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Application for Planning Permission

Reference	PA/19/01760
Site	Islay Wharf, Lochnagar Street
Ward	Lansbury
Proposal	Demolition of existing warehouse building and redevelopment of the site for mixed use development comprising two blocks ranging in height between 12 storeys and 21 storeys, accommodating 351sqm of flexible uses classes (Class A1, A2, B1, D1, D2) on ground floor and mezzanine with associated public realm works and residential accommodation (Class C3) on the upper floors providing 133 residential units.
Summary Recommendation	Grant Planning Permission subject to conditions
Applicant	SN Developments Ltd
Architect/agent	DGA, Montagu Evans
Case Officer	James Woolway
Key dates	Application validated 29/08/19 Public consultation finished on 02/10/19

EXECUTIVE SUMMARY

The proposed development comprises the erection of a part-12, part-21 storey residential building which would provide for 133 new residential units and 351sqm of flexible commercial space at ground and mezzanine level.

The development is considered to positively contribute to the broader regeneration of the Lower Lea Valley and Ailsa Street Site Allocation, and provides a significant opportunity to enhance an underutilised site through securing public access along the River Lea and to future bridge connections across to Newham.

In land use terms, given the site's location within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area, a proposed high density residential scheme is considered appropriate for this location. As such the delivery of a high density

housing scheme is considered acceptable and in keeping with Policies S.H1 of the Tower Hamlets Local Plan (2020), Policy 3.3 of the London Plan (2016) and draft New London Plan Policy H1.

The scheme provides for 35.5% affordable housing by habitable room, including a variety of unit typologies across both tenures. The accommodation is considered to be of a high standard, providing for generous floor to ceiling heights, internal spaces and private and communal amenity. There are no northern single aspect flats and 71% of units are dual aspect across all tenures.

The height, massing and design are considered to appropriately respond to the local context. The building is considered to deliver a unique and high quality design which would be a positive contribution to the area, and form part of an emerging cluster of tall buildings which provide a distinctive character to the locality and skyline. The detailed architecture is considered to be of exceptional quality and has been developed significantly through pre-application, design review and submission.

In terms of daylight and sunlight, the proposal does not result in any unacceptably significant material reductions to sunlight and daylight levels in reference of the BRE Guide to existing or consented neighbouring properties, and provides excellent daylight and sunlight within the development.

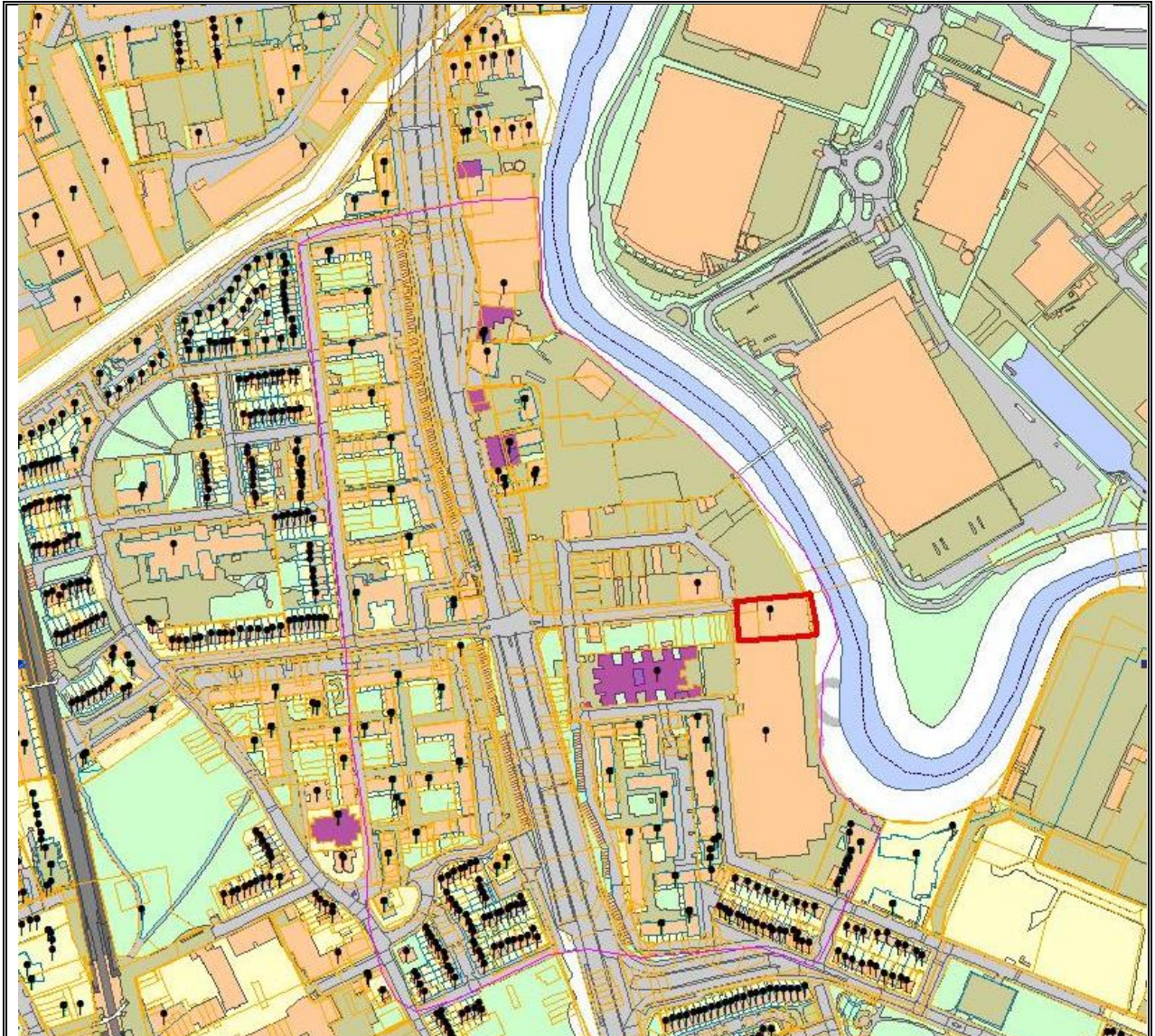
Parking access and servicing are considered to be acceptable subject to conditions and the submission of a Travel Plan.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements. Considerable Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements.








The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, it would provide a necessary and reasonable planning obligation to local employment and training. A further financial contribution will be secured to enhance parks within the locality.

On balance, the development is considered to provide a substantial opportunity to enhance an underutilised site within an area suffering from deficiencies in design quality, accessibility and affordable housing and as such represents a positive contribution to the area in line with Development Plan policies.

SITE PLAN



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<ul style="list-style-type: none">  Planning Application Site Bound:  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/19/01760</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 13 May 2020</p>

1 SITE AND SURROUNDINGS

- 1.1 The application site is approximately 1,000sqm and at present accommodates a large two-storey warehouse and forms part of a broader industrial area located adjacent to the Lea River. The site is accessed at the eastern terminus of Lochnagar Street which directly connects to the A12 approximately 150m from the site.
- 1.2 The majority of the existing use of the site is industrial (B8), with a small section of the site consented for as a place of worship (D1). While unspecified as to how long, this portion of the site has been vacant for quite some time.
- 1.3 The site lies immediately adjacent to the River Lea, and acts as a keystone within the Ailsa Street Site Allocation between two large development sites (aerial below). The first being Ailsa Wharf to the north which as consented in 2018 under PA/16/02692 will accommodate 785 new homes, significant open space, and over 2,000sqm of commercial floor space. The second is immediately to the south of the site and is the former Poplar Bus Depot which is a live application (PA/19/02148) seeking consent for a mixed use redevelopment to provide 547 new homes and almost 3,500sqm of commercial floor space.



South West

Figure 1: South-west aerial view of site

- 1.4 While the site forms part of a historic industrial area spanning from Leven Road Gasworks to the waste disposal site north of Ailsa Wharf, it is noted that the prevailing character of the locality is emerging as residential in nature with large residential estates to the west and south of the site.
- 1.5 While not within a designated Conservation Area, or adjacent to one, to the immediate western boundary of the site is the Grade II listed Bromley Hall School for the Physically Handicapped which was designed and built in the 1960s as one of the earliest bespoke schools for the disabled. It is of note that consent to expand and redevelop the school pursuant to PA/16/00884 lapsed in November 2019. The closest Conservation Area is the Limehouse Cut CA, which is approximately 200m to the north of the site.
- 1.6 The prevailing PTAL of the site is 1a, with the closest public transport interchange being bus stop M, 200m from the site, which provides the southbound D8 service to

Crossharbour with the opposing service on the western side of the A12 providing a northbound service to St Leonard's Wharf. The 309 bus service is also available on Zetland Road which provides transport to Bethnal Green and Canning Town.

- 1.7 The closest rail services to the site are available from Langdon Park DLR, approximately 800m walking distance, and Bromley-by-Bow underground station which is approximately 1,000m walking distance. The DLR services provide north and southbound links to Stratford and Canary Wharf, while Bromley-by-Bow provides east and westbound services between Upminster, Hammersmith and Richmond by way of the Hammersmith and Fulham, Circle and District lines.
- 1.8 The site is located within the Poplar Riverside sub-area (as below) of the Mayor's Lower Lea Opportunity Area, as detailed in the 2007 adopted strategic plan for the area. The plan provides an overarching strategic vision for the delivery of 32,000 new homes within the area, with the sub-area detailing Islay Wharf as an identified area for housing. Importantly, the plan identifies a bridge crossing between the Borough and Newham which abuts Islay Wharf's northern boundary. The delivery of this bridge is secured by way of Ailsa Wharf's S106 legal agreement, and is anticipated to be submitted for planning in the near future.

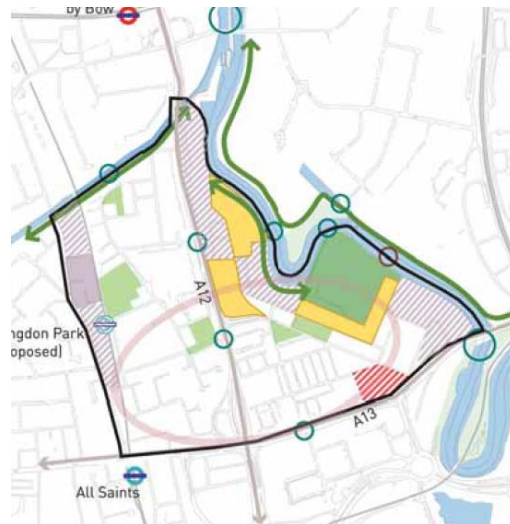


Figure 2: Poplar Riverside Sub-Area, Lower Lea Valley Opportunity Area

- 1.9 Other notable planning designations affecting the site include its siting within an Archaeological Priority Area, Floodzone 2/3 which designates it as 'more vulnerable' and as a Site of Importance for Nature Conservation due to its proximity to the River Lea.

2. PROPOSAL

- 2.1 The application proposes the demolition of existing structures on the site, and a residential-led redevelopment of the site accommodating 133 new homes and 351sqm of flexible commercial space within a part-12, part-21-storey (overall AOD +80.8m) tower. A single-storey podium element abuts the southern boundary shared with the Poplar Bus Depot site within which the refuse storage and internal servicing requirements are accommodated with dedicated child play space to the roof.
- 2.2 The building will contribute to a collection of tall buildings emerging along the River Lea within the Ailsa Street Site Allocation, located between two significant development sites at the former Poplar Bus Depot and Ailsa Wharf. The tower is designed with generous 3.3m

floor to floor heights, high quality materials reflective of the local character as well as cascading fenestration and balconies providing further visual interest.

- 2.3 The scheme will provide 31 affordable homes representing a 35.5% contribution by habitable room.
- 2.4 The commercial spaces within the scheme are provided through two units across ground and mezzanine levels, providing activation and visual interest to the north, east and western frontages.
- 2.5 The scheme provides a substantial public realm offering, with notable contributions to the north and east of the site to accommodate the provision of the Riverside Path along the Lea, as well as that of the bridge landing to connect to Newham to the north abutting Ailsa Wharf. The public realm will create a generous separation between Ailsa Wharf and the scheme, providing a broad pedestrian and cycling entrance to the future bridge.
- 2.6 Access to the site is from Lochnagar Street which terminates at the doorstep of the development. While the scheme will be car-free for residential and commercial purposes, three enclosed blue badge bays have been provided at the western edge of the development for use by occupants of Islay Wharf.
- 2.7 Servicing is managed by way of a loading back at the south-western corner of the site, accessed from Lochnagar Street. The bay has direct access to refuse collection at the ground floor of the tower and podium.

3 RELEVANT PLANNING HISTORY

Islay Wharf, Lochnagar Street

PF/16/00123 – Pre-Application Closed 20/1/2018

Proposed demolition of existing building and redevelopment to create new build, 17 storey apartment blocks including associated hard and soft landscaping.

PF/11/00193 – Pre-Application Closed 17/01/2012

Change of use of part of the existing premises from B8 (Warehouse) to D1 (Place of Worship).

PA/12/01174 – Permitted 07/08/2012

Retrospective application for the change of use of part of the existing premises from B8 (warehouse) to D1 (place of worship)

PA/80/00650 – Permitted 18/07/1980

Use as warehouse for confectionary distribution.

PA/6300396 – Permitted 19/12/1963

Erection of roof over existing yard, alterations and extension to the existing workshop to form new offices and toilets and alteration of existing access of premises.

Ailsa Wharf, Ailsa Street (most relevant only)

PA/18/03461 – Permitted 16/01/2020

An application for a minor material amendment to planning permission PA/16/02692 dated 2nd October 2018 in respect of amendments to the internal layouts and external elevations of Blocks IJKL, EFGH and M and to the footprint and layout of all basements, together with

amendments to the residential tenure mix by block and the detailed design of the landscaping and public realm.

PA/16/02692/A1 – Permitted 02/10/2018

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

PA/87/00762 – Permitted 18/09/1987

Use as a waste transfer station.

Former Poplar Bus Depot, Leven Road

PA/19/02148 – Pending Decision

Part retention, part alteration, and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 547 residential units (Class C3), 3,492sqm (GIA) of flexible space comprising of a mix of: office; retail; professional services; restaurant/bar; community space; and leisure space (Classes B1, A1, A2, A3, A4, D1 and D2) within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works.

PL/88/00105 – Permitted 19/09/1989

Refurbishment and change of use to storage and ancillary office use. Including car parking, revised access, new front wall and landscaping.

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 961 planning notification letters were sent to nearby properties on 03.09.19. Five site notices were displayed around the site (as identified below) on 11.09.19 and a press notice was advertised on 12.09.19.



Figure 3: Consultation boundary & site notice locations mark by blue dots

- 4.2 Three objection letters were received in response to notification and publicity of the application.
- 4.3 The comments raised in objection to the proposal are summarised as follows:
- Scale out of character with area
 - Parking stress
 - Detraction from local shops and services
 - Daylight and sunlight impacts to Ailsa Wharf
 - Reliance on Ailsa Wharf open space
 - Construction impacts
 - Environmental impacts (wind and DSL)
 - Privacy (overlooking)
- 4.4 It is noted that within the one of the objections that the individual making representation is supportive of the following:
- Delivery of affordable housing
- 4.5 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring landowners, including those at Ailsa Wharf and the Poplar Bus Depot. It is noted that a series of joint pre-application meetings were held at Council offices

that the applicants for both Islay Wharf and Poplar Bus Depot attended on 28 March 2019 and 15 April 2019.

- 4.6 Furthermore, the submitted SCI outlines the approach towards community consultation whereby the applicant issued letters to residential properties within a pre-defined radius around the site. It is noted that the immediate locality is devoid of existing occupants, given the function of both Ailsa Wharf and the application site.
- 4.7 Therefore, given the limited existing community within the application site and immediately adjacent that the consultation on the scheme undertaken by applicants is satisfactory and complements the obligatory statutory consultation undertaken by the Council.
- 4.8 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since early 2019.

5 CONSULTATION RESPONSES

Internal Consultees

LBTH Transportation and Highways

- 5.1 Highways officers raised initial objection to the quantum and mix of cycle stores provided and details of the draft Travel Plan. Officers are supportive of the car-free nature of the development, and seek to impose a number of conditions on consent and legal obligations within the S106.
- 5.2 It is noted these comments have been addressed during application stage, and the recommended conditions and obligations will be secured through the consent.

LBTH Waste Policy and Development

- 5.3 Waste officers raise no in-principle objection to the proposed refuse storage and servicing strategy, subject to the submission of details.
- 5.4 Officers consider that these details can be satisfactorily secured via condition on the consent through standard waste management conditions.

LBTH Environmental Health (Air Quality)

- 5.5 Air Quality officers raise no objection, subject to the submission of an Air Quality Addendum as part of a condition, in addition to further standard conditions. The Addendum must consider use-phase air quality impacts against the most up to date GLA and Local Policies and to also include an assessment of dust impacts during construction phase.
- 5.6 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Noise/Vibration)

- 5.7 Noise officers raise no objection, subject to standard conditions and imposition of operating hour controls on commercial units.
- 5.8 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Contaminated Land)

- 5.9 Contaminated officers raise no objection, subject to standard conditions.
- 5.10 The recommended conditions will be imposed on consent.

LBTH Sustainable Urban Drainage (SUDS)

- 5.11 SUDS officers raise concern with regard to flood data, and maintenance of flood defences, in alignment with objections raised by the Environment Agency. They also recommend a surface water drainage strategy be conditioned on consent.
- 5.12 It is noted these issues have been resolved during application stage, and the recommended condition will be imposed on consent.

LBTH Biodiversity

- 5.13 Biodiversity officers have made a number of observations about the proposed scheme, while noting that overall the scheme provides a significant amount of biodiversity enhancements to the site and broader locality.
- 5.14 Biodiversity officers highlight the lack of detail provided with regard to the nesting of Black Redstarts, as well as a number of broader comments relating to the proposed vegetation within the landscaping.
- 5.15 Officers advise of 3 pre-commencement conditions which would address the observations made, and further landscaping conditions will be included to ensure that any proposed soft landscaping would accord with the Borough's biodiversity and ecology aims and contribute where possible to the Local Biodiversity Action Plan (LBAP).

LBTH Housing

- 5.16 Housing officers, while supportive of the quantum of affordable housing provided, raise concern with regard to tenure and unit mix as submitted.
- 5.17 As detailed in the below Housing section, following the submission of a revised tenure and mix and the independent review of the scheme's viability it is considered, on balance and with regard to the scheme's overall viability, as acceptable.

LBTH Energy Efficiency

- 5.18 Energy officers advise that a carbon off-setting contribution of 117,000 will be required to be tied to the legal agreement to offset against the Council's 0% carbon policy.
- 5.19 Officers also seek further details on how the development will meet the energy hierarchy goals as outlined within Policy S12 of the draft New London Plan.
- 5.20 Contribution will be tied to legal agreement on consent, and further information has been submitted to comply with the requirements of Policy S12 and D.ES7.

LBTH Enterprise and Employment

- 5.21 Enterprise and Employment officers advise of financial obligations to be secured within the S106 legal agreement. Details and figured are included in Section 8.2 of this report.

LBTH Occupational Therapists

- 5.22 No comments received.

Officer note: Despite the lack of consultation response received, officers will be imposing a condition on consent requiring the submission of wheelchair accessible housing details and securing the proposed 10% wheelchair homes as part of a non-financial obligation within the S106.

LBTH Viability

- 5.23 Viability officers, and external consultants, have assessed the submitted Financial Viability Assessment as prepared by Montagu Evans and have determined the findings to be fundamentally sound subject to minor amendments as detailed in the Affordable Housing section of this report.
- 5.24 As the scheme fails to meet draft New London Plan Policy for 50% affordable housing on industrial sites, viability officers require early and late stage review mechanisms within the S106.
- 5.25 The recommended review mechanisms will be included within the agreed S106.

LBTH Policy

- 5.26 Policy officers raise concern with the shortfall of child play space on site, housing mix, loss of employment and D1 community use as detailed within the below sections of this report.

Officer comment: It is considered that further revisions and submissions during the application stage, as well as the considered merits of the application, have satisfactorily addressed policy concerns as detailed in the body of this report.

LBTH Town Centres

- 5.27 No comments received.

LBTH EIA (Microclimate)

- 5.28 Objection raised by internal EIA officer due to the lack of wind-tunnel testing undertaken by the scheme, and the failure to incorporate adjoining schemes sufficiently.
- 5.29 Subsequent wind-tunnel testing was undertaken by the applicant and submitted in January 2020 which identified mitigation measures to be incorporated within the scheme.
- 5.30 EIA officer considered this further detail satisfactory; however noted that the mitigation measures implemented within the scheme have not been tested themselves.
- 5.31 It is considered that a suitably worded condition requiring testing of these measures prior to commencement satisfactorily addresses these outstanding points.

LBTH Public Health

- 5.32 Initial objection raised by HIA officer due to the submission of a rapid Health Impact Assessment, and not detailed as required by policy D.SG3 for GLA referable schemes. The consultee raised concern with the level of detail in the submission, and the failure to use community consultation to inform the HIA.
- 5.33 A subsequent 'detailed' HIA was submitted by the applicant in January 2020 which provided greater detail than the originally submitted rapid HIA.
- 5.34 It is considered that at present, due to the lack of concrete guidance available through LBTH Public Health as referenced within the policy, that the revised HIA provided adequate details on the health impacts of the scheme despite the methodology not meeting the detailed criteria.

External Consultees

Environment Agency

- 5.35 Objections raised by the Environment Agency with regard to the submitted Flood Risk Assessment with specific regard to flood details, outfalls and flood defence detailing.

- 5.36 The applicant has since satisfied these concerns as raised by the Environment Agency and detailed within the Flood Risk and Drainage section of the report. A condition, as recommended by the Environment Agency, will be tied to the consent requiring further outfall and flood defence details prior to commencement.

Historic England

- 5.37 Advised that no comment to make, and to refer to LPA Conservation Officer guidance in determining the application.

Greater London Archaeological Advisory Service (GLAAS)

- 5.38 No objection.

London City Airport

- 5.39 No objection, subject to conditions.
5.40 Conditions will be adopted on consent.

Thames Water

- 5.41 No objection, subject to conditions and informative requiring details of piling methodology, and water network upgrades.
5.42 Conditions and informative will be adopted on consent.

Transport for London – Land Use Planning

- 5.43 Transport for London officers initially raised concern with regard to details of cycle storage and access, accessible parking provision and details of the submitted Transport Assessment.
5.44 The subsequent submission of revisions to the Transport Assessment and cycle storage arrangements have been considered by TFL officers to broadly address the bulk of their concerns and have recommended a series of conditions and obligations.
5.45 As detailed in the below Transport section, the remaining outstanding issues are considered on balance as acceptable with regard to accessible parking and cycle detailing. The recommended conditions and obligations, with the exception of highway improvement works, will be adopted on consent.

Greater London Authority

- 5.46 As highlighted within their Stage 1 response, the GLA is supportive of the principle of development and its urban design response. They raise concerns with regard to transport details (as confirmed by Transport for London), details on sustainability and energy. GLA notes that the affordable housing provision would fall short of the Mayor's draft industrial land provision of 50% and would as such require review mechanisms within the S106.
5.47 Following the submission of further details, and as detailed in the below Energy and Transport sections, the applicant is considered to have addressed the issues as raised by the Greater London Authority in their Stage 1 response.
5.48 The GLA will have a further opportunity to review the revised details at Stage 2

Metropolitan Police (Designing Out Crime)

5.49 Concerns raised with regard to the integration of Secure by Design principles within the design, recommends revisions and condition on consent.

5.50 Revisions submitted during application stage address these concerns, with the remainder of the points able to be addressed by Secure by Design Accreditation through condition on consent.

London Fire Brigade

5.51 No comments received.

Canal and River Trust

5.52 No comments to make.

Natural England

5.53 No comment to make.

National Air Traffic Services (NATS)

5.54 No objection.

London Borough of Newham

5.55 No comments received.

Port of London Authority (PLA)

5.56 No objection in principle, recommend inclusion of a condition securing life-saving equipment to the River Lea and further investigation for use of the River Lea in delivering freight and construction material by water.

5.57 Consideration of water by freight will be secured through the submission of a Construction Logistics plan post-consent and a condition requiring the installation of riparian life-saving equipment will be included on consent.

London Legacy Development Corporation (LLDC)

5.58 No comments received.

6 RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 The NPPF (2019), which the Development Plan needs to be in accordance with, sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally-prepared plans for housing and other development can be produced. The purpose of the planning system is to contribute to the achievement of sustainable development which has the following three overarching objectives: economic, social and environmental.

6.3 The adopted Development Plan comprises:

- The London Plan (2016, LP) and
- Tower Hamlets Local Plan 2031, "The Local Plan", (adopted January 2020)

6.4 The key adopted development plan policies relevant to the determination of this proposal are:

Housing - (*standard of accommodation, amenity, playspace*)

- Local Plan policies – S.H1, D.DH2, D.H3
- London Plan policies – LP3.3-9, LP3.10-13, LP3.14-15

Land Use - (*residential, loss of industrial*)

- Local Plan policies - S.SG1, D.TC3, S.EMP1, D.EMP2, D.SG3, D.CF2
- London Plan policies – LP3.14, LP4.7, LP2.13, LP2.16

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

- Local Plan policies - S.DH1, D.DH2, S.DH3, D.DH4, D.DH6
- London Plan policies – LP7.1 - 7.8

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

- Local Plan policies - D.DH8
- London Plan policies – LP7.6, LP 7.14, LP7.15

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

- Local Plan policies - S.TR1, D.TR2, D.TR3 D.TR4
- London Plan policies – LP 6.1, LP6.3, LP6.5- LP6.13

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

- Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES7, D.ES2, D.ES9, D.ES3, D.ES4, D.ES5, D.ES7, D.ES8
- London Plan policies – LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21,

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2018)
- Lower Lea Valley Opportunity Area Planning Framework (2007)
- Historic England Heritage Supplementary Guidance (Various)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2016)

Emerging Policy

6.6 The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan is considered significant as the document has been subject to Examination in Public (EiP), incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was made by the Mayor of London. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13/03/2020, these policies are considered to have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.

6.7 The key emerging London Plan policies relevant to the determination of this application are:

Housing - add detail here

- Draft New London Plan policies – H1, H2, H3, H5, H6, H7, H8, H12

Land use

- Draft New London Plan policies – SD1,SD10, S1, H1, E1, E4, E9

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

- Draft New London Plan policies – D1A+B, D2, D3, D4, D7, D8, D9, D10, D11, HC1

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

- Draft New London Plan policies – D13.

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

- Draft New London Plan policies – T1, T2, T3, T4, T5, T6, T6.1, T6.4,T6.5, T7, T9

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

- Draft New London Plan policies – SI2, SI3, SI12, SI13, G6

7 PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbouring Amenity (including Daylight & Sunlight)
- v. Transport and Servicing
- vi. Environment
- vii. Human Rights and Equalities

LAND USE

7.2 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery be targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.

7.3 As detailed earlier, the application site falls within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area as designated by the Greater London Authority. Both strategic designations earmark the site for high density housing delivery.

- 7.4 Tower Hamlets Local Plan Policy D.TC3 provides guidance on the provision of retail (A1) use outside of town centres, requiring new developments to undertake sequential testing and an impact assessment where individual units or extensions exceed 200sqm gross floor space. Local Plan Policy D.EMP2 notes that new employment will be supported within designated employment locations, Tower Hamlets Activity Areas and identified Site Allocations.
- 7.5 Policy D.EMP3 of the Local Plan seeks to protect against the loss of viable employment space within and outside of Preferred Office Locations, Local Industrial Locations and Strategic Industrial Locations. Applications which seek to reduce the net overall employment space within a site must demonstrate through active marketing that the site is no longer viable for the existing employment use, or robustly demonstrate that site is genuinely unsuitable for continued employment due to its condition and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.6 As detailed in the above sections, there is a demonstrated need for housing and affordable housing within Tower Hamlets and at a regional level. The Borough is expected to deliver a lion's share of new housing within London. It is noted that the Borough has in excess of 19,000 individuals on the affordable housing waiting list. As such, it is considered that a high density housing scheme is appropriate with regard to its siting within the Lower Lea Valley Opportunity Area and the Ailsa Street Site Allocation, and will deliver much needed market and affordable homes for the Borough and London.
- 7.7 With regard to the proposed 351sqm of flexible commercial space, it is noted that neither individual unit would exceed 200sqm and as such is not obligated to undertake a sequential test in accordance with policy D.TC3 of the Local Plan. Similarly, its designation within the Ailsa Street Site Allocation therefore identifies it as appropriate for the delivery of new employment space in accordance with development plan policies.
- 7.8 It is noted that the site is current classed as B8 (storage) and as such falls within an employment use class. Notwithstanding this, it is considered that in accordance with policy D.EMP3 that the site is clearly no longer viable, due to its dilapidated state and long-term vacancy as detailed within the submitted Planning Statement and supported by officer site visit. It is viewed that the alternative use as a housing development within the Ailsa Street Site Allocation would strongly outweigh the benefits of its current use class. It is noted that while there will be an approximate 650sqm net floor space reduction against the proposed 351sqm commercial space proposed, that B8 industrial is a comparatively low employer per square meter and as such the quantum of employment on site will be unlikely to fall considerably.
- 7.9 Policy D.CF2 of The Local Plan provides protection for community uses within the Borough. As detailed within the policy, development should not result in the loss of existing community infrastructure, unless there is no longer a need for the facility or an alternative facility is provided elsewhere which meets this need. It is noted that the application site has previously been issued retrospective consent for operation of part of the site as D1 (place of worship), however this has not operated for a considerable length of time and as confirmed by officer site visit is not a formalised use. It is considered that the site is not, and has not operated for some time, as a community facility and the provision of further D1 and D2 class uses within the flexible commercial units within the scheme ensure the potential to address this loss if the need arises.
- 7.10 It is considered that the 351sqm of commercial space, to be classes (A1, A2, B1, D1 and D2) would provide a great deal of flexibility for future tenancing and much needed employment space within the Borough. While the commercial offering is comparatively limited against the overall GIA of the development, it is viewed as a welcome offering and

considered to offset the loss of the defunct industrial employment space on the site and complement the housing led regeneration of the scheme.

7.11 In summary, the proposed mixed use, residential led development is supported and the associated loss of employment land use is considered acceptable given the existing condition, and viability of the application site and the inclusion of commercial floorspace within the proposed scheme.

HOUSING

7.12 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery be targeted within Opportunity Areas.

7.13 Given the site's designation within the Ailsa Street Site Allocation, and its identified strategic role in providing high density housing within the Lower Lea Valley Opportunity Area, it is considered that housing is in-principle supported and encouraged at this location.

Housing Mix

7.14 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. Policy D.DH2, as detailed in the above section, also seeks to secure a mixture of small and large housing and Policy DM3. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).

7.15 The table below details the overall proposed mix of the scheme:

Tenure	Studio (1hab room)	1-bed (2 hab room)	2-bed (3 hab room)	3-bed (5 hab room)	4-bed	Total
Market	31	29	41	1	0	101
Affordable	0	1	1	14	0	16
Intermediate	0	3	11	1	0	15
Total	29 (28.71%)	33 (24.81%)	53 (39.85%)	16 (12.03%)	0	133

7.16 The table below details the private housing provision of the scheme against D.DH2 policy targets:

Unit Type	Proposed	Policy	Difference
Studio	31 (30%)	-	-
1-bedroom	29 (29%)	30%	-1%
2-bedroom	41 (40%)	40%	0%
3-bedroom	1 (1%)	20%	-19%
4-bedroom	0		

Total	101		
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- 7.17 As detailed in the above tables, the scheme represents a departure from policy with regard to the private housing mix within the development, similar to that of the affordable housing as detailed in the below section. Notably, the development comprises of 30% studio units, which while not recognized as a unit typology within the housing mix table of the Tower Hamlets Local Plan, or the supporting SHMA, they are acknowledged as a unit typology in the Nationally Described Space Standards embedded within the London Plan and referenced within Policy D.H3.
- 7.18 Notwithstanding the absence of studio units within the Tower Hamlets Local Plan and SHMA, it is considered that the typology continues to satisfy an important housing need for single occupants if well designed within schemes. It is noted that the scheme has been revised since submission to reduce the number of studio units within the scheme to provide a greater balance within the market housing.
- 7.19 When considering the overall housing mix, it is relevant to consider the impacts of the housing typologies on the viability of the scheme. As outlined within the Montagu Evans FVA, the studio units provide a considerable per square metre benefit with regard to viability, and provide the ability to offset against the viability deficit created by the provision of 35.5% affordable housing.
- 7.20 Section 4.12.2 of Policy H12 of the Draft New London Plan, “Housing Size Mix”, places importance on considering housing mix in a contextual basis in determining how it best meets a need. In taking a holistic view of housing within the scheme, it is considered that the mix provides for a range of unit types and seeks to proportion them within the tenures most effective – mindful of the overall viability position of the scheme i.e. more family sized units in the affordable section, smaller sized units in the market section. While the scheme fails to be policy compliant with regard to policy D.H2, it is considered that the aspiration of the policy which seeks to ensure that developments provide for a range of units across tenures is achieved to a feasible extent.
- 7.21 As supported by BPS’ review of the FVA, it is considered that the high provision of studios and reduction in family units within the market housing accommodates the maximum provision of affordable homes within the development and maximises the amount of family sized units within the rented tenure. Mindful of this, it is considered that on balance the overall mix of the development achieves the aspirations of the Local Plan in delivering high quality housing across a range of housing types.

Affordable Housing

- 7.22 The London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and provides that there should be no segregation of London’s population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period which can be expressed in absolute terms or as a percentage.
- 7.23 Draft New London Plan Policy H6 outlines the threshold approach to affordable housing for housing schemes within identified industrial land. The policy sets the threshold level of affordable housing at 50% for Strategic Industrial Locations, Locally Significant Industrial

Sites and other industrial sites deemed appropriate to release for other uses. Applications not meeting the 50% threshold are not eligible for the Fast Track Route, and will be viability tested with early and late stage reviews secured by way of legal agreement subsequent to consent.

- 7.24 Council Local Plan Policy D.DH2 sets the requirements of affordable housing provision within developments in the Borough, in terms of quantum, standard and provision. Development within the Borough is required to provide 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units within this offering.
- 7.25 The application provides the following contribution towards affordable housing on site, across both intermediate (shared ownership) and affordable rented products:

Tenure	1-bed (2 hab room)	2-bed (3 hab room)	3-bed (5 hab room)	Total
Affordable Rent	1 (2hr)	1 (3hr)	14 (70hr)	16 (75hr)
Intermediate	3 (6hr)	11 (33hr)	1 (5hr)	15 (42)
Total	4	12	15	31

- 7.26 Of the total 133 units within the scheme, 31 are affordable, with an overall affordable housing contribution of 35.5% by habitable room at a tenure split of 63:37 in favour of affordable rent. As noted above, the overall contribution would meet the policy test of 35% of Policy D.DH2 while falling marginally short in the tenure split of 70:30 as outlined within the same policy. It would, however, fall short of draft New London Plan policy H6 requiring 50% affordable housing on industrial sites, and as such requires the undertaking of a Financial Viability Appraisal on submission to meet both policy tests.
- 7.27 Part 3 of D.DH2 sets out the expected housing mix within the three residential tenures expected within large scale developments, as detailed below. This policy seeks to ensure a mixture of small and large housing types, including family homes, based on the Council's most up to date Strategic Housing Market Assessment (2017).

	Market	Intermediate	Affordable rented
1 bed	30%	15%	25%
2 bed	50%	40%	30%
3 bed	20%	45%	30%
4 bed			15%

Figure 4: Housing mix targets (Policy D.DH2)

- 7.28 The table below compares the affordable housing schedule within the scheme against the preferred mix within Local Plan Policy D.DH2:

Tenure	1-bed	2-bed	3-bed	4-bed	Total
Affordable	1 (6.25%)	1 (6.25%)	14 (87.5%)	0 (0%)	16

Rent					
	-18.75%	-23.75%	+57.5%	-15%	
Intermediate	3 (20%)	11 (73%)	1 (7%)		15
	+5%	+33%	-38%		

- 7.29 While it is noted that the scheme at present provides for 35.5% affordable housing, by habitable room, across the development it does not represent a compliant housing mix across both tenures. Within the affordable rented product, there has been a considerable overprovision of larger family units notwithstanding the absence of 4-bedroom units entirely. In contrast, the intermediate product skews heavily towards a 2-bedroom provision, with quite limited provision of larger family homes. It is however noted that the revised affordable housing offer represents a 63:37 ratio skewed towards affordable rented units, considerably closer to the policy split of 70:30 outlined in Policy D.DH2.
- 7.30 In considering the affordable housing mix, the applicant has submitted viability appraisals of the scheme in line with the above London and Local Plan policies due to its non-compliant provision of 35% affordable housing and failure to deliver a policy compliant mix.
- 7.31 The submitted Financial Viability Appraisal (FVA) prepared by Montagu Evans, and independently reviewed by BPS Surveyors post-submission, concluded that the scheme exceeds the maximum viable provision of affordable housing, highlighting a deficit of £2.165m, amended down from -£3.113m.
- 7.32 The report highlights the challenges of delivering a policy compliant scheme at this location due in some part to the lack of immediate and relevant sales information in what is an emerging housing area within the Borough. It is highlighted by the applicant that family sized intermediate products (shared ownership) suffer from poor demand compared to 2 and 1-bedroom units and as such detract from the overall viability of the scheme.
- 7.33 The intention of the proposed housing mix is to provide a range of affordable products across both tenures, but maximise the effectiveness of the supply. In this regard it was considered family housing should be predominantly targeted to the rented tenure, with smaller units provided within the intermediate to both improve the viability of the scheme while targeting a specific segment of need within the Borough's housing market.
- 7.34 The delivery of housing within the scheme is particularly limited by the footprint of the development, which limits the configuration of units within both the affordable and market blocks of the scheme. The desire to provide above average sized affordable units with a dual aspect is particularly welcomed by the Council; however this therefore places a constraint on the types of units able to be included in each floor.
- 7.35 It is noted that housing officers raise objection with regard to the overall mix and its non-compliance with policy, however they welcome the changes made to the scheme in delivering a more policy compliant provision than originally submitted, particularly with regards to the delivery of family sized affordable units.
- 7.36 As highlighted within the Council's most recently Strategic Housing Market Assessment (SHMA) and reflected within the recently adopted Local Plan Policy D.DH2, family sized housing within the affordable rented tenure remains the main priority with an expected proportion of 45%. While it is accepted that the proposed mix fails to meet the overall Borough target, the 35.5% affordable housing contribution with a 63:27 ratio split between

tenures is considered a particularly strong offering for the locality and represents the maximum offering available on site as agreed by Council's viability consultants.

- 7.37 In considering the affordable housing offer it is considered that strong weight be equally given to the quality of the housing, as well as the quantum. Significantly, it is noted that while 4 of the affordable units fall short by 1sqm of the London Plan Standards, 15 units exceed the standards by at least 10sqm, while the remainder exceed the standards by between 1-6sqm. Overall it is considered that the proposed affordable homes represent a generous level of internal and external amenity.
- 7.38 Notwithstanding housing officer concerns with regard to the overall mix, it is considered when balanced against the viability of the scheme more broadly that the affordable housing offer balances a strong level of quality and addresses specific needs in the community with regard to the tenure and housing splits. On balance it is therefore considered that the affordable housing contribution is acceptable, of a high standard of amenity, and serves to meet a critical need in the community.

Wheelchair Accessible Housing

- 7.39 Policy 3.8 of the London Plan and Policy D.H3 require that 10% of all new housing is designed to meet housing standard M4(3) for wheelchair accessibility, with the remainder of dwelling built to be accessible and adaptable dwellings in line with housing standard M4(2). 15 wheelchair accessible homes are proposed which amounts to approximately 11% of the total units. Of this total, 4 are delivered within the affordable housing and the remaining 11 are within the market units.
- 7.40 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Three secure disabled accessible on- street car parking space would be provided at the front of site, accessed from Lochnagar Street.

Quality of residential accommodation

- 7.41 GLA's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is *"fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime"*. The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.42 Policy D.H3 of the Tower Hamlets Local Plan require that all new residential units must meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The policy also highlights the requirement that affordable housing not be of a distinguishable difference in quality.
- 7.43 It is noted that 4 of 133 units fall short of the London Plan Space Standards by 1sqm with the remainder meeting and generally exceeding the London Plan space standards. All units have a generous floor-to-ceiling height exceeding the 2.5m standard outlined within the GLA's Housing SPG. No floor would have more than 8 units per core, again in accordance with the SPG.
- 7.44 All affordable units benefit from a dual aspect, and while 30 private units comprising of 1-bed and studio flats maintain a single southern aspect it is considered that an overall dual aspect provision of approx. 78%, with no single aspect northern units is acceptable and would not represent a poor standard of residential accommodation.

- 7.45 With regard to the affordable housing, as detailed in the above sections that much of the affordable housing generously exceeds the minimum London Plan standards and is indistinguishable in both access and arrangement to that of the market housing.
- 7.46 As confirmed by Environmental Health Officers, the new residential units will not be subjected to unacceptable noise or air quality conditions. Conditions will be placed on consent to ensure that new accommodation is constructed to appropriate British Standards with regard to acoustic insulation, while a further submission with regard to use-phase air quality assessment submission will be conditioned on consent.

Private Amenity space and communal child play space

- 7.47 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies they should have a minimum width of 1500mm. The proposal provides private amenity space, in the form of balconies to all of the flats in compliance with the above quantitative standards.
- 7.48 Part 5c and d of D.H3 requires communal amenity space and child play space for all developments with ten or more units. The communal amenity space requirement for this development is 173sqm. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.
- 7.49 The development proposes 290sqm of communal amenity space at upper level terraces accessed from the eleventh and twelfth floors for both tenures respectively. The communal areas provide for a range of passive and more active uses as detailed further below. 148sqm is proposed for the affordable block, with 142sqm proposed for the market housing. This split of provision, which is weighted more heavily towards the family sized units within the affordable block, is well considered and constitutes an overprovision of communal space against policy D.H3.
- 7.50 In using the Tower Hamlets Child Yield Calculator, the below requirements for child play provision are generated:

Age Group	Quantity	Area Required (sqm)
Years 0 – 4	18	181
Years 5 – 11	15	147
Years 12 – 18	14	138
Total	47 children	466sqm

- 7.51 As detailed above the development is predicted to generate 47 children and therefore 466sqm of child play space is required, split across the different age groups set out in the GLA's Play and Informal Recreation SPG (2012).
- 7.52 In total, the development provides 218sqm of dedicated 0 – 4 year old play space at a secure first floor level. This space is purpose designed as an outdoor under-4 child play area, accessible to all tenures within the development, securely located at a first floor level.

- 7.53 This south facing play space would provide a considerable level of amenity for children within the development, and constitutes an approximate 30sqm overprovision of play space for this bracket. This space would be well overlooked by south facing units, as well as two mezzanine units which would maintain a direct frontage to this space. While a good level of detail has been provided with regard to the play space, further details including boundary treatment, play equipment specifications and demonstration that the design of the play space meets Play England's design principles will be secured by condition on consent.
- 7.54 With regard to the balance of play provision on site, the applicant seeks to provide a further 'multi-functional' play space for 5 – 11 year olds at upper terrace levels totalling 168sqm. This is split across the two tenure blocks, with 54sqm provided with access from the affordable block and 104sqm accessible from the market housing block.
- 7.55 While notionally this provision would provide for, and exceed, the minimum requirement determined by the Tower Hamlets Child Yield Calculator and D.H3 it is notable that this space is double counted within the communal amenity space provided for the development. The provision of a high quality and flexible communal and play space is welcomed within the scheme; however it is considered that the 168sqm provided is compromised and would not fully meet the policy tests of D.H3 for this reason.
- 7.56 Further to this, the scheme does not provide for any over-12 play space on site. While the first principle of delivering play space should be for provision on site, it is noted that section 9.50 of Policy D.H3 notes that if due to site constraints it cannot be provided on site, then local play space needs to be identified in the immediate area which caters to the needs of the identified demographics for which there is a shortfall.
- 7.57 The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. As detailed in this guidance, for developments projected to accommodate between 30 – 49 children, facilities for 5 – 11s should be provided first on site; however as above if not able to be accommodate they should be located within 400m walking distance of the site. For over-12s it is expected that appropriate play space should be provided within 800m walking distance from the site.
- 7.58 The SPD provides details on the needs of different age groups, noting that 0 – 11 requires local playable space and neighbourhood playable space which includes landscaped open spaces, kickabout areas, and equipment integrated into the landscape. Youth space, for ages 12 and above, is detailed as catering towards higher intensity uses including multi-use games areas (MUGA), climbing walls, wheeled sports areas, outdoor stages and exercise equipment. As outlined within the SPD, it is challenging to accommodate over-12 provision on site due to the spatial requirements of assets such as MUGAs, the dimensions of which are standardised by Sport England.
- 7.59 As detailed in the play space strategy, there are a range of open spaces within walking distance of the application site which provide for a variety of character and uses. The primary open space likely to be used by children aged 5 – 11 will be Jolly's Green which is approximately 450m walking distance from the site, Ettrick Street Park located 350m walking distance or Leven Road MUGA & Park which is also 350m from Islay Wharf. All three of these sites provide a variety of play options including play/gym equipment, amphitheatres and open green spaces.
- 7.60 As detailed in table 4.7 of the GLA's SPD, and supported by Council policy, it is considered that if the play space for 5 – 11s cannot be accommodated on site, and there is identified provision within 400m walking distance, an off-site contribution should be considered in accordance with the play strategy. It is considered that given the scheme will rely heavily

on existing services that it is appropriate to take such approach, and a financial contribution towards local parks will be secured within the S106 legal agreement.

- 7.61 In catering for children aged 12 and above, the applicant has identified a range of open spaces which accommodate the requirements of this age group within 800m walking distance of the site. The Leven Road MUGA & Park (350m) and Nairn Street Muga (225m) both provide good quality spaces for high intensity play, while Langdon Park (500m) is a significant piece of open space in the locality which provides for large kickabout spaces, as well as running, walking and cycling trails. It is considered that these spaces, in tandem with those detailed earlier, provide a very strong provision of the appropriate typology of spaces for children.
- 7.62 Further to the above, while it is essential that the application be considered on the merits of the existing provision of open space, it is important to consider its context within the emerging strategic redevelopment of the Lower Lea Opportunity Area. Notably there will be a considerable quantum of open space and play space delivered through the broader Site Allocation – notably a 1ha public park at the recently consented Leven Road Gasworks site (PA/18/02803) and 2,564sqm of publically accessible open space and play at Ailsa Wharf as consented under PA/18/03461. While it is critical that a contribution be made towards existing facilities, it is considered that the proposed doorstep provision, existing conditions and future context satisfy the recreation needs of children on site.
- 7.63 In summary, the application would exceed the minimum requirements for doorstep play catering to under-5s and the development fails to provide dedicated play space for ages 5 and above on site, the proposed communal area play spaces for 5-11 year olds and a financial contribution towards enhancement of playspace locally serves to address the shortfall in these categories taking in to consider the site constraints and broader benefits of the scheme.

Daylight/Sunlight – for new residential developments

- 7.64 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.65 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March
- 7.66 The applicant has submitted a Daylight and Sunlight Review of the scheme, undertaken by XCO2, in support of the application.

Daylight

- 7.67 With regard to daylight, XCO2 have assessed 19 units across the mezzanine, first and second floors of the development with regard to Annual Daylight Factor (ADF), and Vertical Sky Component (VSC). A range of units and habitable room configurations have been tested across these 19 rooms, to give an appropriate spread of results.

- 7.68 Due to the fairly unencumbered nature of the site, the daylight results for all flats tested are particularly favourable, with an ADF and VSC pass rate of 100% against contemporary BRE guidance.
- 7.69 For the calculations, the following assumptions have been made for most of the flats: 60% average internal surface reflectivity and 70% light transmission for vertical glazing.
- 7.70 For the rooms with a South-West orientation in units 1 and 2 at first and second level, a different light transmission factor was assigned as these units present a higher risk of overheating and a lower gvalue had to be specified, hence reducing the light transmission. The internal reflectance of surfaces assumption remained the same: 60% average internal surface reflectivity and 60% light transmission for vertical glazing. The worst-case scenario was tested and the results show that all of the rooms tested pass the BRE criteria.
- 7.71 This approach has been undertaken due to the improvement of light conditions as the homes ascend through the proposed building. This methodology was tested with the Council Daylight and Sunlight Officer who confirmed the appropriateness of this approach.
- 7.72 The results highlight the considerable solar attributes of the site, which has no large scale development immediately adjacent at present. While it is noted that at submission the Poplar Bus Depot site adjacent had yet to apply for planning permission, this has since been lodged with the Council. While the Bus Depot site has not been included in the testing, it is considered that impacts to the development will be addressed within that application and as it does not presently have consent or a fixed building envelope that it would not be necessary for XCO2's report to consider it.

Sunlight

- 7.73 With regard to the internal sunlight analysis, the testing again has focused on the 15 residential units most likely to be detrimentally impacted by the building's siting and massing and which had at least one main window facing within 90 degrees due south. The Average Probable Sunlight Hours (APSH) and Winter Probably Sunlight Hours (WPSH)
- 7.74 Similar to that of the daylight testing for the proposed residential units, the rooms tested overwhelmingly exceed the minimum standards with regard to APSH and WPSH, with the worst affected residential unit still maintaining 30% APSH and 12% WPSH.

7.75 Conclusion

The proposed development is considered to ensure generous levels of daylight and sunlight, providing a high level of amenity for future occupants.

DESIGN

- 7.76 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.77 Policy D.DH4 requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.
- 7.78 The Tall Buildings policy D.DH6 sets out the criteria for assessing the appropriateness of a tall building. The policy further directs tall buildings towards the designated tall building

zones and sets out a series of stringent design and spatial criteria to which tall buildings must conform to.

- 7.79 Specifically part 3 of policy D.DH6 relates to developments outside the tall building zones and states that tall building proposals (including those on site allocations) will be supported provided they meet the criteria set out in Part 1, as detailed in the below sections.

Height, Scale and Massing

- 7.80 As detailed in the above sections, the application site relates to a partially dilapidated low lying industrial warehouse building which provides no architectural benefit and is located within the Ailsa Street Site Allocation between two significant development sites comprise the Poplar Bus Depot and Ailsa Wharf Waste Depot. The prevailing character of the area is low density industrial sites and contemporary residential development within Leven Road and Nairn Street of a mixed height pattern between 3 and 7 storeys. The site seeks to continue an emerging pattern of tall buildings established by Ailsa Wharf immediately to the north.
- 7.81 As the scheme falls outside of a designated tall building zone within the Local Plan, part 3 of policy D.DH6 is of particular relevance. This policy outlines the parameters of which tall buildings outside of tall building zones should accord with.
- 7.82 With regard to part 3a policy D.DH6, it is noted that while the site's PTAL of 1a is considered weak, however it remains within walking distance of a three separate modes of public transport comprising the Langdon Park DLR station, D8 and 309 bus services from Zetland Road and the A12, and the Bromley-by-Bow Underground station. Substantial weight is given to the site's location within both a local Site Allocation and a Mayoral Opportunity Area which identifies the area as appropriate for delivering high density housing.
- 7.83 The development will also accommodate the provision of two pieces of significant public infrastructure through the extension of the Leaway Riverside Walk and the accommodation of the Ailsa Wharf bridge landing which will provide a strategic connection to the London Borough of Newham. It is noted that this connection will unlock the potential for future occupants of Islay Wharf and the adjacent developments within the Ailsa Street Site Allocation to access the Star Lane DLR station and will encourage the removal of foot and cycle traffic from the A12.
- 7.84 In terms of addressing part 3c of the Tall Buildings Policy, while the site is not located within a designated town centre it is considered that the prominence of the development would enhance the legibility of the area by virtue of its siting adjacent to the future bridge crossing. This concept was developed through pre-application, and as a result the scheme evolved into a taller and more slender profile as a result in order to create distinctness from Ailsa Wharf.
- 7.85 The site's location within the Lea Valley Opportunity Area, an area designated for significant residential development, in tandem with its designation within the Ailsa Street Site Allocation, is given significant weight in considering the acceptability of a tall building at this location.
- 7.86 The evolving regeneration of the area highlights a changing character and built form context for the development, most notably seen at the consented Ailsa Wharf development which comprises of a collection of buildings rising from 3 to 17 storeys, with three tower blocks stepping up north to south from 13 to 17 storeys leading to the application site. The immediate context of the application site, and the emerging height pattern established by Ailsa Wharf, provides strong justification the proposed height. The taller built form of the

proposed, in comparison to Ailsa Wharf, will provide wayfinding for the future bridge connection and provide a varied skyline.

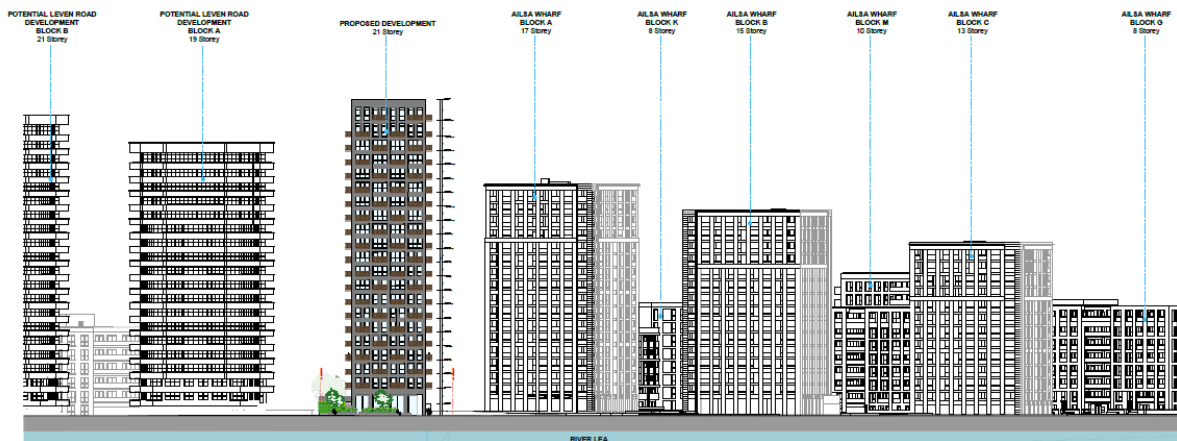


Figure 5: Contextual eastern elevation, proposed and consented

7.87 With reference to 3d of Policy D.DH6, it is considered that the overall height of the development would not undermine the prominence of any nearby tall building zones, nor would it in any way detract from landmarks within or outside the Borough from long and medium range views. It is noted that the closest designated Tall Building Zone is the Leamouth Cluster to the south-east of the development, which includes the London City Island, Goodluck Hope and Orchard Wharf development sites. Given the siting of the application site, the distance between any nearby clusters, and the overall scale of the development, it is not considered that it would meaningful undermine the prominence of existing tall building zones (as per the principles detailed in figure 8 to the policy below).

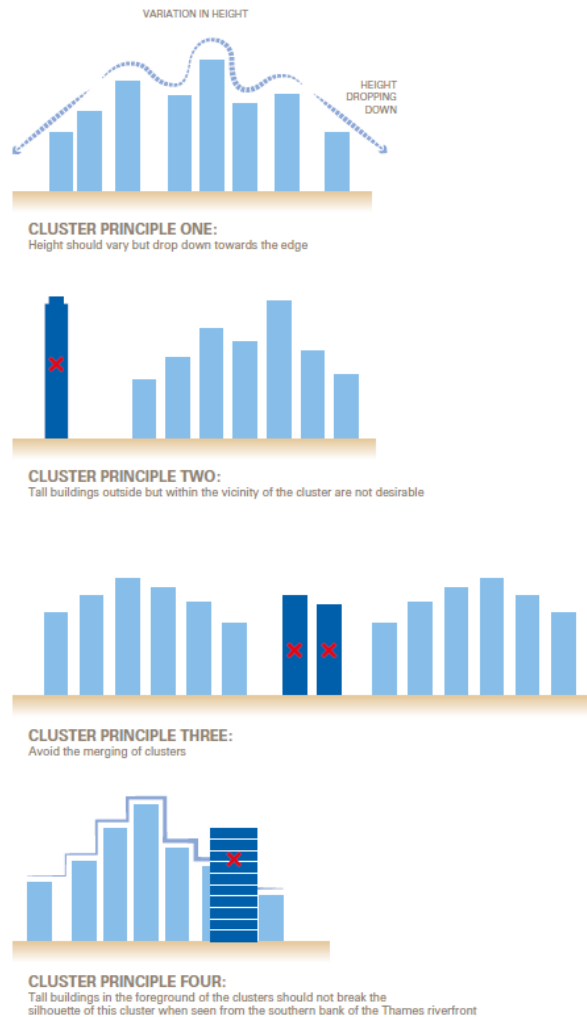


Figure 6: Figure 8 to Policy D.DH6

- 7.88 While part 3 of Policy D.H6 is most pertinent due to the site's location outside of a recognised tall building zone, part 1 of the same policy states that all tall buildings must respond to a rigorous set of design and spatial criteria. These include being of a height and scale, of exceptional architectural quality, that they will enhance the character and distinctiveness of the area, provide a positive contribution to the skyline, not prejudice adjacent developments, maintain adequate distances between buildings, demonstrate consideration of public safety and present a human scale of development at street level.
- 7.89 It is of note that the massing of the proposal changed dramatically throughout the pre-application process which extended between January and August 2019 and involved two separate presentations to the Borough Conservation, Architecture, Design and Planning (CADAP) panel. This process resulted in greater vertical emphasis to the tower block, with generous floor to floor heights, materials and roof crown.
- 7.90 Despite the scheme falling outside of a recognised Tall Building Zone it is considered that through its high architectural quality, and sensitive siting, that it meets or exceeds the above criteria. This is supported by design officers and CADAP through both pre-application and submission who are in-principle supportive of the scale and massing of the built form.
- 7.91 Islay Wharf's siting within a designated Opportunity Area and Site Allocation is considered to give strong weight to its importance as part of a significant regeneration area within the

east of the Borough. It is considered that within the emerging context of the broader locality, mindful of schemes consented at Ailsa Wharf and Leven Road Gasworks and emerging schemes at the former Poplar Bus Depot site, that the scale of development is proportionate to its role and function locally and at a London scale.

7.92 The design of the building, in particular its fenestration and materiality, provide a point of clear distinction from other built within the locality and in particular creates a strong visual contrast between itself and the consented scheme at Ailsa Wharf. The contrast between the green glazed and engineered brickwork between the tower blocks provides a striking contrast between the blocks, while differentiating it from the more typical residential finishes of the neighbouring developments.

7.93 The below visual shows indicatively how the Poplar Bus Depot Scheme, application site and Ailsa Wharf may look in situ, noting that Poplar Bus Depot is not a consented scheme.



Figure 7: Poplar Bus Depot (Proposed), Islay Wharf (Proposed), Ailsa Wharf (Consented)

7.94 The scheme clearly enhances the pedestrian permeability through the site, as demonstrated by its facilitation of the Riverside Walk and the enhancement of visual cues to the River Lea through its clearing of the existing visual barriers on site. A clear desire line and terminating vista (visualised below) through Lochnagar Street is created by the development which serves to frame the river and ingress to the future bridge landing.



Figure 8: CGI view down Lochnagar Street in context of proposed and consented developments

- 7.95 Despite the particularly small footprint of the site in comparison to the two large development sites it abuts to the north and south, the scheme has been configured in such a way to avoid prejudicing future developments to both sites. The setbacks and introduction of podium space to the south ensures there remains a buffer to both sites ensuring that development of both sites is not unduly constrained.
- 7.96 The generous public realm and landscaping to both the riverside frontage and the northern building line to Ailsa Wharf would enhance the pedestrian experience around the proposal, particularly when coupled with the active frontages to these aspects and the generous double height colonnaded spaces it serves to create a high quality and human scale space.
- 7.97 With regard to the above it is considered that despite falling outside of a tall building zone, the scheme itself represents an exemplary tall building which responds well to the emerging character of the area while contributing to a broader strategic regeneration goal in the Lower Lea Valley.

Appearance and materials

- 7.98 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Development should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.99 The appearance of the building is derived from its context and site constraints which have resulted in a confined footprint of developable land as a response to the provision of a generous public realm treatment to its eastern River Lea frontage and a northern separation from the future bridge landing and Ailsa Wharf.
- 7.100 The building reads as two distinct forms, a 21-storey tower element to the riverside frontage and a stepped 12-storey block to the west which forms the primary elevation from Lochnagar Street and the means of access to the site. The division of these buildings

serves a functional response, with the shorter block accommodating all affordable housing and the taller block housing the market accommodation.



Figure 9: Northern Elevation (no colour)

- 7.101 The architecture of the building is driven by subtle façade strategies which serve to introduce vertical interest and whimsy into what is a typical massing strategy. The floor to floor heights of each level are particularly generous at 3.3m, 1m taller than the recommended minimums prescribed within the Nationally Described Space Standards for residential buildings and LBTH's Local Plan. The introduction of greater heights within floors serves the dual purpose of increasing the internal amenity for occupants and to enhance the verticality of the building. The fenestration between floors is by extension lengthened, further enhancing the internal amenity and sense of verticality and slenderness of the building.
- 7.102 The buildings are grounded in a strong manner, with no distinction between lower and upper levels save for the double height colonnaded space to the north of the market block and the double height spaces to the ground and mezzanine which accommodate the commercial blocks. This grounding component was workshopped through pre-application and CADAP review, and assists the forms to read as singular wholes.
- 7.103 The fenestration and balconies make subtle shifts on the elevations, with changes in the apertures responding to the bottom, middle and crown of the building. The balconies provide a diversity and animation to the facades through a hit-and-miss design as they cascade down the elevations.
- 7.104 The buildings are designed to read as complementary but separate forms, and are distinguished through their materiality, height and width. The riverside tower is clad in a high quality green glazed brick which serves to reflect the colour and glossy nature of the riverside it abuts while the rear lower block is clad in a blue-grey engineered brick. The contrast in colours provides visual interest, and creates a distinctive piece of architecture dissimilar to similar contemporary residential buildings in the locality. It is considered that the success of the building will hinge on the high-quality nature of the materials, which will be controlled by way of condition to consent.

- 7.105 The western elevation, which will be viewed as a primary elevation from the main point of access through Lochnagar Street, provides views of both blocks in both a vertical and horizontal aspect due to the recess of the western block at its northern elevation from the taller eastern block. This elevation is activated at the mezzanine level by a commercial unit set above the inset blue-badge bays and beneath the residential floors above. The visual contrast of the two blocks at this elevation, as well as the extruded verticality of the façade and fenestration is particularly effective.
- 7.106 The eastern elevation to the river is the most singularly prominent of the design (as below), with a great deal of visibility due to its proximity to the river edge and the low-rise development to the east of the application site within the Borough of Newham. At a pedestrian scale the elevation is double height and sleeved with a large commercial unit at the ground and mezzanine level, providing visual interest and activation at this level. The architectural approach is most keenly visible at this elevation, with a strong sense of rising verticality and uniformity in approach.



Figure 10: Eastern elevation consented context CGI

- 7.107 The generous public realm treatment and setback to the river edge ensure that the building is not felt as imposing at a pedestrian level, and the wraparound glazing within the colonnaded northern elevation provides a lightweight and active sense to a building which is typically monolithic in appearance.
- 7.108 Also to the eastern elevation is the single storey podium element which internally acts as a back of house function, keeping it away from the active frontages and commercial floor space. Externally it accommodates roof top 'doorstep' play for under-5s and provides a blind frontage for the adjoining Poplar Bus Depot site to abut against. Its main elevation is detailed as being a green wall, the details of which will be secured on consent. It is considered that this podium element provides an important functional role for the scheme, while having limited impact on the pedestrian experience and architectural intent.

- 7.109 On submission, design officers raised a series of concerns with regard to the detailed design of some aspects of the built form. It is important to note that despite further clarity on detailing being required, which will be secured via condition, design officers remain supportive of the fundamental massing, height and scale of the scheme as well as the broad composition of the built forms.
- 7.110 Borough Design Officers raised concern with regard to the joining element between the two tower blocks, and requested that a recessed gap be included between them to break up the massing. They further note that the space between the two forms appears delineated only by glazing flush between the two buildings.
- 7.111 An 1100mm recessed shadow gap from first floor and above have been included within the design, and only at the mezzanine level is a glazed link between the two blocks introduced in order to sit in line with the other windows within the mezzanine floor level. It is considered that the shadow gap included between the blocks, and highlighted on elevational plans, provides an adequate interchange between the two forms which comprise the architecture and addresses the concerns raised by the design officer.
- 7.112 The officer raised further concern with regard to the vertical and horizontal hierarchies of the buildings, and whether sufficient depth has been introduced within the fenestration to give articulation to the elevations. Officers query whether the windows are flush with the brickwork, and whether the pattern of openings within the primary elevations could be more organised or structured. They also make note of the ideal depth of these reveals and request that cornice, plinth and head sections are provided.
- 7.113 With regard to the vertical and horizontal hierarchy it is noted that the lack of distinction between the two is part of the fundamental design approach to the scheme and was an approach encouraged by design officers during pre-application and at CADAP review. Similarly the organisation of the windows forms part of the architectural language of the building as they increase in size as the tower ascends in height (detailed below), providing a transition in grid and scale towards the top of the building.

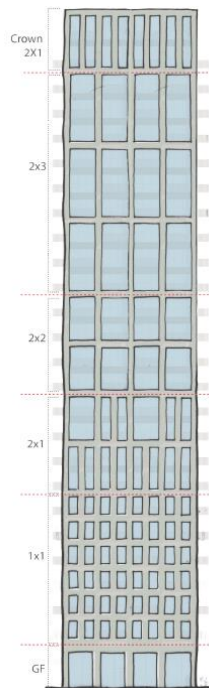


Figure 11: Concept sketch, fenestration arrangement

- 7.114 The generous floor to floor heights serves to enhance the verticality of the building further through maximising the height and proportion of the windows. The design and access statement notes that the recesses of the windows are intentionally shallow with the aluminium framing forming the window reviews to the brick openings.
- 7.115 The omission of cornice, plinth and head sections to the brickwork is an intentional design approach and has been adopted directly in response to CADAP review during pre-application stage. The stripping back of these delineating aspects of the façade serves to enhance the 'grounding' of the building and creates a strong monolithic base to the building carried down by the colonnade and shopfront to the Riverside Walk.
- 7.116 Design officers suggest that deeper recessed balconies be introduced into the façade as they believe the projecting balconies detract from the rhythm and hierarchy of the façade.
- 7.117 Notwithstanding the above advice, the external balconies and their staggered and cascading nature serve to provide a visual interest to the façades and was a design choice praised by the design review panel. The hit and miss nature of the balconies on all facades serves to introduce an element of spontaneity while ensuring that the private amenity space is generous, not overshadowed, and does not recess within the homes resulting in a reduction of the functional internal space.
- 7.118 The design officer notes the importance of the detailing for the shopfronts, and raises concern that at present some of this detail is lacking with particular regard for the interaction between the masonry and the glazed components of the shopfront as well as the soffits of the colonnade.
- 7.119 It is noted that greater detail of the shopfronts is provided within the Design and Access Statement than the submitted drawings; however it is considered that details of the shopfront and colonnade will be adequately covered by a details condition relating to both components in order to ensure a sufficient level of quality and detail.

Safety and Security

- 7.120 The scheme has been designed with Secure by Design principles in mind, as detailed within the Secure By Design drawings appended to the application. While it is critical that the public realm of the site remain publically accessible at all hours, and gate free, the design seeks to be as passive secure as possible through a series of design interventions.
- 7.121 The vehicular parking to the western elevation will be roller shuttered and inaccessible to the public, ensuring that that don't attract anti-social behaviour in these recessed spaces. It is acknowledged that design officers raised concern with regard to this frontage posing a potential safety risk due to its recessed siting adjacent to the Bromley Hall School; however it is considered that the enclosure of car-parking spaces and weekday passive surveillance provided by the commercial units in tandem with residential overlooking above mitigates much of this concern.
- 7.122 The scheme has passive surveillance to all frontages, and in particular the riverside elevation will be skirted with a commercial unit at ground and mezzanine with overhanging residential balconies above which will passively discourage anti-social behaviours.
- 7.123 It is noted that Metropolitan Police requested further information during the consultation period, and which was subsequently provided by the applicant in order to address these concerns. Notwithstanding the submission of further information, a condition will be tied to the consent requiring it to complete Secure by Design certification prior to occupation.
- 7.124 The Secure by Design drawings submitted by the applicant subsequent to the Met Police response identify a series of interventions to improve the security and safety of the

proposed development. The interventions serve to include an initial CCTV and lighting strategy, as well as detailing of security standards to which glazing and doors will be built to.

7.125 Overall it is considered that the development of the site will inherently improve the perception of safety within the locality due to the existing nature of the site and the fairly dilapidated state of Lochnagar Street. The increase of passive surveillance and public foot and cycle traffic through and around the site will significantly improve the security of the area.

Landscaping

7.126 Due to the desire to provide a continuation of the Riverside Walk along the River Lea, and the provision of a setback to both the northern Ailsa Wharf site and the future bridge landing, the scheme proposes a substantial proportion of public realm treatment within the application site relative to the footprint of the built form.

7.127 The public realm to the east of the development fronting the River Lea extends between 11m – 14m in depth with a large raised planter bed running the length of the building frontage within the middle of this section of public realm as seen below.



Figure 12: Southern CGI view Riverside Walk & Poplar Bus Depot (Proposed)

7.128 The setback to the river wall in this instance is particularly generous when considered against similar developments along the river frontage which typically are set back between 7m – 10m from the river edge. The frontage of a large double height commercial space will activate this landscaped section, and the dissection of the public realm with soft planting serves the dual function of creating a 3m frontage to the commercial unit, while allowing a generous 6m gap between its edge and the river wall to accommodate pedestrians and cyclists.

7.129 While there is a change in levels north-south within the application site, the landscaping remains entirely step free (notwithstanding the bridge landing), which will increase

accessibility within the site greatly. Similarly the inclusion of plantings within the public realm will substantially enhance the biodiversity of the site, which at present has full site coverage as a warehouse with non-permeable surfaces.

7.130 The northern public realm (detailed below) seeks to integrate the hardscaped surface of Ailsa Wharf with that of the application site to create a large section of public space between the developments. It is noted that within the Ailsa Street Site Allocation, Islay Wharf is earmarked as being almost entirely a public square. While this would be considered prohibitive from a redevelopment perspective, the proposed buffer between the developments will create a large open space between approximately 16m – 25m in width leading from Lochnagar to the future bridge landing. With access to this space guaranteed by way of S106 legal agreement, it is considered that this space has the capability of delivering on the aspirations of the Site Allocation with regard to a large public space at the head of the bridge landing.



Figure 13: Northern elevation CGI view, Ailsa Wharf interface

7.131 It is noted that the applicant has engaged the same landscape architect as the Ailsa Wharf development in order to coordinate the finishes and public realm between both developments. Further to this, the applicant has coordinated with Knight Architects who developed an initial design of the bridge landing in order to better understand how it might integrate with the final scheme.

7.132 As shown on the below plan, the development seeks to integrate with the initial design of the bridge landing by providing stepped access to the bridge while maintaining a flat space of open public realm for other means of accessibility as well as river wall maintenance access by the Environment Agency.



Figure 14: Landscape Masterplan

- 7.133 To the top of the single-storey podium element abutting Poplar Bus Depot is the on-site child play space. This play space will primarily be used to address the play needs of under-5s on site; however it is accessible for all occupants across both tenures. The space is soft landscaped, and incorporates a range of play equipment and plantings which will greatly add to the biodiversity of the site and the Borough's LBAP targets. The play space is abutted by external residential amenity space for the mezzanine units which will provide excellent passive surveillance across the area.
- 7.134 While the proposed landscaping is considered a particularly positive aspect of the site, further details will be required with regards to play equipment, boundary treatments and detailed planting specifications. As such this will be secured by way of condition on consent.

Conclusion

- 7.135 On balance it is considered that the scale, height and massing of the design responds appropriately to its strategic role within the Borough and London more broadly and would constitute a positive contribution to the visual amenity within the immediate locality as part of an emerging collection of taller buildings within the Ailsa Street Site Allocation.
- 7.136 The architecture of the proposed development is of an exceptionally high quality, with a unique and subtle approach to fairly typical residential forms. The design is considered to provide a point of difference in its appearance from those schemes immediately adjacent, while still reading as part of a broader and coherent collection of buildings as demonstrated through their collaboration with neighbouring developments during pre-application.
- 7.137 The landscaping of the scheme is viewed as a considerable public benefit of the scheme due to its opening up of the Riverside Walk and the creation of a public space between Ailsa Wharf and Islay Wharf with secured public access. The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area, subject to further detailing as part of a future condition.

Inclusive Design

- 7.138 Policy 7.2 of the London Plan (2016), and policy S.SG2 of the Tower Hamlets Local Plan seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 7.139 The ground floor is set at grade level and offers step free, wheelchair access. Furthermore, the proposed development will provide 3 accessible car parking space which will be reserved for use by disabled occupants.
- 7.140 The landscaping is step free which will allow users to enjoy the Riverside Walk, regardless of their accessibility levels.
- 7.141 The design accommodations for 15 wheelchair accessible homes which amounts to approximately 11% of the total units. Of this total, 4 are delivered within the affordable housing and the remaining 11 are within the market units. Level access from the street is provided by way of dropped kerb from Lochnagar, and the public realm of the scheme remains step free allowing for high accessibility for wheelchair users.
- 7.142 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Three secure disabled accessible on- street car parking space would be provided at the front of site, accessed from Lochnagar Street.
- 7.143 It is considered that the proposal would result in a scheme that would be well connected to its surroundings and would provide accommodation that can be used safely and easily and with dignity for all regardless of disability, age, gender, ethnicity or economic circumstances in accordance with policy.

HERITAGE

- 7.144 Policy S.DH3 of the Local Plan (2020), policy 7.8 of the London Plan (2016) and policy HC1 of the New Draft London Plan (2019) require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Strategic Views

- 7.145 The views included by the applicant, as highlighted within the Design and Access Statement and agreed with Council officers in pre-application stage, interrogate the development from a range of angles encompassing a series of strategic viewpoints.
- 7.146 The views demonstrate that the proposed tower would not interfere with the setting of the adjacent Grade II listed Bromley Hall School from a strategic perspective, due to the asset's particularly low lying nature and recessed context from nearby arterials.
- 7.147 It is also considered that the setting of Bromley Hall School is not materially impacted by a tall building adjacent as it derives its significance from the unique pedagogical design and interiors, as highlighted by its listing. Historic England raise no objection to the impact on the listed asset, and the Greater London Authority along with Council Design and Conservation Officers similarly raise no issue despite the scheme's proximity and scale.
- 7.148 Overall it is considered the greater footfall generated by the development will enhance the public's appreciation of the listed school, which has a uniquely distinct character and low scale architecture.
- 7.149 The height of the development does not raise a strategic concern.

Surrounding Conservation Areas

- 7.150 The existing site is considered to possess no heritage or townscape value of merit due to its dilapidated nature and low value of architecture.
- 7.151 The site does not lie within a conservation area and is approximately 200m from the nearest conservation areas (Limehouse Cut) to not impact on their setting.
- 7.152 While it is noted that southern views from the Conservation area would include the tower within the skyline, it is viewed that much of the conservation area is enjoyed with regards to its relationship with the canal and waterways, and associated water-based built form and heritage. Notably, these views would already be compromised by the consented Ailsa Wharf development and it is considered that the imposition of a tower, amongst other future towers, has negligible impact on the significance or enjoyment of these spaces and their historic past.
- 7.153 In summary, the scale and form of development would at least preserve the setting and significance of the surrounding Conservation Areas when considered as a whole. The site would improve upon the existing building stock, overall improving the townscape and visual amenity of the area. The proposed development will not give rise to significant impacts to the adjoining Grade II Bromley Hall School, nor will it detrimentally impact on the setting of the Limehouse Cut Conservation Area to the north.

Archaeology

- 7.154 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 7.155 In support of the application a desk based archaeological study has been submitted which after review by GLAAS have found that they are satisfied with the submitted assessment and no further information or imposition or conditions is required.

AMENITY

- 7.156 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating or allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions, through policy D.DH8 of the Tower Hamlets Local Plan.

Daylight and Sunlight

- 7.157 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.158 Due to the context of the application site, with no residential properties within the immediate locality and its frontage to the River Lea, there is very limited impact with regard to daylight and sunlight loss to existing occupants. There are, however, likely impacts to future occupants of the consented scheme to the north at Ailsa Wharf which are carefully considered within the daylight and sunlight report prepared by XCO2.
- 7.159 Most sensitively sited with regard to the proposed development are Block A and D of Ailsa Wharf (as detailed below). Due to their location to the north immediate north of the application site, it is inevitable that south facing residential properties to these blocks will be impacted.

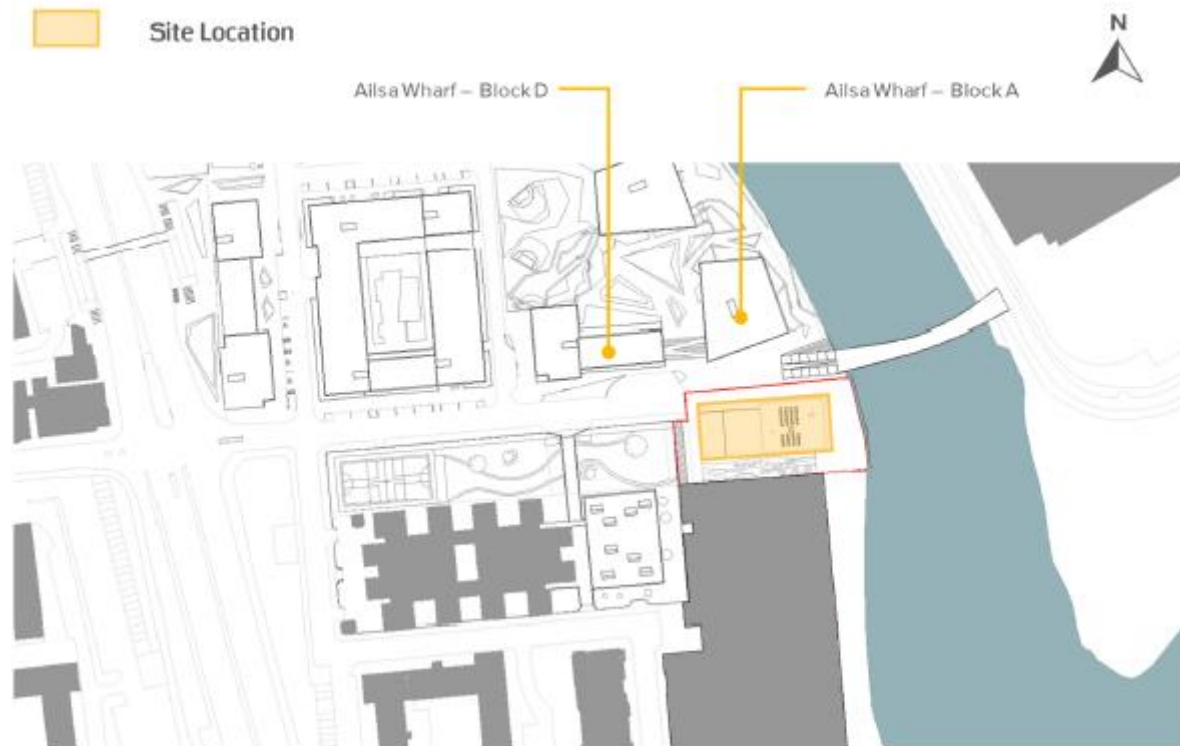


Figure 15: Scheme context

7.160 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.

7.161 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. It is noted that with regard to the assessment, that pursuant to Appendix F of the BRE guidelines, as the impacted residential units are consented and not occupied a VSC result does not technically need to be presented; however notwithstanding this, they have been provided as part of the assessment alongside the ADF values.

Impact on neighbouring properties

7.162 The XCO2 report has evaluated loss of daylight and sunlight to existing properties using the BRE Report BR 209, Site Layout Planning for Daylight and Sunlight, a guide to good practice. The Council appointed the BRE as an independent Daylight and Sunlight consultant to review the applicant's Daylight/Sunlight Information.

7.163 The daylight and sunlight report identifies Blocks A and D of the consented development at Ailsa Wharf as neighbouring buildings that are in consented residential use and are close enough to the site to have their daylight and sunlight affected.

Daylight

7.164 The tables below show a summary of the impacts of the proposals for both of the consented blocks listed above with regard to ADF, as well as VSC and NSL. It is important

to note, as detailed above, due to their consented and non-occupier nature, the threshold of testing remains different to that of built and occupied flats.

Number of habitable rooms tested in Ailsa Wharf Blocks A and D		104
Number of kitchen/living/dining rooms		52
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens		35
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for living rooms		14
Number of bedrooms		52
Number of bedrooms with ADF meeting 1% target for bedrooms		28
Number of rooms with ADF below the BRE recommendations		27

Figure 16: Blocks A & D habitable room results

Number of windows tested in Ailsa Wharf Blocks A and D		213
Number of windows passing the 25°/45° test		0
Number of windows with a VSC higher than 27%		33
Number of windows with a VSC of at least 0.8 of existing value		28
Number of windows that belong to rooms meeting the NSL test		90
Number of windows that do not meet any of the above criteria		62

Figure 17: Blocks A & D window testing

Block A, Ailsa Wharf

7.165 Given the proximity and orientation of Block A, it is considered the most sensitive interface to the application site with regard to amenity impacts. The updated XCO2 report assesses all habitable rooms (94) of Block A which face the proposed development (as below). Of these rooms, 67 (71%) perform in line with BRE criteria, as detailed below.

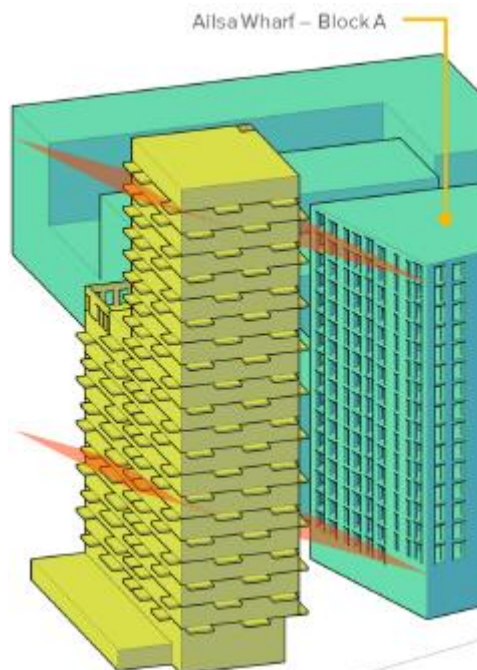


Figure 18: Proposal & Block A, Ailsa Wharf

Number of habitable rooms tested	94
Number of kitchen/living/dining rooms	47
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens	31
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for kitchen/living/dining rooms	13
Number of bedrooms	47
Number of bedrooms with ADF meeting 1% target	23
Number of rooms with windows associated with deep inset balcony and ADF below the BRE recommendations	27

Figure 19: Habitable room results, Ailsa Wharf Block A

- 7.166 The Average Daylight Factor result, which is the most appropriate method for testing residential impact to consented development, note that of the 27 rooms which fail the BRE criteria for ADF benchmarks are predominantly deeply recessed bedrooms and living rooms which have deeply inset balconies. The nature of these habitable rooms therefore has a considerable impact on the ADF values.
- 7.167 Of these 27 ADF failures it is noted that they are predominantly minor failures, and only to bedrooms which is of less significance than that of loss of light to a living room or kitchen. Of the 27 failures, the results range between 0.4% and 0.9% ADF with a pass rate determined by exceeding 1%. These results improve as the building goes higher, with all bedrooms above the 12th floor of Block A meeting NSL targets despite the minor failures.
- 7.168 While not required in the assessment of consented developments, for the purpose of completeness XCO2 details VSC and NSL tests. Of the 203 windows tested, 51 would pass the BRE criteria with 41 of the 94 rooms passing the NSL test.
- 7.169 It is noted that given the open aspect to the south that Ailsa Wharf currently benefits from, the existing VSC and NSL results for properties of Block A are particularly high for an urban setting; however it is noted that the bedrooms associated with deep room layouts have quite poor VSC results as consented.
- 7.170 While not required in the assessment of consented schemes, it is considered that the VSC and NSL results are acceptable given the existing context and the baseline values to which they are judged against.

Block D, Ailsa Wharf

- 7.171 Block D, situated to the north-west of the application site, is also assessed within the XCO2 report with 10 habitable rooms at ground and first floor (as below) which face the proposed development considered with regard to ADF. Of these rooms, 9 (90%) perform in line with BRE criteria, as detailed below.

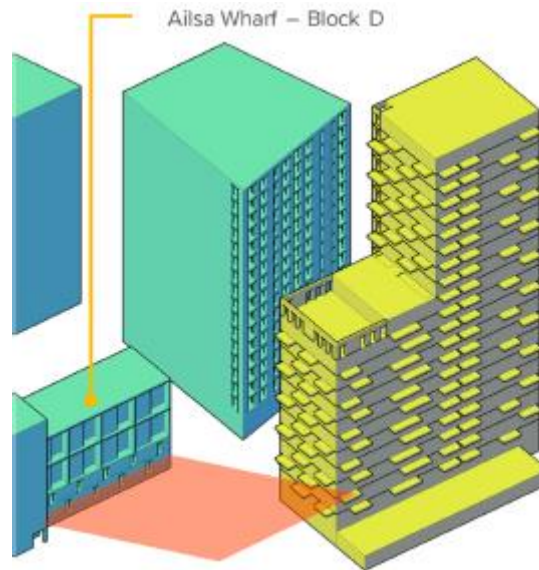


Figure 20: Proposal & Block D, Ailsa Wharf

Number of habitable rooms tested	10
Number of kitchen/living/dining rooms	5
Number of kitchen/living/dining rooms with ADF meeting 2% target for kitchens	4
Number of kitchen/living/dining rooms with ADF meeting 1.5% target for kitchen/living/dining rooms	1
Number of bedrooms	5
Number of bedrooms with ADF meeting 1% target	5
Number of rooms with windows associated with adjacent walls and ADF below the BRE recommendations	1

Figure 21: Habitable room results, Ailsa Wharf Block D

- 7.172 It is noted that while 1 room fails with regard to the ADF testing, this room is a proposed kitchen space and would achieve an ADF of 1.9% which would meet the ADF target of 1.5% for living/kitchen/dining (LKD) rooms. Overall these are considered very strong results with regard to ADF.
- 7.173 While not required in the assessment of consented developments, for the purpose of completeness XCO2 details VSC and NSL tests. Of the 10 windows tested, all would pass the BRE criteria with 6 of the 10 rooms passing the NSL test.
- 7.174 Overall the daylight impacts to Block D are negligible, and would not have an unacceptably detrimental impact to future occupants of these flats.

Sunlight

- 7.175 In assessing the sunlight impacts of the proposed development on Ailsa Wharf, a total of 47 living rooms across the 16 storeys of Ailsa Wharf Block A with windows within 90 degrees of due south were assessed. As detailed below, this assessment shows that all living rooms meet the BRE criteria as they have at least one window that achieves the target for APSH and WPSH.
- 7.176 Given the application sites context, it was not considered necessary to test Block D which would benefit from considerably better results than Block A due to its proximity and siting.

Overshadowing

7.177 In response to feedback from Council Daylight and Sunlight Officers, as well as to objections received from neighbours, the XCO2 report was updated to include an assessment of the overshadowing impact of the development on consented open spaces to Ailsa Wharf, the development itself and an existing open space adjacent to Bromley Hall School and the site boundary. Solar Access Analysis was undertaken for the above areas for a full 24 hours on 21 March as set out in BRE guidance.

7.178 With regard to the Bromley Hall School open space, it is noted that 97% of this open space would receive more than 2hrs of sunlight on 21 March under the proposed conditions. BRE guidance seeks to have 50% of any given open space achieve this guidance, and as such the proposal does not detrimentally impact this open space with regard to overshadowing.

7.179 With regard to the open space within Ailsa Wharf in closest proximity to the application site (detailed below) has been assessed under the same criteria.

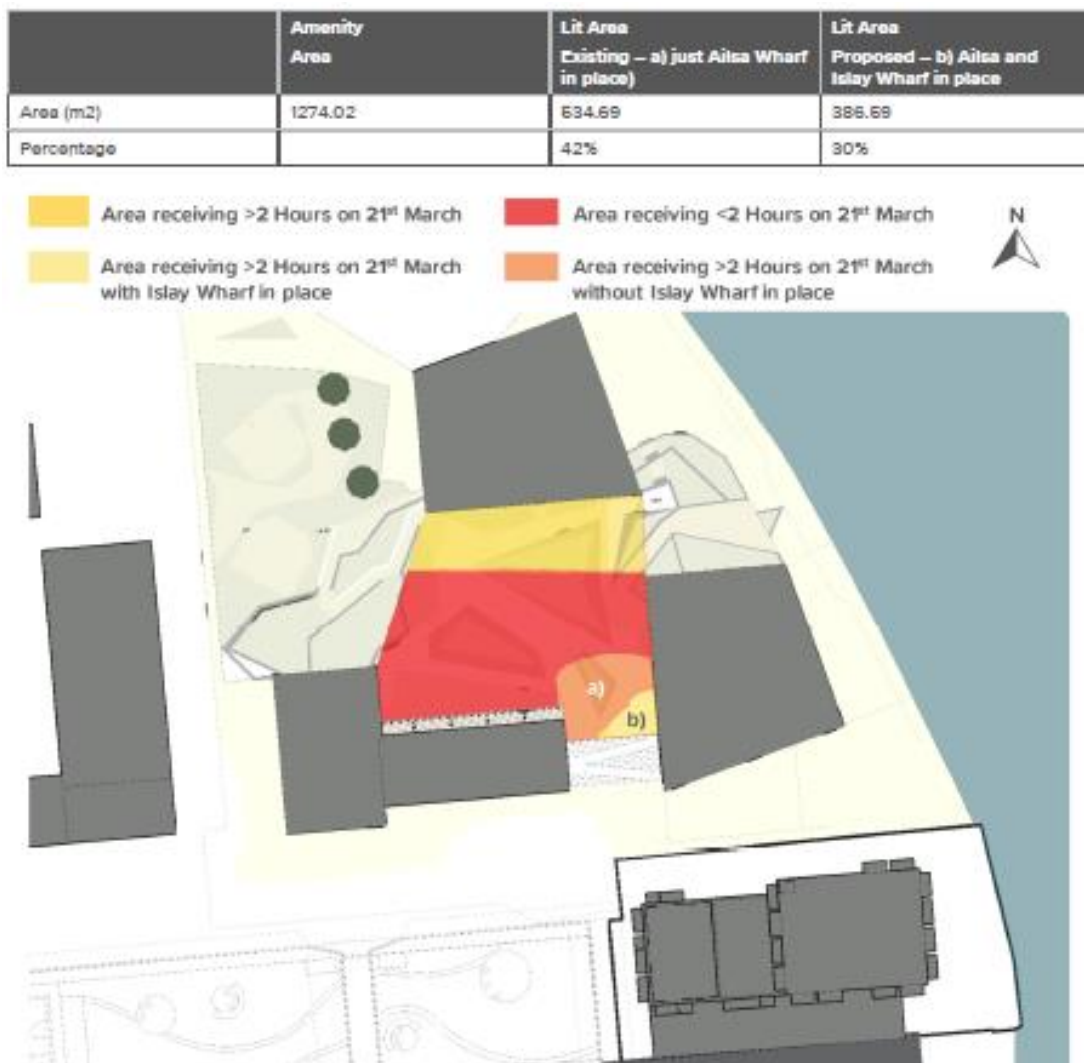


Figure 22: Overshadowing impacts, Ailsa Wharf

7.180 The assessment provides details of an existing and proposed analysis, and while not yet built, this is considered the appropriate and most thorough approach in assessing the impacts to the consented open space at Ailsa Wharf.

- 7.181 As detailed in the table and diagram above, the application scheme would result in a reduction of 12% from the consented, dropping from 42% to 30% in area which benefits from over 2hrs of sunlight on 21 March. While this represents a reduction further below the 50% threshold it is noted that the bulk of the impact is attributed to the Ailsa Wharf development itself with the impacts associated with Islay Wharf restricted to the southernmost section of the open space between Blocks A and D.
- 7.182 With regard to the above it is considered that a considerable amount of this piece of open space continues to benefit from over 2 hours of sunlight on 21 March, and must be considered more broadly in the open space offering within Ailsa Wharf to which this more area forms a comparatively small portion. On balance this impact is considered acceptable given the urban and site context it lies within.
- 7.183 A final piece of overshadowing analysis was undertaken with regard to the open space on site, with the rooftop play space undergoing a Solar Access Analysis and demonstrating that 100% of this space benefits from at least 2hrs of sunlight on 21 March.
- 7.184 A further modelling study was undertaken with regard to the roof terraces at levels 11 and 12, which highlight that due to their siting and orientation that they would benefit from excellent light from 11am onwards on 21 March (detailed below).

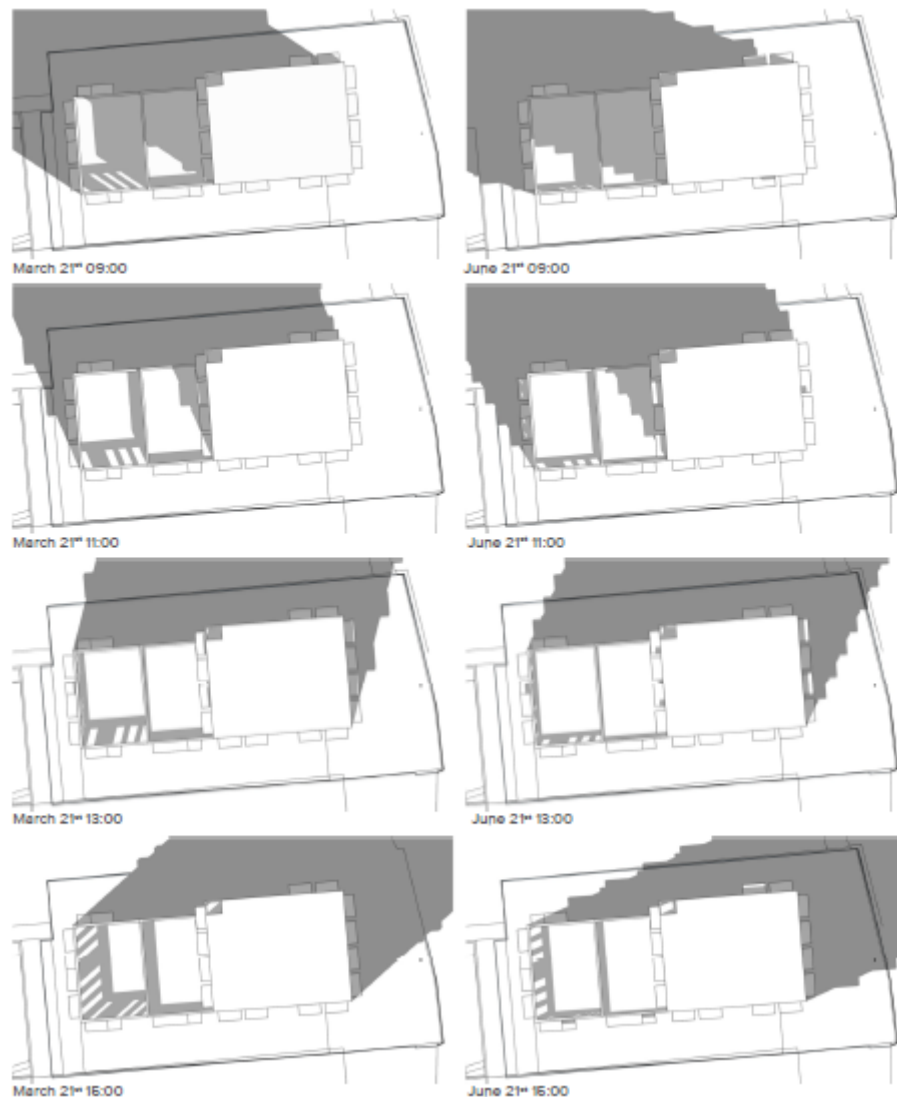


Figure 23: Shadowing diagrams, proposed scheme

Conclusions on Daylight, Sunlight and Overshadowing.

- 7.185 The sunlight analysis shows that the majority of BRE standards will be met and in the very limited instance where the proposal does not fully comply, officers have taken this into consideration and on balance consider that the benefits of the scheme outweigh and adverse impacts.
- 7.186 The overshadowing analysis shows that Islay Wharf will have a limited impact on neighbour open space at Ailsa Wharf with regard to overshadowing, and no impact to the adjoining open space to the west of the site. The proposed child play space will benefit from excellent solar properties, as will the rooftop terraces. On balance the limited impact to a small portion of Ailsa Wharf's open space is therefore considered acceptable.
- 7.187 The scheme proposal will have some impact to Block A of Ailsa Wharf and a negligible impact to Block D with regard to daylight impacts. It is of note that the ADF tests are considered most appropriate for testing consented schemes, and these results highlight that there are minor impacts to a limited number of deeply recessed balconies with 71% of habitable rooms to Block A meeting BRE criteria. This is considered an acceptable result, and would not result in an unacceptably detrimental loss of daylight to future occupants.

Overlooking

- 7.188 The separation distances from south facing residential windows of Block A to Ailsa Wharf would be approx. 18m away from the northern flank elevation of the application site, and the residential units within. This is considered a generous separation distance from neighbouring properties, and meets the requirements of D.DH8 of the local plan which seeks to maintain 18m separations between habitable room windows.
- 7.189 While it is noted that proposed protruding balconies from the northern elevation of the application site would enter this 18m exclusion zone, the policy only relates to distances between habitable rooms and it is considered the utilisation of these balconies does not unreasonably impact on the privacy of future occupants to Ailsa Wharf given the separation distance would still be in excess of 16m.
- 7.190 Flats to the southern aspect of the proposed building would remain 8m separated from the boundary, and it is expected that the neighbouring site at Poplar Bus Depot would respect a similar distance; particularly given it is a significantly larger site than the application site. With this in mind, it is considered that the development presents no risk to privacy of either neighbouring properties.

Noise and Vibration

- 7.191 Council Environmental Health Officers have reviewed the submitted material and attended a site visit with Planning Officers following submission of the application. They have concluded that the completed development would not significantly impact on neighbouring amenity from noise and vibration. Nonetheless, the noise officer has requested 3 conditions be attached to the planning permission.

Wind/Microclimate

- 7.192 It is noted that an initial microclimate assessment prepared by XCO2 was submitted in support of the application. This report assessed the scheme's impact with regard to wind and microclimate through utilising Computational Fluid Dynamics (CFD) to model the cumulative impacts of wind generated by the scheme.
- 7.193 Following comments from consultees, it was considered that a CFD approach was insufficient in gauging the impacts of a building of this scale, and that a cumulative impact

assessment of the scheme as well as adjoining consented developments needed to be tested within a wind tunnel. This information was subsequently prepared by SLR and submitted in December 2019 for consideration by the Council.

7.194 The wind tunnel testing assessed 26 locational points around the development, and across the river, and judged it against the Lawson Criteria for wind impact and comfort levels. The testing was done against the baseline (as existing); future (proposed scheme) and future planned (consented schemes). Of the 26 points, it was considered that the scheme resulted in 3 'unfavourable' results in the future scenario, and 5 unfavourable results in the cumulative scenario (as below). These results range from minor to moderate.

Location	Target Comfort Level	Wind Tunnel Predicted Comfort Level		Impact (refer Table 4) Relative to Target Comfort Level	
		Future	Future Planned	Future	Future Planned
1	C1	C2	C4	Favourable – MINOR	Favourable - MAJOR
2	C2	C2	C2	Negligible	Negligible
3	C2	C2	C2	Negligible	Negligible
4	C2	C2	C2	Negligible	Negligible
5	C2	C2	C2	Negligible	Negligible
6	C2	C3	C2	Favourable – MINOR	Negligible
7	C2	C2	C3	Negligible	Favourable - MINOR
8	C2	C2	C3	Negligible	Favourable - MINOR
9	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
10	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
11	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
12	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
13	C2	C3	C3	Favourable - MINOR	Favourable - MINOR
14	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
15	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
16	C2	C2	C3	Negligible	Favourable - MAJOR
17	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
18	C1	C3	C4	Favourable - MODERATE	Favourable - MAJOR
19	C2	C3	C3	Favourable – MINOR	Favourable - MINOR
20	C2	C3	C3	Favourable - MINOR	Favourable - Minor
21	C3	C2	C2	Unfavourable - MINOR	Unfavourable – MINOR
22	C2	C2	C3	Negligible	Favourable - MINOR
23	C4	C2	C2	Unfavourable - MODERATE	Unfavourable - MODERATE
24	C4	C3	C3	Unfavourable - MINOR	Unfavourable - MINOR
25	C4	C2	C3	Unfavourable - MODERATE	Unfavourable - MINOR
26	C4	C3	C2	Unfavourable - MINOR	Unfavourable - MODERATE

Figure 24: Wind tunnel results

7.195 As detailed above, it is also important that the scheme provides numerous benefits with regard to wind impact, particularly along the Riverside Walk, in the cumulatively study due to the siting of the wind and the expected amelioration of wind as it passes through the Poplar Bus Depot site.

7.196 To address the unfavourable results, mitigation has been recommended and implemented within the scheme which includes future landscaping and the installation of a canopy to the eastern elevation. While these mitigation methods were not tested within the wind tunnel, a

suitably worded condition will be imposed on consent which will require their testing pre-commencement. Environmental Impact Assessment officers have reviewed this submission, and are satisfied with the results contingent upon mitigation testing being undertaken.

Construction Impacts

- 7.197 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These will control working hours and require the approval and implementation of Construction Environmental Management and Logistics Plan.

TRANSPORT AND SERVICING

- 7.198 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

- 7.199 The development would be 'car free' with the exception of three secure disabled access spaces accessed at the western frontage of the development from Lochnagar Street. This is in line with policy D.TR3 of the Local Plan (2020).
- 7.200 Draft New London Plan Policy T6.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this to increase by an additional 7% as needs require it. At present the three blue badge bays provided constitute 2.25% overall. It is noted that in order to achieve an additional 7%, approximately 10 more disabled bays would be required on site. Off-site provision along Lochnagar Street is not supported by Highways Officers.
- 7.201 It is considered that on balance, the provision of three disabled bays is broadly acceptable given the site constraints and immediate local context which would prohibit the delivery of a significant quantum of car-parking on site or on the public highway within Lochnagar Street.
- 7.202 While it is noted that the PTAL value of the site is low, there remains access to bus, light rail and tube services within 400 – 900m walking distance of the site. It is also expected that over time greater accessibility provided by the Ailsa Wharf Bridge would, by virtue of its connections through to Newham and Star Lane DLR, provide an uplift in PTAL rating which is currently not accounted for. It is considered that the excellent quantum and variety of cycle provision on site, paired with access to existing public transit interchanges, suitably justifies a car-free development as supported by Transport for London and Council Highways Officers.
- 7.203 The provision of electric charging points to the accessible spaces would be required and secured by condition as requested by TfL.
- 7.204 The balance of the development would remain car-free, which will be secured through S106 legal agreement to the consent.

Servicing and Deliveries

- 7.205 The proposed development includes an off-carriageway servicing area within the site boundary accessed from Lochnagar Street by forward and reversing movements. Swept path diagrams have been provided which highlight that an 11m refuse vehicle is able to enter and leave the site safely and unobstructed. Refuse will be collected by operators via

a laneway skirting the western elevation of the development, which maintains immediate access to internal refuse stores.

- 7.206 Council Highways Officers have no objection to this arrangement, and agreed with TFL's request to impose a Delivery and Servicing Plan condition to the consent due to its proximity to the A12 which forms part of the Transport for London Road Network (TLRN). A final Servicing and Delivery Plan will be conditioned on consent.

Access

- 7.207 The majority of pedestrian site access for residents and visitors will occur via Lochnagar Street which is the sole existing entryway to the site. Following development of the site, and the broader Site Allocation to which it forms a part of, it is expected that there would be a considerable increase in cycle and pedestrian movements along the River Lea and from Lochnagar Street through to the Ailsa Wharf Bridge and into Newham. It is noted that the Ailsa Wharf bridge currently benefits from £2.4m GLA grant funding for the associated enabling and due diligence work required to bring the crossing forward, and a delivery mechanism has been secured within the S106 of the Ailsa Wharf consent.
- 7.208 The current condition of Lochnagar Street is poor, with fly tipping, illegal parking and vehicle dumping prevalent. Much of this activity is associated with the waste depot situated presently at Ailsa Wharf. It is expected that this activity will diminish over time, particularly as the Ailsa Wharf development commences in earnest and improvement works tied to that consent are implemented once the site ceases operation as a waste depot.
- 7.209 As detailed earlier, while the 1a PTAL score of the site is particularly low it is considered that a variety of modes of transport are available within reasonable walking distance which ensures connectivity across the Borough and through London more broadly. Bus services available in the immediate locality provide north-south movement through the Borough, while the Langdon Park DLR service and Bromley-by-Bow tube station provide vital connectivity into adjacent Boroughs and across London within a 900m walking distance.
- 7.210 It is further noted that access to services at Star Lane DLR will be facilitated by the development of the application site and delivery of the Ailsa Wharf Bridge, and the overall permeability benefits of the scheme are considerable, allowing for enhanced pedestrian and cyclist movements along the Lower Lea Valley. It is anticipated that as the regeneration of the broader area is brought forward that the enhancement of public transport services coupled with the increased linkages facilitated by the development and those adjacent will ensure the development is sustainable, accessible and equitable for future residents.
- 7.211 It is noted that such enhancements have most recently been secured within the Leven Road Gasworks consent which will seek, in conjunction with Transport for London, to extend the 488 bus service from Bromley-by-Bow to better service the Lower Lea Valley area while financial contributions have been secured by the Council which will improve pedestrian and cyclist connections in the locality.
- 7.212 It is of note that S278 highways works to Lochnagar Street are secured by way of condition and S106 obligation to the Ailsa Wharf consent which maintains the entire northern frontage of Lochnagar. It is acknowledged that TFL have sought the imposition of a S278 agreement to secure the improvement of Lochnagar Street in parallel with Ailsa Wharf.
- 7.213 It is considered that requiring the applicant to commit to the improvement works along the entire length of Lochnagar Street, as already secured through the Ailsa Wharf consent, would be disproportionate given the limited frontage to which Islay Wharf maintains with the highway. It is further important to note that the works secured by Ailsa Wharf extend within the red line boundary of this site and provide for parking bays servicing the development.

As such it would not be considered appropriate for the application site to bring these S278 works, nor to bring forward conflicting highways improvements in isolation.

- 7.214 The proposal brings forward considerable accessibility within the locality. At present there is a significant deficit of pedestrian permeability through the broader site allocation. The application site will deliver a generous cycle and pedestrian path along the River Lea, connecting the development through to Poplar Bus Depot, Devon Wharf, Leven Wharf and Leven Road Gasworks. The development will also accommodate a bridge landing to the north and a considerable public realm contribution towards the bridge entry between Ailsa Wharf, which will act as a public square between these two development sites.
- 7.215 It is essential that these access paths through the site are secured as publically accessible and step free, year round and 24hrs a day. To ensure these spaces continue to create meaningful permeability and public benefit, their accessibility will be secured through the S106 legal agreement. The developer will be required to maintain the public access around the site to an agreed standard as defined and secured through the S106. Details of proposed lighting within the public realm will also be conditioned on consent.
- 7.216 With regard to vehicular access, this will be managed via Lochnagar Street which acts as the sole highway frontage to the development. The applicant has submitted a suite of swept path diagrams demonstrating how access can be safely managed for a variety of vehicles including fire tender, private small vehicles, 11m refuse truck and Environment Agency access for river wall maintenance. These are acceptable to Highways.
- 7.217 It is considered that the movement of these vehicles can be managed safely on site, and would not compromise the integrity of the public realm or inappropriately utilize public footway for vehicle movements.

Cycle Parking

- 7.218 The proposal on submission included provision for 216 long-stay and 8 short-stay cycle spaces which represented a marginal shortfall against contemporary London Plan standards. It was also noted by TFL that space for larger sized cycles should be provided, to allow for a variety of cycle transport modes in addition to those typically locked to a Sheffield stand.
- 7.219 In response to these comments, plans have been revised to accommodate 220 long-stay cycle spaces and 21 short-stay spaces (detailed below) which would now meet draft New London Plan standards.

	Long Stay	Short Stay/Visitor	Total
Residential	215	5	220
Commercial	5	17	21

- 7.220 The updated cycle parking provision will provide a greater variety of space accommodation, including larger bike spaces and stacking spaces following TFL's Stage 1 consultation response. This has been welcomed by TFL and considered acceptable in principle.
- 7.221 TFL have raised concerns with regard to the accessibility of the cycle spaces, particularly those for affordable housing, and whether their will conform to the London Cycling Design

Standard. It is considered that further details of the cycle storage can be conditioned to consent, and to conform to the appropriate Standard.

- 7.222 Further concerns have been raised by TFL with regard to access to cycle spaces, which at present are proposed to be accessed by way of key-fob to the northern elevation of the development, adjacent to residential entries. It is noted that the location of the cycle store entries would be located in an area of the highest level of pedestrian footfall and passive surveillance due to the immediate residences above, and those adjacent at Ailsa Wharf.
- 7.223 It is noted that the scheme will require Secure by Design certification, and will be conditioned to ensure this, and as such it is considered that the location of the cycle accesses would not present a risk to public safety. It is also noted that if accessed internally the frontage which is currently broken up by the doorways would instead be a blind elevation to the detriment of the design and perception of safety.
- 7.224 As above, final details of cycle parking ensuring this meets London Cycle Design Standards (LCDS) would be secured by condition. Overall, the proposed cycle storage is considered to be acceptable subject to the submission of the details secured by condition.

Healthy Streets and Vision Zero

- 7.225 As requested by both GLA and TFL, the applicant undertook an Active Travel Zone (ATZ) assessment that covers the key walking and cycling corridors within a 20 minute radius of the site in order to identify deficiencies and appropriate improvements along those routes that should be funded or delivered with this proposed development.
- 7.226 Upon reviewing the latest information, TfL commented that the information provided is not in accordance with TfL ATZ guidance. Particular concerns were raised with regard to the omission of routes from the site to the nearest cycle networks, as well as the overall scope of criteria and failure to utilise the TFL Cycleway Qualify criteria. Furthermore, it was noted by TFL that the use of Pedestrian Environment Review Surveys (PERS) are no longer endorsed by TFL and would need to be updated in line with contemporary TA and ATZ guidance.
- 7.227 The applicant subsequently submitted a Transport Assessment Addendum which sought to address these comments through providing a more robust analysis of active transport links, and against the appropriate and cotemporary criteria and guidance. TFL have subsequently advised that the information is satisfactory and has adequately responded to initial comments.
- 7.228 It is noted that TfL has launched the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business. There are ten Healthy Streets indicators, which put people and their health at the heart of decision making, and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to our road network to improve the safety of vulnerable road users.
- 7.229 TFL note that the applicant should identify any improvements in the locality which would contribute towards road safety and reduce the likelihood of an accident. The applicant was advised to consult recent TFL guidance, 'Small Change, Big Impact' and to consider how improvements within and outside their red line boundary could be made to improve local users.

Demolition and Construction Traffic

7.230 In response to TfL's request for a Construction Logistics condition, this shall be included as part of the CEMP condition which will include details of ingress and egress for vehicles during site works period. The Construction Environmental Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Travel Plan

7.231 The applicant has provided a framework travel plan which has followed TfL guidance which is welcomed. The final Travel Plan should be secured and monitored via S106 agreement.

Summary

7.232 Subject to the above it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport, and will have no significant impacts on the safety or capacity of the highways network, in accordance with policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies 6.1, 6.3, 6.8-6.13 of the London Plan (2016).

ENVIRONMENT

7.233 On 24 May 2019, the Council issued an Environmental Impact Assessment (EIA) Screening Opinion confirming that an EIA was not required for the proposed redevelopment of the site. A number of separate reports assessing relevant aspects of the environmental effects of the development against relevant policies have been submitted as required by the Council's local validation requirements and are assessed elsewhere in this report.

Energy Efficiency and Sustainability

7.234 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2016 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

7.235 Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

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

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

7.237 The CO₂ emission reduction is anticipated to be 45% against the building regulation baseline which is compliant with policy requirements. The report notes a baseline CO₂ emission rate of 118.1 tonne, with the proposed scheme anticipating 65 tonnes. With regard to D.ES7 which seeks a zero carbon development, the S106 will include a financial payment of £117,000 to offset the remaining 65 tonnes of carbon and comply with the policy.

- 7.238 The GLA and Council energy officers also noted that the submitted report lacked sufficient detail with regard to the energy hierarchy as embedded within policy S12 of the draft New London Plan. In total, 17 points were raised by GLA energy officers across the Be Lean, Be Clean, and Be Green hierarchy in addition to broader compliance and performative standards. These outstanding items were submitted to the applicant by way of the GLA's energy spreadsheet.
- 7.239 In summary, the applicant has provided greater detail on on-site renewable generation through photovoltaics, further information on domestic energy efficiency, improvements on 2013 building regulations, further details on overheating, monitoring, further details on the proposed hybrid Air Sourced Heat Pumps (ASHP), and further information on modelling outputs for the energy hierarchy. The applicant has subsequently submitted a number of iterations of further information to address these comments, which have all been broadly resolved to the satisfaction of GLA and Council officers. The remaining outstanding points, which relate to the detailed operation of the building post-occupancy, are considered to be able to be satisfactorily address through an appropriately worded condition as advised by Borough sustainability Officers.
- 7.240 It is, however, noted that the GLA has encouraged the applicant to investigate the use of Water Source Heat Pumps (WSHP). To undertake this study, it would be required to ensure Environment Agency approval for an approach. To date the applicant has been unable to engage with the Environment Agency to determine whether WSHP at this location is feasible or acceptable in principle. It is considered appropriate however, to condition a WSHP feasibility study to be submitted pre-commencement for consideration and comment by the Environment Agency.
- 7.241 On balance it is considered that the application would meet or exceed the benchmarks set by Policy S12 of the draft New London Plan, and policy D.ES7 of the Tower Hamlets Local Plan.

Summary and Securing the Proposals

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

Air Quality

- 7.243 Policy D.ES2 of the Local Plan (2020) and policy 7.14 of the London Plan (2016) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.244 The application is accompanied by an Air Quality Assessment which seeks to demonstrate compliance with Development Plan policies. Environmental Health Officers consider the balance of the assessment acceptable; however note that the use-phase traffic information was not available at the time of writing.
- 7.245 As such, the officer advises that a condition must be imposed on the consent requiring an addendum assessment which considers the use-phase assessment, air quality neutral assessment and also consider assessment of construction dust impacts.
- 7.246 The Air Quality Assessment shows that the proposal would achieve 'air quality neutral' with respect to both building and transport emissions and therefore would be in accordance with the Mayor's Air Quality strategy and policies on air quality. In addition to the above addendum condition, the air quality officer also requests further conditions and an

informative which require environmental details of construction phase and control the air quality neutral nature of the development. This is acceptable.

Waste

- 7.247 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.248 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of bin storage size and servicing arrangements by condition the proposal is acceptable.

Biodiversity

- 7.249 Policy D.ES3 of the Local Plan (2020) and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value and contribute towards the Local Biodiversity Action Plan (LBAP). Developments must also not include potentially invasive non-native species as determined by Schedule 9 of the Wildlife and Countryside Act. Any such existing species should be eradicate or controlled as part of redevelopment.
- 7.250 At present the site comprises almost entirely of a somewhat dilapidated warehouse structure. There are limited biodiversity benefits at present, and as noted by Council's Biodiversity Officer, the current proposal would provide significant biodiversity enhancements that contribute to LBAP objectives and targets.
- 7.251 The Biodiversity officer raises no objection to the proposal, or the submitted Ecological Assessment; however there are a number of points raised with regard to the protection of native species on site which have not been considered and must be safeguarded by way of condition. These two species are the Black Redstart and Jersey Cudweed.
- 7.252 At present biodiversity officers do not believe sufficient effort has been made to determine whether Black Redstarts are roosting on site. Notwithstanding this, officers consider that if brownfield style biodiverse roofs and black redstart nesting boxes are included within the development then this would enhance the site and only necessitate surveys if demolition were to take place during nesting season. These above points will be secured by condition.
- 7.253 Officers note that no surveys have been undertaken with regard to the presence of Jersey Cudweed on site, and that these should be undertaken prior to development. If found, a mitigation strategy and licence from Natural England will be required. As with the above, this will be conditioned on consent as per the officer's recommendation.
- 7.254 With regard to the detailing of brown and biodiverse roofs, as well as the general planting and landscaping proposed on site, it is considered that the details of these elements of the scheme should be conditioned on consent, to allow for more detail to be provided to the biodiversity officer prior to commencement of development.
- 7.255 Subject to three conditions securing the biodiversity enhancements proposed, and ensuring no loss of native species on site, the development complies with policy.

Flood Risk & Drainage

- 7.256 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.257 The application is supported by a Flood Risk Assessment, prepared by SLR, which demonstrates there would be no increase in surface water runoff from the development and due to the overall enhancement of the site, there would likely be a reduction of surface water run-off which will be directed to the River Lea. It is also considered that the risk of

flooding on site is particularly limited, due to the operation of the Thames Barrier, the elevated nature of the site and the existing flood defences. Notwithstanding this, it is noted that sensitive residential uses are elevated from the mezzanine level up and would as such be at no risk in an extreme flooding event.

- 7.258 In consultation with Thames Water, the authority have raised no objection to the proposed redevelopment of the site; however they have requested that a pair of conditions be imposed which require the submission of a structural piling statement and confirmation of water network upgrades or a housing and infrastructure phasing plan. The authority also raises a number of points relating to drainage and licencing which will be included as informatives on the consent.
- 7.259 In consultation with the Environment Agency it is noted that a series of objections were raised with regard to the Flood Risk Assessment. The FRA was considered to fail in complying with the requirements for site-specific floor risk assessments as detailed in para 30 -32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance (PPG). Specifically the GRA failed to assess the impact of climate change using appropriate climate change allowances, failed to demonstrate that a fit for purpose and continuous flood defence line will be maintained and failure to demonstrated how flood defences can be raised in future in line with the Thames Estuary 2100 (TE2100) plan.
- 7.260 A series of responses, prepared by SLR have sought to address these concerns. Following the preparation and submission of a technical note on the raising of existing flood defences prepared by SLR it is noted that the Environment Agency have withdrawn their objection and propose a condition which will require the submission of a strategy for maintaining and improving the existing flood defences and providing detailed outfall designs.
- 7.261 In addition to the above, Council urban drainage officers advise of an additional condition requiring the submission of a surface water drainage scheme prior to commencement which will detail peak discharge rates, management of critical storm water drainage and details of adoption, monitoring and maintenance of drainage an SUDS features.

Land Contamination

- 7.262 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals are acceptable from a land contamination perspective and any contamination that is identified can be satisfactorily dealt with.

INFRASTRUCTURE IMPACT

- 7.263 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £406,900 and Mayor of London CIL of approximately £509,340. It is important to note that these figures are approximate. This will likely change given indexation is linked to the date planning permission is granted.
- 7.264 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.
- 7.265 Furthermore, a new homes bonus will be applied; however at present the figure has not been calculated.
- 7.266 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:

7.267 £32,552 towards construction phase employment skills training

7.268 £11,934 towards end-user phase employment skills training

HUMAN RIGHTS & EQUALITIES

7.269 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.

7.270 The proposed new residential accommodation meets inclusive design standards and over 15 of the new homes will be wheelchair accessible, 4 within the affordable tenures, and 3 disabled car parking spaces provided. These standards would benefit future employees and residents, including disabled people, elderly people and parents/carers with children. The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.

7.271 The proposed development would not result in adverse impacts upon equality or social cohesion.

8 RECOMMENDATION

8.1 That **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations

8.2 Financial Obligations

- a. £26,512 towards construction phase employment skills training
- b. £33,252 towards end-user phase employment skills training
- c. £117,000 carbon offsetting obligation
- d. £58,200 towards play-space upgrades within the locality
- e. £5,021 per year contribution towards local play space maintenance for 5-years post occupancy (£25,105 in total, indexed)
- f. £500 per heads of term

8.3 Non-Financial Obligations

a. Access to employment

- 20% local procurement
- 20% local labour in construction

b. Transport

- Approval and implementation of Travel Plan

c. Compliance with Considerate Constructors Scheme

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

9 PLANNING CONDITIONS

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.

3. Noise emitted from new fixed building services plant
4. Noise (commercial unit compliance)
5. Inclusive Access Standards
6. Smart meters
7. Car-free
8. Accessible parking
9. Cycle store compliance
10. S61 (Restrictions on Demolition and Construction)
11. London City Airport (Cranes)
12. London City Airport (Rooftop Installations)
13. Travel Plan

Pre-commencement

14. Jersey Cudweed Survey
15. Black Redstart Survey
16. Biodiversity
17. Piling
18. Air Quality
19. Code of Construction Practice
20. Construction Waste Management Plan
21. Construction Environmental Management Plan and Construction Logistics Plan
22. Land Contamination Remediation
23. Details of plant and machinery (air quality)
24. Construction site dust control
25. Odour from fixed plant and equipment
26. Energy Strategy
27. Overheating

Pre-commencement (above ground works)

28. Biodiversity enhancements
29. Fire Strategy
30. Wind Mitigation
31. Overheating
32. Wind Mitigation
33. Boiler Emissions

Pre-superstructure works

34. Details of external facing materials and architectural detailing.

35. Secure by Design
36. Shopfront details
37. Inclusion Communal Amenity and Play Management Plan
38. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements.
39. Play space details
40. Biodiversity
41. Details of cycle parking
42. Surface water - Drainage Strategy
43. Disabled Car parking
44. Electric vehicle charging points
45. Delivery, Servicing and Waste Management Plan

Occupation

46. Secured by design compliance
47. Water Infrastructure
48. Post construction verification
49. Noise Verification Report (Residential)
50. Contamination verification

Prior to completion

51. Wheelchair Unit Marketing

Informatives

1. Thames Water (Surface Water Drainage)
2. Thames Water (Underground Assets)
3. Thames Water (Water Mains)

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

Drawing 001 PL05 – Site Location Plan

Drawing 090 PL05 – Site Plan

Drawing 010 PL05 – Existing Ground Floor Plan

Drawing 020 PL05 – Existing Elevations

Drawing 100 PL08 – Proposed Ground Floor Plan

Drawing 101 PL05 – Proposed Mezzanine Floor Plan

Drawing 104 PL06 – Proposed First Floor Plan

Drawing 105 PL06 – Proposed Second Floor Plan

Drawing 106 PL06 – Proposed Third Floor Plan

Drawing 107 PL06 – Proposed Fourth Floor Plan

Drawing 108 PL06 – Proposed Fifth Floor Plan

Drawing 109 PL07 – Proposed Seventh Floor Plan

Drawing 110 PL06 – Proposed Eighth Floor Plan

Drawing 111 PL06 – Proposed Ninth Floor Plan

Drawing 112 PL06 – Proposed Tenth Floor Plan

Drawing 113 PL06 – Proposed Eleventh Floor Plan

Drawing 114 PL06 – Proposed Twelfth Floor Plan

Drawing 119 PL06 – Proposed Thirteenth Floor Plan

Drawing 120 PL06 – Proposed Fourteenth Floor Plan

Drawing 121 PL06 – Proposed Fifteenth Floor Plan

Drawing 122 PL06 – Proposed Sixteenth Floor Plan

Drawing 123 PL06 – Proposed Seventeenth Floor Plan

Drawing 124 PL06 – Proposed Eighteenth Floor Plan

Drawing 125 PL06 – Proposed Nineteenth Floor Plan

Drawing 126 PL06 – Proposed Twentieth Floor Plan

Drawing 127 PL06 – Proposed Roof Plan

Drawing 128 PL06 – Proposed Refuse Storage

Drawing 129 PL07 – Proposed Cycle and Pedestrian Route

Drawing 400 PL01 – Cycle Stores

Drawing 140 PL09 – Proposed North Elevation

Drawing 141 PL09 – Proposed South Elevation

Drawing 142 PL08 – Proposed East Elevation

Drawing 143 PL07 – Proposed West Elevation

Drawing 150 PL07 – Proposed Section AA

Drawing 151 PL07 – Proposed Section BB

Drawing 152 PL07 – Proposed Section CC

Drawing 153 PL07 – Proposed Section DD

Drawing 301 PL05 – Proposed Typical Wheelchair Unit Plans

Schedule of Documents

DOC-001 PL10 – Area Schedule
DOC-002 PL10 – Schedule of Accommodation
DGA Design and Access Statement Revision PL05
Markides Travel Plan; dated 30 July 2019
Markides Transport Statement Addendum; dated 15 January 2020
Montagu Evans Statement of Community Involvement; dated August 2019
Montagu Evans Affordable Housing Statement; dated 29 January 2020
XCO2 Wind and Microclimate Analysis Report; dated August 2019
XCO2 Daylight, Sunlight and Overshadowing Assessment; dated December 2019
Flood Risk Assessment and Surface Water Drainage Strategy; dated July 2019
SLR Flood Risk Advisory Note; dated 08 October 2019
SLR Flood Defense Report; dated November 2019
SLR Flood Risk Response; dated 29 January 2020
Montagu Evans Planning and Heritage Statement; dated August 2019
SLR Air Quality Assessment; dated August 2019
CGMS Heritage Archaeological Desk-Based Assessment; dated July 2019
XCO2 Energy & Sustainability Statement; dated January 2020
SLR Environmental Wind Tunnel Study; dated December 2019
Montagu Evans Financial Viability Assessment; dated 09 August 2019
BPS Independent Viability Review; dated 03 December 2019
SWECO Fire Safety Strategy; dated July 2019
XCO2 Health Impact Assessment; dated December 2019
Standerwick Land Design Landscape Play Strategy; dated November 2019
Overheating Assessment - Update; dated 24 October 2019
Preliminary Ecological Appraisal; dated May 2019, as revised June 2019
Soils Ltd Preliminary Investigation Report; dated May 2019