Concrete Works buildings, 2-3 Towcester Road (GIA of 1,303sqm); and Clarkson Unit (GIA of 693sqm).

- 7.5 It is noted that Clifton House was previously purposed as an asbestos waste storage location. There is however no longer a need to provide an asbestos waste capacity on site. However, as outlined under policy S.MW1 of the Tower Hamlets Local Plan (2020), there is a safeguarded waste designation of 418 tonnes per year; which is further supported by policies SI 8 and SI 9 of the London Plan (2021), which resists the loss of existing sites for the treatment and/or disposal of general and hazardous waste.
- 7.6 Policy S.EMP1 of the Tower Hamlets Local Plan (2020) affirms that development which supports, protects and enhances the role and function of the borough's designated employment locations (as defined on the Policies Map) and maximises the provision of employment floorspace to contribute towards the borough's target of creating 125,000 new jobs over the period to 2031, will be supported in line with the principles set out for the given site of each development. The current proposals seek permission for the demolition of all buildings present on site, aside from the MOT building. The loss of the existing employment uses, and waste storage uses, will be discussed below.

#### Loss of existing commercial uses

- 7.7 Policy D.EMP3 of the Tower Hamlets Local Plan asserts that development resulting in the net loss of employment space within Preferred Office Locations, Local Industrial Locations and the Strategic Industrial Location will not be supported.
- 7.8 The current proposals seek permission to demolish 5,237sqm (GIA) of industrial/light industrial commercial floorspace, and 33sqm (GIA) of Class E(b) Use (Café) floorspace. The application does however seek to redevelop the site to provide 11,664 sqm of flexible industrial floorspace (Use Class E(g)(ii)/E(g)(iii)/B2/B8), with ancillary offices, spread across the two rows of central industrial units.
- 7.9 Additionally, whilst the proposals seek to retain the existing MOT centre, it is proposed that the building is changed from Use Class B2, to a flexible (g)(ii)/E(g)(iii)/B2/B8 Use. The site will be split into 4 units; with 1 ground floor unit measuring 122sqm being purposed as a circular economy hub. This unit will serve to meet the site's safeguarded waste designation of 418 tonnes per year.
- 7.10 The proposed loss of existing commercial uses is considered acceptable given that the proposals would result in a significant net increase of flexible light industrial employment floorspace within the borough and ensure that the provision of workspaces are adequate for the needs of current and future business. Furthermore, the loss of the site's existing E(b) use (café) raises no concerns, given that the site does not fall within either the Central Activities Zone, Canary Wharf Major Centre, Tower Hamlets Activity Areas, District Centres, or Neighbourhood Centres, and thus is not considered an appropriate use for the site, in accordance with policies D.TC5 and S.EMP1 of the Tower Hamlets Local Plan (2020).

#### Principle of proposed (light) industrial employment uses

- 7.11 The proposals seek to redevelop the application site to provide 11,986sqm of flexible light-industrial floorspace, suited to the needs of current and future business, within the borough. The flexible Class B2, B8, E(g)(ii), and E(g)(iii) floorspace is proposed to widen the scope for future occupiers of the site. The site has been divided into two distinct areas: the new build central industrial units and the MOT building. It is proposed that the latter, be retained and refurbished to provide affordable workspace and a new Circular Economy Hub.
- 7.12 Policy GG2 of the London Plan (2021) actively supports applications which seek to intensify the use of land to support additional homes and workspaces, and which

promote higher density development, particularly in areas that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

- 7.13 Policy E5 of the London Plan (2021) states that boroughs should explore opportunities to protect and enhance the function of SILs and enhance their attractiveness and competitiveness. Furthermore, development proposals in SILs should be supported where the uses proposed fall within the industrial type activities set out in Part A of Policy E4 (Land for industry, logistics and services to support London's economic function).
- 7.14 Part A of Policy E4, states that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, co-location and substitution. This should make provision for the varied operational requirements of;
1. Light and general industry (Use Classes B1c and B2)
  2. Storage and logistics/distribution (Use Class B8) including 'last mile' distribution close to central London and the Northern Isle of Dogs, consolidation centres and collection points
  3. Secondary materials, waste management and aggregates
  4. Utilities infrastructure (such as energy and water)
  5. Land for sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure
  6. Wholesale markets
  7. Emerging industrial-related sectors
  8. Flexible (B1c/B2/B8) hybrid space to accommodate services that support the wider London economy and population
  9. Low-cost industrial related space for micro, small and medium-sized enterprises
  10. Research and development of industrial and related products or processes falling within Use Class B1b)
- 7.15 The proposed flexible land uses are consistent with those designated appropriate for London's Strategic Industrial Locations. Furthermore, the intensification of said uses is further supported in accordance with policies GG2 and E5 of the London Plan (2021), and policy D.EMP2 of the Local Plan (2020). If permitted, the scheme would support and enhance the role and function of the borough's only designated Strategic Industrial Location and would contribute towards the borough's target of creating 125,000 new hobs over the period to 2031. The proposed flexible light-industrial uses are considered acceptable for the site and raise no objections in terms of land use principles.

7.16 Whilst the proposed land uses are supported as currently presented, officers do propose to apply condition to remove permitted development rights, and thus ensure that only those Class E uses considered appropriate for the Strategic Industrial Location (Use Class E(g)(ii) and E(g)(iii)), may be occur within the Empson Street Industrial Site.



*Figure 1.2: CGI aerial view of proposals, looking west towards the site.*

#### Principle of proposed Circular Economy Hub

- 7.17 As previously discussed, the application site contains Clifton House, which was historically used as an asbestos waste storage location. Whilst there is no current need to store asbestos waste materials, the application site does nonetheless still include a safeguarded waste designation of 418 tonnes per year, in accordance with policies SI 8 and SI 9 of the London Plan (2021), and S.MW1 of the Tower Hamlets Local Plan (2020).
- 7.18 Officers note that Part D, of Policy SI 9 states that development proposals that would result in the net loss of existing sites for the treatment and/or disposal of hazardous waste should not be permitted unless compensatory hazardous waste site provision has been secured in accordance with this policy.
- 7.19 However, despite the site's historic use in handling asbestos, officers do not consider part D of Policy SI9 to be relevant, given that Clifton House is understood to have been used as a storage facility, rather than a place of treatment or disposal.
- 7.20 Policy SI8 of the London Plan (2021) states that in order to manage London's waste sustainably, the equivalent of 100 per cent of London's waste should be managed within London (i.e. net self-sufficiency) by 2026, with existing waste management sites

being safeguarded and the waste management capacity of said sites being optimised. Furthermore, environmental, social and economic benefits from waste and secondary materials should be created.

- 7.21 Part D, of Policy SI8 goes on to outline that development proposals for materials and waste management sites will be encouraged where they: 1). deliver a range of complementary waste management and secondary material processing facilities on a single site; and 2). Support prolonged product life and secondary repair, refurbishment and remanufacture of materials and assets.
- 7.22 As per Policy D.MW2 of the Tower Hamlets Local Plan (2020), proposals to construct a new waste facility, or replace or extend an existing facility will be supported where it:
- a). contributes towards the aims of sustainable waste management in line with the waste hierarchy;
  - b). it is located within a safeguarded waste site or area or area of search or integrated into a suitable new development,
  - c). it incorporates a high quality design, is of a scale and nature which integrates into its surroundings and ensures compatibility with adjacent existing and proposed land uses;
  - d). it co-located with other compatible uses; f). it has good access to the strategic transport network, including where possible, rail and canal/river links that offer the potential to transport waste.
- 7.23 The application proposes to introduce a Circular Economy Hub (CEH) to the existing MOT building. The CEH will be located within one of the two ground floor units (Unit 2), which measures approximately 122sqm (GIA). It will be serviced by a private yard to the rear of the Unit, measuring approximately 84sqm.
- 7.24 The application is inclusive of a Circular Economy Hub Guidance Note, which serves to explain how the CEH will operate. The CEH is proposed for business-to-business use and will handle materials from the following waste streams; timber, textiles, and used electronics. It is envisaged that within the MOT centre, three small businesses which operate within the Circular Economy will be collocated to optimise the success of the CEH.
- 7.25 The principle of a Circular Economy Hub is supported by officers and has been subject to detailed discussions as part of the pre-application process. The applicant team have engaged with LBTH Employment Officers and local operators of similar facilities, to tailor the offering presented as part of this application. Most notably, the applicant team (Fabrix) have worked with the Hackney Fish Island Community Development Trust to develop a management plan for the successful operation of the CEH.
- 7.26 An outline management plan has been provided as part of the current application. It explains that the CEH will be for business-to-business use; it will not be a location for commercial residents to deposit waste on the site. Each business will be responsible for collecting the waste materials needed for manufacturing or production purposes from the local area, with wider industrial park tenants, prioritised where appropriate.

Waste will be stored within the individual units and under a covered yard space. The final managing agent will be obliged to agree within the terms of agreement with any sub-tenants a policy that stipulates that the site is not a storage facility for waste materials and that a turnover of materials over a 3-month period is required, plus a clause about the maximum quantum of materials to be stored at any time.

- 7.27 Officers consider the outline management plan to be acceptable. It gives clear indication that meaningful steps have been made by the applicant team, to ensure that a local managing organisation with relevant experience is onboard with the proposals, as requested by officers throughout the formal pre-application process. If permission is to be granted, officers propose to apply condition to secure details of a management plan for the circular economy hub, as well as the industrial employment spaces, to ensure compliance with the outline management plan and mitigate issues of safety and waste dumping from arising within the local area. The principle of introducing a Circular Economy Hub is consistent with the policies of the development plan and does not raise land use issues.

#### Securement of Nil Rent for Circular Economy Hub

- 7.28 As part of the application, it has been agreed that the Circular Economy Hub will be delivered with no rental cost to the final managing organisation, for a period of no less than 10 years. This planning benefit will be secured by s.106 agreement with the Local Planning Authority and represents an important planning benefit which will support the occupation of continued viability of the Circular Economy Hub. Not only is it envisaged that this would support local business present within the borough, but it will also help to reduce the quantum of waste products created each year.

#### Affordable workspace contributions

- 7.29 Affordable Workspace covers all commercial premises where at least 10% of the gross internal floorspace is offered at a reduced rate. It is workspace let out at below market rents, either in perpetuity or for a fixed period (i.e. for a minimum period of 10 years or more) with the purpose of encouraging access by local entrepreneurs, particularly for those from disadvantaged backgrounds.
- 7.30 As is outlined under Policy E3 of the London Plan (2021), consideration should be given to the need for affordable workspaces. Within Tower Hamlets, major commercial and mixed use development schemes, are required to provide at least 10% of new employment floorspace as affordable workspace, in accordance with policy D.EMP2. This workspace should be let at an affordable tenancy rate at least 10% below the indicative market rate for the relevant location, as explained within the LBTH Planning Obligations SPD (2021).
- 7.31 The current proposals seek to provide 11,964sqm of employment floorspace. Of which 1,198sqm will be delivered as affordable workspace, meeting the minimum provision of at least 10% of all workspace being affordable, in accordance with policy D.EMP2. The subsidised rate will be secured for a period of not less than 10 years, by way of a s.106 agreement, in accordance with the LBTH Planning Obligations SPD. Fu
- 7.32 The Affordable Workspace units are proposed to be located within the MOT building, in close proximity to the CEH, and within Unit 10 of the centralised Warehouse Units. With those units, positioned within the MOT building envisaged to work within the Circular Economy, and thus create mutually beneficial working relationships with the CEH itself.

#### Affordable workspace units (MOT Building)

- 7.33 The re-purposed MOT garage, comprising three units across the ground and first floors will feature smaller-scale light industrial units. The ground floor unit, Unit 1, will provide 78sqm of workspace and benefit from minimum floor to ceiling heights of 3.72m. The first-floor units, 3 and 4, will provide 15sqm and 17sqm of floorspace, respectively and benefit from minimum internal floor to ceiling heights of 3.23m. These units are to be equipped with power, as well as heat and lighting provisions, and

exposed services. Shared facilities such as an entrance lobby, WC block, bin stores, and bike storage facilities will all be included.

#### Affordable workspace units (Centralised Industrial Unit 10)

- 7.34 Additional Affordable Workspace is proposed to be housed within Unit 10, which would be located within the southeast corner of the site, bounded by the centralised access yard to the north, and Towcester Road to the east, south east and south. It is proposed that Unit 10 provides 1009sqm, split across three internal mezzanine floors.
- 7.35 Unit 10 is positioned within the southern bank of warehouse units. It differs from its neighbouring units, in that there is no void area, to provide an internal maximum floor to ceiling height of 16.37m. The concentration of affordable workspace is far greater, than the concentration of market workspace, proposed from units 1-9. Concerns were raised during formal pre-application discussions with respect to this differing approach.
- 7.36 The applicant team have however sought to provide affordable workspace across three mezzanine floors as it is believed that the units will better meet the needs of small to medium businesses, to which affordable workspaces are suited for, as the reduced quantum of space will be reflected within rental costs.
- 7.37 Notwithstanding differences in terms of floor to ceiling heights, the affordable workspace within the central industrial unit's specification and construction is to match other neighbouring industrial units. It would comprise exposed structures and services, along with amenities such as a Disability Discrimination Act (DDA) compliant WC, circulation stair, and lift. This also includes a CAT A fit-out of the offices which includes lighting, raised access flooring, heating and cooling provisions and kitchenette. Natural daylight is to be provided via rooflights &/or windows, depending on the floor. This approach is supported by LBTH Growth and Economic Development Officers.
- 7.38 Externally, a designated loading area is provided within the service yard, complete with roller shutter access to the ground floor. The affordable workspace would also include amenities such as an accessible parking bay, EV charging station, secure bike storage and bin storage within the central yard, in a manner consistent with the market warehouses.
- 7.39 The provision of affordable workspace contributions is compliant with policy D.EMP2. The onsite affordable workspace contributions would be secured via a s.106 agreement with the applicant team. Officers propose to apply details of a management plan, which will be provided to all tenants of the site, irrespective of tenancy type. Condition is also proposed to prevent the introduction of mezzanines within any warehouse units, without first seeking full planning permission, to ensure that a policy compliant provision of affordable workspace is secured throughout the lifetime of the development.

#### **Conservation and Design**

- 7.40 The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications that relate to the historic environment. With regard to Conservation Areas, Section 72 of the Act imposes a duty upon Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.41 Paragraph 131 of the NPPF (2023) 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.

- 7.42 Policy D3 of the London Plan (2021) requires development to follow a design-led approach, in order to optimise the capacity of sites throughout London. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to the site's context and capacity for growth.
- 7.43 Policy HC1 of the London Plan (2021) asserts that Development proposals affecting heritage assets and their settings should conserve their significance, by being sympathetic to the asset's significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.44 Local Plan (2020) policy S.DH1 stipulates that development is required 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 special scales, including the character of the local setting to which it is set. Development must be of an appropriate scale, height, mass, bulk and form in its site context. Policy D.DH2, goes on to state that development is also required to positively contribute to the public realm. Furthermore, as outlined under policy S.DH3 of the Local Plan (2020), proposals must 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.
- 7.45 The application site as exists, is dilapidated and shows prominent signs of physical degradation. The site contains a total of 9 buildings, with all except one (the MOT Building) to be demolished, subject to the grant of planning permission. The proposals can be split into two broad sections: the MOT Building, and the centralised warehouse buildings, arranged in two rows running along east-west axis.

*Built form, urban scale, massing and form (MOT Building)*

- 7.46 The proposals seek to retain and renovate the MOT building which is located in the north west corner of the site. The building is primarily 1 storey tall, however, the north east corner steps up to 2 storeys in height. At present, there exists a single storey irregular shaped extension, attached to the site's northern elevation which is understood to serve as a foyer/reception area. It stands to a height of 2.82m and provides approximately 33.2sqm of internal floorspace.

Additionally, there is a single storey extension which sits directly above groundfloor extension, which provides approximately 22.28sqm of internal floor space. The extension measures 2.64m (depth) x 8.44m (width) x 2.5m (height); with the structure standing to a maximum height of 5.6m above ground level.

- 7.47 The current proposals seek to retain much of the host building, however as part of the proposals it is proposed that the prior mentioned extensions be removed entirely. Thus, the overall impacts in terms of bulk and mass are considered minor, with officers of the view that the changes represent an enhancement to the overall aesthetic quality and character of the building.

*Built form, urban scale, massing and form (Industrial Warehouses)*

7.48 The centralised warehouse units comprise of two rows, which will sit opposite one another, separated by a centralised service yard measuring 30.44m in width. The northern row will comprise Units 1 to 6: the southern row will include Units 7-10. The dimensions of each row will be discussed separately below.



*Figure 1.3: CGI of Central Industrial Units Yard*

7.49 The northern row of warehouses would run adjacent to Empson Street, ending at the junction shared of Towcester Road. The structure will cover a gross external area of 4708sqm with its northern elevation measuring 177.86m and its southern elevation measuring 160.5m. The proposed west elevation would measure 27.25m, and this would represent the maximum depth of the building. At its eastern end, the structure tapers in shape, in response to the existing layout of Towcester Road.

7.50 The northern row of warehouses would stand to a maximum height of 15.035m at the eaves, with a pitched roof which would reduce in scale to a height of 13.652m of the warehouse's north and south elevations. Internally, the warehouse would benefit from a maximum floor to ceiling height of 13.294m, reducing in size to 12m at the extremities of the building.

7.51 The southern row of warehouses will run adjacent the Towcester Road and the existing Service Road which connects the south of the Industrial Estate. The structure would cover a gross external area of 3889sqm. Its northern elevation would measure 123.9m and its southern elevation will measure just 95.31m. The structures west elevation measures 36m and this represents the maximum depth of the warehouse. Towards the east end, the warehouse tapers in size, as the building shape responds to the path of Towcester Road.

7.52 The northern row of warehouses would stand to a maximum height of 17.547m at the eaves, with a pitched roof which will reduce in scale to a height of 15.652m of the

warehouse's north and south elevations. Internally, the warehouse would benefit from a maximum floor to ceiling height of 16.367m, reducing in size to 14m at the extremities of the building.

- 7.53 The centralised warehouse units are of an acceptable scale. Although larger than the buildings in the immediate vicinity of the site, the development is still considered to be of low scale. This is further supported by the AVR's provided as part of the application which shows that the buildings would be received as being similar in size, or smaller than development located in the local area. Furthermore, the sleek design proposed and inclusion of appropriate separation distances, serves to lessen the sense of bulk and mass associated with the development. The proposals are considered to be sensitive to the local setting, in accordance with policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan (2020). Likewise, the scale and massing of the development is not considered to cause harm to the Limehouse Cut Conservation Area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Materials and Detailing

- 7.54 The proposals present a consistent sense of character across all three buildings. This is aided by a consistent, simple choice of materials and colour palette. The retention of the MOT building's red brick façade represents a sustainable approach to the redevelopment of the site, in a manner that also aids place making. The robust sturdy character of the red brick will be further enhanced by the inclusion of black powder coated horizontally corrugated stainless steel cladding; which is of itself in keeping with the materials and finishes of the newbuild warehouses.
- 7.55 The industrial warehouse buildings represent a high standard of design, which would positively contribute to creating a sense of place, for the industrial site. The two banks of warehouses would, if permitted, represent a clear and tangible enhancement when compared to the existing setting. The warehouses have been designed in a manner consistent to the approach taken with the MOT building. The form of the warehouses are simple and sleek. They consist primarily of black powder coated, vertically corrugated steel, which both provides texture and serves to subtly breakdown the sense of massing associated with the development. The inclusion of supergraphics and a consistent pattern of fenestration pattern throughout, further serves to create a clear and strong identity for the site, which is representative of its use.
- 7.56 Should planning permission be granted, officers propose to apply conditions to secure detail of final materials, colours and finishes to be used. In consideration for the materials, officers will have regard to the proposed final materials with regard to their energy and sustainability criteria, as well as the circular economy principles (such as reuse), proposed as part of this application. Additionally, a condition will be applied to secure detail of the final supergraphics, signage and a signage strategy to be used across the site, to ensure that the same high standard of design is delivered at the stage of delivery.

#### Landscaping design and public realm

- 7.57 The application is supported by a detailed and thorough Landscape Statement, produced by Landscape Projects, on behalf of Fabrix London Limited (the Applicant). The statement sets out that the site is currently occupied by low-quality warehouses, industrial buildings and derelict former concrete buildings, with limited soft landscape and greenery

There are low quality ground surfaces, predominantly concrete in a poor condition, with no contribution to the landscaped setting. The existing landscape is also considered to contribute negatively to the residential properties which populate Empson Street.

- 7.58 Through the development of the landscape strategy, Landscape Projects have sought to establish two clear visual points of arrival to the site, where the site connects to Empson Street via Towcester Road (to the east) and via the MOT building (to the west). The landscape strategy has been designed to improve the entrance areas to and from the site and to focus landscaping, signage and building frontages at places where visitors will first see the development, as illustrated by figure 1.4 below:



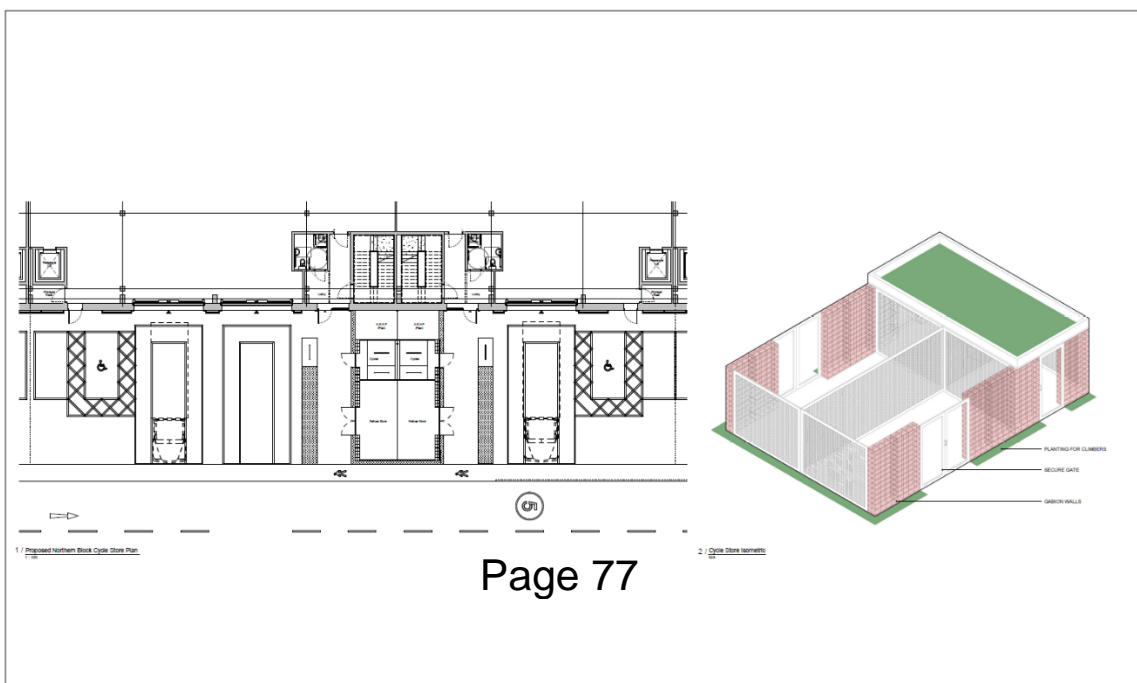
*Figure 1.4: Landscape Strategy highlevel concept*

- 7.59 The landscape proposals serve to create a series of distinctive landscape spaces across the site. This is achieved through the retention of existing trees and introduction of low maintenance evergreen ground cover, and birch tree plantings at the arrival and entrance points; and the introduction of wildflower plantings, divisional hedges and green roofed cycle stores, into the harder working central activities yard.
- 7.60 The west arrival point, which sits closest to the primary entrance point, would benefit from renovations to the MOT building. The removal of low quality bolt on temporary extensions, would be further enhanced by the newly landscaped arrival, including stepped planters with steps, handrails and ramps to provide level access.
- 7.61 The proposed materials and finishes would consist of crushed concrete and brick from the demolition process to provide an aggregate mulch that would provide weed suppression and reduce maintenance costs. Furthermore, it would serve to reuse waste products in line with the principles of circular economy building practices.
- 7.62 Mesh fences would be introduced also, in order to bolster the site's security. The fences would be inclusive of, and encourage the growth of climber plants to bolster the site's biodiversity levels, whilst also helping to develop an inviting sense of characters for future visitors and tenants of the site.



Figure 1.5: Landscape strategy permeable surfaces

- 7.63 At the point of entrance to the industrial warehouses, the proposals seek to introduce birch trees which would provide an open canopy, sitting above an evergreen ground cover. The canopy would partially obscure the west elevations of the two banks of warehouses, which would feature large supergraphics of place branding. This juxtaposition of nature and industrial uses is presented in a complimentary manner and would create a distinct sense of place.
- 7.64 The centralised yard has been designed as a place of activity and function. Whilst it's landscaping is harder, than that of the access and entrance points, the proposals do still seek to introduce greenery and vegetation. This is achieved through the introduction of wildflower plantins, divisional hedges and green roofed cycle stores.
- 7.65 Figure 1.6 below serves to show how the cycle and bin stores have been designed to provide secure and convenient tenant amenities on site, which also support the growth of vegetation at roof level, with gabions supporting the growth of climbers and/or other vegetation on the elevations of each cycle/bin store. This would serve to not only bolster the site's biodiversity level but also provide's visual relief for visitors and tenants of the site.



*Figure 1.6: Plans for cycle and refuse stores, including green roofs and climbers.*

#### Access and legibility

- 7.66 Policy D5 of the London Plan (2021) requires development to achieve the highest standards of accessible and inclusive design. Policy D.DH2 of the Tower Hamlets Local Plan (2020) further states that development is required to contribute to improving and enhancing connectivity, permeability and legibility across the borough, ensuring a well-connected, joined up and easily accessible street network and wider network of public spaces.
- 7.67 Access arrangements have been discussed in detail as part of the formal pre-application process. The current proposals have responded to those discussions and ensured that the layout of buildings, parking and servicing facilities, and pedestrian walkways has been designed appropriately to ensure safe and secure travel for all those working or visiting the site, taking account for the needs of London's diverse population.
- 7.68 The proposals comprise of safe and secure pedestrian walkways, which are inclusive of tactile paving and dropped curbs, to ensure safe and secure north-south movement, across the site's central access yard, via x4 pedestrian crossings. This same approach is also taken at the points west access point, as well as the east edge of the site, to allow safe crossing via Towcester road.

#### Lighting Strategy

- 7.69 Policy D8 of the London Plan (2021) outlines that development should ensure the 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. Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.
- 7.70 Policy D.DH2 of the Tower Hamlets Local Plan (2020) further requires development to create clear sightlines and improve legibility and the lighting of the surrounding area at all times of the day and night, as well as to create opportunities for natural surveillance to occur.
- 7.71 Policy D.DH8 of the Tower Hamlets Local Plan (2020) serves to ensure that residential amenities are preserved, or where possible enhanced by development within the borough.
- 7.72 The application is inclusive of an External Lighting Assessment which has been prepared by Watkins Payne. The proposals do not seek to use uplighting, in order to mitigate causing unnecessary harm to local wildlife. The lighting Impact Assessment indicates that the proposals would not give rise to undue harm by way of light pollution or light disturbance.

However, given the site's proximity to the Limehouse Cut which forms part of a Site of Importance for Nature Conservation (SINC), officers consider it appropriate to secure details of an updated lighting strategy by way of condition in accordance with policies S.OWS1 and S.OWS2 of the Tower Hamlets Local Plan (2020).

## Fire Safety

- 7.73 Policy D5 of the London Plan states that building should be designed to incorporate safe and dignified emergency evacuation for all building users. Policy D12 further outlines in the interest of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. Additionally, it is requirement that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitable a qualified assessor.
- 7.74 A fire statement produced by Semper has been submitted as part of the current application. The initial assessment raised concerns when assessed by London Fire Brigade. The fire statement has been amended to overcome the issues raised. London Fire Brigade have now removed their concerns, however officers do still propose to apply a condition of compliance to ensure that all parts of the 15% perimeter proposed for each commercial unit is within 18m of the fire appliance parking position, with pedestrian access to a door giving access to the interior of the building.

## **Neighbouring Amenity**

- 7.75 Policy D.DH8 of the Local Plan (2020) stipulates that development is required 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. Policy D3 of the London Plan (2021) requires that site capacity is optimised through a design-led approach, which seeks to deliver appropriate outlook, privacy and experienced amenity for future occupants of the site.

## Overlooking, loss of privacy

- 7.76 The application site is located within the Empson Industrial Estate and is bounded by industrial use buildings. The closest residential buildings to the site are those which populate Empson Street. The minimum distance being 35m, measured from the MOT centre; however, most of the site will be obscured from view by the presence of Empson Street Studios which runs adjacent to the site's northern boundary.
- 7.77 The proposals are not considered to present opportunities for overlooking or a loss of privacy to occur, due to both the separation distances that exist between the site and the closest residential properties, and due to much of the site being obscured from said properties by the existing urban grain.

## Daylight Sunlight and Overshadowing

- 7.78 It is noted by officers that under policy D.DH8 of the Tower Hamlets Local Plan (2020) there is a requirement for all major applications to be inclusive of a Daylight Sunlight Impact Assessment. This application does not include such a document; however, it is supported by an Environmental Impact Assessment. Officers conclude that given the site's setting within the Empson Street Industrial Site, an area whereby residential uses are not supported, as well the overall scale (height, bulk, mass), and the site's location relative to nearby residential buildings, there is in this instance no need for such a document to be provided.

## Conclusion

- 7.79 In assessing the application, it should be noted that an Environmental Impact Statement has been submitted as part of the proposals. It has consideration for issues pertaining to air quality, noise pollution, construction impacts, amongst other topics. These will be discussed separately at later stage in the report, with residential amenity

impacts considered as part of the relevant assessment. However, with considerations for the topics covered above (privacy, overlooking, overshadowing, and daylight sunlight), officers do not consider the proposals to present harm to local residents. Thus, the scheme is considered to be compliant with Policy D.DH8 of the Tower Hamlets Local Plan (2020), and policy D3 of the London Plan (2021).

### **Transport**

- 7.80 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 throughout the full lifetime of development, inclusive of the construction phase.
- 7.81 The submitted information in relation to transport considerations and impacts has been included within Chapter 6 of the Environmental Impact Statement, and both the Transport Assessment and Framework Travel Plan, which were both produced by Pell Frischmann.
- 7.82 The site is situated within an area of good public transport connectivity and accessibility, which is indicated by the site's Public Transport Accessibility Level (PTAL) score of 3-4. The majority of the site sits within PTAL 4; however, the southwestern segment sits within PTAL 3.
- 7.83 The site sits adjacent to is the A12 Blackwall Tunnel Approach Road, which forms part of which forms part of Transport for London Road Network (TLRN). It is accessed via Devas Street / Twelvetrees Crescent approximately 400 metres from the main highway access to the site.
- 7.84 The closest stations are Devons Road on the Docklands Light Railway (DLR), approximately 300m to the west of the site and Bromley-by-Bow on the District / Hammersmith & City line approximately 350m north of the site. There are two bus stops within walking distance of the site, on A12 and Devas Street, served by the D8 and 323 services respectively. The D8 southbound stop is accessed by a subway below the A12. The site records public transport accessibility levels (PTALs) of 3-4 on a scale 0-6b, where 6b is the highest. A Mayor of London cycle hire docking station is 400m to the north of the site.

### Vehicular, pedestrian and cycle access and movement

- 7.85 The main vehicle access and egress point will be from the western access on Empson Street and this has been designed to accommodate 16.5m articulated vehicle as the largest vehicle. The internal site road has been designed based on a two-way system so that vehicles can both enter and exit using the western access as the primary means of access.
- 7.86 Whilst both accesses have been retained for use to ensure access for the existing users of the wider site, the eastern access will be limited to 7.5tonne box vans, with larger vehicles only able to use the western access. This is an existing limitation due to the geometry of the site access junction.
- 7.87 The central area is gated (on both sides) for both vehicles and pedestrians and a security layby will be included within the design to temporarily hold vehicles in front of the gates, which will serve to prevent vehicles queuing back onto the highway. Larger vehicles for other units will either be permitted through the central activities yard or use the existing alternative routes.
- 7.88 Fire tender access will be maintained for all buildings and limited to the main roadways.



- 7.89 The central area is designed as a shared space with a pedestrian safety strip along the northern edge of the road. Due to the central area being gated (at both ends), vehicle speeds are expected to be low and are subject to a 5mph speed limit. Towcester Road is considered to be the key pedestrian route into the site and been designed with a formal footway, as it provides convenient connection to the station and local bus stops.
- 7.90 Cyclists will be expected to use the carriageway alongside other vehicles. This is considered to be acceptable due to the low speeds and low traffic nature of the internal roads.
- 7.91 All access points will be step-free and provide appropriate lighting facilities to accommodate the needs of London's diverse population. Dropped kerbs will be provided at the location of the proposed pedestrian crossings points within the site on the central spine road and on Towcester Road.

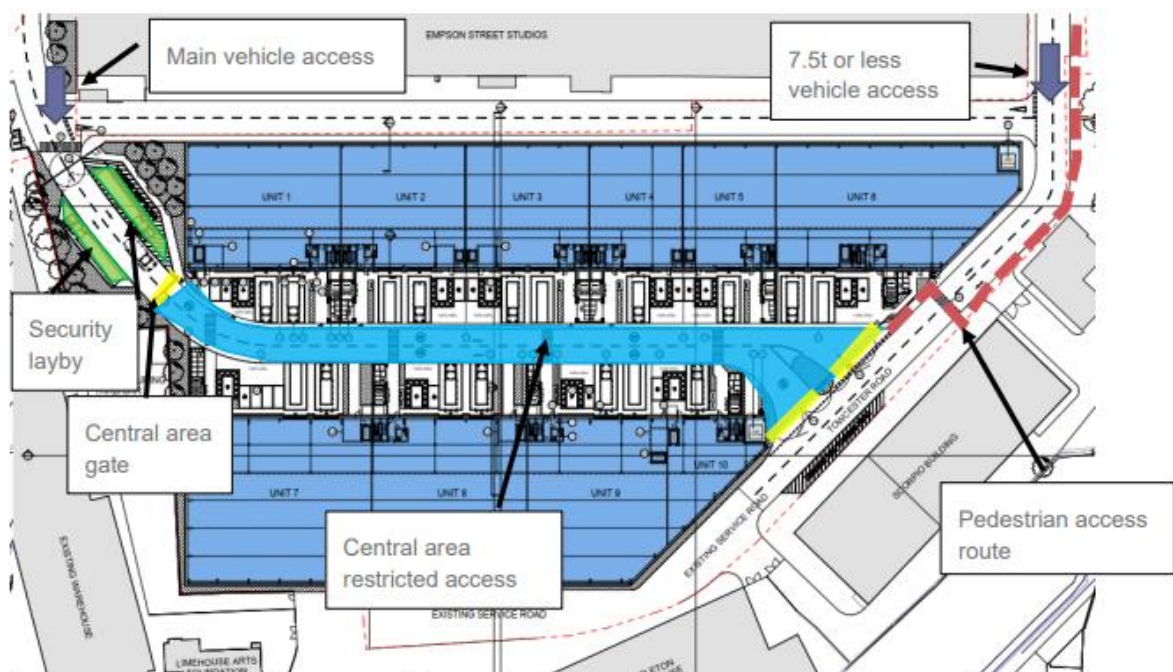


Figure 1.7: Delivery and Servicing Plan including Waste Management (DSP).

- 7.92 The proposals have undergone a comprehensive pre-application phase. Throughout the process, the applicant team have taken onboard much of the commentary provided by the borough's highways officer. The current proposals are considered to be of a high standard which will provide safe access to all those seeking to access the site, irrespective of mode of travel. The access arrangements ensure that green and active travel can take place onsite, which in turn will serve to encourage businesses to rely upon green and active travel for 'last mile' journeys, in accordance with policies S.TR1 and D.TR4 of the Tower Hamlets Local Plan (2020).

#### Deliveries and servicing

- 7.93 The application is supported by and Delivery and Servicing Plan including Waste Management (DSP), as well as details on the swept paths of the servicing and waste vehicles.
- 7.94 The DSP outlines that all vehicles to the proposed development will be directed to the western access. The central area is gated (on both sides) for both vehicles and

pedestrians and a security lay would be included on the western side temporarily hold vehicles on front of the gates, this would avoid vehicles queuing back onto the highway. Larger vehicles for other units would either be permitted through the central area or use the existing alternative routes.

- 7.95 Occupiers will be asked to prebook deliveries in advance to ensure efficient access into the secured area. Vehicles arriving without a booking would be subject to security checks before being permitted to enter. Vehicles arriving by mistake would be escorted into the site to allow them to turn and exist in forward gear.
- 7.96 It is proposed that the applicant is to appoint a security team to manage access into the site and provide an overview of deliveries. Each occupier would be asked to provide details of a designated 'Goods In' manager to the security team. This "Goods in" Manager would take responsibility for deliveries and servicing for their relevant unit. The goods manager would be instructed to prebook all expected deliveries to enable deliveries to be fast tracked through the security gates. Delivery vehicles arriving without a booking would be asked to pull over into the security layby and the appropriate "Goods In" manager will be contacted verify the delivery is expected. The strategy provided is clear and well thought out. Officers consider the approach to be acceptable; however, it is proposed that a final Delivery Service Plan be secured by way of condition.
- 7.97 Policy T7 of the London Plan 2021 states that to support carbon-free travel from 2050, rapid electric vehicle charging points at logistics and industrial locations is supported. Furthermore, development proposals for new consolidation and distribution facilities should be supported provided they do not cause unacceptable impacts on London's strategic road network and 2). Enable sustainable last-mile movements, including by cycle and electric vehicles.
- 7.98 Following engagement between the applicant team, TfL and LBTH Transportation and Highways, the developer has committed to, where appropriate use reasonable endeavours to encourage users to use a delivery fleet consisting of a feasible proportion of non-diesel//non-petrol engines and/or cargo bikes and/or pedestrian delivery (excluding waste and refuse collections). It is proposed that this be secured via a S106 obligations pertaining to a Travel Plan for the site. Additionally, Electric Vehicle Charging points will also be secured via a S106 agreement, in a manner consistent with the recommendations of the Environmental Statement.

#### Car Parking

- 7.99 London Plan policy T6 encourages car free development and states that it should be starting point for all development proposals in places that well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Proposals are still however required to provide adequate parking facilities for blue badge holders as set out in under policy T6.5.
- 7.100 Disabled parking and operation parking spaces are required for the successful operation of the development. The development will not provide any standard staff or visitor parking other than those for disabled or operation spaces.
- 7.101 It is noted that the existing site has a number of informal car parking spaces, which would be removed as part of the proposals. There are approximately 26 existing informal and unregulated car parking spaces with additional ad hoc parking occurring across the site.

7.102 The proposed development would provide 24 spaces which comprise disabled parking and operation parking spaces only). The proposed car parking (shown below in figure 1.7) arrangements consist of;

- Four standard operational car parking spaces
- 10 accessible parking spaces
- 10 active EV charging operation spaces
- 17 loading bays.



Figure 1.8: Diagram showing the central goods yard with parking and operational bays

7.103 The proposed parking provision for the site is in excess of the Tower Hamlets car parking standards. However, the proposed level of parking would be required for the operational needs of the industrial units and are appropriate for the land uses proposed. The proposed level of parking has been designed to ensure that it would not be used for the purposes of employee commuting travel, and instead serve to facilitate the day to day operational needs of the site.

7.104 Officers consider the proposed car parking facilities to be appropriate. A condition will however be applied to ensure that the appropriate mechanisms are put in place to ensure that only blue badge holders park within the designated blue badge parking bays, and that all parking bays are used for no other purpose (such as offsite parking for external parties) than those outlined within the Transport Assessment submitted as part of this application.

#### Cycle parking

7.105 Development should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Policy T5 of the London Plan (2021) outlines the minimum provision of cycle parking facilities which must be delivered as part of any application, to meet to support the needs of said development and its land use.

Table 1.3 below outlines the minimum cycle parking requirements necessary to comply with policy T5 of the London Plan (2021).

Floor Area (GEA)	Minimum long-stay cycle parking standards	Long stay spaces	Minimum Short-stay cycle parking standards	Short stay spaces	Total
12,639	1/250 sqm GEA	51	1/1000sqm GEA	13	64

Table 1.3: Minimum Cycle Parking Requirements – as per London Plan 2021

7.106 Table 1.4 below provides an overview of the quantum of cycle parking proposed, whilst also demonstrating compliance with policy T5 of the London Plan 2021.

Section of Development	Long Stay Spaces	Short Stay Spaces	Total
Industrial Units 1 – 10 (12,279sqm GEA)	51	13	64
MOT Building (346sqm GEA)	2	1	3
<b>Whole Plot Total (12,639sqm GEA)</b>	<b>53</b>	<b>14</b>	<b>67</b>

Table 1.4: Proposed Cycle Parking Provision

7.107 A total of 51 long-stay and 13 short-stay cycle parking spaces are provided for the 10 industrial units, which is compliant with the stated policy requirements. Cycle parking would if permitted be provided evenly across the industrial units. Additionally, 2 long-stay and 1-shor-stay cycle parking spaces would be provided to the MOT centre.

7.108 The proposals represent a policy compliant provision for cycle parking. If permission is to be granted, officers propose to apply conditions to secure final details of all cycle parking, to ensure that it is compliant with TfL's London Cycling Design Standards, and the policies of the Development Plan. Furthermore, condition will be applied to ensure that the cycle parking is made available and maintained for the full lifetime of the development.

#### Trip generation

7.109 The submitted Transport Assessment and Delivery and Servicing Plan including Waste Management has undertaken a trip generation assessment to determine the multi modal trip generations of the existing site and the proposed development.

7.110 Clarifications have been provided through additional information, issued in response to requests for clarification from TfL. This included additional details on the three-hour period details for trip generations, clarification of impact on local public transport routes, clarification of updated vehicular distribution onto the local and strategic highway network, and potential mitigation.

7.111 Overall, the provided information indicates that the majority of traffic would access the via the A12 rather than the immediate local road network, which helps ensure that impacts on local highways would be limited, however there would impacts on

Empson Street and Devas Street. Thus, TfL have advised that physical works should be secured through a S278 agreement, to ensure adequate improvements are put in place. This stance is replicated by the borough's highways officers, and such measures will be agreed by way of S106 agreement, should permission be granted.

- 7.112 The trip generation profile for the operational use shows that trips are expected across the day, rather than in a tidal AM / PM peak pattern, the most intensive period for vehicle trips would be during the middle of the day.

The assessment does show that would be a net trip generation increase:

- AM 3 hour = +90 (out of 663) two way trips by car driver / passenger and motorbike
- PM 3 hour = +62 (out of 479) two way trips by car driver / passenger and motorbike

- 7.113 TfL have confirmed that this would have a small impact upon local traffic flows, but have stressed the importance of recognising its cumulative impacts, nonetheless. TfL considers that mitigation, which promotes local connectivity should be prioritised rather than mitigation towards potential significant highway interventions which will need to be secured in the A12 Corridor. There are potential improvements to local connectivity which form part of wider approach to west-east strategic connectivity which should be addressed in line with London Plan policy and emerging Leaside AAP Policy. The Devas Street / Twelvetrees Crescent highway axis does have very limited pedestrian and cycle provision, and west-east pedestrian and cycle routes need to use other routes and north-south routes promoted to avoid the A12.

- 7.114 In recognition for the need to mitigate against the harm caused by increased traffic flows, associated with the proposals, the applicant team have agreed to make a financial contribution of £120,000, which is to go towards improvements to the Empson Street A12 Subway. The subway was identified by TfL, as it is in the immediate vicinity of the site and close to the D8 Bus Stop (which is also closest to the site), as well as providing linkages to emerging local residential sites situated on the east side of the A12. It has been agreed that the financial contribution be used to for ambient improvements to flooring, tiles, and lighting to improve conditions for future occupiers of the site and support west-east movements, as well as personal safety.

#### Limehouse Cut Tow Path

- 7.115 The application site sits north of the Limehouse Cut. The Limehouse Cut is inclusive of a tow path on its south side which serves as a pedestrian and cycle route that promotes east/west travel within the borough and provides a connection to Newham also. The site falls within the Tower Hamlets Green Grid Buffer Zone and is thus required to contribute to linking and improving the connectivity of the green grid links in accordance with the Green Grid Strategy and the Mayor of London's All London Green Grid SPD, as required by policy D.OWS3 of the Tower Hamlets Local Plan (2020).
- 7.116 The proposals are supported by a Transport Assessment and a Framework Travel Plan for the site. Both of which serve to support the modal shift from vehicular travel to cleaner, greener modes, such as walking and cycling. Additionally, the proposals, if permitted are expected to increase the number of jobs provided on site from 55, to 232 full time roles. It is reasonable therefore to assume that the proposals will result in increased use of the Limehouse Cut Tow Path from employees either travelling to

and from the site, increased operational use arising from last mile deliveries, or employees visiting the site during breaks and lunch hours.

- 7.117 The Canal and River Trust have engaged with the application and are concerned that the proposals, if permitted, would result in increased wear and tear of the Tow Path. The Canal and River Trust consider that £60,000 would be a reasonable contribution towards local towpath works to support travel to and from the development, and to mitigate the impacts of additional users. This request was supported by TfL also, who identified the site as a potential site for mitigation measures. The applicant team have committed to contributing to improvements to the Limehouse Cut, and the contribution will be secured by way of a S106 agreement should permission be granted.

#### Demolition and Construction Traffic

- 7.118 The application is supported by an Outline Construction Logistics Plan. Condition will be applied to secure detail of a final Construction Logistics Plan, a Construction Environmental Management Plan and a Construction Traffic Management Plan to minimise disruption to the local highways, and also mitigate causing undue levels of harm by way of increased noise and air pollution.

#### Summary

- 7.119 As detailed in the sections above, it is considered that the proposed development would comply with the planning policies and objectives of the Development Plan, which seek to ensure that the impact of development on the highways network has been minimised, and also promotes a modal shift to cleaner modes of transport, including active travel. Additionally, S106 obligations have been agreed as deemed appropriate, to mitigate any harm which may arise from an increased trip generation.

#### **Waste Management**

- 7.120 All new development must 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 whole, in compliance with policy D.MW3 of the Tower Hamlets Local Plan (2020).
- 7.121 A Transport Assessment and Delivery and Servicing Plan including Waste Management plan has been submitted as part of the application. The waste storage requirements have been calculated as outlined within Appendix 4: Waste collection standards of Tower Hamlets Local Plan (2031).
- 7.122 The waste storage capacity has been assessed by LBTH Waste Management Services who have confirmed that appropriate facilities have been provided to store individual waste streams within each unit, and that the management of waste collection services, noting the presence of waste plan coordinator, is considered acceptable. Officers propose to apply condition to secure detail of a final waste management strategy and a separate management plan for the whole site, which will serve to ensure that tenants are required to cooperate with the site wide waste management plan.

#### **Environment**

- 7.123 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 Environmental Statement (ES) coordinated by Trium.

- 7.124 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.
- 7.125 The submitted ES assesses the environmental impacts of the development under the following topics:
- Air Quality
  - Archaeology
  - Climate Change
  - Noise and Vibration
  - Traffic and Movement
- 7.126 The ES was reviewed alongside multiple other planning documents, including:
- LBTH Scoping Opinion
  - Standalone Health Impact Assessment
  - Site Masterplan
- 7.127 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.128 The application has been supported by an ES Volume 1 (March 2024), ES Volume 2 Technical Appendices (March 2024) and a Non-Technical Summary (March, 2024), and three sets of review responses which were not considered to be 'further information' under Regulation 25.
- 7.129 The Council appointed Temple Group to independently examine the ES to confirm whether the ES satisfies the Regulations. This is supported by review reports consisting of the Interim Review Report, May 2024, and the Final Review Report 001 (12 August, 2024) and Final Review Report 002 (22/08/2024).
- 7.130 The most recent clarifications were sought in response to topics pertaining to noise and vibration, the location of machinery associated with the circular economy hub and whether or not industrial uses would operate at night. These were found to be acceptable, as were all previous clarifications relating to all topics covered within.
- 7.131 The Council's EIA Officer and the Council's appointed EIA consultants have confirmed that submitted, including subsequent ES submission as set out above, meets the requirements of the EIA Regulations.
- 7.132 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.
- 7.133 Appropriate mitigation and monitoring measures as proposed in the ES will be secured through planning conditions and planning obligations. The environmental information comprises the ES, including further information and all other information, any representations made by consultation bodies and by any other person about the environmental effects of the proposed development.

## Air Quality

- 7.134 London Plan policy SI1 and Tower Hamlets Local Plan policy D.ES2 require major developments to submit an Air Quality Assessment demonstrating to meet or exceed at least Air Quality Neutral standard. London Plan policy also requires EIA developments to consider ways to maximise benefits to local air quality and measures and design features to reduce exposure to pollution.
- 7.135 The submitted information relating to air quality has been included in Chapter 7, of Environmental Statement: Volume 1 and Appendix 5 of Environmental Statement: Volume 2. The assessment has concluded that impacts demolition and construction will not have significant effects. It is considered that these measures would be temporary, and will be appropriately managed through the application of relevant planning conditions, pertaining to a Construction Environmental Management Plan, a Dust Management Plan, a Construction Logistics Plan, Non-Road Mobile Machinery emission standards and compliance with the Dust from Demolition and Construction SPG
- 7.136 Road traffic emissions will be generated when the development is completed and operational. Operational road traffic emission has the potential to cause permanent long-term effects. However, given the site's relative location to the A12, in an area recognised to be of poor air quality, the impacts of the proposals are negligible. The development would not have a significant impact upon the predicted annual mean concentrations of nitrogen dioxide in 2026.

## Archaeology

- 1.137 London Plan Policy HC1 states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- 1.138 Policy S.DH3 of the Tower Hamlets Local Plan (2020) goes onto say that applications affecting the significance or the archaeology will be required to provide sufficient information to demonstrate how the proposal would contribute to the asset's conservation. Where development includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, field evaluation will be required. Where harm can be fully justified, we Tower Hamlets will require archaeological excavation and/or recording as appropriate, followed by analysis and publication of the results.
- 1.139 The site is located on the Tier 3 'Lea Valley' Archaeological Priority Area, designated by the London Borough of Tower Hamlets, which is an area of 225 hectares contained which is an area of 225 hectares containing paleoenvironmental evidence for past wetland and riverine environments and potential for new discoveries of well-preserved prehistoric sites. It was also an extensive area of historic industry in the medieval and post medieval periods.
- 1.140 The ES outlines the significant effects are likely. 'Significant' environmental effects are those that are moderate or major in scale. Effects that are 'not significant' are minor or negligible in scale.
- 1.141 Although the site is an APA, geotechnical investigations suggest its archaeological and paleoenvironmental interest is very limited. Historic England's GLAAS have



requested that condition be applied to ensure that no development shall take place, other than to ground level (no grubbing out of foundations shall take place) until a stage 1 written scheme of investigation has been submitted to the local planning authority in writing to the local planning authority, identifying any heritage assets of archaeological interest. If assets are found, then a stage 2 written scheme of interest shall be submitted to and approved in writing by the local planning authority.

### Climate Change

- 1.142 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions in 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 Tower Hamlets Local Plan collectively require new development to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 1.143 Policy SI2 of the London Plan (2021) requires major development to be net zero. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy.
1. Be lean: use less energy and manage demand during operation
  2. Be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
  3. Be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
  4. Be seen: monitor, verify and report on energy performance
- 1.144 Policy D.ES7 of the Tower Hamlets Local Plan (2020) requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining carbon dioxide emission to 100%, to be offset through a cash in lieu contribution. This is applicable to all developments.
- 1.145 The submitted Energy Assessment, compiled by Wakins Payne (March, 2024) sets out that the proposals seek to reduce energy demand through the use:
- Energy efficiency measures, which will be applied to the MOT Building and new build warehouses.
  - Efficient delivery of heating and cooling through air source heat pumps
  - Renewable energy generating technologies including (anticipated) 121kWp producing photovoltaic array. The specification of biosolar installation should be considered to maximise the benefits associated with the PV installation.
- 1.146 The carbon offset has been based on the energy consumption during the operation of the Proposed Development and does not account for that which would be produced during the construction phase of development. The total CO2 reduction would equate 19.9 tonnes/CO2 per annum. This means that to comply with D.ES7 there is a requirement to provide a carbon offsetting contribution of £62,901, which would account for the annual carbon shortfall of 22.07 tonnes per annum for a total of 30 years.
- 1.147 LBTH Sustainability officers have highlighted that that in the energy assessment the peak electrical output of the PV panels was described as being for illustrative

purposes only. The peak electrical output and energy generation per year is important for the energy assessment and calculations, as it directly relates to the anticipated CO2 emissions reductions proposed, and thus the required carbon offset financial contribution.

- 1.148 If permission is granted, officers propose to apply condition, as recommended by LBTH Energy and Sustainability Officers, to ensure that PV energy generation exceeds a minimum of 121kWp. Additionally, conditions will be applied to ensure that the proposals are designed and built out to achieve a BREEAM excellent (70%).
- 1.149 In consideration of the proposal's impact upon climate change, officers recognise that the building design, and use of thermal efficient building materials outlined within the Design and Access Statement, including the re-use of existing building materials, will be important in minimising the site's overall impact in terms of greenhouse gas emissions. Thus, it officers will seek to ensure that environmental factors are considered when securing details of final materials by way of condition.

#### Noise and Vibration

- 1.150 Policy D14 of the London Plan (2021) requires development to should be designed appropriately, to where possible prevent or otherwise mitigate opportunities for noise and vibration to cause disturbances and adversely affect the quality of life of those living in the vicinity of development. Policy D13, further states that development should not normally be permitted where it has not been clearly demonstrated how noise and other nuisances will be mitigated and managed.
- 1.151 Tower Hamlets Local Plan (2020) policy D.DH8 further outlines that development must not result in creating unacceptable levels of noise and vibration both during the construction phase and subsequent lifetime of the development.
- 1.152 Policy D.ES9 further required development to; a). use the most appropriate, layout, orientation, design and use of buildings to minimise noise and vibration impacts; b). identify/outline mitigating measures to manage noise and vibration from new development, including during the construction phase; c). separate noise-sensitive development from existing operational noise and; d). provide a noise assessment where noise generating development or noise-sensitive development is proposed.
- 1.153 The Environmental Statement outlines that during the demolition and construction phase Moderate Adverse (Significant) effects are likely to effect Empson Street Studios during substructure works and Brickfield Studios during landscaping works. The adverse affects are however temporary and limited in geographic extent. Officers consider it pertinent to note that the worst impacted buildings are not residential in nature.
- 1.154 The operational industrial noise assessment has been based on 'typical' industrial activities which have been assumed to occur within operational zone in the centre of the site. The operational industrial noise assessment indicates that there is potential for significant adverse impacts (pre-mitigation), based on the scenarios considered for the site. However, with mitigation factors measures, such as the inclusion of screening and similar measures (to be secured by way of condition), all affects would be reduced to minor adverse or negligible (non significant).

Additionally, as the exact use of the industrial units is not known at this time, it is proposed that condition be applied to ensure that the proposals do not give rise to unacceptable impacts pertaining to noise and vibration disturbances for the nearest residential receptors. Noise Impact Assessments will need to be submitted ahead of occupation for each individual unit, prior to its occupation by the end user.

### Land Contamination

- 1.155 Where development is proposed on contaminated land or potentially contaminated land, a desk study and site investigation in line with current guidance is required and remediation proposals agreed to deal with the contamination before planning permission.
- 1.156 The Environmental Statement has identified that Asbestos fibres were present within six samples of made ground of a total of 39 test. The analyses of these samples show presence of fibres of crocidolite, chrysotile and amosite, with a maximum of 0.005 % by weight present in the sample from TP7 at 0.70 m bgl.
- 1.157 Concentrations of heavy metals, VOCs and PAHs recorded have been measured to exceed the controlled waters assessment criteria within the groundwater samples collected from site. Furthermore, the presence of buried fuel tanks present in the central and northwestern areas of the site were also noted. Additionally, the Phase 2 investigation detected a single exceedance of lead within a sample of made ground from TP04, at a depth of 0.5 m to 0.6 m. Given the proposed commercial development at the site, the 'Phase 2 Geo-environmental and Geotechnical Report's
- 1.158 Environmental Health Contaminated Land have been consulted in response to the proposals. Whilst they do not object to the development on the basis of contaminated land, they do request that appropriate conditions are applied should permission be granted.

### Flood Risk and Sustainable Urban Drainage Systems

- 1.159 Development is required to reduce the risk of surface water flooding, through demonstrating how it reduces the amount of water run-off and discharge from the site through the use of appropriate drainage system techniques.
- 1.160 The proposals are inclusive of a Drainage Strategy Report, produced by Heyne Tillett Steel. Additionally, officers note that SUDs have been incorporated into the extensive landscaping strategy. If planning permission is to be granted, officers propose to secure detail of an updated sustainable urban drainage strategy, which reflects the final choice of materials and plants and vegetation on site.

### **Biodiversity**

- 1.161 As outlined within policies S.ES1 and D.ES3, development is expected to enhance biodiversity within the borough. It should retain habitats and features of biodiversity value, or, if this is not possible, replace them within the development, as well as incorporate additional measures to enhance biodiversity, proportionate to the development proposed.
- 1.162 Policy S.OWS2 and D.OWS4 further seek to preserve and enhance existing biodiversity and wildlife that exists within the borough and its water spaces, whilst also enhancing the relationship shared between said spaces and the public.
- 1.163 Site of Importance for Nature Conservation (SINCs) should be protected, as necessitated under policy G6 of the London Plan (2021). Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 1.164 Policy D.ES3 of the Tower Hamlets Local Plan further establishes the requirement for development to protect and enhance biodiversity. Major development is required to

submit an ecology assessment demonstrating biodiversity enhancement that contribute towards the objectives of the Tower Hamlets Biodiversity Action Plan and the Thames River Basin Management Plan.

- 7.165 An Ecological Impact Assessment has been produced by Logika Noise Air Quality Consultants. It outlines that the site has an existing Biodiversity Net Gain Value of 0.06. Although the proposals will result in the loss of nearly all existing habitats on site, officers conclude that the total loss would be minimal. In any instance, the proposals would if permitted increase the BNG value to 2.39 habitat units. It is proposed that the biodiversity enhancements recognised within the Ecological Impact Assessment and Landscape Statement are secured by way of s.106 agreement, to ensure that they are maintained for by the developer. Furthermore, a pre-commencement condition securing detail of an updated bat survey would be required plus a further Biodiversity Net Gain Condition, in accordance with the Environmental Act (2021).
- 7.166 The application is inclusive of Arboricultural Survey Impact Assessment and Method Statement Report. The borough's Senior Arboricultural Officer has had regard to proposals. No objections have been raised and officer's concede that the loss of T20, T14, G16, T17, S18 and S19 can suitably mitigated by the proposed planting. In any instance the proposals would result in a significant increase in the total number of trees (47) in the local area. Officers therefore consider the proposals to be compliant with policy G7 of the London Plan (2021) and policy D.ES3 of the Tower Hamlets Local Plan (2020). Conditions will however be applied to ensure that appropriate steps are taken to mitigate the loss of further trees during the construction phase of development.

### **Statement of community involvement**

- 7.167 The applicant team have engaged in proactive and meaningful public consultation, throughout the lifetime of the project.
- 7.168 As part of the public engagement, the applicant team have engaged with current tenants in order to support them in their relocation. Officers consider that the approach taken is consistent with the overarching intentions of part 6, of Policy D.EM4, which states that development which is likely to adversely impact or displace an existing building must find a suitable replacement accommodation within the borough unless it can be shown that the needs of business are better met elsewhere.

### **Human Rights and Equalities**

- 7.169 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.
- 7.170 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **8. RECOMMENDATION**

- 8.1 That planning permission is GRANTED subject to the prior completion of a legal agreement to secure the following planning obligations, and the application of conditions detailed below.
- 8.2 Heads of Terms:
- Carbon Offsetting Contribution: £62,901

- Biodiversity Enhancements
- Affordable Workspace: Onsite provision totalling 1,198sqm
- Circular Economy Hub: Nil rent for no less than 10 years
- Construction Phase Skills and Training: £47,944.00
- Local Enterprise: 20% of total value of contracts
- End Use Employment: £134,706.95
- Apprenticeships: x5 apprenticeships
- Electric Vehicle Charging
- Travel Plan
- 278 Agreement
- Improvements to Empson Street A12 Underpass: £120,000
- Improvements to Limehouse Cut tow path: £60,000

### 8.3 Planning Conditions

#### Compliance

1. 3 Years Deadline for Commencement of Development.
2. Development in Accordance with Approved Plans.
3. Restrictions on Demolition and Construction Activities:
  - a. All works in accordance with Tower Hamlets Code of Construction Practice
  - b. Standard hours of construction and demolition
  - c. Air quality standards for construction machinery
  - d. Ground-borne vibration limits
  - e. Noise pollution limits.
4. Noise from Plant
5. Subdivision of industrial units, via the introduction of new, or extension of existing mezzanines is prohibited unless otherwise granted permission from the Local Planning Authority.
6. Removal of Permitted Development Rights pertaining to flexible Class E Uses (notwithstanding Class E(g)(ii)/E(G)(iii)),
7. All removal of trees, hedgerows, shrubs or tall herbaceous vegetation shall be undertaken between September and February inclusive.
8. Compliance Considerate Constructors Scheme
9. Section 61 Consent (Noise and Vibration)
10. Where the removal of trees is agreed, a minimum 2:1 net gain for any trees removed must occur, and these are to be planted with a stock size of Semi Mature in line with BS 3936.
11. Protection of tree routes, to prevent the loss of any unauthorised trees.
12. Noise levels pertaining to operation of the units must not exceed specified levels (day and night time, specific)
13. Building services to achieve specified LTBH noise limits
14. Non-Road Mobile Machinery
15. Fire Safety

#### Pre-Commencement

16. Site Environmental Management Plan (SEMP)
17. Construction Environmental Management Plan
18. Dust Management Plan
19. Arboricultural
20. Submission of a tree planting methodology in line with BS 8542

21. Remedial Soil Study
22. Land Contamination
23. A Monitoring and Maintenance Plan (Contaminated land)
24. Submission of an updated SUDs strategy
25. Biodiversity Net Gain
26. An updated bat survey

#### Pre-Ground Works

27. Two stage archaeological investigation: No demolition below ground level (no grubbing out works) until a Written Scheme of Investigation has been submitted to and approved in writing by the LPA.

#### Pre-Occupation

28. Materials
29. Updated landscaping strategy
30. Updated ecological statement, including details of biodiversity enhancements
31. Lighting Strategy (lighting equipment, luminosity, and on/off times)
32. Cycle Parking (full details of cycle parking and lifetime upkeep of parking arrangements)
33. Refuse storage (full details of refuse storage areas)
34. Individual Noise Impact Assessments for each individual unit
35. Site Transport and Servicing Management Plan
36. Site wide car parking plan, to provide details as to how parking will be managed to ensure it relates to operation only, and that only blue badge holders may utilise blue badge parking bays.
37. Details relating to Photovoltaic Panels requiring that panels must generate no less than 121kWP.
38. Post Completion Report submitted to demonstrate 'Excellent' BREEAM rating
39. Post completion report to be submitted to demonstrate CO2 savings have been delivered.
40. Updated Waste Management Plan
41. Updated Circular Economy Hub management plan
42. Final site wide management plan, including details of information and instructions provided to tenants.

#### (Drawings: Landscape):

Existing Site Plan 530-LP-GF-GA-001 A1 1:500 P1  
 Tree Works 530-LP-GF-GA-005 A1 1:500 P1  
 Landscape General Arrangement Plan 530-LP-GF-GA-010 A1 1:500 P1  
 Urban Greening Factor 530-LP-GF-GA-050 A1 1:500 P1  
 Detailed Plan: Entrance Area 530-LP-GF-GA-200 A1 1:100 P1  
 Detailed Plan: Yard Arrival 530-LP-GF-GA-201 A1 1:100 P1  
 Detailed Plan: Towcester Road 530-LP-GF-GA-202 A1 1:100 P1

#### (Drawings: Buildings)

AB-HTL-A1-ZZ-DR-A-00001 Site Location Plan  
 FAB-HTL-A1-ZZ-DR-A-02100 Demolition Plan  
 FAB-HTL-SW-XX-DR-A-01001 Existing Site Plan  
 FAB-HTL-SW-XX-DR-A-01200 Existing Site Sections - North/South  
 FAB-HTL-SW-XX-DR-A-01201 Existing Site Sections - East/West  
 FAB-HTL-A1-ZZ-DR-A-00010 Proposed Site Plan

FAB-HTL-A1-ZZ-DR-A-00011 Proposed Site Levels Strategy  
 FAB-HTL-A1-00-DR-A-00100 Proposed Ground Floor Plan  
 FAB-HTL-A1-MZ-DR-A-00101 Proposed Mezzanine Floor Plan  
 FAB-HTL-A1-MZ-DR-A-00102 Proposed Second Floor Plan  
 FAB-HTL-A1-RF-DR-A-00103 Proposed Roof Plan  
 FAB-HTL-A1-XX-DR-A-00110 Proposed Northern Block Yard Layout  
 FAB-HTL-A1-XX-DR-A-00111 Proposed Southern Block Yard Layout  
 FAB-HTL-A1-00-DR-A-00112 Proposed Cycle Store  
 FAB-HTL-A1-00-DR-A-00120 Security Office-Plans  
 FAB-HTL-C1-XX-DR-A-01100 Existing Ground & First Floor Plan MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-RF-DR-A-01110 Existing Roof Plan MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-00-DR-A-00100 Proposed Ground & First Floor Plan MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-RF-DR-A-00102 Proposed Roof Plan MOT Building - Affordable Workspace & CEH  
 FAB-HTL-A1-XX-DR-A-00200 Proposed Sections - 01  
 FAB-HTL-A1-XX-DR-A-00201 Proposed Sections - 02  
 FAB-HTL-A1-XX-DR-A-00202 Proposed Sections - 03  
 FAB-HTL-A1-XX-DR-A-00203 Proposed Sections - 04  
 FAB-HTL-C1-XX-DR-A-01200 Existing Sections MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-XX-DR-A-00200 Proposed Sections MOT Building - Affordable Workspace & CEH  
 FAB-HTL-A1-XX-DR-A-00300 Proposed Elevations - Northern Block  
 FAB-HTL-A1-XX-DR-A-00301 Proposed Elevations - Southern Block  
 FAB-HTL-A1-XX-DR-A-00302 Proposed Elevations - East and West  
 FAB-HTL-A1-XX-DR-A-00310 Proposed Elevations - Typical Bay  
 FAB-HTL-A1-XX-DR-A-00311 Proposed Elevations - Facades  
 FAB-HTL-A1-XX-DR-A-00312 Proposed Bay Study - Service Yard  
 FAB-HTL-A1-XX-DR-A-00313 Proposed Bay Study - Street Side  
 FAB-HTL-A1-XX-DR-A-00320 Proposed Elevations - Security Office  
 FAB-HTL-C1-XX-DR-A-01300 Existing North & South Elevations MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-XX-DR-A-01301 Existing East & West Elevations MOT Building – Affordable Workspace & CEH  
 FAB-HTL-C1-XX-DR-A-00300 Proposed North & South Elevations MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-XX-DR-A-00301 Proposed East & West Elevations MOT Building - Affordable Workspace & CEH  
 FAB-HTL-C1-XX-DR-A-00310 Proposed Facades MOT Building - Affordable Workspace & CEH  
 FAB-HTL-A1-ZZ-DR-A-01500 Existing 3D Isometric View 1  
 FAB-HTL-A1-ZZ-DR-A-01501 Existing 3D Isometric View 2  
 FAB-HTL-ZZ-XX-DR-A-00500 Proposed Isometric View 1 - Site Wide  
 FAB-HTL-ZZ-XX-DR-A-00501 Proposed Isometric View 2 - Site Wide  
 FAB-HTL-ZZ-XX-DR-A-00502 Proposed Isometric Typical Bay  
 FAB-HTL-C1-XX-DR-A-00503 Proposed Isometric View 3 - Site Wide  
 FAB-HTL-A1-ZZ-SH-A-00000 Area Schedule - Industrial Units  
 FAB-HTL-A1-XX-SH-A-00003 Area Schedule NIA - Industrial Units  
 FAB-HTL-A1-XX-SH-A-00004 Room Schedule - Industrial Units  
 FAB-HTL-C1-ZZ-SH-A-00000 Area Schedule - MOT Building - Affordable Workspace & CEH  
 FAB-HTL-XX-XX-SP-A-000100 Outline Specification  
 FAB-HTL-A1-ZZ-M3-A-00001 Revit Model - A1 - Main Industrial Units

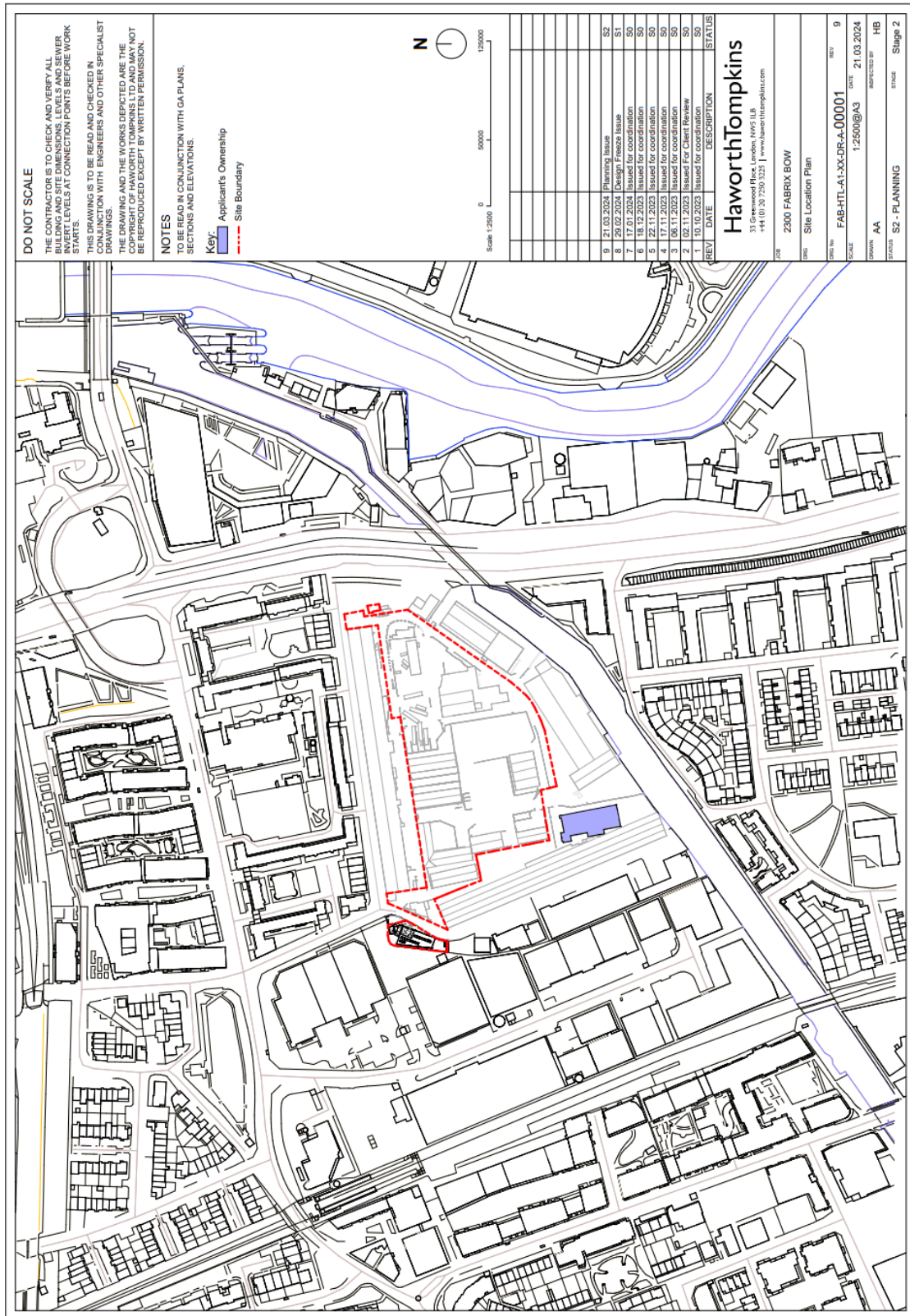
FAB-HTL-B1-ZZ-M3-A-00001 Revit Model - B1 - Scorpio House  
FAB-HTL-C1-ZZ-M3-A-00001 Revit Model - C1 - Incubator and Management Buildings  
FAB-HTL-SW-ZZ-M3-A-00001 Revit Model - SW - Site Wide (Context)

Submitted documents):

Archaeological Desk Based Assessment, dated March 2024 (and ADBA Supplement dated February 2024)  
Circular Economy Statement, dated 19 March 2024  
Climate Change Risk and Vulnerability Assessment, dated 19 March 2024  
Covering Letter, dated 25 March 2024  
Design and Access Statement, dated March 2024  
Drawing Issue Register, dated 22 March 2024  
Drainage Strategy, dated March 2024  
Ecological Impact Assessment, dated 22 March 2024  
Energy Strategy (and Appendices) dated March 2024  
Environmental Statement, dated March 2024  
Fire Statement, dated March 2024  
Flood Risk Assessment, dated 19 March 2024  
Framework Travel Plan, dated March 2024  
Phase 2 Geo-Environmental and Geotechnical Contamination Report, dated December 2023  
Health Impact Assessment, dated March 2024  
Heritage, Townscape and Visual Impact Appraisal, March 2024  
Landscape Statement, dated March 2024  
Lighting Assessment, dated March 2024  
Outline Operational Management Plan, dated March 2024  
Planning Statement, dated March 2024  
Tenant Management Plan and Relocation Strategy, dated March 2024  
Reuse, Recycle and Waste Plan, dated 21 March 2024  
Statement of Community Involvement, dated March 2024  
Security Statement, dated 18 March 2024  
Outline Site Environmental Management Plan, dated March 2024  
Site Waste Management Plan, dated March 2024  
Sustainability Statement, dated 20 March 2024  
Transport Assessment, dated 22 March 2024  
Outline Construction Logistics Plan, dated 21 March 2024  
Delivery, Servicing and Waste Management Plan, dated March 2024  
Tree Survey, dated February 2024  
Utilities Assessment, dated March 2024  
Waste Management Strategy, dated 21 March 2024  
Whole Life Carbon Statement, dated 19 March 2024  
Applicant Response to London Fire Brigade, date 21 June 2024  
Applicant Response to TfL, dated 19 July 2024  
Applicant Response to EIA comments, dated 25 July 2024 and 19 August 2024  
Circular Economy Hub Note, dated July 2024



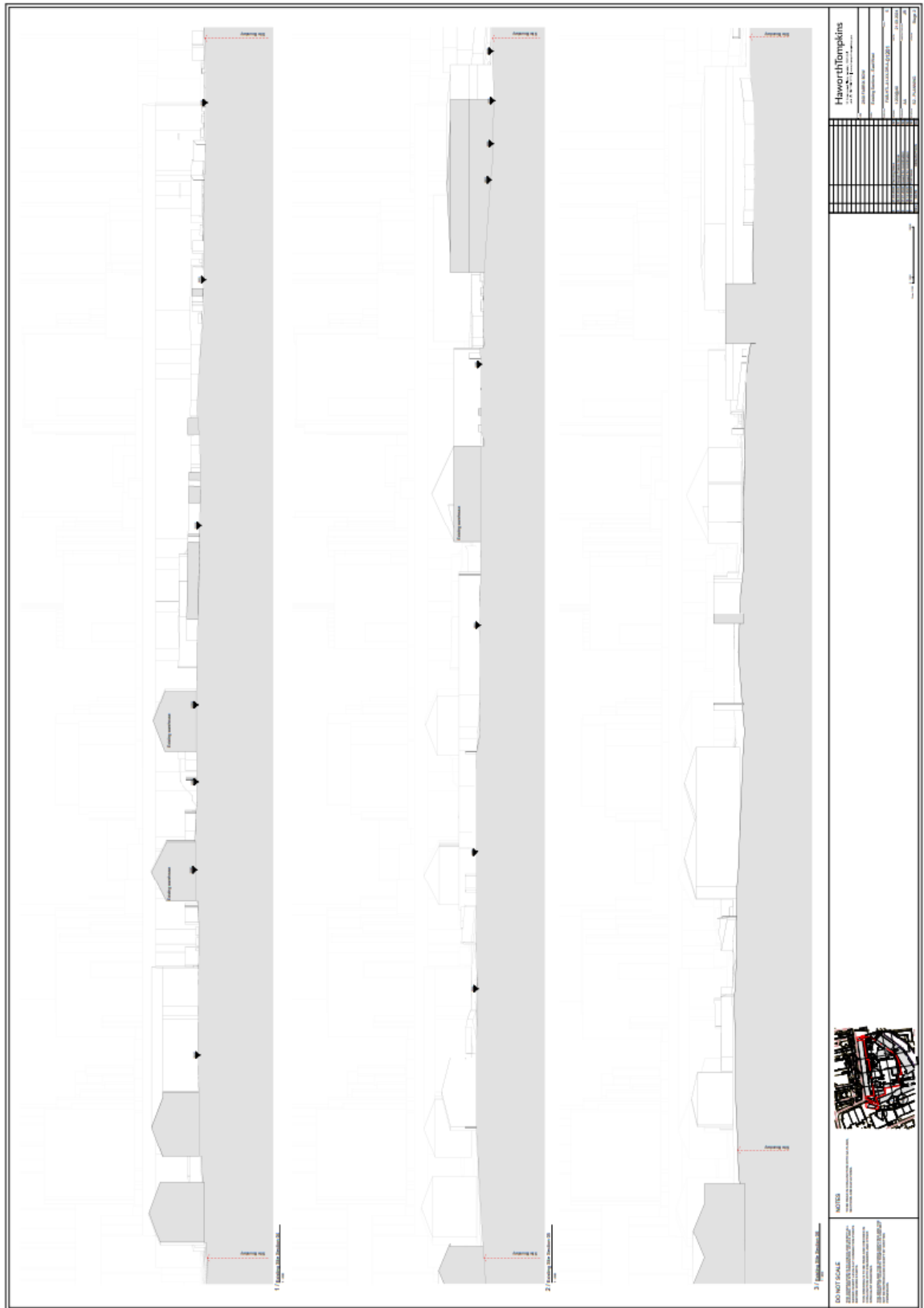
# Appendix 1.1 – Site Location Plan



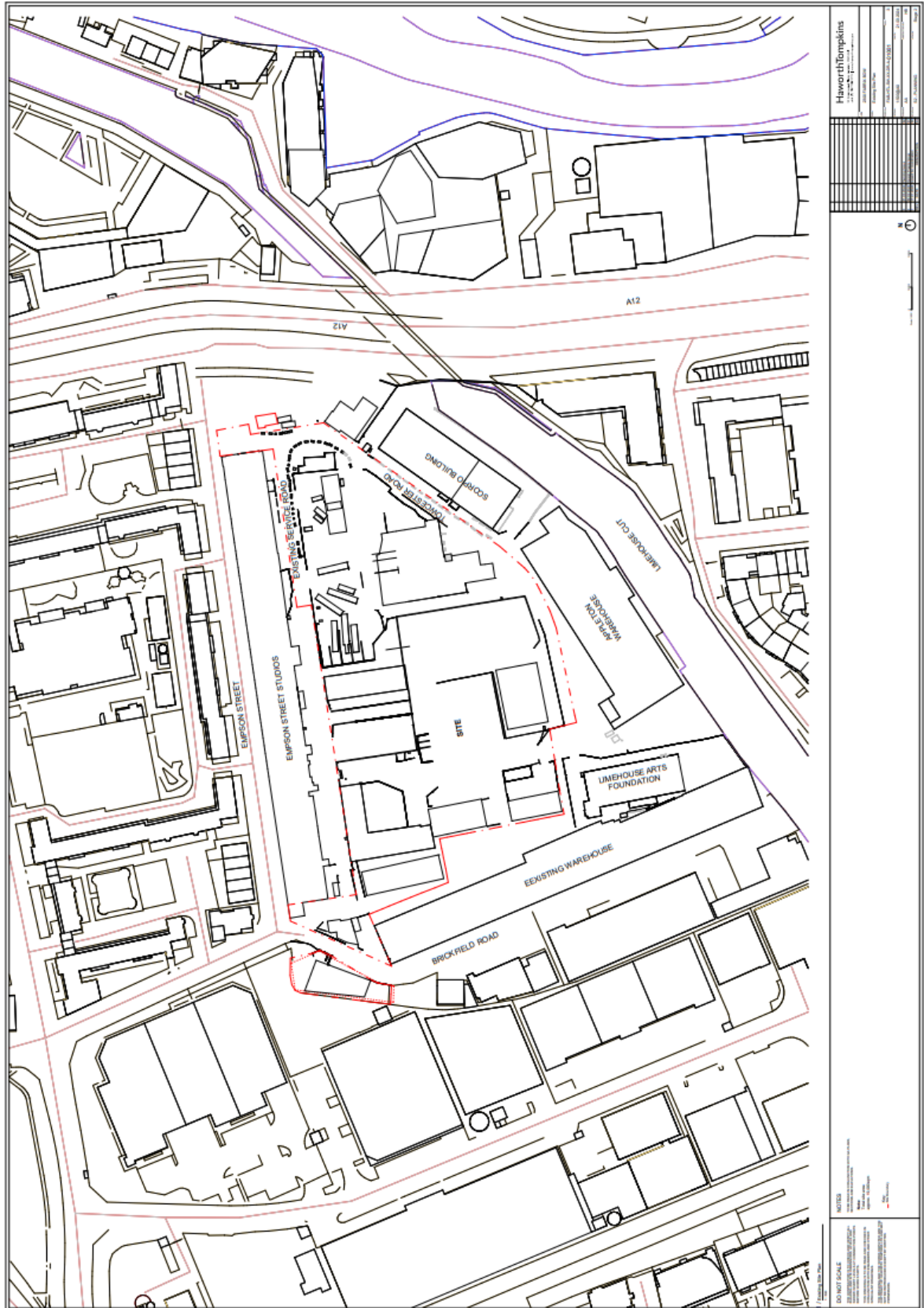
# Appendix 1.2 – Existing Sections – North/South



**Appendix 1.3 – Existing Sections – East/West**



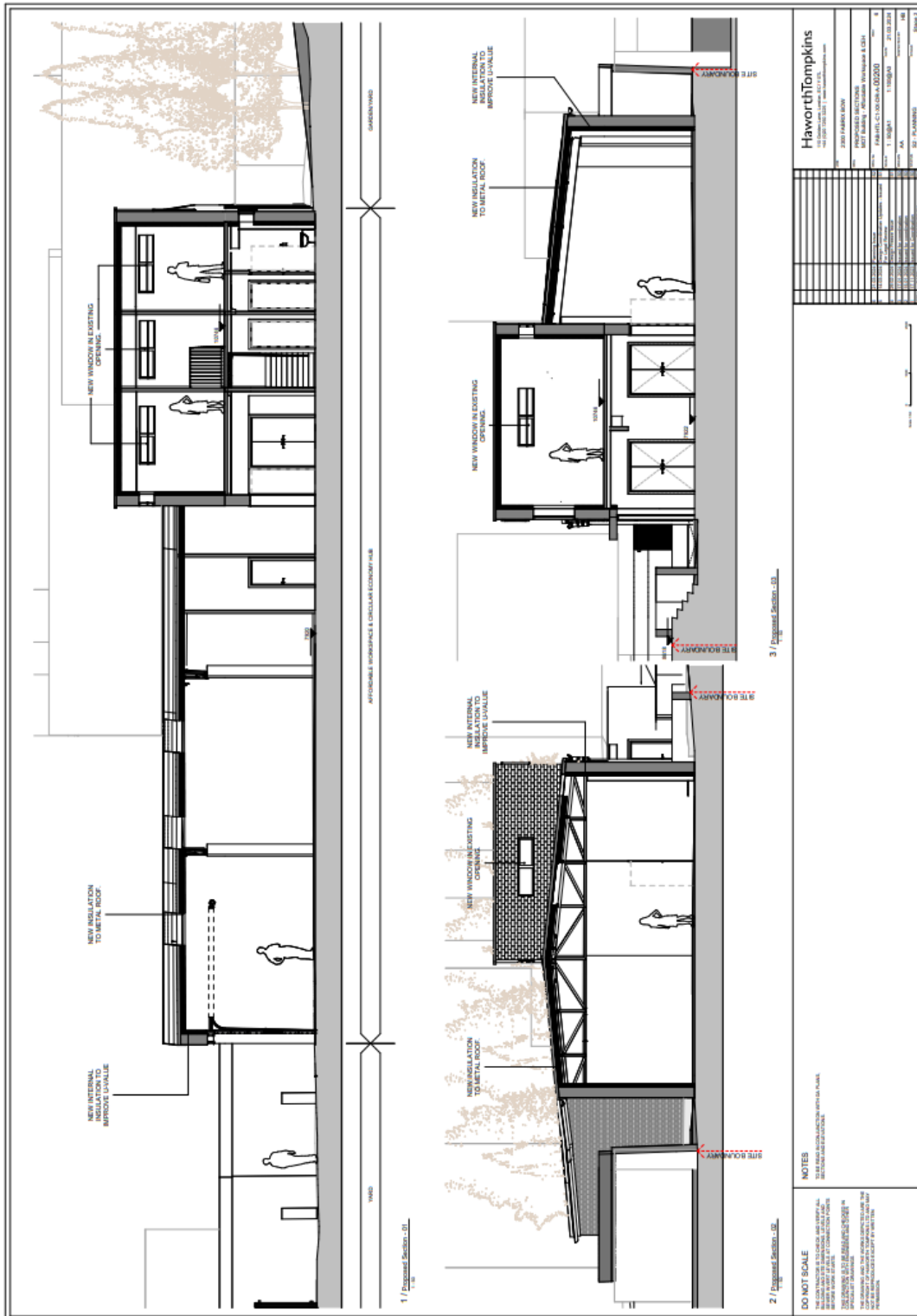
Appendix 1.4 – Existing Site Plan



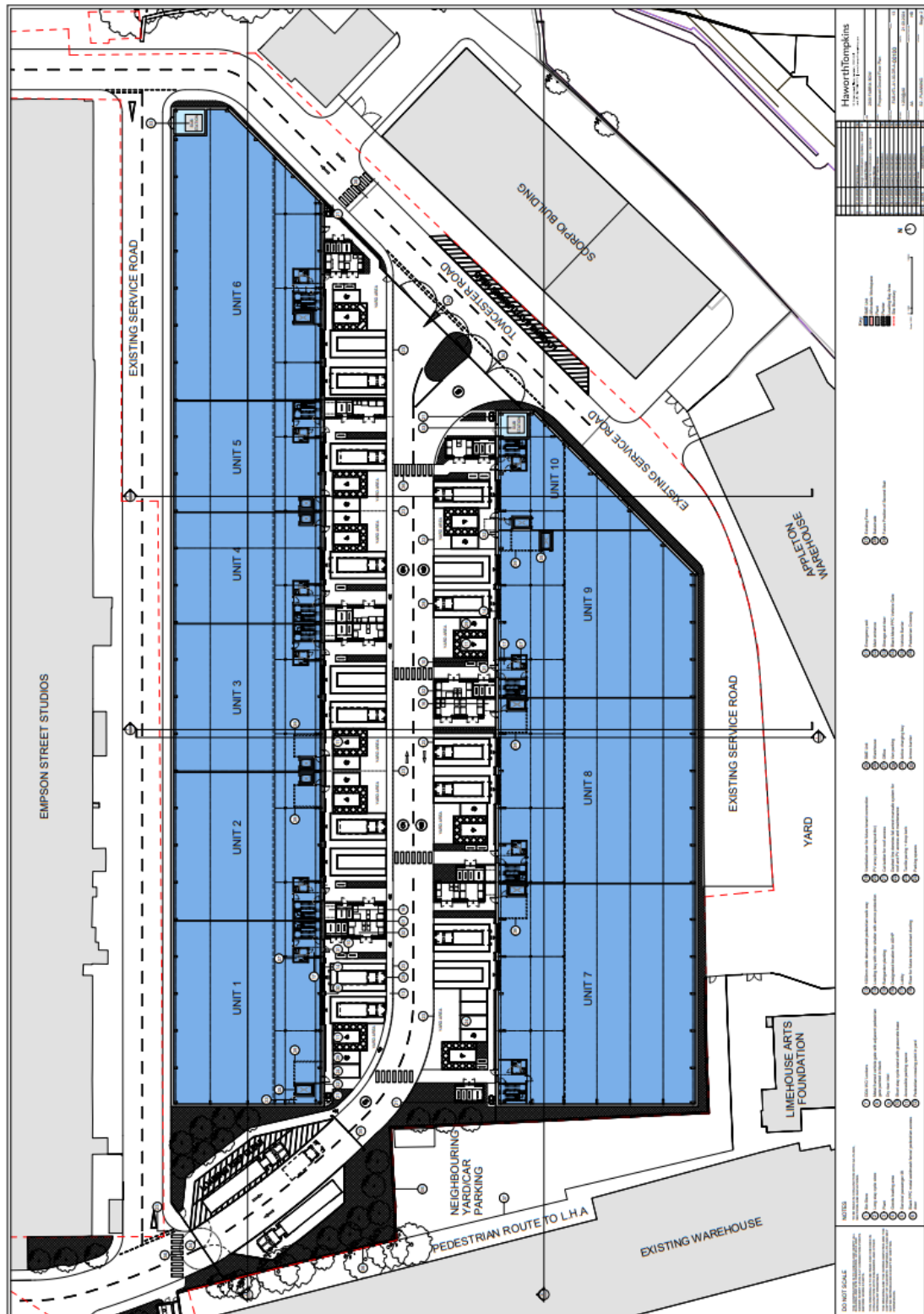




# Appendix 1.7 – Proposed Sections MOT Building - Affordable Workspace & CEH

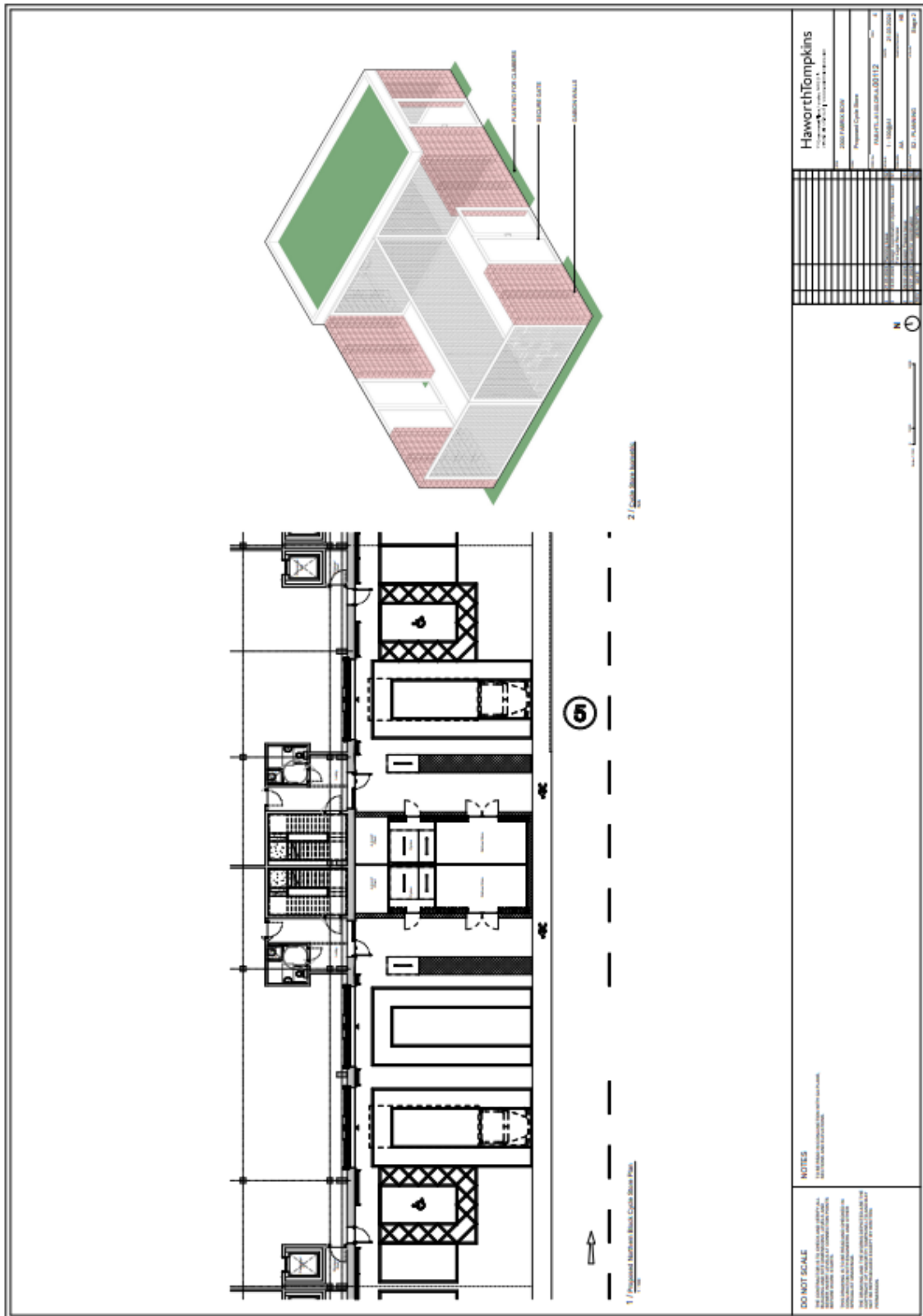


Appendix 1.8 – Proposed Ground Floor Plan



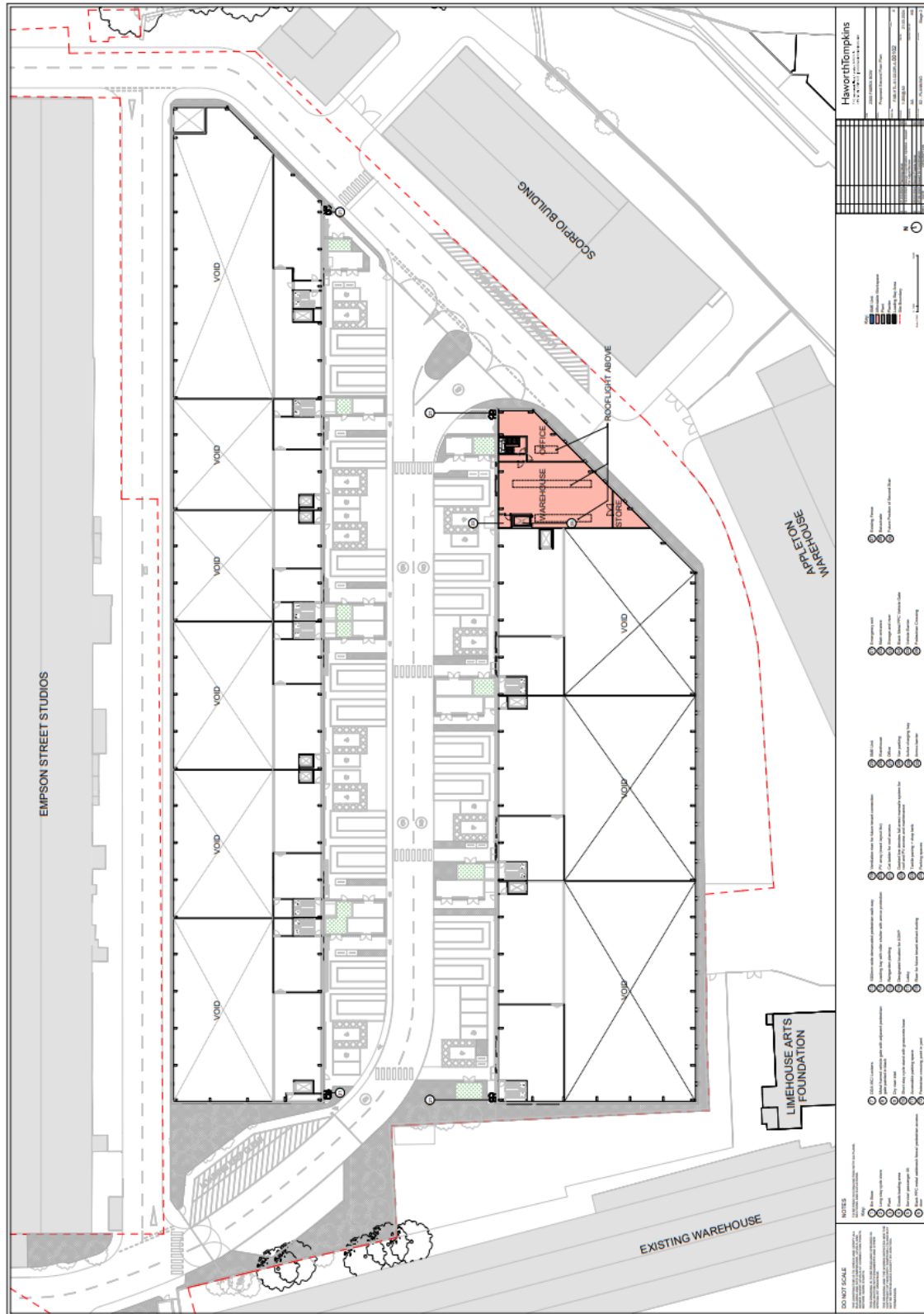


Appendix 1.9 – Proposed Cycle Store

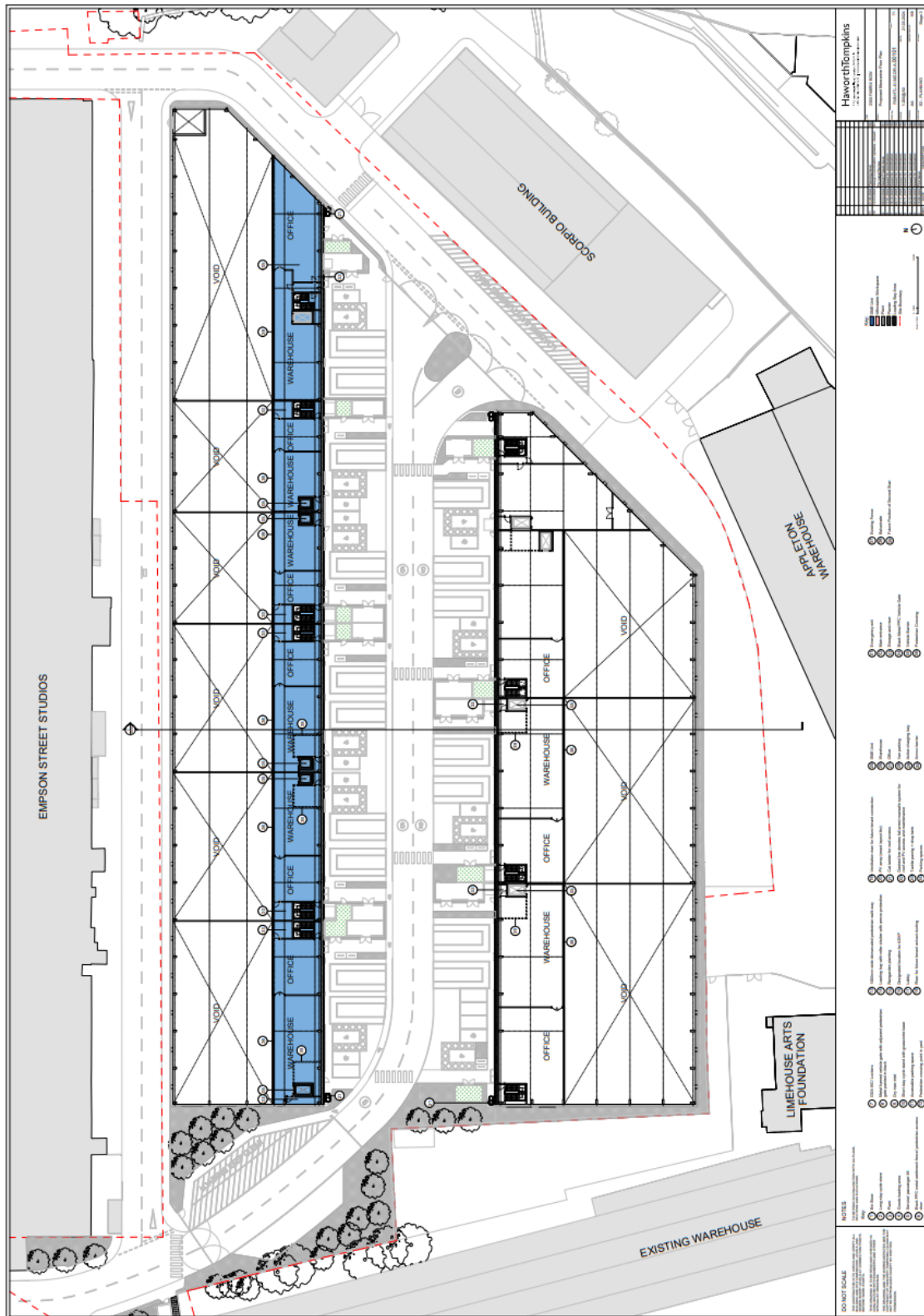




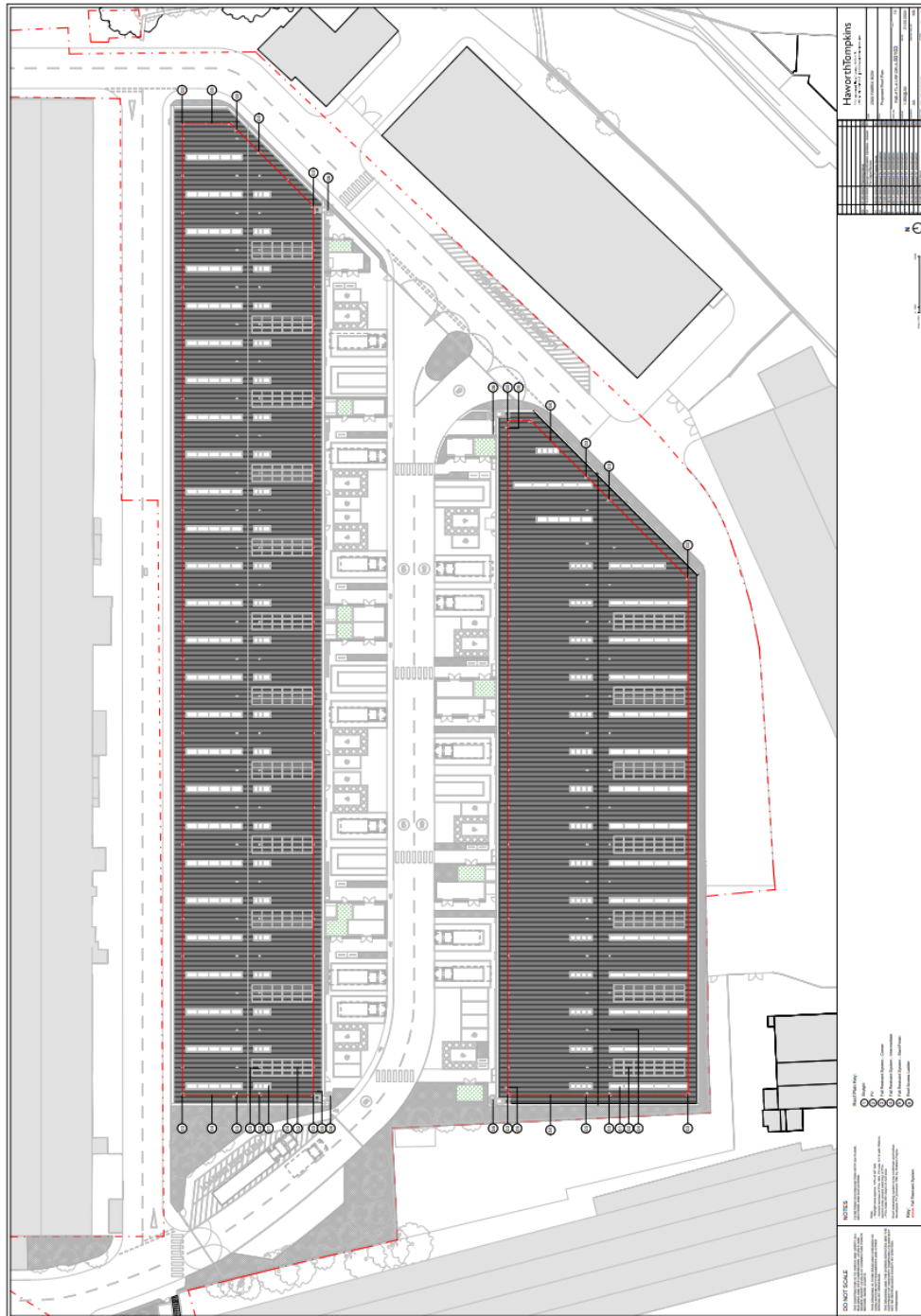
# Appendix 1.11 – Proposed Second Floor Plan



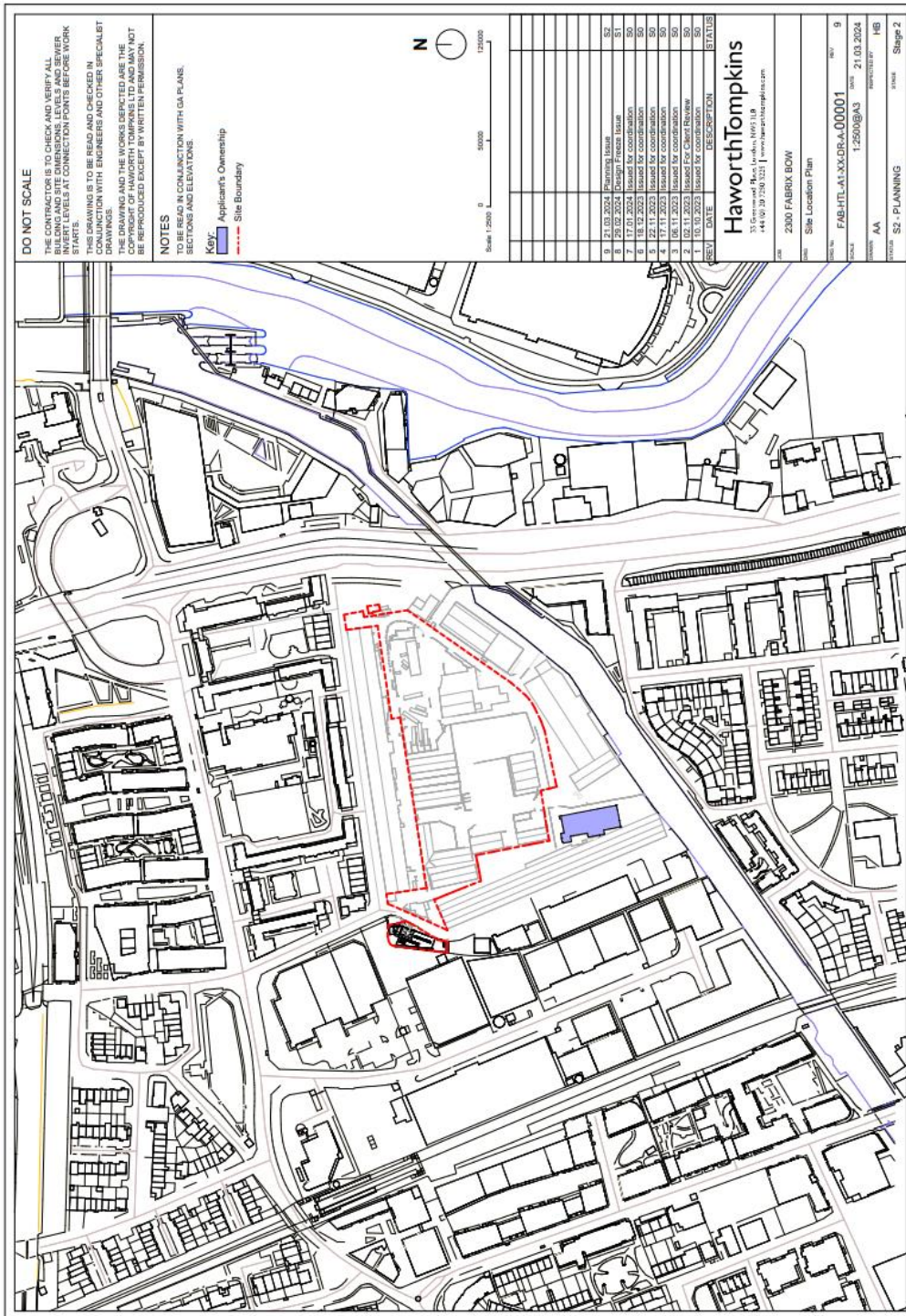
Appendix 1.12 – Proposed Mezzanine Floor Plan



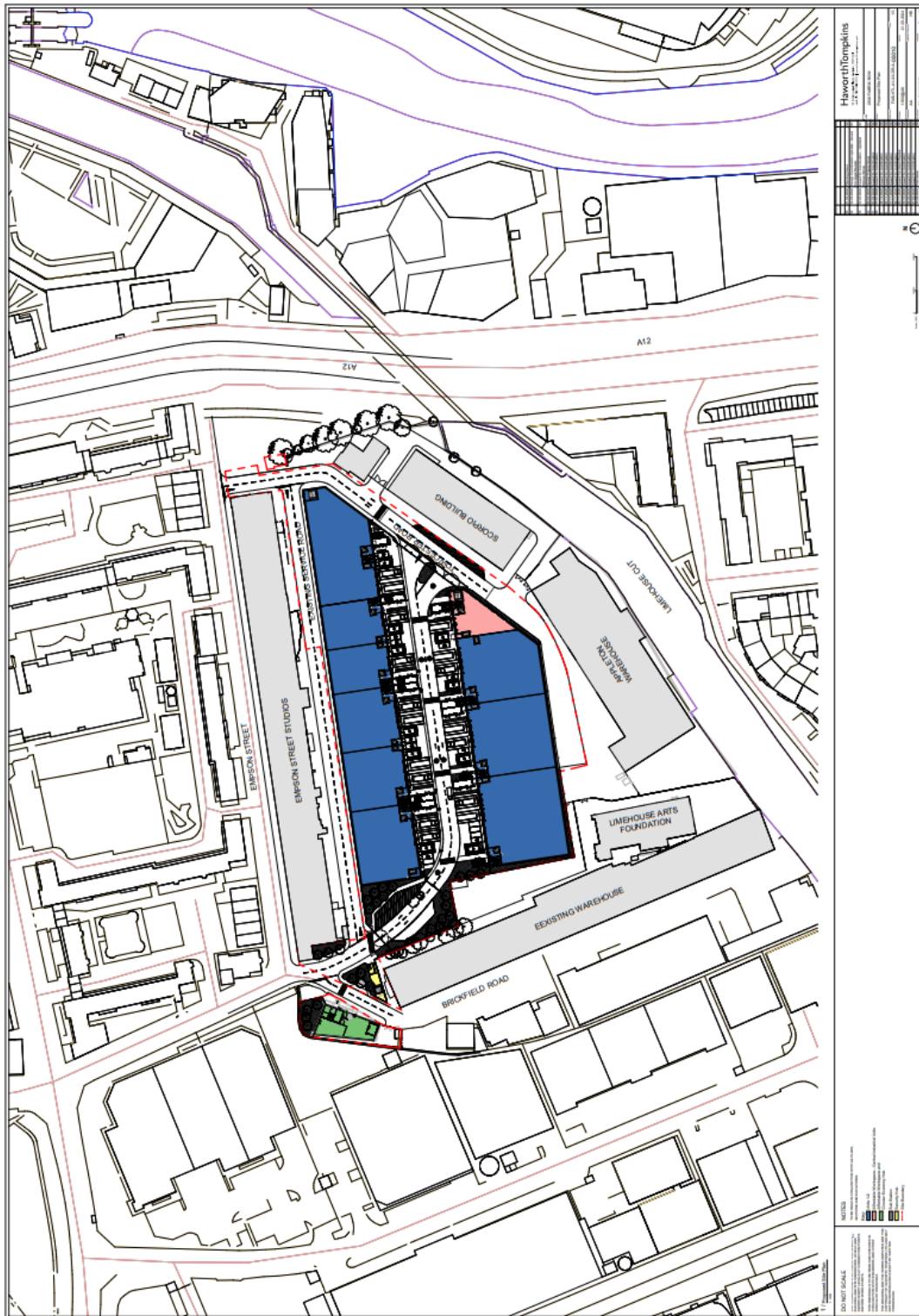
**Appendix 1.13 – Proposed Roof Plan**



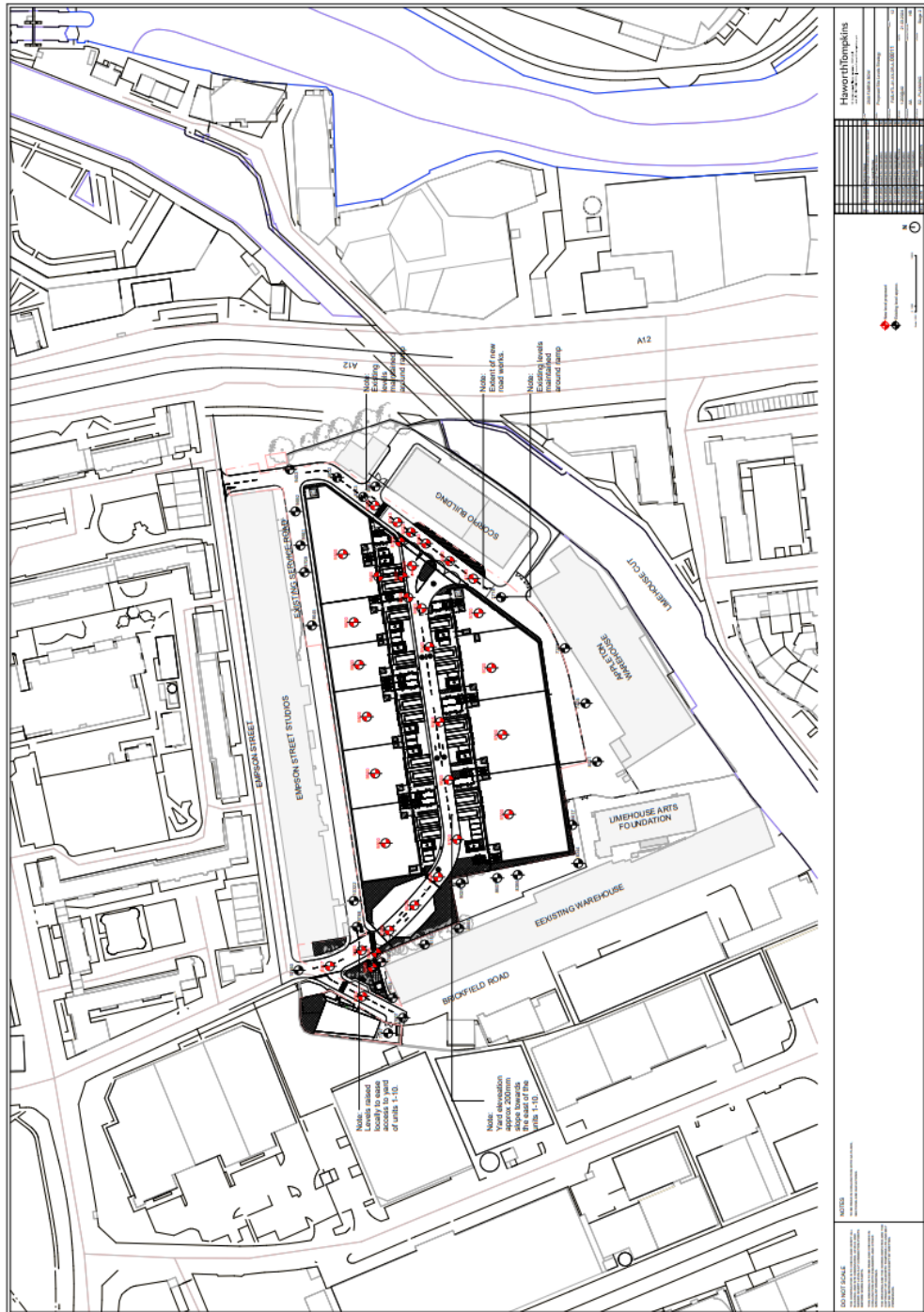
Appendix 1.14 – Site Location Plan



Appendix 1.15 – Proposed Site Plan



Appendix 1.16 – Proposed Site Levels Strategy







# Appendix 1.18 – Detailed Plan Towcester Road

