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Application for Planning Permission

Reference	PA/19/02148
Site	Former Poplar Bus Depot, Leven Road, London, E14 0LN
Ward	Lansbury
Proposal	<p>Part retention and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 530 residential units (Class C3), 2644sqm (GIA) of workspace (Classes B1a, B1b, or B1c), 508sqm (GIA) of flexible retail; professional services; and restaurant/bar uses (Classes A1, A2, A3, A4), within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant Planning Permission subject to conditions and a legal agreement
Applicant	Leven Road LLP
Architect/agent	CZWG & DP9
Case Officer	Julian Buckle
Key dates	Application validated 16/10/2019 Public consultation finished on 25/11/2019 EIA Regulation 25 consultation ended 07/06/2020

EXECUTIVE SUMMARY

The application proposes the part-demolition of the existing warehouses and boundary wall, and the retention of historic fabric in the form of the tram shed façade and existing Edwardian office building.

The new buildings would comprise of two distinct typologies. Along Leven Road and behind the tram shed façade a series of perimeter blocks are proposed between 3 – 8 storeys in height, containing workspace and residential dwellings. Eastwards to the riverside three residential towers of 15, 17, and 20 storeys are proposed. Two podiums are proposed

between the towers and perimeter blocks to provide communal amenity and play space. A new riverside walkway is proposed and a public space in the form of the tram shed forecourt. Vehicle access would be via a single point to the north of the site. The development would contain 530 dwellings and 2644sqm of workspace, as well as 508sqm of flexible retail/restaurant/professional service space.

The development is considered to positively contribute to the broader regeneration of the Lower Lea Valley and Poplar Riverside. The Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area Planning Framework support high-density residential led development in this location and the development would make efficient use of brownfield land. The proposed scheme would provide a significant amount of housing and workspace, as well as public access to and along the riverside that would link-up to neighbouring sites. This would contribute positively to the regeneration of the area and be in line with the local and strategic objectives for the site.

The proposal would result in a net loss of industrial floorspace capacity but on balance this would be acceptable, and the new workspace would likely provide a significant increase in employment opportunities. 20% of this floorspace would be affordable and overall the workspace would support the creative cluster emerging in this part of Poplar.

The scheme proposes 35% affordable housing by habitable room, including a variety of unit typologies across both tenures. The residential accommodation is considered to be of a high standard and would provide good living conditions inside and outside. There is no north facing single aspect flats.

The height, massing, and scale of the proposed buildings are considered to appropriately respond to the emerging local context. The contrasting typologies and forms of the new buildings would make for an unusual composition that would add a distinctive character and vibrancy to the area. The proposal would retain the historic fabric of greatest significance and would integrate it sensitively into the overall design. The layout would represent good urban design; forming strong relationships with the street, the historic fabric, and the riverside. The architecture is considered to be of an exceptional quality.

It is considered on balance the scheme's impacts on amenity would be acceptable. Whilst some neighbouring properties would see an appreciable reduction in daylight this would be outweighed by the improvement in outlook and from the wider enhancements to the public realm and overall living standards. The proposal would have negligible impacts on sunlight to any neighbouring properties. The new dwellings proposed would provide a high level of compliance with respect to the BRE guide and provide good internal daylight and sunlight.

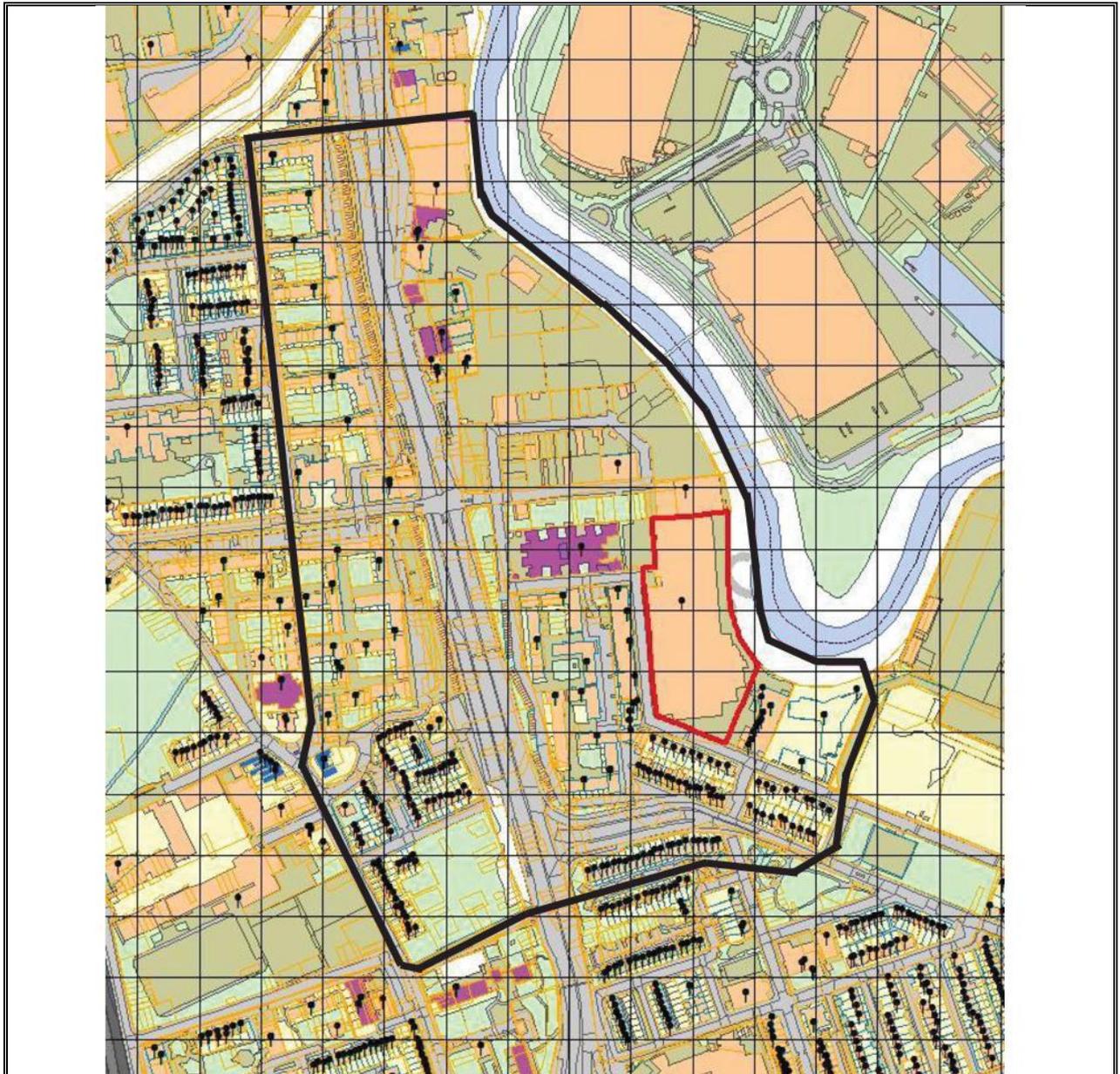
The impact from the development on nearby designated heritage assets would lead to less than substantial harm which is decisively outweighed by the public benefits of the scheme: notably the housing and workspace, and affordable provision in both; public access along and to the riverside; and new public realm (the tram shed forecourt). The proposal would have no impact on the Outstanding Universal Value of the Greenwich Maritime World Heritage Site.

Vehicle access and servicing on-site are considered to be acceptable subject to conditions and the submission of a Travel Plan. The energy strategy would sufficiently reduce carbon dioxide emissions. Considerable biodiversity enhancements are also proposed which ensure net gains would be achieved.

The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to employment and skills training, carbon offsetting, and transport network improvements.

The report concludes that the development would be in accordance with the development plan and with the National Planning Policy Framework (NPPF) (2019), and having taken into account any other material considerations, it is recommended the application is approved and should be determined in accordance with the development plan.

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/19/01248</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: 14 July 2020</p>

1 SITE AND SURROUNDINGS

- 1.1 The site is located on Leven Road west of the River Lea. It comprises of a hard standing forecourt area fronting Leven Road and a collection of buildings that were constructed in circa 1903, in association with the development of London's tram network. The site has since been used as a bus depot and from circa 1986 as a storage facility.
- 1.2 The site is currently occupied by 'Iron Mountain' and is in use as a document storage facility employing approximately 8 employees (over an area of 10,345sqm). The full area of land within the site boundary is 13,000sqm or 1.3 hectares.
- 1.3 The buildings cover a large proportion of the site and comprise of two large warehouses and a three storey office building. The southern end of the warehouses are characterised by tall arches that at one time would have allowed trams or buses in and out. These have since been blocked up but form a striking elevation. The existing office building and flank wall to Leven Road address the street.
- 1.4 These buildings and structures are of historical significance, albeit they are not listed, nor locally listed, nor within a Conservation Area, and are therefore considered to be non-designated heritage assets.
- 1.5 The site is within an Archaeological Priority Area, Floodzone 2/3 which designates it as 'more vulnerable', and as a Site of Importance for Nature Conservation (SINC) due to its proximity to the River Lea. The Tower Hamlets Local Plan 2031 (2020) identifies the site within the Lower Lea Valley Sub Area and within the Ailsa Street Site Allocation.

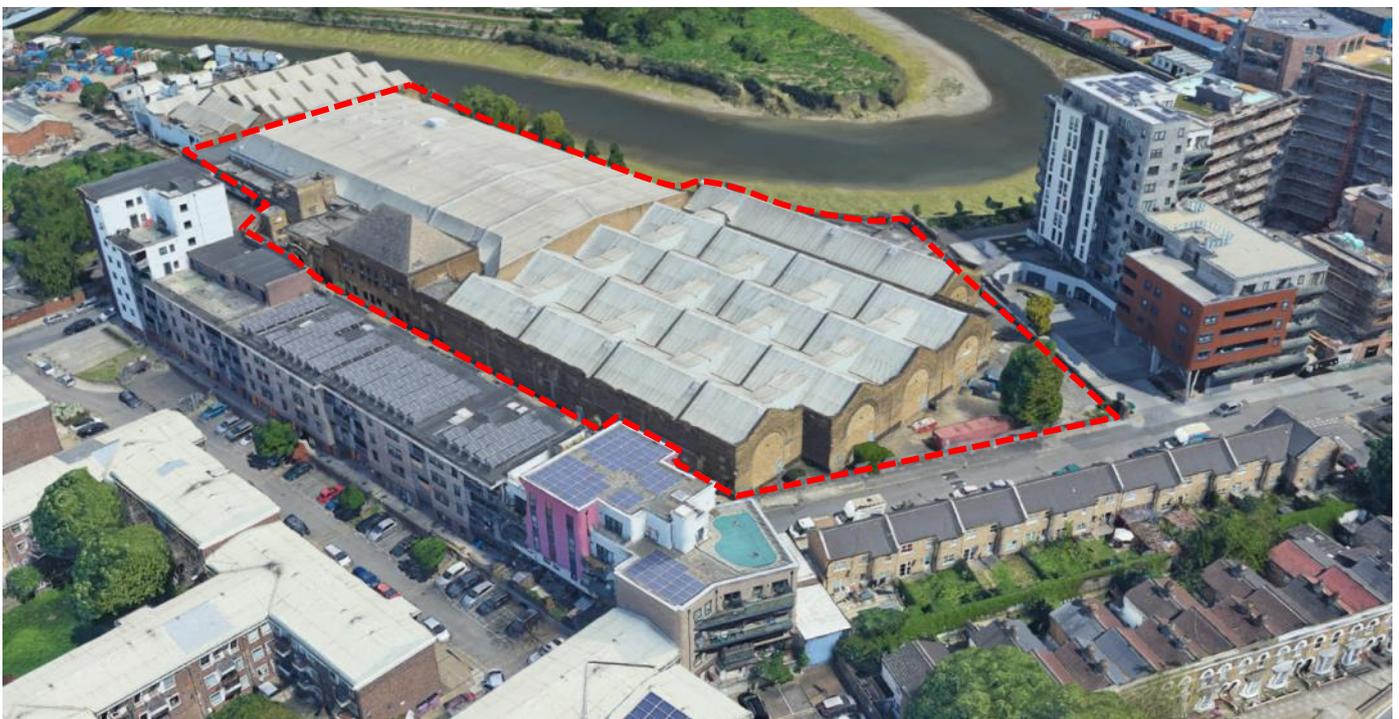


Figure 1: Image of application site (dashed) and surroundings



Figure 2: View of tram sheds and forecourt



Figure 3: View of tram shed arches and gable ends



Figure 4: View of existing office building



Figure 5: View of roof structure to existing office building



Figure 6: View of 9m high boundary wall



Figure 7: View of the River Lea and eastern edge of the site (left hand side)

- 1.6 The Grade II listed Bromley Hall School bounds part of the western boundary of the Site. Northwards are a number of listed buildings such as the Old Poplar Library Grade II and Bromley Hall which is Grade II*. These are within the Limehouse Cut Conservation Area which is approximately 300m away from the site. Further to the west is the Langdon Park Conservation Area.
- 1.7 The A12 is to the west of the site and the River Lea immediately to the east form barriers to movement and give the area a slightly isolated character. The immediate surroundings of the site are characterised by former industrial sites, wasteland, and former gasworks with residential housing as well. The area is undergoing significant transformation with many adjacent sites along the River Lea having been recently granted planning permission for major residential-led redevelopment.
- 1.8 These include Ailsa Wharf (planning reference PA/16/02692/A1) and the Leven Road Gasworks site (planning reference PA/18/02803/A1), both of which have received planning consent for residential-led redevelopment. A resolution to grant planning permission was issued on the 21st of May by the LBTH Strategic Development Committee for the site directly to the north, known as Islay Wharf (planning reference PA/19/01760/A1). Devons Wharf (PA/09/00109) is a contemporary building adjacent to the river that has been completed within the last 10 years.
- 1.9 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.
- 1.10 The prevailing PTAL of the site is 1b, 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.
- 1.11 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.
- 1.12 The site is located within the Poplar Riverside sub-area (as below) of the Mayor's Lower Lea Valley Opportunity Area (LLVOA) as detailed in the 2007 adopted strategic plan for the area. The plan provides an overarching strategic vision for the delivery of a minimum of 32,000 new homes within the area, and an indicative employment capacity of 50,000 jobs with the sub-area detailing Leven Road as an identified area for housing. The Draft New London Plan (2019) proposes a new opportunity area in the form of Poplar Riverside and sets a target of 9000 homes and 3000 jobs. A key objective is to overcome the infrastructure challenges and improve pedestrian and cycle accessibility within the area.

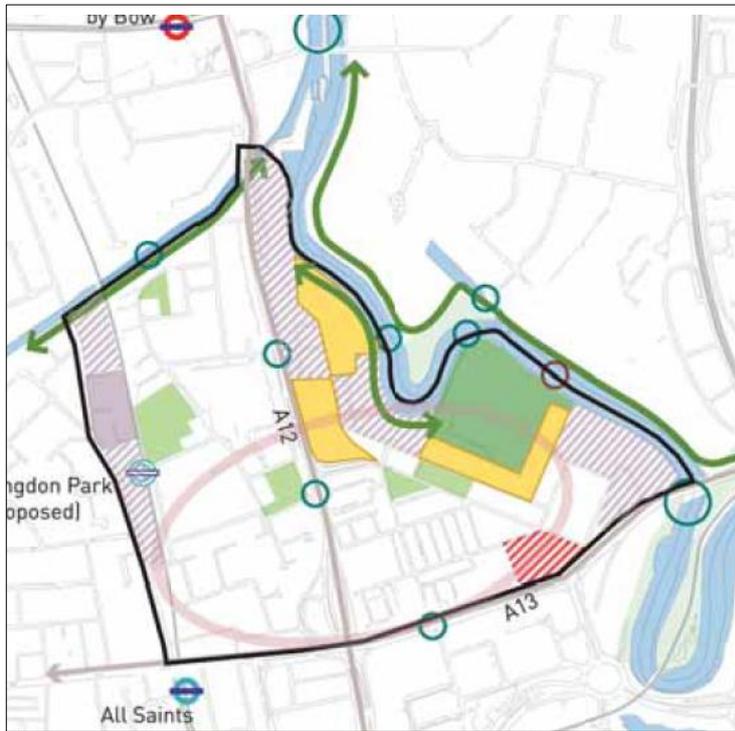


Figure 8: Lower Lea Valley Opportunity Area – Poplar Riverside Sub Area

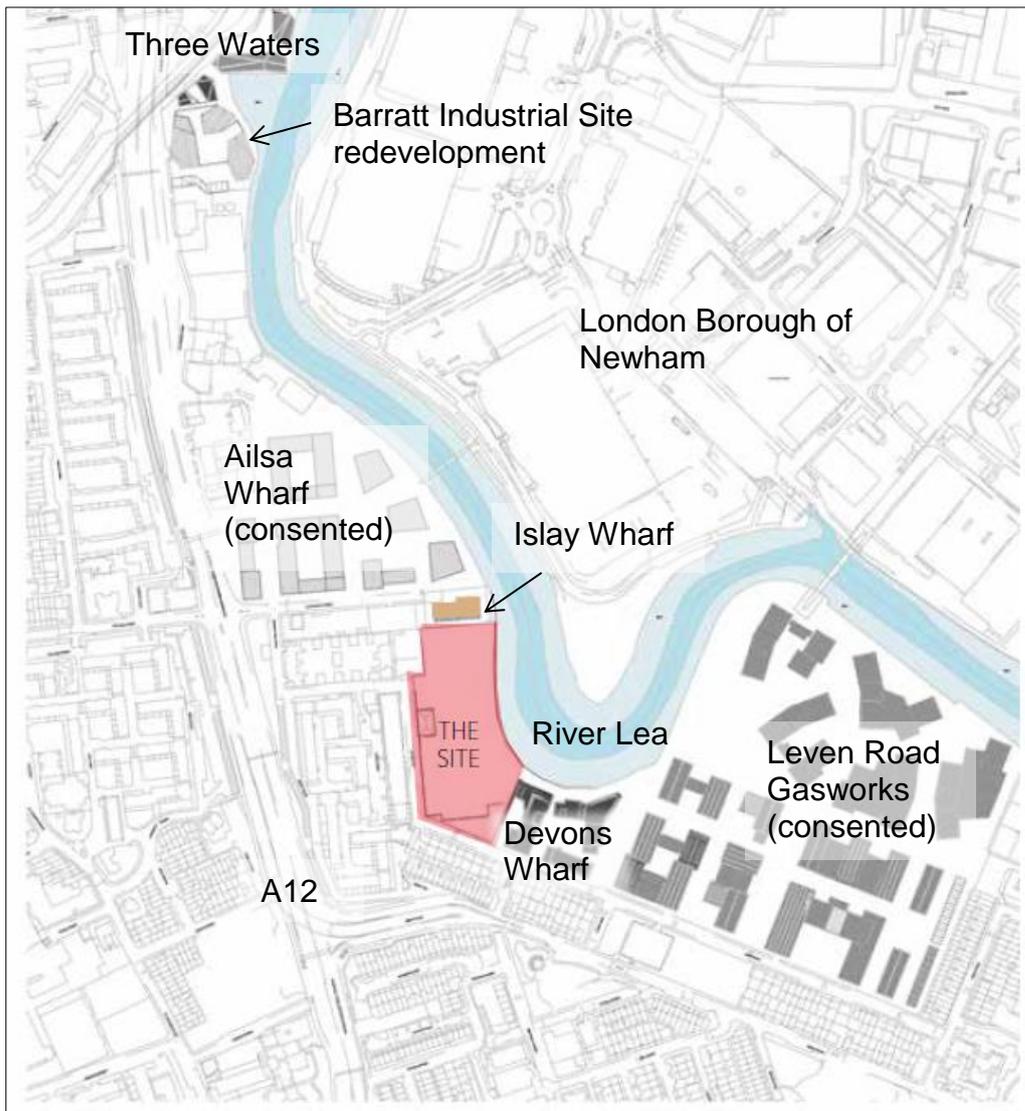


Figure 9: Map of site in context of recently built, and consented developments

2. PROPOSAL

- 2.1 The scheme proposes to retain two major elements of historic fabric. One is the whole two storey southern elevation with the five tram-shed arches and elements of the east and west return walls along Leven Road and facing the river. The other is the whole structure of the existing three storey office building, facing west onto Leven Road, including its roof and its adjacent two storey entrance hall. Both these areas would contain workspace with the tram shed building featuring a double height space for the ground floor.
- 2.2 The new buildings proposed can be split into three distinct categories: the southern tram shed building; the western elevation to Leven Road, and the three towers to the riverside.

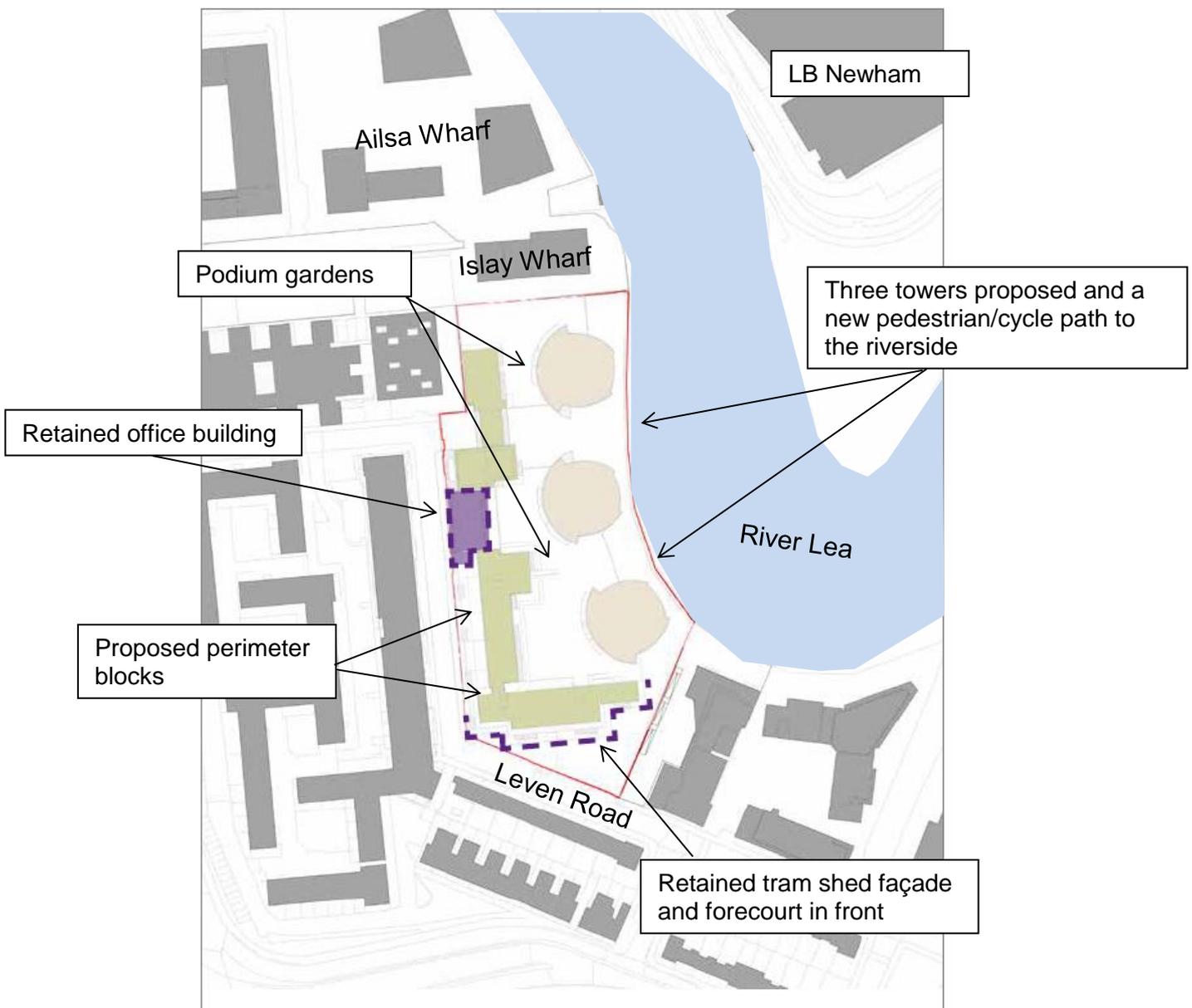


Figure 10: Proposed site layout

Leven Road southern elevation

- 2.3 The new built form behind the retained tram-shed façade would extend up to a height of eight storeys, with the top floor setback. The lower floors would also be setback from the façade by 4m. South of the retained southern facade of the tram-shed arches a new public space would be created and this space would be linked at a shallow incline to the riverside walk at the south-east end of the site. The southern tower would be visible in views looking north.



Figure 11: CGI Image of proposed southern elevation

Leven Road western elevation

- 2.4 Between the two retained elements a new perimeter building facing west onto Leven Road is proposed which would be set back from the back of pavement line, a line that continues over the retained building at either end. This frontage would be predominantly residential from ground floor upwards with the lower two floors being maisonette units. Brick buttresses between the units would provide a degree of privacy to the amenity spaces.
- 2.5 A podium deck would be created behind the retained and proposed perimeter facades and would provide the communal amenity area and play space, with parking and servicing areas below. Beyond the retained office building, a new commercial unit would be introduced at ground floor and a building of 8 storeys proposed. The building would be linked to the northern block via an elevated three storey section. The clearance would allow for views through from Leven Road to the River as well as be the single access point into the site for vehicles (see figure 12 below).
- 2.6 The flank elevation to the northern section adjacent to Bromley Hall School would be windowless to ensure that the adjacent site is not unduly restricted. Artwork will be proposed to animate this elevation.



Figure 12: CGI of Leven Road west elevation and site vehicular access point

Three towers and the riverwalk

- 2.7 The three towers proposed would vary in height and brick colour but all be of the same form and overall design. They would appear as a coherent composition distinct from the perimeter blocks that characterise the street facing parts of the site. The northern tower would be 15 storeys, the central tower 20 storeys, and the southern tower 17 storeys. Adjacent to the north Islay Wharf would stand at 21 storeys.
- 2.8 The riverwalk would run the full length of the eastern side of the site facing onto the River Lea and join up with the adjacent public realm. The concept for the riverwalk is alternating spaces where the path steps in and out to create wider and narrower sections. There would be a minimum separation of 7m between the river wall and the three ground-floor commercial frontages at the base of the towers, and this would increase up to 14m wide in the spaces between them. The riverwalk would be accessible from the new routes proposed across the northern and southern ends of the site.
- 2.9 Servicing and delivery for the commercial and residential units would be managed within the podium decks which would accommodate a range of vehicle types. The northern service yard would accommodate larger vehicles.



Figure 13: CGI of the three proposed riverside towers

3 RELEVANT PLANNING HISTORY

Former Poplar Bus Depot, Leven Road

PA/79/00729 – Permitted 13/07/1979

The development of an industrial and warehouse estate.

PA/87/00786 – Permitted 11/01/1988

Redevelopment to provide a mixture of light and general industrial and warehouse uses.

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.

PA/14/03154 – Permitted 22/12/2014

Certificate of lawful development for existing use of re-alignment of 2.4m high palisade fencing to site boundary to align with legal boundary. Islay Wharf, Lochnagar Street

Nearby developments (relevant applications)

Islay Wharf, Lochnagar Street

PA/19/01760 – Resolution to grant planning permission issued 21st May 2020

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.

Ailsa Wharf, Ailsa Street

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.

Bromley Hall School, Bromley Hall Road

PA/02/00808 – Permitted 07/08/2002

Change of use from school to office accommodation (B1) and storage (B8).

PA/16/00884 – Permitted – 18/11/2016 (now extant)

Expansion of existing school to provide 2 FE Primary school and associated nursery, including partial demolition of existing building.

PA/20/00845 – Permitted 20/05/2020

Change of use involving the sectioning of existing parking for School (D1) for new independent parking. (Temporary for 2 years)

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 1164 planning notification letters were sent to nearby properties on 21/10/19.
- 4.2 Site notices were displayed around the site on 29/10/19 and a press notice was advertised on the 24/10/2019.
- 4.3 13 objection letters were received in response to notification and publicity of the application. No letters of support were received. The material considerations raised in the objections are summarised thematically below:
- 4.4 Amenity
- Harmful impacts on residential amenity and access, servicing and construction to Ailsa Wharf.
 - The development will reduce the light to the artist studios within Atelier Court significantly and harm the future usability of the studios for artists and SMEs.
 - Office and business uses are detrimental to the residential character of the area.
 - Shops and retail space are not needed and would clutter the area.
 - Noise levels from construction work and the operation of the development itself would be harmful and unacceptable.
 - Significant loss of daylight and sunlight because of the building heights and proximity. This loss is not acceptable on grounds of health and well-being and there should not be further deterioration of light within Hopwood Court and Atelier Court.
 - Overlooking and loss of privacy along Leven Road and increased levels of crime
- 4.5 Housing & Community facilities
- Proposal should achieve 50% social housing of which 70% should be social rent
 - A shared open space and new community facilities should be provided
 - No jobs benefits for the community as evidenced by vacant units at Devons Wharf
 - Insufficient school places and GP surgeries to support development
 - 78 of the dwellings are 1bed 1person bedsits and not built to a decent space standard
 - The proposed location of affordable housing in lower-rise building and vast majority of tower blocks private sale constitutes segregation and is against policy
- 4.6 Open Space
- Not enough public open space provided as part of the proposal
 - The development should not be gated
- 4.7 Design
- Objection to the height of the buildings; that they are too tall and will block views
 - Buildings should be lower with wider spaces between them
 - The tall buildings will impact air quality and block pollution from the A12

- The buildings should be no more than 10 storeys in height and setback from the road
- Overdevelopment of the site
- Canyoning effect to the dim upper Leven Rd
- The iconic garage arches form a 'fortress-like' façade on Leven Road
- Reducing the height of blocks D & E would improve aesthetics and daylight
- The front arches of the former Depot are dwarfed by the 8 storeys of blocks D and E rendering them an insignificant appendage
- Block C should reduce in height and will cast long shadows on Atelier Court and Nairn Street behind.
- The tall blocks hog the riverside and dominate the other blocks

4.8 Highways

- Leven Road should be made for two-way traffic
- The proposal will reduce the limited on-street parking spaces available
- No plans for parking spaces is of concern and only one bus route is in operation

4.9 The material objections raised will be considered in the relevant sections of the report.

4.10 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring landowners, including Islay Wharf. It is noted that a series of joint pre-application meetings were held at Council offices for both the application site and Islay Wharf (a resolution to grant planning permission was given by the committee on 21st May). The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since February 2019.

5 CONSULTATION RESPONSES

Internal Consultees

LBTH Building Control

- 5.1 The Fire Statement has been assessed and deemed adequate at this stage in the design process, and that the scheme represents good design with respect to fire safety. Further details which are required as part of the Buildings Regulations will be considered separately to the planning process.
- 5.2 The details provided satisfy the requirements within Draft New London Plan Policy D12.

LBTH Transportation and Highways

- 5.3 Highways officers raised initial objection to the quantum of car parking. This has subsequently been reduced to a very low level, less than 1% of units would have parking, accessible parking has been provided in accordance with GLA requirements.
- 5.4 The applicant will be expected to enter into a legal 'Permit Free' agreement which restricts all future residents from applying for on street parking permits. The applicant is proposing to provide cycle parking to the Draft New London Plan standards which is welcomed.
- 5.5 Initial plans to change the directional flow along Leven Road have been removed from the proposal in line with the advice from highways officer. The proposals would remove some of the existing crossovers into the site which will result in less vehicle movements around the site which in turn will remove safety hazards for other road users. Instead all movements will be consolidated at one point. This is welcomed.

- 5.6 A financial contribution of £50,000 has been secured to provide improvements to the pedestrian routes to Langdon Park DLR and Bromley-by-Bow underground station, as identified within the ATZ assessment.
- 5.7 It is noted the comments have been addressed during application stage, and the recommended conditions and obligations will be attached to any forthcoming planning consent.

LBTH Waste Policy and Development

- 5.8 Waste officers raise no in-principle objection to the proposed refuse storage and servicing strategy, although has requested that a mass collection method is considered by the applicant.
- 5.9 This was undertaken and it was deemed that URS would not be suitable given the limited locations and the impacts this would have on the public realm. A purpose compaction system should be explored to reduce vehicle trips required to collect waste. A condition will be attached requesting a feasibility study into compaction on-site. Standard conditions relating waste are also requested.
- 5.10 Officers consider that these details can be satisfactorily secured via condition attached to any forthcoming consent.

LBTH Environmental Health (Air Quality)

- 5.11 Air Quality officers raise no objection and are satisfied that the applicant has demonstrated that the residential development will not be affected by levels of air pollution above National Air Quality Standards. Therefore no additional mitigation will be required to protect future occupiers from existing environmental pollution. The applicant has stated that heating for the development would be by air source heat pumps. These have no local emissions to atmosphere. The applicant has undertaken a transportation air quality neutral assessment which meets the GLA benchmark.
- 5.12 The recommended conditions in relation to dust will be attached to any forthcoming consent.

LBTH Environmental Health (Noise/Vibration)

- 5.13 Noise officers raise no objection, subject to standard conditions and imposition of operating hour controls on commercial units.

LBTH Design

- 5.14 A number of objections were raised to the initial scheme in terms of the bulk and massing, as well as the manner in which the heritage assets – in particular the tram shed façade – were integrated into the new development. The materials are considered to be of a high quality.
- 5.15 The design comments will be further addressed in the report but the scheme has reduced the scale and massing across all sections to address some of these concerns. Where historic fabric has been retained there is no one size fits all as to how old and new architecture is interpreted. The scheme delivers significant public realm enhancements as well as a much improved relationship to the street and the river. It is also noted that the CADAP members expressed clear support for the design rationale of two contrasting typologies integrated with the historic fabric.

LBTH Environmental Health (Contaminated Land)

- 5.16 Contaminated Land officers raise no objection, subject to standard conditions.
- 5.17 The recommended conditions will be attached to any forthcoming consent.

LBTH Sustainable Urban Drainage (SUDS)

- 5.18 No comments received.
- 5.19 It is noted that the GLA have provided specific commentary on the SUDS proposal and Thames Water have requested conditions relating to surface water drainage and run-off. It is therefore considered the proposed conditions would address any potential concerns, noting that the drainage has also been considered as part of the ES.

LBTH Biodiversity

- 5.20 The Biodiversity officer has made a number of observations and overall was satisfied that the proposal would lead to net gains in biodiversity and provide a significant amount of biodiversity enhancements to the site. Concerns were raised and maintained around the lack of greenery and planting specifically along the riverside walk. The removal of non-native species was welcomed.
- 5.21 Officers have sought to increase the planting along the riverside but have to balance this with the strategic aims for the route as a cycle and pedestrian path. This will be considered in further detail in the landscaping and biodiversity section.
- 5.22 Pre-commencement conditions would be attached to any forthcoming consent 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

- 5.23 Housing officers support the quantum of affordable housing provided at 35% and accept the tenure split at 60:40 between affordable and intermediate units. They did raise some concerns with regard to the tenure and unit mix as submitted. In particular the provision of studio units in the market housing and the number of family sized units in the affordable rent tenure.
- 5.24 This will be considered in full in the detailed Housing section but these were noted and discussed with the applicant. Amongst balancing the overall housing offer the proposal did increase from 31% to 35% affordable housing by habitable room during submission and in discussion with officers. The scheme viability demonstrates a deficit of -£15.96m. In this context the proposal provides the maximum amount of affordable housing. Taking into account all the issues it is concluded that on balance the scheme would provide a suitable range of market and affordable housing. This is further explained in the Housing section.

LBTH Energy Efficiency

- 5.25 The energy officer is satisfied with the overall energy strategy and considers the use of Air-Source Heat Pumps and on-site power generation through PV to be acceptable and in accordance with policy.
- 5.26 Policy D.ES7 of the Local Plan requires zero carbon for all development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions, and the remaining regulated carbon dioxide emissions to 100% to be off-set through a cash in-lieu contribution. The scheme will provide a 44.6% reduction and will be required to pay a contribution of £580,000 to achieve the 100% reduction.

- 5.27 Further information requested by the energy officer has been provided and conditions have also been requested to ensure that the approved energy strategy is delivered in the detailed design stage. These will be attached to any forthcoming consent.

LBTH Enterprise and Employment

- 5.28 Enterprise and Employment officers welcome the provision of affordable workspace and request further details around management of the workspace. This will be secured via condition. The affordable workspace will be secured within the S106 agreement.
- 5.29 They also advise of financial obligations to be secured within the S106 agreement, details and figures are included in Section 8.2 of this report.

LBTH Occupational Therapists

- 5.30 No comments received.
- 5.31 Despite the lack of consultation response received, officers will be imposing a condition to any forthcoming 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 agreement.

LBTH Viability

- 5.32 LBTH Viability officers and external consultants BNP Paribas have assessed the submitted Financial Viability Assessment (FVA) as prepared by BPS, and have determined the findings to be fundamentally sound. The assessment shows a deficit of -£15.96m and that the scheme provides the maximum viable amount of affordable housing.
- 5.33 As the scheme fails to meet Draft New London Plan Policy H5 for 50% affordable housing on industrial sites viability officers require early and late stage review mechanisms within the S106.
- 5.34 The recommended review mechanisms will be included within the S106 agreement.

LBTH Policy

- 5.35 Policy officers support the provision of affordable workspace and affordable housing. It is noted that the scheme will see a reduction of industrial floorspace but recognise the need to balance this with housing within the Ailsa Street Site Allocation. Details of how the workspace would be managed will need to be secured via condition and all play space must be tenure blind.

LBTH Town Centres

- 5.36 No comments received.

LBTH EIA

- 5.37 The EIA has been reviewed by competent professionals and found sound subject to the mitigation identified within the council's Final Review Report being secured as part of any forthcoming consent.
- 5.38 This will be further considered within the EIA section of the report.

LBTH Public Health

- 5.39 The detailed HIA submitted is considered to be robust, covering a broad range of potential health issues at various scales (housing, amenities, green infrastructure, transport,

access). It is noted that community consultation was not undertaken although it is recognised attempts were made to address this. Nonetheless this is contrary to best practise.

- 5.40 Notwithstanding consultation, overall, the HIA demonstrates the intent of the scheme to contribute positively, within its remit, to healthier lifestyles within the borough.

External Consultees

Environment Agency

- 5.41 The EA initially objected on the basis that the development would not effectively demonstrate it will be safe for its lifetime of a hundred years. Following further information submitted by the applicant the objection was removed.
- 5.42 The additional information related to the tracking plan for the river wall setback and river wall improvement works, as well as details of the TE2100 raisings which they consider can be implemented by way of planning condition.
- 5.43 A condition, as recommended by the Environment Agency, will be attached to the consent requiring: a condition survey of the existing wall; a scheme of improvement works where necessary; and demonstrate how flood defence will be raised in line with the TE2100 Plan.

Historic England

- 5.44 Advised that they have no comments to make, and to refer to LPA Conservation Officer for guidance in determining the application.

Greater London Archaeological Advisory Service (GLAAS)

- 5.45 GLAAS initially raised objections to the Archaeology Assessment and the lack of detail within the report identifying whether there is any harm and how it would be mitigated.
- 5.46 Following discussions with the applicant's archaeology consultants and following additional information being provided it was agreed that the concerns could be addressed via updated material to adapt the foundation design to avoid important remains.
- 5.47 Further information would be sought via two planning conditions one for fieldwork and public benefit, and one for foundation design control. These will be attached to any forthcoming consent.

London City Airport

- 5.48 No objection, subject to conditions, which will be attached to any forthcoming consent.

Thames Water

- 5.49 No objection, subject to conditions and informative requiring details of network upgrades and housing and infrastructure phasing plans have been submitted.
- 5.50 Conditions and informative will be attached to any forthcoming consent.

DLR

- 5.51 No comments.

London Underground

- 5.52 Initial concerns were raised that the main TA did not assess how the development would impact on the capacity of the train service or nearby stations. The applicant provided additional information detailing the impacts which were not considered to be significant by LU and in line with the predicted growth of the area identified in the Local Plan Site Allocations and the Lower Lea Valley OAPF. Following receipt of additional information London Underground have no objection to the application.

TfL

TfL welcome and strongly support the proposal to provide a walking and cycle route along the River Lea. This should connect seamlessly to adjacent sites. To the north, this should include a tie-in to the proposed development of Islay Wharf. To the south, this should include a tie-in to the existing Leaway, including removal of the wall along the site boundary.

A development of this scale should include an Active Travel Zone (ATZ) assessment to identify measures that could support the expected high walking and cycling mode share of this car-free development. Any necessary mitigation identified through this work should be secured in the S106, S278 or by condition as appropriate.

We note that the applicant has offered a revised proposal of 5 general car parking spaces, 27 disabled persons parking spaces, and 2 car club spaces. While this reduction in car parking is welcomed, given that the site is in an inner London Opportunity Area we expect the development to be car-free (except for disabled persons parking). The design of car parking and vehicle access should ensure that walking and cycling is prioritised and that speeds are kept very low.

TfL welcomes that cycle parking will be provided to the minimum standards as set out in the Intend to Publish London Plan.

Construction works and delivery and servicing will need careful management to deliver Vision Zero objectives. A full Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP), both in accordance with TfL guidance, should therefore be secured by condition

Officers note that TfL request the development to be car-free but consider the provision of 5 spaces and 27 blue badge spaces acceptable. The blue badge spaces would equate to 5% of the total dwellings and above the 3% requirement set by TfL. 5 general spaces would equate to 0.95% of the dwellings having access to car parking spaces. This is considered acceptable in the context given the low PTAL and the likely lag-time for new surrounding infrastructure to be in place. In addition no residents will have access to a parking permit for on-street car parking.

TfL request a contribution of £203,482 for improvements to the local bus network. This is in line with developments of a similar scale within the locality, notably the Leven Road Gasworks development under planning reference PA/18/02803. The contribution will be secured within the S106 agreement.

A contribution of £50,000 has been secured for mitigation identified within the Active Travel Zone (ATZ) assessment. The contribution would be directed to improvements along two key pedestrian routes from the site to Langdon Park and Bromley-By-Bow station. The details of which and the contribution will be secured within the S106 agreement.

Greater London Authority

- 5.53 As highlighted within their Stage 1 response, the GLA is supportive of the principle of a high density residential-led mixed use development. They consider the design responds well to the local context and is sensitive to heritage assets. The energy hierarchy has been followed and the scheme would deliver significant public benefits with access along the river.
- 5.54 The proposal fails to meet the 50% threshold of affordable housing for fast track compliance and has been viability tested by GLA officers. The net-loss of industrial floorspace capacity is considered to be acceptable in the context, they advise a quantum of new floorspace to be secured for industrial uses only. This will be addressed in the land use section of the report.
- 5.55 The GLA consider that the proposal would lead to less than substantial harm to nearby heritage assets and that the public benefits decisively outweigh any such harm identified. This will be further discussed within the heritage section of this report.
- 5.56 The GLA notes that the affordable housing provision would be subject to both late and early stage review mechanisms within the S106.
- 5.57 Following the submission of further details the applicant is considered to have addressed the issues as raised by the Greater London Authority in their Stage 1 response. The GLA will have further opportunity to comment as part of their Stage 2 response.

Metropolitan Police (Designing Out Crime)

- 5.58 The police have made a number of recommendations with regards to further details which would be addressed at the detailed design stage. Subject to details required as part of any condition being acceptable officers are satisfied the scheme would represent a safe development. A condition requiring the development to meet Secure by Design standards will be attached to any forthcoming consent.

London Fire Brigade

- 5.59 No comments received.

Canal and River Trust

- 5.60 No comments to make.

Natural England

- 5.61 No comments to make.

National Air Traffic Services (NATS)

- 5.62 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS has no safeguarding objection to the proposal.

Lea Valley Regional Park Authority

- 5.63 No comments received.

London Borough of Newham

- 5.64 No comments received.

London Legacy Development Corporation (LLDC)

5.65 No comments received.

Port of London Authority (PLA)

5.66 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.

5.67 A condition requiring the installation of riparian life-saving equipment will be included on consent. It is noted that this section of the River Lea itself is not suitable for loading and unloading material to the site. Requiring water freight to be used within the supply chain may have unintended impacts on sustainability, requiring extra journeys or two to be made instead of one to the site. On the information provided officers consider further investigation would not be reasonable and unlikely to deliver sustainability benefits. On this basis it will not be included.

5.68 Amenity societies

Council British Archaeology

5.69 Initially the CBA raised objections but they subsequently agreed with both Historic England and GLAAS' approach and request additional detail within the conditions to ensure any archaeological remains of significance are suitably protected.

5.70 Others

Conservation and Design Advisory Panel

5.71 They commented in relation to the pre-application proposal on 13th May 2019 prior to submission of the full planning application. This scheme was larger in scale and massing for circa 600 units and 3200sqm of commercial floorspace.

5.72 They supported the overall composition of the development based on perimeter blocks and towers to the riverside and considered the architectural approach to these elevations inspiring. The landscaping was also considered to be bold. They did raise concerns around the scale and mass of the buildings, the lack of activation along the riverside, and the overall density of the scheme.

5.73 These comments have been addressed in the full submission application and the issues raised have been considered in full in the design section.

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.

6.3 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.

6.4 The adopted Development Plan comprises:

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

6.5 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,

6.6 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)
- 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

6.7 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 (2019) is considered significant as the document has been subject to Examination in Public (EiP).

6.8 The 'Intend to Publish' version of the draft incorporates all of the Mayor's suggested changes following the EiP and was made available by the Mayor of London in December 2019.

6.9 However, some policies in the Draft New London Plan (2019) 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.

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

Housing

- 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
- v. Transport and Servicing
- vi. Environment
- vii. Human Rights and Equalities

LAND USE

Employment Policy

7.2 London Plan (2016) Policy 2.13 strongly promotes urban renewal within the Lower Lea Valley Opportunity Area, including the managed release of appropriate industrial sites for

mixed-use development. The Lower Lea Valley OAPF provides a strategic framework for this approach, and broadly identifies this site as within an area of land west of the River Lea that is suitable for residential-led redevelopment.

- 7.3 London Plan (2016) Policy 4.4 states that other industrial sites which are not locally or strategically significant - as is the case of the application site – and which are deemed surplus industrial land can help meet strategic and local requirements for a mix of other uses such as housing, and in appropriate locations to provide social infrastructure.
- 7.4 The Draft New London Plan (2019) policy E7 part c supports mixed-use or residential development proposals on Non-Designated Industrial Sites where it has been allocated in a local Development Plan Document for residential or mixed-use development. In this case the Ailsa Wharf Site Allocation within the Local Plan identifies the area for housing and employment.
- 7.5 Draft Policy E4 which relates to land for industry, logistics, and services to support the economy, supports proposals that make provision for varied operational requirements including low-cost industrial and related space for micro industries and small/medium enterprises (SMEs).
- 7.6 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 overall net 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 the 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.
- 7.7 Policy D.EMP2 of the Local Plan supports employment floorspace outside of designated employment locations if it forms part of a cluster of similar employment uses and it would contribute to integrated place making. Part 4 of the policy also states that mixed-use development schemes should provide 10% of new employment space as affordable workspace. Affordable workspace is defined at rent levels 10% below the indicative market rate for the relevant location, for a period of not less than ten years.
- 7.8 The Ailsa Street Site Allocation in the Local Plan requires a mixture of housing and employment uses which through a range of floor space sizes should support small-to-medium enterprises.

Reduction in employment floorspace

- 7.9 The existing site operates as a document storage facility (Use Class B8) for 'Iron Mountain' and has operated as such since the latter part of the 1980s having previously been both a bus depot and before that a tram depot. The application form confirms that there are 8 full time employees and it is considered that the site has a very low employment density given the existing warehouse floorspace is circa 10,000sqm.
- 7.10 50m to the west of the site are the recently completed fashion and creative maker studios called Poplar Works. These studios provide space for students from the London College of Fashion to create garments and undertake creative work. The proposed workspace would build on the emerging creative cluster in this part of the borough and support small businesses and the creative industries.
- 7.11 The scheme proposes 2644sqm of workspace within the retained two storey office building and within the new workspace to be created behind the tram shed arches. These spaces could potentially accommodate research and development processes as well as light

industrial uses falling within the use classes B1a, B1b, and B1c. This would accord with the requirements within the site allocation and provide for a range of different business types.

- 7.12 It is noted the Greater London Authority (GLA) have requested a guarantee of floorspace for industrial uses however it was considered this would be unduly restrictive, and potentially detrimental to generating new employment opportunities. Many creative and industrial industries do not fall neatly within the use classes set out by the order, especially when considering how the line between digital and physical products and services is increasingly blurred. The fashion studios in nearby Poplar Works accommodate a range of activities and it is considered that the site would further build on these types of industries as well as provide suitable space for other light industrial activities.
- 7.13 Given the proximity to residential dwellings both proposed and existing the promotion of heavy industry within Class B2 would potentially be problematic from an amenity perspective. In addition, Draft London Plan Policy E7 supports mixed use development on sites allocated within a Local Plan.
- 7.14 The Local Plan Policy D.EMP3 seeks to protect existing employment uses although it does also allow for circumstances in which there is a net reduction: when a site is unsuitable for employment and that the benefits of the alternative use outweigh the employment use. In this case the existing site is not unsuitable albeit there would be significant public benefits to accommodating alternative uses such as housing within the site. The site allocation and opportunity area designation promote the release of surplus industrial land for housing in this location.
- 7.15 The proposal would result in a net reduction in employment floorspace from 10,000sqm to 2644sqm. Nonetheless, the new development would likely create considerably more jobs given the limited on-site employment that the existing storage facility provides. The quality and usability of the workspace would change to support a broader range of users and businesses, and the workspace within the tram shed arches would contribute to wider place making objectives.
- 7.16 Thus, it is considered that to require no net loss of employment floorspace would be contrary to the strategic and local objectives for this specific area, and that it would unduly restrict the delivery of housing. The GLA's Stage 1 response confirms they are in agreement with officers on the quantum of retained floorspace.
- 7.17 Therefore, with regard to the local and strategic policies, and the existing site context, it is considered that the quantum of employment floorspace retained would be proportionate, and would support SME's in Poplar.

Affordable Workspace

- 7.18 The scheme would provide 20% of the floorspace at a rate of 20% below the indicative market rate. This would equate to 528.8sqm of affordable workspace and go beyond The Local Plan policy D.EMP2 which requires at a minimum 10% of the floorspace to be at 10% below the indicative market rate.
- 7.19 This increase in floorspace and reduction in rental costs above the policy requirement would strongly support small businesses and start-ups in the area and complement the existing fashion hub at Poplar Works. SMEs and people wishing to start a business whom may find rent prices challenging elsewhere in the borough would benefit.
- 7.20 The affordable workspace would be secured as part of the S106 agreement and a management plan for the workspace would be required and secured via a planning condition.

Employment Summary

- 7.21 The reduction in employment floorspace would release a significant amount of land for housing and the new workspace would support a range of business types. The likely increase in employment density and jobs, as well as the wider place making objectives that would be achieved, would represent significant benefits to the public. The affordable workspace provision would be above the required levels and contribute significantly to supporting SMEs and creative industries within this part of the Borough. It is considered that overall the employment provision within the development carries significant weight in favour of the proposal.

Housing Policy

- 7.22 Part 11 of the NPPF (2019) paragraph 118 states in relation to *Making effective use of land* planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 7.23 Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 homes 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 is targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.
- 7.24 The Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year.
- 7.25 As detailed earlier, the application site falls within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area as designated by the GLA. Both strategic designations identify the area for high density housing delivery.

Housing proposal

- 7.26 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 significant quantum of new housing within London.
- 7.27 The development would provide a total of 530 new homes of which 35% would be affordable when measured by habitable rooms. It is noted that the Borough has in excess of 19,000 individuals on the affordable housing waiting list.
- 7.28 Taking into consideration the need for housing and the targets set by The Local Plan it is considered that a high density housing scheme is appropriate within this location. Furthermore, the Lower Lea Valley Opportunity Area and the Ailsa Street Site Allocation support residential led development and the proposal would deliver much needed market and affordable homes for the Borough and London.
- 7.29 Paragraph 118 of the NPPF (2019) directs decision makers to give substantial weight to the provision of homes on brownfield land.
- 7.30 Therefore taking into consideration the local and strategic policy designations as well as the NPPF (2019) the provision of housing in this location carries substantial weight in favour of the proposal.

Other uses

- 7.31 The scheme proposes 508sqm of flexible space which could accommodate retail; professional services; and restaurant/bar uses (Within Use Classes A1, A2, A3, A4).

- 7.32 The development would provide a limited amount of retail floorspace at ground floor level within commercial units fronting onto the riverwalk. The proposed range of uses would facilitate a well-balanced mix of commercial activity and local services across the site.
- 7.33 It is recognised that flexibility is important to ensure the spaces are let and that there is activation along the ground floors of the development, particularly along the riverside. The proportion of spaces in the context of the overall development would be small and would not represent an oversupply of retail or restaurant space outside of a designated town centre.
- 7.34 It is considered these uses would complement the workspace and housing as well as contribute to wider place making objectives. They would not harm the vitality or investment in any local centres.

Land Use Conclusions

- 7.35 In summary, the reduction in employment floorspace would be acceptable given the aims and objectives of the Ailsa Street Site Allocation and the Lower Lea Valley OAPF to release land in this area for housing. The proposed workspace would likely lead to an increase in jobs and support a more diverse range of business types. The affordable workspace provision (20% of employment floorspace at 20% below market rate) would further support SMEs and other creative industries emerging in this part of the Borough.
- 7.36 The provision of housing in this location is strongly supported by strategic and local policies and the NPPF (2019) which seeks to make effective use of brownfield land. The Ailsa Street Site Allocation and Lower Lea Valley OAPF supports mixed-use residential led development and the other proposed commercial uses would complement the overall land use mix.
- 7.37 The proposed housing and employment space carries substantial weight in favour of the proposal.

HOUSING

- 7.38 The 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.

Housing Mix

- 7.39 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. The Local Plan Policy D.H2 also seeks to secure a mixture of small and large housing that meet identified needs. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017). The required mix within each tenure is shown in the table below.
- 7.40 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.

Table 1: Housing mix requirements from policy D.H2

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

7.41 The table below details the overall proposed mix of the scheme which would represent 35% affordable housing when measured by habitable room:

Table 2: Housing mix for proposed development

Tenure	Studio	1-bed	2-bed	3-bed	4-bed	Total
Market	78	122	158	18	0	376
Intermediate	0	28	23	12	2	65
Affordable	0	23	38	24	4	89
Total	78	173	219	54	6	530
As %	14.7%	32.6%	41.3%	10.2%	1.1%	

Market Housing

7.42 The table below details the market housing provision of the scheme against the requirements within policy D.DH2:

Table 3: Market Housing Mix

Market housing unit type	No. of units proposed	No. of hab rooms	No. of units as a Percentage	Policy	Difference
Studio	78	78	20%	-	+20%
1-bedroom	122	244	32%	30%	+2%
2-bedroom	158	474	42%	50%	-8%
3-bedroom	18	70	6%	20%	-14%
4-bedroom	0	0	0		
Total	376	866	100%		

7.43 As detailed in the table above the scheme represents a deviation from policy with regard to the private housing mix. Notably, the development comprises of 20% studio units and 6% 3/4 bedroom units. The former is not recognised by policy D.H2 and the latter is 14% short of the 20% required for 3/4 bedroom units. It is considered the percentage of 1 bedroom units proposed is within an acceptable variation – 2% – of that required within the policy. It is noted that the 2bedroom units also fall 8% short albeit 42% is still the largest portion within the market mix which reflects the weighting it is given within the policy. The shortfall of 2bedroom units in the market context would not be significant.

7.44 The Local Plan housing policies do not recognise the studios as a unit typology within the housing mix table or the supporting Strategic Housing Market Assessment (SHMA). It is however acknowledged as a unit typology in the Nationally Described Space Standards

(DCLG 2015) embedded within the London Plan and referenced within Local Plan Policy D.H3.

- 7.45 It should be noted that of the studios 36 are 47sqm which is well above the minimum 37sqm and 3m short of qualifying as a 1bedroom flat in terms of floorspace. 36 studios offer 7sqm of private outdoor amenity space and as such there is a degree of variation within the studios, with some being well-above the required internal space standards. This will be further considered in the residential amenity section.
- 7.46 From the Financial Viability Assessment (FVA) submitted it is understood that there is a difficulty in selling the larger family sized units (3/4bedroom) within the market housing, given their associated price and the market conditions. In addition, it is relevant to consider the impacts of the unit typologies on the viability. As outlined within the FVA, the studio units provide a considerable per square metre benefit and offset against the viability deficit created by the provision of 35% affordable housing.
- 7.47 Whilst the scheme is not fully policy compliant with respect to market housing it is considered that the development would still provide a sufficient range of housing types, and meet the identified need for 1bedroom and 2bedroom units. The shortfall in 3/4 bedroom units is evidenced within the FVA and whilst not in accordance with policy is acceptable on balance. The studios would support the overall affordable housing for the scheme and represent a high value per square metre. The varied size and design of the studios is also of relevance.
- 7.48 Taking all of the above into account it is considered that the deviation from policy with respect to the studios and 3/4bedroom units carries limited weight, and that on balance the proposed mix of market housing would be acceptable.

Affordable Housing

Affordable housing policy

- 7.49 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.
- 7.50 Draft New London Plan Policy H5 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, where there would be a net loss of industrial floorspace with the development in place. 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.
- 7.51 The Local Plan Policy D.H2 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 at least 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units to intermediate.
- 7.52 It is noted that the Draft New London Plan policy H6 requires 50% affordable housing on industrial sites to follow the threshold approach, and as such requires the undertaking of a Financial Viability Appraisal on submission to meet policy.

7.53 Part 3 of D.H2 sets out the expected housing mix within the three residential tenures expected within large scale developments. 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).

Affordable housing proposal

7.54 The application provides 35% affordable housing by habitable room with a 60:40 split with respect to rented and intermediate housing. The exact mix is shown in the tables and pie-charts below.

Table 4: Affordable rent housing mix

Unit type	No. of units	No. of habitable rooms	No. of units as a percentage	Policy	Difference
Studio	-	-	-	-	-
1-bedroom	23	46	25%	25%	N/A
2-bedroom	38	114	43%	30%	+13%
3-bedroom	24	97	27%	30%	-3%
4-bedroom	4	24	5%	15%	- 10%
Total	89	281			

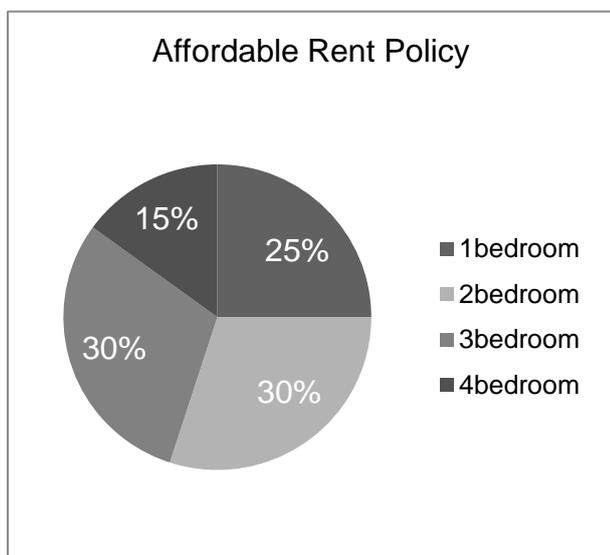


Figure 14: Pie-chart affordable rented policy mix

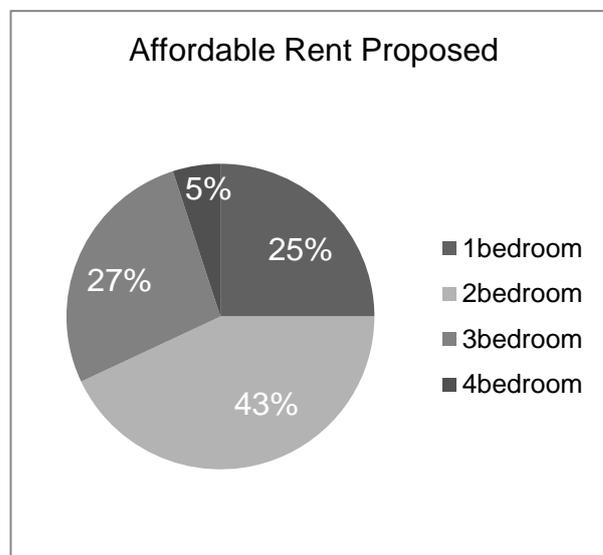


Figure 15: Pie-chart affordable rented proposal mix

Table 5: Intermediate housing mix

Unit type	No. of units	Habitable rooms	No. of units as a percentage	Policy	Difference
Studio	-			-	-
1-bedroom	28	56	43%	30%	+13%
2-bedroom	23	69	35%	50%	-15%
3-bedroom	12	49	18%	20%	+1%
4-bedroom	2	12	3%		
Total	65	186			

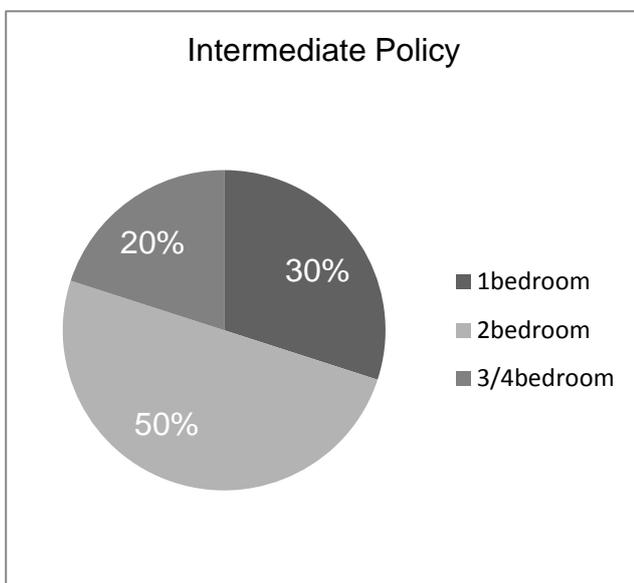


Figure 16: Pie-chart of intermediate policy mix

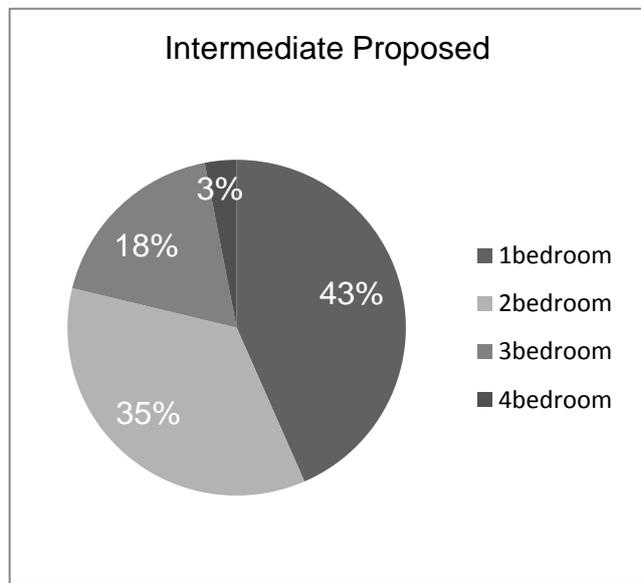


Figure 17: Pie-chart of intermediate proposed mix

- 7.55 The affordable housing would represent 35% of total housing provided when measured by habitable room which would result in a 154 units out of 530. The tenure split proposed would be 60:40 in favour of affordable rent. This would equate to 89 affordable rent units and 65 intermediate units.
- 7.56 The affordable rent units would be 50% Tower Hamlets Living Rent and 50% London Living Rent 50%, the intermediate units would be shared ownership. These housing types are in accordance with policy and supported by LBTH housing team who consider traditional affordable housing types as the most suitable.
- 7.57 The overall contribution would meet the policy test of 35% set by Policy D.H2 of the Local Plan but would need to be viability tested as it would not meet the threshold of 50% set within Draft New London Plan policy H6.
- 7.58 In considering the affordable housing mix the applicant has submitted a Financial Viability Appraisal of the scheme in line with the above London and Local Plan policies. The submitted FVA prepared by BPS Consultants and independently reviewed by BNP Paribas

post-submission, concluded that the scheme exceeds the maximum viable provision of affordable housing, highlighting a deficit of £15.96m.

- 7.59 While it is noted that the scheme at present provides for 35% affordable housing by habitable room across the development, it does not represent a fully compliant housing mix across both tenures. It is concluded that on balance the scheme would provide an appropriate mix of housing and will be discussed below.
- 7.60 With respect to the affordable rented units there is an under provision of 4bedroom units by 10% and a very minor under provision of 3bedroom units by 3%. This results in an over provision of 2bedroom units. The 1bedroom units meet policy exactly.
- 7.61 It should be noted that family sized units are defined as 3 and 4 bedrooms and the policy requires a total of 45% of the affordable rent to be of this size. As highlighted within the Council's most recently Strategic Housing Market Assessment (SHMA) and reflected within the recently adopted Local Plan Policy D.H2, family sized housing within the affordable rented tenure remains a priority.
- 7.62 This proposal provides a total of 32% of 3bedrooms and 4bedrooms. The number of 3bedroom units would equate to 24 out of 89 affordable rent units and very close to policy compliant. The 4bedroom units represent a shortfall of 10%.
- 7.63 When considering the affordable rented mix there would still be a range of housing types that meet the needs identified within the Local Plan and SHMA. A number of the 2bedroom dwellings would be for 4 persons and it is important to also consider the provision in the context of surrounding developments within the broader Site Allocation.
- 7.64 Islay Wharf proposed 13 3bed affordable rented units which equated to 87% of the affordable rented mix and no 4 bed units, and therefore provided a considerable shortfall with regards to 1 and 2 bed units.
- 7.65 Ailsa Wharf proposed 26% 3bed and 10% 4bed out of the 152 affordable rented units. Leven Road Gasworks proposed 47% 3bed and 12% 4bed out of the 116 affordable rent units in phase 1, noting this leads to an under provision in both the 1bed and 2bed categories with respect to Leven Road Gasworks and Islay Wharf.
- 7.66 Therefore whilst the application has to be considered on its own merits within the broader context of sites within the Lower Lea Valley Opportunity Area and across the Site Allocations of Ailsa Street and Leven Gasworks the affordable rented mix of the application site would be broadly consistent with other consented schemes of a similar character. The deviation from policy carries limited weight against the proposal.
- 7.67 With respect to intermediate housing the applicant proposes 65 shared ownership units.
- 7.68 The proposed mix exceeds the policy by 1% with regard to 3/4bedroom properties but under provides for 2bedroom units by 15%, and over provides on 1bedroom units by 13%. It is recognised that the large units have been prioritised in this instance and the 1bedroom units support the provision of 3/4bedrooms from a viability perspective.
- 7.69 It is considered that this arrangement prioritises the family housing within the intermediate housing and would be acceptable on balance.

Affordable housing conclusions

- 7.70 It is noted that the scheme would fail to achieve the borough's target tenure mix of 70:30 in favour of affordable rented units.

- 7.71 Officers are aware that there is a tension between delivering 35% affordable housing and the required tenure split. It was considered that overall this was best resolved through ensuring the scheme delivered 35% habitable rooms as affordable. A tenure split closer to policy of the same scheme would result in less overall affordable housing (circa 30%) when measured by habitable room.
- 7.72 The market housing would be broadly consistent with the developments within the Site Allocation and the shortfall in 2bedroom intermediate homes would be of limited harm. The under provision of 4bedroom units within the affordable rented tenure would carry some weight, but taking into consideration the housing as a whole, and the limited deviation in 3bed affordable rented units, the proposal would not overall conflict with policy D.H2 of The Local Plan.
- 7.73 When 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 all of the affordable units would meet the internal space standards, and none would be single aspect north facing. This is further considered in the residential quality section below. Overall it is considered that the proposed affordable homes would represent high-quality design.
- 7.74 The proposed development would secure the maximum viable amount of affordable housing on site and whilst there would be some tensions with respect to the mix, overall the provision of 35% affordable housing would carry substantial weight in favour of the proposal.

Wheelchair Accessible Housing

- 7.75 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 dwellings built to be accessible and adaptable dwellings in line with housing standard M4(2).
- 7.76 55 wheelchair accessible homes are proposed which amounts to 10% of the total units. 9 units are within intermediate, 7 are within the affordable rent, and 39 within the market housing.
- 7.77 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Blue-badge accessible parking would be located within the podium garage within the application site. No blue-badge spaces are proposed on-street. Subject to the further details being secured the proposed wheelchair housing would be in accordance with policy.

Quality of residential accommodation

Policy

- 7.78 The 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.
- 7.79 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.

Proposal

- 7.80 The housing is proposed within two distinct typologies; the perimeter block along the western and southern side of the site and the towers positioned to the east along the river. The scheme would provide 60% dual aspect units and no north facing single aspect units.
- 7.81 All three towers would provide 8 units per floor around a central core, within the perimeter block there would be no more than 6 units per core. This would be in accordance with the GLA housing SPG and represent good design as there would be no long corridors.
- 7.82 Within the towers it should be noted that 42 of the studios would not comply with the space standards as they would not provide dedicated outdoor private amenity space. However 30 of the 42 studios would provide 46.6sqm of internal space which would be above the total of indoor and outdoor space required by the standards. The 12 units which are 43.9sqm are located at the lower levels and are constrained by the requirement to pull the building away from the riverside and create a generous riverside walkway. They would still be above the required total of indoor and outdoor floorspace.
- 7.83 Overall the studios would still provide a high residential quality with good outlook and layouts which would maximise the light to living areas. The breakdown of studios and their characteristics are detailed in the table below.

Table 6: Studio breakdown

Studio type	No of units	Internal + external (sqm)	Policy requirement
1b1p	12	43.9sqm + 0sqm	37sqm + 5sqm
1b1p	36	47.7sqm + 7sqm	39sqm + 5sqm
1b1p	30	46.6sqm + 0sqm	39sqm + 5sqm

- 7.84 With regards to all units proposed within the 1bedroom, 2bedroom, 3bedroom, and 4bedroom category they would all meet or exceed the required space standards for internal and external amenity space. This would ensure a good residential quality.
- 7.85 The layouts of the units would maximise daylight to living areas and there would be sufficient distance between the buildings to ensure adequate privacy. The western frontage of Leven Road would be setback from the footway and it would be 16m distance at the closest point between the buildings on the opposite side of the street.
- 7.86 The Leven Road south frontage above the tram sheds is set back and at an angle to the street giving wider views southwards. The flats would feature private amenity space set back from the tramshed façade which would be south facing and so would receive generous sun. Bedrooms would face away from the street towards the communal gardens with living areas towards the street.
- 7.87 The flats within the perimeter block would face both east and west with some through flats having both aspects. Those on the east side of the building would look over the communal amenity space with longer views between the towers out over the river. Where distances between the proposed buildings are close windows have been angled such that any overlooking would be minimised. A number of units would have large balconies well above

the minimum requirement in terms of sqm (for example 5th floor 4bedroom dwelling proposes 27sqm of private amenity space).

- 7.88 The towers would benefit from views over the River Lea as well as across to the west where the buildings are more low-rise. The units facing west at lower levels would benefit from views of the communal amenity space. Residential entrances to the towers and perimeter block would be well-located, facing either the street or the public realm.
- 7.89 Overall the proposed flats would represent a high standard of residential quality and accord with the Local Plan and London Plan policies.
- 7.90 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.

Amenity space

- 7.91 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.
- 7.92 Part 5c and d of D.H3 requires communal amenity space and child play space for all developments with ten or more units. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.
- 7.93 The proposal provides private amenity space in the form of balconies to 488 flats, it is noted that some studios have this space accommodated internally; this has been considered within the residential quality section of the report. Communal amenity space and child play space is provided at podium level between the perimeter block and towers as shown on the map below.

Figure 18: Map showing communal amenity and play space



7.94 The total quantum of communal amenity space is shown in the table below.

Table 7: Communal amenity space

Required	Proposed
587sqm	665sqm

7.95 In using the Tower Hamlets Child Yield Calculator, the below requirements for child play provision are generated:

Table 8: Child yield calculator

Age Group	Child yield	Area Required (sqm)	Area proposed
Years 0 – 4	69	691	711
Years 5 – 11	52	522	728
Years 12 – 18	41	406	490sq internal room (240sqm games room)
Total	162children	1619sqm	1929sqm

Communal Amenity

7.96 The proposed communal amenity space would be located at podium level and would exceed the required area by 78sqm. It is also noted that the podium level flats would have defensible garden space totalling 405sqm. Any public realm at ground floor level has not been included in the calculations. Overall the communal amenity space would be in accordance with policy S.H1 and D.H3.

Play space

7.97 As detailed above the development is predicted to generate 162 children and therefore 1619sqm of child play space is required; split across the different age groups set out in the GLA's Play and Informal Recreation SPG (2012). 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.

7.98 All play and communal amenity space will be tenure blind and there would be equal access for all residents. It is noted that the GLA Child Yield Calculator requires 1715.8sqm of total play space.

7.99 The proposal provides play space in excess of the policy requirement for 0-4 and 5-11 years of age. For 12+ 250sqm of play space would be outdoor at the podium level and there would be a further 240sqm at ground floor level within an indoor games room. Through discussion with officers and in recognition of the challenges of meeting the total required outdoor space to meet the GLA required level, an indoor play space with games and facilities for teenagers would be considered acceptable. The indoor area would be

subject to a condition requiring a management plan as well as secured within the S106 agreement.

- 7.100 For over-12s 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 would 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 the site.
- 7.101 All three of these spaces provide a variety of play options including play/gym equipment, amphitheatres and open green spaces. 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 which provides for football, as well as running, walking and cycling trails.
- 7.102 It is considered that the development would provide a good variety of play space that would meet a range of different needs and accord with the policy requirements.
- 7.103 Whilst the proposal provides limited play space at ground level it is important to consider the public realm in the context of the scheme and those consented within the Lower Lea Valley Opportunity Area. The provision of the riverside walkway and tram shed forecourt deliver other public benefits and integrate the site with the surrounding context as well as provide access where there previously was none. Some incidental play space is provided within the site at ground level which has not been counted as part of the play space calculation, but provides valuable animation for children within the space connecting to the Riverwalk.
- 7.104 Furthermore, there will be a considerable quantum of open space and play space delivered through the broader Site Allocation and nearby sites – 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).
- 7.105 Overall the scheme would be in accordance with the relevant policies for communal amenity space and play space. The existing nearby spaces would provide good play space for all ages within walking distance and the consented developments would further enhance the open space provision within the area. The riverwalk and tram shed forecourt would also provide space for incidental play and amenity.

Daylight/Sunlight – for proposed new development

- 7.106 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.
- 7.107 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.

7.108 The applicant has submitted a Daylight and Sunlight Review of the scheme, undertaken by BDLA, in support of the application.

Daylight

7.109 With regard to daylight as measured by Average Daylight Factor (ADF) the proposed new dwellings would achieve 95% compliance across the whole development. This equates to 1331 rooms out of 1401 habitable rooms that would meet the requirements as set out by the BRE guide.

7.110 There are only two primary living areas which do not meet the BRE guide and these are located within the 2nd floor of Tower 1. The other rooms which do not meet the requirements relate to bedrooms which are considered by the guidance of lesser importance than kitchens and living areas with respect to daylight.

7.111 It should be noted that Daylight Distribution (DD) analysis has also been undertaken and demonstrates that 77% of rooms would fully comply with the BRE guidelines. These results have been calculated with the Islay Wharf development (resolution to grant issued 21st May) to the north included.

7.112 Overall, this would represent a very high level of compliance for a high-density development and this would ensure adequate daylight to all the proposed dwellings.

Sunlight

7.113 In housing the main requirement for sunlight is in living rooms, where it is valued any time of the day but especially in the afternoon. Considering the sunlight availability to the south-orientated main habitable rooms (i.e. LKDs, LDs, living rooms), the results show that out of the total of 376 primary living areas across the entire scheme, 298 rooms (c. 79%) and 304 rooms (c. 81%) fully meet the annual and winter sunlight criteria respectively in the context of existing developments and that of Islay Wharf.

7.114 It is noted that overall the proposal would achieve 44% and 61% that would fully comply with the annual and winter sunlight criteria. This would be a noticeable shortfall, albeit it is recognised that the scheme has prioritised light to living areas, and as such taken reasonable measures to address the sunlight failings. It is also noted that the failings are spread across the two typologies, and as such no part of the scheme is disproportionately impacted with respect to sunlight, and that overhanging balconies explain in part the sunlight shortfalls.

7.115 The sunlight results demonstrate that generally the main living rooms that face within 90° of due south will receive good levels of sunlight. Where there are transgressions, this is partly due to the presence of balconies, which provide private amenity.

Conclusion

7.116 It is considered in the context of the daylight and sunlight as a whole the shortfalls with regard to sunlight carry limited weight, and that the daylight conditions would be very good achieving 95% compliance. Overall the living conditions with respect to light would be of a high standard and ensure a good level of amenity.

DESIGN

Design Policy

- 7.117 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.
- 7.118 Policy S.DH1 of The Local Plan 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.
- 7.119 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.
- 7.120 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.
- 7.121 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 of the policy.

Density

- 7.122 The Local Plan policy D.DH7 requires the cumulative impacts to be considered when the density levels proposed are above those outlined in the London Plan (2016) policy 3.4. The Draft New London Plan removes reference to the matrix and seeks to optimise housing capacity, taking into account a range of factors including local context, character, public transport provision and good design. Policies D1 and D3 of the Draft New London Plan place a greater emphasis on a design-led approach being taken to optimising the development capacity of a particular site and to make the best use of land, whilst also considering the range of factors set out above.
- 7.123 The residential density of the proposed development would equate to approximately 1032 dwellings per hectare, which triggers the additional design scrutiny requirement set out in Policy D2 of the Draft New London Plan.
- 7.124 The proposals have been subject to an independent CADAP workshop as well as pre-application meetings with the GLA and Tower Hamlets Council design officers. The pre-application process has positively informed the evolution of the proposals. The site is located within an area where the principle of high density development, including tall buildings, is supported.
- 7.125 With regard to the urban design and residential quality considerations within this report more generally, the proposed density is acceptable.

Height, Scale and Massing

Existing and emerging context

- 7.126 As detailed in the above sections, the application site relates to a collection of buildings that comprise of two large warehouses and a three storey office building. The proposal would retain the three storey office building and the façade to the southern warehouse, including the retaining walls to each side of the façade to create a 3D base.

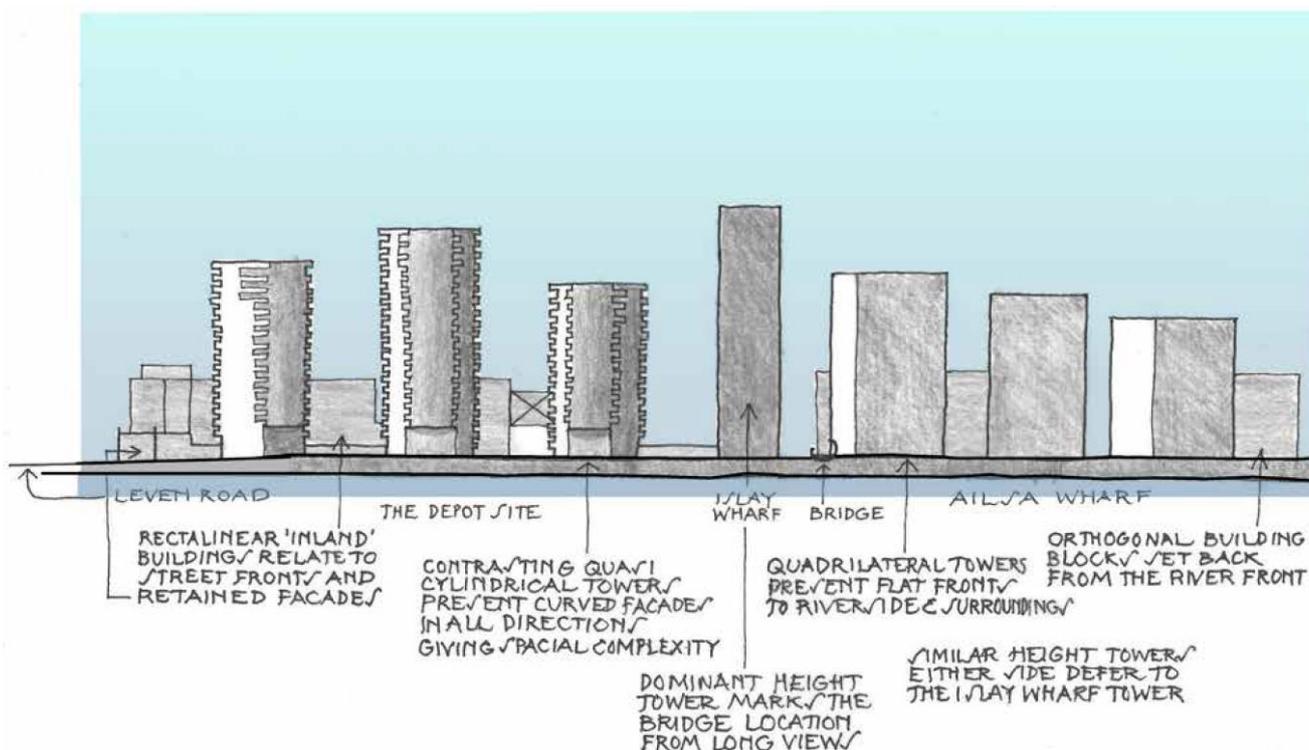
- 7.127 It is considered that the office building and tram shed façade are of greatest significance and their retention – as will be outlined in the heritage section – would ensure the site protects its heritage assets and would connect the development to the area’s and the site’s unique history.
- 7.128 The existing character of the sites along the river is that of low density industrial sites, notably Islay Wharf, Ailsa Wharf, and Leven Road Gasworks (all yet to be redeveloped). This is interspersed with residential developments of differing typologies and the A12 and East India Dock road which somewhat isolates this part of Poplar.
- 7.129 Terraced houses lie to the south of the site and around Jolly’s Green. Larger scale more contemporary residential developments such as Devons Wharf, are a stronger indication of the emerging character within this part of Poplar riverside. This emerging character is of a markedly different scale to the existing low-density warehouse buildings and includes much taller buildings. As detailed in the image below a number of new developments have recently been consented ranging in 2 to 21 storeys in height.



Figure 19: 3D Model of site in context of recently consented developments

- 7.130 Scale is not the only factor defining character; these developments would also provide more open space and riverside access. Where warehouse buildings have previously covered entire plots new developments will provide more space between buildings, existing streets will be extended, and new streets formed, to create a more legible and residential character.
- 7.131 The figure below is a concept sketch of the proposed development in context which seeks to add variety to the skyline with towers of a different form to both Islay and Ailsa Wharf. The change in heights to the towers adds interest and ‘play’s up’ Islay Wharf as the bridge marker – with the smallest tower at 15 storeys to Islay’s 21. The rectilinear blocks relate to the street and tram shed façade and would be primarily visible from Leven Road itself as opposed to from the Newham side of the River Lea.
- 7.132 The sketch below details the design rationale for having the taller elements to the river and also the form and shape of the two typologies.

Figure 20: Architect's sketch showing design rationale



Scale in the context of Tall Building policy D.DH6

7.133 The scheme falls outside of a designated tall building zone within The Local Plan, and therefore both part 1 and part 3 of policy D.DH6 must be satisfied. The policy is detailed but the most relevant aspects (a,b,c,d & h) relating to scale, massing, and townscape are copied below. It states:

7.134 *Developments with tall buildings must demonstrate how they will:*

- a) *be of a height and scale, mass and volume that are proportionate to their role, function and importance of the location in the local, borough-wide and London context*
- b) *achieve exceptional architectural quality...*
- c) *enhance the character and distinctiveness of an area without adversely affecting designated townscapes and landscapes (including building/roof lines) or detracting from important landmarks, heritage assets, key views...*
- d) *provide a positive contribution to the skyline during both the day and night time...*
- h) *present a human scale of development at street level and comprise an attractive and legible streetscape that takes into account the use of the public realm for a variety of users and includes active uses at ground floor level.*

7.135 Part b) will be considered in further detail in the appearance section but it is considered that the buildings would be of exceptional architectural quality, and their form and scale would further enhance and add to the diversity of new buildings coming forward within the area.

- 7.136 The scale and mass of the towers would respond directly to the emerging context by not exceeding the height of Islay Wharf, which plays an important role in marking the planned Ailsa Wharf Bridge. The height of the northern tower would be the lowest of all three proposed at 15 storeys; this would ensure Islay Wharf's prominence is not diminished and its role as the bridge marker cemented.
- 7.137 The variation in the heights of the towers would ensure that the scale and mass of the buildings would not be overbearing, and it would avoid any potential coalescence that might occur with buildings all of the same height. This is particularly important in views from the Riverwalk and across the river from Newham.
- 7.138 The central tower would be the tallest at 20 storeys in height. The building would be 70m from Islay Wharf and sufficiently distinct in form. The change in levels across the site sloping downwards towards Leven Road from the river and from north to south would also further increase the perceived height of Islay Wharf.
- 7.139 The southern tower at 17 storeys in height would be taller than that of Devons Wharf but the distance between the tallest section of this building and the tower would be 30m and as such would provide sufficient breathing room between the two buildings.
- 7.140 The deliberate variation in heights would make for an interesting skyline and the scale of the towers would be appropriate in the context. It is obvious that they represent a step-change in scale and mass from the existing warehouse buildings but they would contribute positively to a new emerging residential townscape within the Lower Lea Valley.
- 7.141 The scale of the towers would contrast with the low-rise office building along the western edge of the site which is 3 storeys in height. The perimeter buildings proposed would frame the street on the western side of the site and sit behind the tram shed façade on the southern elevation.
- 7.142 The existing tram shed arches are tall measuring 9m in height, the first two levels would be for the workspace and set back 4m would be the residential block, which would reach 8 storeys in height. The tram shed façade itself does not face the street and is perpendicular to the river. This creates an open forecourt to the south.
- 7.143 The scale of the residential block at 8 storeys would provide a suitable transition from the height of the towers, and would be sufficiently setback from the tram shed façade such that the arches would still appear as the dominant feature from street level. The top level would be setback 6m - 2m further back than the storeys below.
- 7.144 The western elevation would front onto Leven Road and would have a direct relationship with the street. The existing office building would remain in situ and the perimeter blocks would adjoin either side of the building to create a continuous frontage. The blocks would vary in height and also step back at upper levels. North of the office building a section of the building would span the access route and this elevated link building provides a three storey clearance.
- 7.145 At the northern end of this elevation the proposed residential building would be 8 storeys in height. This would provide a suitable transition from the rear block of Islay Wharf at 12 storeys and the northern tower measuring 15 storeys. It is noted that this is within the setting of the Grade II listed Bromley Hall School. Whilst this site is of a notably lower scale the height on this boundary would not be uncomfortable, and would help transition from the taller buildings in the foreground.
- 7.146 The proposed link-building would allow for a triple storey route through and contribute to the industrial character of the site. On the opposite corner of this section of Leven Road the

existing largely residential building rises to 8 storeys and as such demonstrates an existing change in scale at this northern end of the street.

- 7.147 The western elevation would step up in height towards the southern end from three storeys to seven. The increased height would also be setback from the street, so that the scale from street level and the building line would read as the lower height. This is shown in the CGI image below.



Figure 21: CGI of western elevation and south corner to Leven Road

- 7.148 The setbacks to the blocks would ensure that the scale of the building from street level is at a human scale, and provide a degree of transition from the towers to the lower buildings. The mass of the western block would be broken down by the step backs and variation in heights. The human scale of the proposed buildings is principally achieved through the maisonettes on the western elevation, the tram shed workspace framing the forecourt, and the active uses and three storey cutback to each of the towers.
- 7.149 Overall the scale, mass, and bulk of the proposal would be appropriate and respond well to the emerging context within the Lower Lea Valley. The variation in heights to both the towers and perimeter blocks would contribute positively to the skyline and streetscene respectively. The new buildings would provide a suitable transition in scale between the retained fabric and surroundings.

Tall Buildings D.DH6 policy part 3

- 7.150 Part 3 of the tall buildings policy specifically relates to areas outside of an identified zone and requires 4 criteria to be met that relate to transport, infrastructure, legibility, and landmark buildings.
- 7.151 It is noted that while the site's PTAL of 1b is considered weak the site remains within walking distance of 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. This would improve significantly when the planned future infrastructure of the Ailsa Wharf Bridge and bridge within the Leven Road Gasworks come forward. Notwithstanding the low PTAL score significant weight is given to the site's

location within both a local Site Allocation and the Lower Lea Valley Opportunity Area which identifies the area as appropriate for delivering high-density housing.

- 7.152 The development would also deliver public infrastructure through the extension of the Leaway Riverside Walk. This route would connect other neighbouring sites and is a strategic route identified to help pull pedestrian and cyclists away from the A12. This would address part 3b of the policy.
- 7.153 In terms of addressing part 3c 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 and cement Islay Wharf's role as the bridge marker. The scheme deliberately defers in height and would be consistent with the emerging character of this area.
- 7.154 With reference to 3d of the policy, 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.
- 7.155 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. These sites are of a notably larger scale and the distance between the application site and the cluster would be circa 1km, within which there would be a broad range of building types and sizes, as well as some significant barriers in the form of the DLR tracks, the River Lea, and East India Dock Road.
- 7.156 Thus, it would not undermine the prominence of the tall building zone and the site would serve as part of a distinct cluster of buildings within the Ailsa Street Site Allocation.
- 7.157 To conclude the proposed scheme would meet the criteria within the tall buildings policy to justify buildings of the height proposed in this location. In addition, the scale, mass and volume of the proposed towers and perimeter block would respond well to the existing and emerging context, and provide a suitable transition in height.
- 7.158 The site's location within a designated Opportunity Area and Site Allocation is considered to be of considerable importance and that the scale of development is proportionate to the area's role and function both locally and for London.

Form and layout

- 7.159 As shown in the concept sketch in the above section the proposal has two clear distinct typologies, the towers and the perimeter blocks.
- 7.160 Together the towers would read as a coherent composition distinct from the surrounding forms. Their curved facades would reflect light and deliberately contrast in both scale and form with the rectilinear buildings proposed on the western and southern side of the site. This contrast is a deliberate architectural approach and was strongly supported by the CADAP panel who reviewed the scheme.
- 7.161 The form of the blocks are rectilinear and their positioning takes cues from the tram shed façade and the street. The variation between the design of the blocks stems from their different roles within the townscape and how they would be viewed. The southern section behind the tram sheds is setback from the façade 4m and 6m at the top. The symmetry and order to this elevation is to give it a 'palace' like appearance. On the western elevation the buttresses take reference from the curved arches to the tram sheds and residential entrances give a more human scale than the arches.

7.162 The northern block is most varied with angled windows and balconies. This is adjoined by the link building which bridges the yard space and provides a three storey clearance for vehicles and pedestrians.



Figure 22: Annotated ground floor layout plan

7.163 The layout principles of the proposed scheme are supported. The blocks enable east west permeability through the site linking at two points from Leven Road to the riverwalk. North-south permeability is created via the riverwalk and would adjoin with adjacent sites to create continuous riverside access. This will be secured within the S106 agreement.

7.164 Active frontages would be evident along Leven Road, the riverwalk, and the public realm spaces where increased levels of pedestrian activity are anticipated. This is positive and represents a much enhanced relationship of the site with the street and river. Residential entrances would be clearly legible and integrated in the appearance of the buildings.

7.165 Servicing to workspaces would be within the block at ground floor level and free up ground floor frontages for activation. The yard area to the north is to be active for vehicle loading, an entrance to the car park, and B1c uses. The yard will also serve as the primary route for two of the residential tower blocks entrances, as well as connect to the riverside walk. This route logically extends access towards the river from Leven Road. This route is also characterised by the residential link building proposed which takes reference from docklands warehouses and provides a three storey canopy for vehicles and pedestrians to move through. This would be sufficient in height to ensure that the route is not visually impeded.

7.166 Overall the scheme would deliver on many good urban design principles with respect to layout and form and create strong relationships to the street, the river, the retained historic

fabric. The proposal would open the site up and provide new routes to and along the river. This represents significant public benefits.

Architectural language

- 7.167 There are two major elements of retained fabric. One is the whole two storey southern elevation with the five Tram arches and elements of east and west return walls. The other is the whole structure of the existing three storey administration building including its roof and its adjacent two storey entrance hall element.
- 7.168 Between these two areas of retention the 9m high wall running at the back of pavement on Leven Road is to be demolished along with the rest of the existing warehouse structures on the site.
- 7.169 A major element of retained façade are the striking five arches of the south elevation. Due to the angled site boundaries they are quasi symmetrically arranged with the three central ones forward of recessed arches either side. The rhythm of the façade is given by the arches and the walls in between being of equal dimension. The gable walls above each arch “add to the strong reading of near classical formality”.
- 7.170 The new residential building above the tram would be well set back from the existing frontage and also in from the sides and return walls. This would give prominence to the existing fabric as the clear base. The top floor would also be further set back and in from the sides to complete a formal base, middle and top three dimensionally expressed composition. This elevation is distinct from that on the western side and it to be read as a Palace frontage. The emphasis of the existing is strongly horizontal and this emphasis is repeated in the design of the floors above.
- 7.171 The new building would be close to matching the original fabric but slightly paler. CoreTen balcony bases and details would enhance the overall colour and texture of the stock brick. The setting back of the façade at an angle to the street enables it to be viewed as this complete composition. The arches imply a double height space behind them for the new workspace.
- 7.172 The existing walls are made of London stock brick with cement and sand mortar in English bond alternate rows of stretchers and on a base of Engineering blue bricks in the same bond. The new brickwork would be the same brick and mortar, but in stretcher bond. This subtle variation would respectfully balance the new and old.
- 7.173 In both the new and old, dark grey window frames in deep reveals are proposed which would read as simple openings in the brickwork. Stone coloured precast cills would closely match the brickwork to produce a solidity of appearance.
- 7.174 The other element of retained fabric is the former administration office building on Leven Road. This building on ground and two upper floors has regular rectangle of open plan space on each floor served by an adjacent entrance hall with staircase, which currently only rises to the first floor. The demolition of the adjacent shed allows the entrance to be expanded in plan and extended upwards to provide a lift, stair to second floor and WC space to serve the refurbished workspace areas.
- 7.175 Externally the building has a strong symmetrical appearance to the rectangular office part with double height window openings to the upper floors. The London stock brick walls rest on a blue engineering brick plinth which projects slightly forward. They support a hipped slate roof behind parapet walls structured by dramatic angled steel beams internally.
- 7.176 Limited alterations would include: lowering the front door to allow level access; bricked up window openings would be reopened; some additional windows added; and some rooflights

added in the roof. A new semi-circular window in that elevation compliments the existing round window above the front door. The windows are to be replaced with new ones to match those throughout the site. These alterations would be sensitive to the historic architectural features and enhance the overall appearance of the building.

- 7.177 Between the two retained elements the new building is set back 2.4m from the back of pavement line, a line that continues over the retained buildings at either end. This frontage is residential from ground floor upwards. The lower two floors of which are arranged as maisonettes on a regular grid. To maximise daylight to these units and produce a scale commensurate with the neighbouring retained commercial scaled fabric, their elevations are double height glazed screens.
- 7.178 A degree of privacy to the units would be provided by brick buttresses between them, also by being raised 1.1m above the pavement level with the provision of a protective hedge and railing across their external terraces. The buttresses visually support the upper parts of brick façade which is divided into a regular alternating rhythm of 2 bays of 4 windows wide in the front plane with a single 2m deep recessed bay aligning with the buttresses.
- 7.179 The 'link' building spanning the extension to Leven Road is proposed in CoreTen steel and designed with a cross frame bracing. The design to this element gives a robust and industrial aesthetic that references the other buildings.
- 7.180 The three towers proposed are quasi-circular formed on plan of four equal radius curved elements which overlap to form balconies that give river views. Their bases formed of the three lower floors which have eroded flat east elevations to allow for the riverwalk provide a human scale to ground the buildings. The upper floors would be formed of alternating horizontal bands of brickwork and glazing.
- 7.181 The proposal would be visually distinctive with the curvilinear form and expression in alternating bands of windows and dark brick to the three tower elements. The curving towers are proposed in shades of shiny darker bricks that evoke wharf sides of the industrial past. The contrast with London Stock is deliberate and would make for a visually dramatic composition.
- 7.182 The three towers are proposed in different hues (blue, brown, and purple) of the same semi glazed brick to subtly differentiate the buildings. The nature of these bricks is of a range of colours that reflect light. Glazing assemblies and windows would have dark grey frames with double or triple clear glass and also glass spandrels back fritted in charcoal grey to closely match daylight reflections.
- 7.183 *Conclusion on Architectural Language*
- 7.184 Overall the architecture would be of an exceptional quality and integrate the historic fabric sensitively. The use of high quality materials such as brick and CorTen steel would give a robust industrial aesthetic. The fenestration and detailing to the southern and western elevations would take reference from the historic fabric and the towers would appear as a bold addition.
- 7.185 The distinctive design and appearance of the new buildings would reinforce a sense of place at Poplar Riverside. The contrasting forms and brick would create a dramatic composition and the integration of historic fabric would celebrate features of greatest significance. The proposal would accord with the design policies in the Local Plan and London Plan.

Safety and Security

- 7.186 The existing site features hostile perimeter fencing and a large flank wall that runs for circa 70m along Leven Road. It currently has no public access across the site or along the river. New development within the site will bring passive surveillance and activation. It is critical that the public realm of the site remains publically accessible at all hours, and gate free, this will be secured as part of the S106 agreement.
- 7.187 The scheme has passive surveillance to all frontages accessible by foot which includes the length of the riverwalk and the western and southern elevations. The mixture of office and residential uses would activate these spaces throughout different times of the day. The residential conservatory to each podium and the ground floor commercial units along the riverside would provide a good degree of surveillance.
- 7.188 The residential elevation to the west fronting Leven Road would be a marked improvement to the blank retaining wall, and entrances would improve the feel and activity along the street. Entrances would be clearly visible and not behind any hidden corners.
- 7.189 It is noted that Metropolitan Police raised no objections in principle but have requested further information to be secured via a condition requiring the development to complete Secure by Design certification prior to occupation.
- 7.190 The Secure by Design certificate will require the applicant to provide details of a CCTV and a lighting strategy, as well as detailing of security standards to which glazing and doors will be built to.
- 7.191 Overall, it is considered that the development of the site will inherently improve the perception of safety within the area due to the existing nature of the site as a closed off industrial site with limited activity to and from it. 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

- 7.192 Enhancing the public realm and site connectivity by facilitating a continuous riverside walkway is the foundation of the landscape strategy. The landscape design would create a fluent pedestrian route along the River Lea that would enable access to neighbouring sites; Islay Wharf to the north and Devons Wharf to the south.
- 7.193 The landscaping can be separated into four distinct sections as shown on the map below.



Figure 23: Plan showing the proposed landscaped areas

- 7.194 The landscape design introduces a new publicly accessible tram shed forecourt along the southern frontage that would celebrate the historical arches. An alternating floorscape of CorTen panelling and concrete paving takes reference from the industrial heritage of the site which would enhance the existing streetscape and proposed architecture.
- 7.195 The design would create a continuous riverside walkway that would ensure ease of movement for pedestrians and cyclists. Commercial spill out areas and seating opportunities are located along the waterfront to encourage views out towards the water, and would provide dwelling spaces within the public realm.
- 7.196 The shared surface would facilitate access and deliveries for the residential and commercial areas, whilst also providing a direct route through to the riverwalk. The podium gardens are designed for children and adults alike, providing a mix of active and passive spaces to satisfy different needs. Seating opportunities would be located to serve commercial facilities and create an active public realm along Leven Road and the riverwalk.
- 7.197 Mixed shrub and tree planting of evergreen and deciduous species would enhance the experience within the public realm. The inclusion of planting within the public realm will substantially enhance the biodiversity of the site, which at present has almost full site coverage as a warehouse with non-permeable surfaces.
- 7.198 However, it is recognised that the proposal does not offer extensive green landscaping and the primary public spaces such as the walkway and tram shed forecourt are characterised as hard landscape with soft elements. There is a tension between delivering a functional riverwalk that is uninhibited for pedestrians and cyclists and additional greenery. The riverwalk needs to be quite clear and wide to allow multiple users in both directions.
- 7.199 With regards to the forecourt this is in effect a spill out area from the workspace and has an urban character created by the arches and their new function as workspace. Whilst some planting is provided, the industrial character of the space responds well to the architecture and proposed uses. The south facing nature and seating will still ensure it is a pleasant and heavily sunlit outdoor area that plays off the buildings. The lighting at night would further animate the space (see indicative section below).

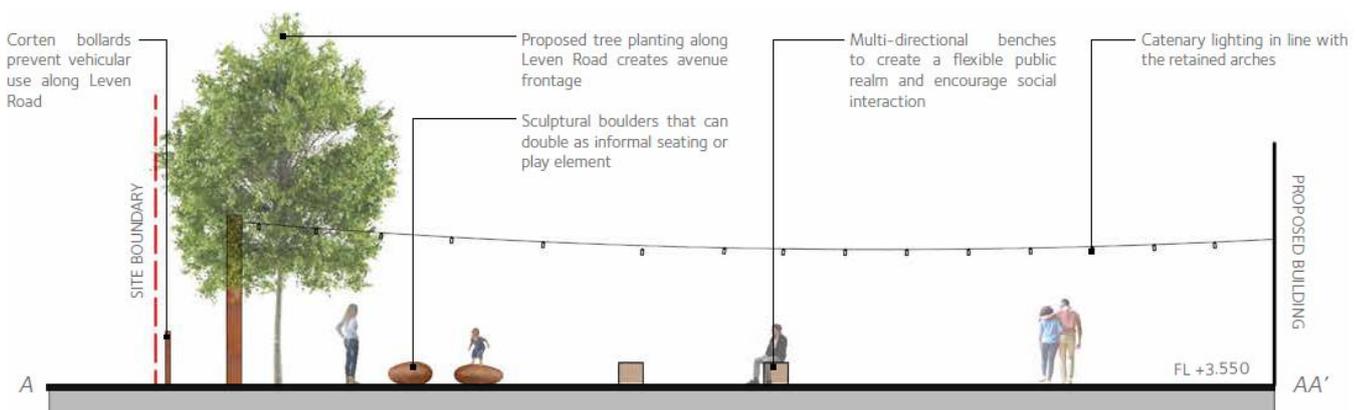


Figure 24: Indicative section to tram shed forecourt

- 7.200 It should also be noted that the podium level and rooftops will provide a substantial uplift in biodiversity.

- 7.201 While there is a change in levels north-south within the application site, the publically accessible landscaping remains entirely step free. The forecourt would link up to the riverwalk in a gradual slope and the route off Leven Road would all be at grade.
- 7.202 The northern podium garden would align with that of Islay Wharf to create a visually connected space that would benefit both developments. At ground level this would ensure that the riverwalk is connected and that the buildings framing the walkway are also joined in a coherent manner – leaving no leftover spaces or alleyways where the two podiums terminate.
- 7.203 The development is an opportunity to improve the ecological status of the site through the creation of a range of habitats. Planting design to the public realm would be delivered through a combination of native and ornamental trees, ornamental shrub, and herbaceous planting within the landscape would support existing species and attract new ecology on site.
- 7.204 Overall, the proposed landscaping would represent a significant public benefit by providing access to the river as well as spaces to rest and play. The distinct character of each area responds to both the existing context and the newly proposed buildings and would create a coherent and accessible environment. The proposal would increase planting to deliver net gains in biodiversity and the proposed materials would be of a high quality.

Inclusive Design

- 7.205 Policy 7.2 of the London Plan (2016) and policy S.SG2 of the 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.
- 7.206 The ground floor entrances are set at grade level and offer step free wheelchair access. Where the ground floor is elevated for the maisonettes there are ramps internally to ensure the ground floor is fully accessible. Furthermore, the proposed development will provide 27 accessible car parking spaces which will be reserved for use by blue badge holders. The landscaping is step free which will allow users to enjoy the riverwalk regardless of their accessibility levels. Lifts would be provided within both the office and residential dwellings with all cores to dwellings featuring two lifts.
- 7.207 The scheme proposes that 10% of units across the development, comprising a mix of unit sizes will be delivered as wheelchair user dwellings, the remaining units will be delivered to Building Regulation M4(2) specifications. This is supported and will be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 3.8 and Policy D5 of the Draft New London Plan.
- 7.208 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 easily and with dignity by all.

Design Conclusion

- 7.209 To conclude it is considered that the scale, height, and massing of the proposal would respond appropriately to the site's strategic role within the Borough and London more broadly. The towers would defer to Islay Wharf and the perimeter buildings would transition well into the existing urban grain.
- 7.210 The form and layout of the proposed buildings would create a strong relationship with the street and the river, and greatly enhance the existing townscape. The architecture is well

considered and responds directly to the historic fabric of greatest importance. The materials and appearance of the buildings would be of an exceptional quality and the design would appear as a vibrant addition to the Lower Lea Valley.

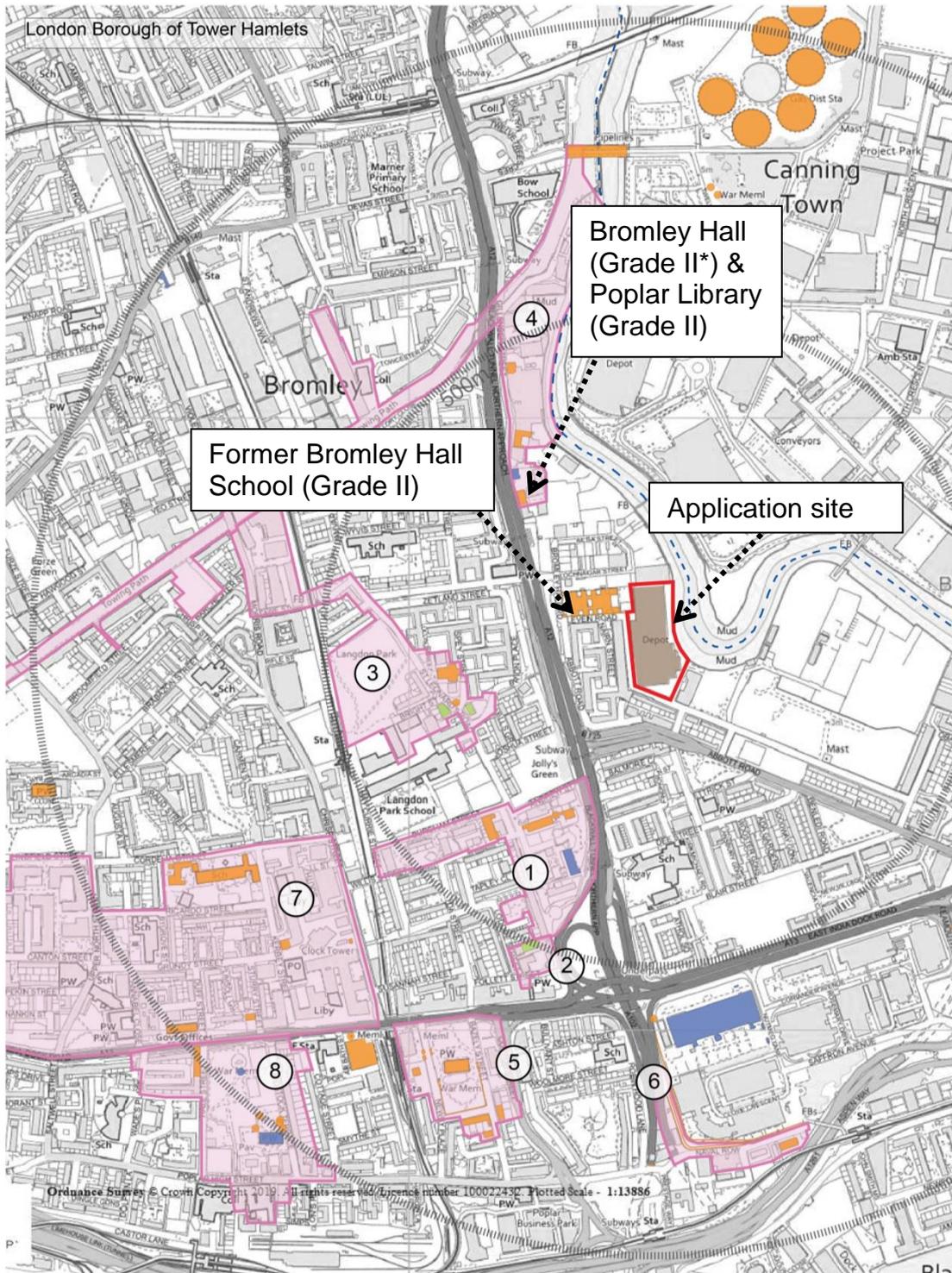
- 7.211 The landscaping of the scheme is viewed as a considerable public benefit of the scheme due to its opening up of the riverwalk and the creation of a public space that celebrates the historic tram shed arches. The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area.
- 7.212 In apportioning weight to these benefits it is considered the scheme design and landscaping carries significant weight in favour of the proposal.

HERITAGE

- 7.213 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and in relation to conservation areas, special attention must be paid to 'the desirability of preserving or enhancing the character or appearance of that area'.
- 7.214 The relevant paragraphs of the NPPF (2019) relating to how to assess the impacts of development on heritage assets have been copied out below. They stipulate that the decision maker must assess and apportion weight to any potential harm to the significance of a heritage asset, and provide justification for any such harm.
- 7.215 Paragraph 193: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 7.216 Paragraph 194: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*
- 7.217 Paragraph 196: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*
- 7.218 Paragraph 197: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
- 7.219 Policy S.DH3 of the Local Plan, 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.

Heritage context

- 7.220 The site does not lie within a conservation area or contain any Listed Buildings or Locally Listed Buildings. The existing buildings themselves were constructed circa 1906 as part of the site's historic use a Tram depot, which later became a bus depot up until 1986, and most recently has operated as a document storage facility. The buildings on the site are considered to be non-designated heritage assets.
- 7.221 A number of Listed Buildings and Conservation Areas lie within a 1km radius of the site. The closest Listed Buildings are the Former Bromley Hall School, Bromley Hall Road (grade II) lying immediately to the west of the site; Poplar Public Library (grade II); and Bromley Hall no. 43 Gillender Street (grade II*).
- 7.222 The nearest Conservation Areas to the site (within 250 of the site) are the Balfron Tower Conservation Area to the south-west; Langdon Park Conservation Area to the west; and Limehouse Cut Conservation Area to the north-west.
- 7.223 Given the scale, orientation, and form of buildings surrounding the site, the proposed development has the potential to affect the setting of number designated heritage assets. A map of the existing heritage assets is on the next page (Figure 25).



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Conservation areas:

- ① Balfron Tower Conservation Area
- ② St Frideswide's Conservation Area
- ③ Langdon Park Conservation Area
- ④ Limehouse Cut Conservation Area
- ⑤ All Saints Church, Poplar Conservation Area
- ⑥ Naval Row Conservation Area
- ⑦ Lansbury Conservation Area
- ⑧ St Matthias Church, Poplar Conservation Area

Listed buildings:

- Grade II* listed building
- Grade II listed building
- Non designated heritage assets:
- Locally listed building
- Non designated heritage asset

Figure 25: Map of nearby heritage assets

Non-designated heritage assets

- 7.224 Regarding the heritage assets on site, whilst the proposed development would result in substantial loss to parts of the existing Edwardian boundary walls and the former tram depot building, the development would retain the existing three storey Edwardian office building and the façade to the main depot.
- 7.225 The proposed development would cause some harm to the significance of the non-designated heritage assets through the loss of historic fabric, however, this harm is considered to be less than substantial.
- 7.226 The proposed development responds to the changing context of the area, and would retain and activate the characteristic arched entrances. By opening up the arches and introducing new public realm to the front the proposal would give this elevation greater prominence, and the proposed building would be setback and in on all sides, creating a 3D base with return walls to the arches.
- 7.227 Both the boundary wall fronting Leven Road and the wall to the warehouse along the riverside are of lesser significance architecturally and the former has deteriorating effects on the pedestrian experience along Leven Road.
- 7.228 The retained office building would be refurbished and brought into commercial use, the dramatic interior roof structure and side entrance hall would be retained. Some rooflights would be added and new doors at street level. The interventions to this building would be limited and would ensure that overall its historic architectural significance would be preserved.
- 7.229 It is considered that on balance the scheme would lead to very limited harm to the non-designated heritage assets and would seek to elevate – through the retention and new design – historic fabric of greatest significance.

Designated heritage assets

- 7.230 The proposed development would appear prominently in the immediate background of the Grade II Bromley Hall School, in many views looking east along Lochnager Street and Leven Road, and views looking south east along Bromley Hall Road.
- 7.231 This school lies immediately to the west of the site. It was designed in 1965 and built in 1967-by the London County Council Architects' Department under the job architect Bob Giles, and was extended in 1978-9. All of the buildings are one storey high and of brown engineering brick. The school has been vacant for a number of years and is on Historic England's Heritage at Risk Register 2019. Its condition is listed as 'poor'.
- 7.232 The building is of significance as an architecturally outstanding school of the 1960s which was designed by the pioneering architects of the London County Council. It was specific to the brief as a building designed around the needs of physically disabled children, reflecting the post-war education system's increasingly sensitive attitude to disability. Its significance is also in its innovative design combining intimate, child-scaled interiors with organic, expressive external forms reflecting the local industrial vernacular.
- 7.233 The building's fragmented setting, which contributes in a very limited degree to its significance, includes pockets of vacant land to the north, the Blackwall Tunnel Northern Approach to its west, post-war and recently constructed blocks of flats to its south, and the Site's warehouse building to its east (separated from the listed building by a vacant site, formerly used as a car park).

- 7.234 The proposed development would noticeably change the visual setting of the listed building in views east and south-east from the A12/Lochnagar Street, Bromley Hall Road and Leven Road, but it would not harm any element of the setting that contributes to its heritage significance. Furthermore, the proposed residential block of 8 storeys immediately adjacent to Bromley Hall would be of a scale and form consistent with the existing buildings on the western side of Leven Road. The taller towers behind would also be broadly consistent with the scale and form of the emerging context.
- 7.235 The development would also appear prominently in the backdrop of the Grade II Poplar Public Library and Grade II* Bromley Hall looking east from the Blackwall Tunnel Approach. The development would be visible in limited views from within the Limehouse Cut and Balfron Tower Conservation Areas and would be visible from within Langdon Park Conservation Area in open views from Langdon Park, where it would be seen with some of the Conservation Area's principal historic buildings (including St Michael and All Angels Church).
- 7.236 However, whilst the development would appear prominently in views behind the nearby and adjacent listed buildings and Conservation Areas as described above, in all cases it would appear at a scale consistent with the emerging context in the surrounding built environment. With taller elements of the scheme closest to the River Lea and lower buildings on the western edge closest to the Conservation Areas and heritage assets.
- 7.237 It is therefore considered that any harm caused to these assets would be less than substantial.

Maritime Greenwich World Heritage Site

- 7.238 The Development is circa 3.6km due north/north-east and would be glimpsed in the background of some views of the World Heritage Site (WHS). The proposed development's form, appearance, and location within such views would be consistent with their existing character.
- 7.239 It would clearly belong to the background 'layer' of tall buildings which already exists within such views and it is considered to have no effect on the ability to recognise and appreciate the WHS, and the various elements within it, in the foreground of the views.
- 7.240 The Development would be consistent with the requirements of the Statement of Outstanding Universal Value and the 'London's World Heritage Sites - Guidance on settings' SPG. In accordance with the London Plan (2016), although it would represent a change to the setting of the WHS, this change would not in any way compromise a viewer's ability to appreciate its Outstanding Universal Value.
- 7.241 The Development would not adversely affect the visual integrity of the WHS and would have no effect on its Outstanding Universal Value.

Built Heritage Conclusion

- 7.242 With regard to the statutory duty and relevant paragraphs in the NPPF in relation to designated and non-designated heritage assets, it is considered that the proposed development would retain the historic fabric of greatest significance on the site - in the form of the office building and tram shed façade. The development would appear prominently in the setting of designated heritage assets and cause some harm, but it is considered this harm would be less than substantial, and the proposal would be broadly consistent, in scale and form, with the emerging context of Poplar riverside.
- 7.243 The redevelopment of the site would deliver a substantial increase in housing including affordable homes, as well as providing affordable workspace, and public access to and

along the riverside. These public benefits carry substantial weight in favour of the proposal and resolutely outweigh the harm.

- 7.244 The proposals therefore accord with Policy 7.8 of the London Plan and Policy HC1 of the Draft New London Plan and policies S.DH3, D.DH4, and S.DH5 of the Local Plan, the relevant paragraphs of the NPPF (2019), and the statutory duties under The Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

- 7.245 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.
- 7.246 In support of the application a desk based archaeological study has been submitted which has been reviewed by GLAAS and as part of the ES. Their initial concerns have been addressed through additional information and a suitably worded set of conditions. This will ensure any archaeological remains of significance can be recorded and protected.
- 7.247 It is also noted that there was an initial objection from the Council of British Archaeology (CBA) relating to the potential for impact on below ground remains of significance. However, they have subsequently withdrawn this and accept that the concerns can be suitably addressed through The Written Scheme of Investigation and the two stage process to the assessment of potential archaeological remains.
- 7.248 In addition, this is addressed through the second condition proposed by GLAAS which requires pre-commencement the submission of a detailed scheme for the foundation design. This addresses the comments made by the CBA.
- 7.249 Overall, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately protected.

AMENITY

- 7.250 Development Plan policies seek to protect neighbour amenity by safeguarding privacy and ensuring acceptable outlook. Development must also not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. The levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development must also be assessed.

Daylight and Sunlight

- 7.251 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.252 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) or daylight distribution (DD) 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.
- 7.253 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.

- 7.254 The Daylight Distribution calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.255 The Environmental Statement has evaluated loss of daylight and sunlight to existing properties using the BRE Report BR 209 'Site Layout Planning for Daylight and Sunlight' (2011), which outlines how loss of skylight or sunlight would translate in to a negligible, Minor Adverse, Moderate Adverse or Major Adverse effects. There is no adopted guidance for the numerical guidelines used to categorise windows/rooms as "Minor, "Moderate or Major".
- 7.256 Below are the LBTH numerical classifications that are required to be applied for Negligible, Minor Adverse, Moderate Adverse and Major Adverse bandings for daylight (VSC & NSL) and sunlight (APSH & WPSH).

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

Table 9: Showing classification of effects on daylight and sunlight

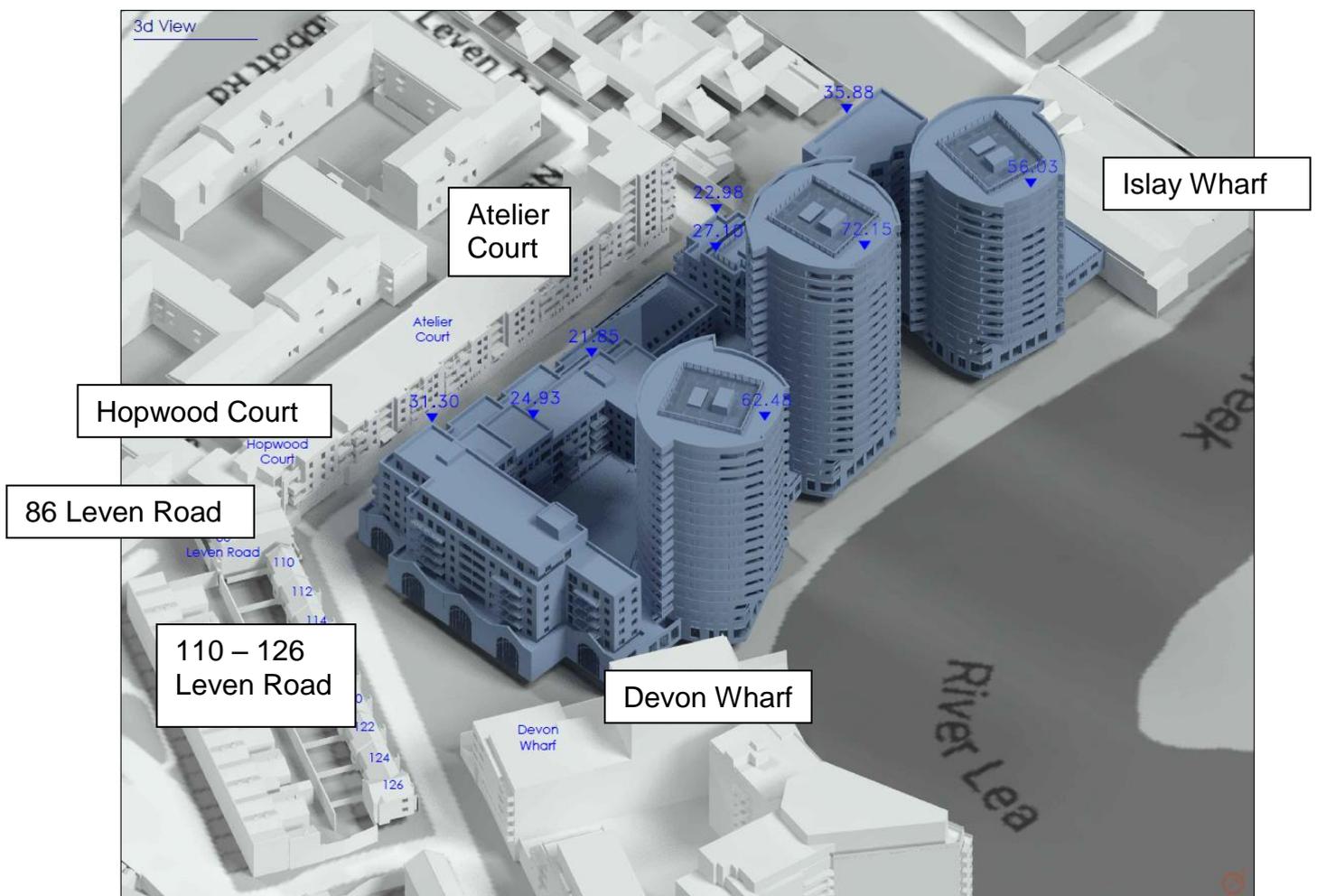


Figure 26: 3D Model of proposed development in context

Table 10: Summary of effects on daylight and sunlight to neighbouring properties

Properties	Total no. of windows / habitable rooms tested	Significance of daylight effects overall	Significance of sunlight effects overall
Devons Wharf	169 windows / 86 rooms	Moderate adverse	Negligible
Atelier Court	114 Windows / 95 rooms	Major adverse	Negligible
Hopwood Court	32 Windows / 26 Rooms	Moderate adverse	N/A
86 Leven Road	12 Windows / 3 rooms	Minor adverse	N/A
110 – 126 (even) Leven Road	54 Windows / 32 Rooms	Minor adverse	Negligible
Islay Wharf (proposed development)	387 Windows / 198 Rooms	Minor adverse	Negligible

Daylight

Impact on 8 ground floor artist studios in Atelier Court

- 7.257 Representations were received raising objections to the proposed development and the detrimental impact the scheme would have on 8 artist studios located within the ground floor of Atelier Court. It is noted that the ground floor contains 18 studios in total and that the studios impacted are those on the eastern side of the block.
- 7.258 Firstly it is important to recognise that policy D.DH8 of the Local Plan is primarily concerned with protecting daylight & sunlight within habitable rooms in residential buildings. The policy does not specifically protect office space or other uses, although it is fair to consider that other uses such as artist studios may in fact have a reasonable expectation of daylight. The BRE guide states that its guidelines “*may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight: this would normally include schools, hospitals, hotels and hostels, small workshops and some offices*”.
- 7.259 In order to assess the impacts of the proposal it is important to consider what requirement the studios have for light and how they are currently being used. As well as consider the design and layout of the units and the extent to which the impacts of the proposed development would affect daylight.
- 7.260 It is considered that the 8 studios have not been designed to maximise available light, with most located under overhanging balconies and windows being made up of wide glazing bars and opaque panelling. The approved plans as part of the planning permission issued on the 04/10/2006 (ref. PA/06/00679) differ from the window pattern implemented on-site. The vertical panels are narrower as built.

- 7.261 The existing daylight results demonstrate without the development in place that electric lighting would likely be needed for a significant time period throughout the year. These units have very low VSC results in the existing context.
- 7.262 From the site visit out of the 8 artist studios 7 had blocked up the windows internally with a mixture of boards, boxes, and other items. When looking on historic Google street view images it shows a number of the units with windows blocked up internally – this is confirmed in images dating from June 2012, June 2014, June 2015, September 2017, March 2018, and March 2019.
- 7.263 The council carried out an independent review of the applicant's Daylight & Sunlight assessment which was undertaken by Delva Patman Radler. Their review questions the validity of the claim that the studios are being maximised for daylight, when so many are clearly blocking their own access to light.
- 7.264 Taking into account all of the above, it would therefore be unreasonable to assert that these studios have a strict requirement for daylight. In some cases the units are being used in a way that directly blocks available light. In addition the fenestration, opaque glazing, and overhanging balconies mean that the design of these units does not maximise access to daylight. The development would materially reduce daylight levels to these units but this would not harm the current function or future usability of the studios. The harm would be very minor and it is therefore considered the impacts to these studios carries very limited weight.

Devons Wharf

- 7.265 For Devons Wharf of the 169 windows tested 75 would be above the BRE guide levels for VSC, 10 windows would see minor adverse effects, 31 moderate adverse, and 53 major adverse.
- 7.266 With respect to the NSL of the 86 rooms tested 62 would be above the BRE guide levels, 10 rooms would see minor adverse effects, 6 moderate adverse, and 8 major adverse.
- 7.267 It is considered that the effects on daylight to the properties in this building overall would be moderate adverse.
- 7.268 It is important to consider that the existing conditions without the development in place and it is noted that within Devons Wharf of the 169 windows tested 81 of the windows currently fall below the BRE target for VSC and 5 rooms out of 86 currently fall below the BRE target for the NSL.
- 7.269 The 8 flats on the northwest corner of Devons Wharf feature recessed balconies which severely restrict access to light albeit the main living area is served by other windows. The cantilevered section of the building which projects out coupled with balconies leads to the effects of the development on daylight being exacerbated.
- 7.270 The proposed development would nonetheless result in a material deterioration in daylight conditions and this carries some weight against the proposal. This will be further considered in the overall amenity balance.

Atelier Court (referenced as Phase 1 and 2 Leven Road in the Environmental Statement)

- 7.271 For Atelier Court of the 114 windows tested 5 would be above the BRE guide levels for VSC, 6 would see moderate adverse effects and 103 would see major adverse effects.

- 7.272 With respect to the NSL of the 95 rooms assessed 14 would be above the BRE guide levels, 4 would see minor adverse effects, 11 moderate adverse effects, and 66 major adverse effects.
- 7.273 The effects of the proposed development with respect to daylight would be felt most severely on Atelier Court. A majority of windows would see major adverse effects with respect to the VSC test and the NSL test. In real terms many existing neighbours within this block would experience a gloomier outlook than they do at present, and that a large number of windows would be affected, many quite significantly.
- 7.274 The design of Atelier Court itself has features which limit the amount of daylight that the existing properties receive. Semi-recessed balconies and fixed screens adjoin single aspect rooms within the building. The ground floor units would also be affected by either the building overhang or balcony above. It is also noted that that the existing conditions show 62 of 114 windows (54%) do not meet the BRE target for VSC.
- 7.275 The design of the proposed western perimeter block has evolved to try and reduce the impacts to this Atelier Court, and the height of the proposed western elevation has been reduced in places from six storeys to four (three with one storey setback). This has led to an improvement to the daylight results particularly with respect to the Daylight Distribution (NSL) within the rooms - most notably at the first and second floor levels. The updated daylight assessment shows that 26 of all 89 habitable rooms at Atelier Court (c. 29%) would fully comply with BRE, and another 44% of the rooms will still retain the 50% of Daylight Distribution.
- 7.276 If one considers only the primary living areas at Atelier Court, the proposed scheme would show that out of the 30 dwellings looking onto the site 14 dwellings would fully comply and another 10 dwellings would fall below the BRE target but retain at least 50% of Daylight Distribution. This totals 24 dwellings (80%). It also important to note here that, when looking at the primary living areas, the rooms with more compromised interior daylight levels would be concentrated on the constrained first-floor of Atelier Court. The image below demonstrates this.



Figure 27: DD/NSL Impacts on Primary Living Areas at Atelier Court

7.277 However, taking into account all of the above it is considered the development would cause harm to the daylight conditions to dwellings in Atelier Court, and that this harm carries moderate weight against the proposal. It is in conflict with policy D.DH8 (d) which seeks to prevent an unacceptable material deterioration in daylight and sunlight. This will be considered further in the overall amenity balance.

Hopwood Court (referenced as Phase 3 Leven Road in the ES)

7.278 For Hopwood Court of the 32 windows tested 5 would be above the BRE guide levels for VSC, 5 would see minor adverse effects, 10 moderate adverse effects, and 12 major adverse effects.

7.279 With respect to the NSL of the 26 rooms assessed 9 would be above the BRE guide levels, 6 would see minor adverse effects, 6 moderate adverse effects, and 5 major adverse effects.

7.280 Overall the impacts to these properties would be moderate adverse and whilst there would be a material deterioration in daylight to some of the windows this would not be significant overall and there would still be adequate levels of daylight to the rooms.

86 Leven Road & 110-126 (even) Leven Road

7.281 For 86 Leven Road of the 12 windows assessed 0 would be above the BRE guide level for VSC, 4 would see minor adverse effects, 1 moderate adverse effect, and 7 major adverse effects.

7.282 With respect to NSL of the 3 rooms assessed all 3 would be above the BRE guide level for NSL.

7.283 It should be noted that 86 Leven Road has been modelled against the approved development under PA/16/00538 as a future scenario as this has not been implemented. This is considered an acceptable approach. The VSC results show a considerable loss of light to the windows which are constrained at all levels by projecting balconies. When assessing the NSL 80% of the area of each room would receive unobstructed sky.

7.284 Overall the daylight conditions to these dwellings would still be acceptable and daylight would penetrate a large proportion of the rooms.

7.285 For 110-126 (even) Leven Road of the 54 windows assessed 24 would be above the BRE guide for VSC, 17 would see minor adverse effects, 13 moderate adverse effect, and 0 major adverse effects.

7.286 With respect to the NSL of the 32 rooms assessed 26 would be above the BRE guide levels, 2 would see minor adverse effects, 1 moderate adverse effect, and 3 major adverse effects.

7.287 Properties 110-126 Leven Road are dual aspect terraced houses with south-west facing gardens and rear elevations. The north-east elevations would be impacted by the proposed development. When looking at VSC results 76% of the windows will either fully meet the BRE target or only see minor adverse effects. Overall the impacts would not be significant and the properties would still have adequate access to daylight, particularly south facing living rooms which would be unaffected.

Islay Wharf

7.288 For Islay Wharf of the 387 windows tested 245 windows would be above the BRE guide levels for VSC, 19 would see minor adverse effects, 44 moderate adverse effects, and 79 major adverse effects.

- 7.289 With respect to the NSL of the 198 rooms 172 would be above the BRE guide levels for NSL, 9 would see minor adverse impacts, 17 moderate adverse impacts, and 0 major adverse impacts.
- 7.290 It is important to note here that the primary test for proposed/recently constructed accommodation in accordance with the BRE Guide is Average Daylight Factor (ADF).
- 7.291 For ADF, the results of the assessment demonstrate that 175 of the 198 habitable rooms tested at Islay Wharf (c. 88%) would be fully compliant with the ADF target values for their respective room uses. With regards to the 23 remaining habitable rooms below the ADF targets, these are primarily 17 large/deep single-aspect studio flats which look directly onto the site and the northern tower of the Development. Nonetheless, the retained ADF values to these flats on the lowest (first) residential floor are at 1.21% and 1.24% and the majority have the ADF values of 1.40% or more.
- 7.292 Overall these impacts would not be significant and the rooms within the proposed development would be adequately daylit with good light distribution. The proportion of VSC results in the major adverse category is not of significant concern given the high NSL scores and ADF results, and in the context of other tall buildings emerging in the area it would be consistent with daylight levels for developments of this type.

Sunlight

- 7.293 A window is considered to be adversely affected if a point at the centre of the window receives in the year less than 25% of the APSH, including at least 5% of the APSH during the winter months (21st September to 21st March) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90 degrees (o) of due south.
- 7.294 For the majority of the properties the impact on sunlight from the development would be negligible.
- 7.295 Atelier Court, Devons Wharf, and 110-126 Leven Road would all achieve results that demonstrate full compliance with the BRE criteria for both annual and winter sunlight. In total across these three groups of buildings only 44 site-facing windows are within 90 degrees of due south.
- 7.296 86 Leven Road and Hopwood Court have not been tested due to the fact that any affected windows are not facing within 90 degrees of due south.
- 7.297 Overall, the sunlight results show that of the 44 site-facing windows which face within 90° of due south, all (100%) of them will fully comply with both the annual and winter sunlight criteria.
- 7.298 Therefore, it can be concluded that the proposed development would not adversely impact on the current sunlight availability within the existing neighbouring properties.
- 7.299 For Islay Wharf the sunlight results demonstrate that of the 281 site-facing windows which face within 90° of due south, 258 (c. 92%) of them would fully comply with the annual sunlight criteria and all 281 (100%) would comply with the winter sunlight criteria. The windows not complying with the sunlight criteria are primarily located behind/beneath projecting balconies and are more sensitive to any meaningful increase in massing at the site. However, the vast majority of these windows would still have their retained ASPH values at 20% or more.

7.300 Furthermore, all the site-facing living areas at Islay Wharf would remain fully compliant with both the annual and winter sunlight criteria. Therefore, it can be concluded that the proposed development would not adversely impact on the anticipated sunlight availability within the proposed residential dwellings at Islay Wharf.

Overshadowing

7.301 BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on 21st March. It states that the “availability of sunlight should be checked for all open spaces”, which usually includes gardens, sitting-out areas, parks or playgrounds.

7.302 For overshadowing, the existing sensitive receptors are amenity areas surrounding the site, and they only consist of residential balconies. The gardens to 110 – 126 Leven Road are south of the houses themselves and so unaffected by overshadowing.

7.303 Balconies are not usually required to be tested as per the BRE Guide and, therefore, no overshadowing assessment has been undertaken in relation to existing neighbouring private amenity spaces.

7.304 The overshadowing assessment has been carried out in relation to the proposed amenity spaces at Islay Wharf: the ‘main’ amenity area located on the podium level and two rooftop amenity areas located on the 11th and 12th floors. The two developments would both create podium levels on which communal amenity space would be proposed. The two podiums would align and join albeit be managed separately. They would nonetheless be visually connected.

7.305 The two upper level amenity spaces would receive no change in their anticipated sunlight levels. See image below showing Islay Wharf amenity spaces.

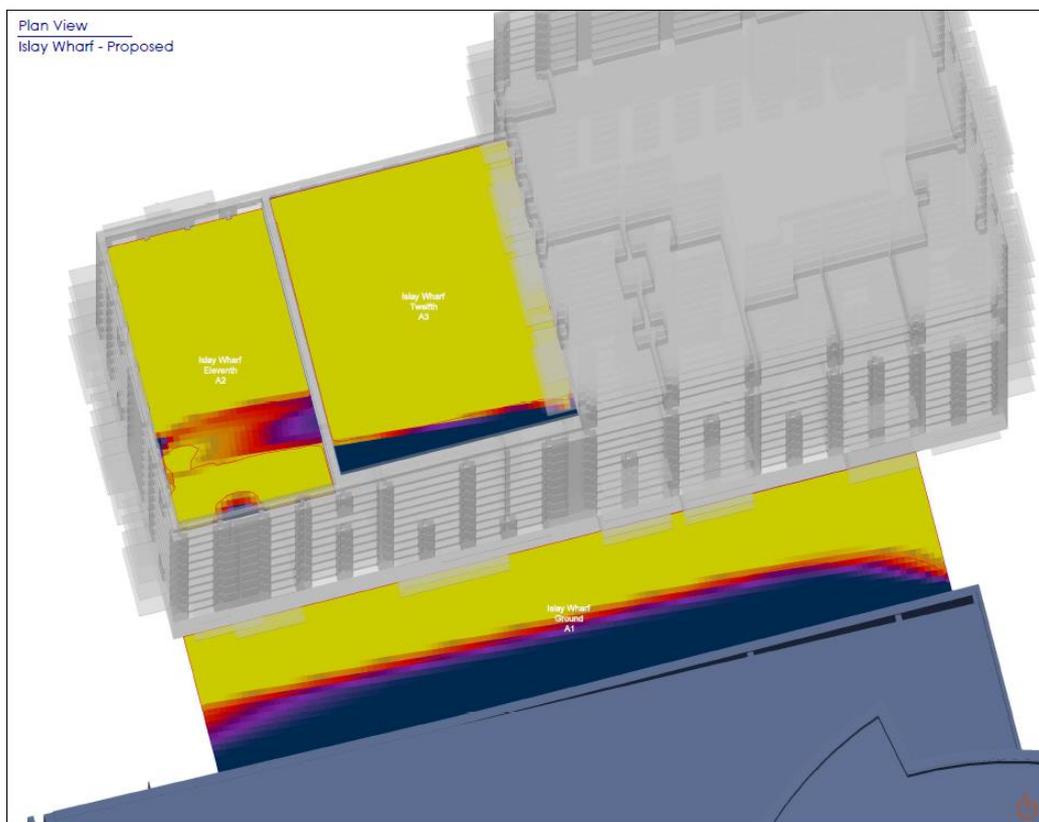


Figure 28: Model showing shadows cast over Islay Wharf

Overshadowing to River Lea

- 7.306 A transient overshadowing assessment in relation to the habitat along the River Lea was undertaken. This has been done as a direct response to LBTH's Scoping Opinion which states in its 'Ecology' section that an assessment of the impact on ecological receptors should also form part of this Chapter.
- 7.307 The results of the transient overshadowing study are contained in full (for 21st March and 21st June) at Annex 6 of the ES. The proposed development will cast some long shadow during the afternoon hours on 21st March when compared with the existing condition, and the shadow will extend over a full width of the waterway, and also over its eastern bank in the late afternoon hours. This impact, however, is not out of step with the effects caused by other similar developments located along the River Lea where the 'existing'/pre-development massing is very low-rise.
- 7.308 Furthermore, this level of impact would only occur under the clear sky conditions. The results for 21st June show that the shadow will be shorter and will only reach the eastern bank at 4pm onwards. This is a result of a higher angle of the sun in the summer months. Therefore, the shadow will be reduced and more transient between 21st March and 21st September, experienced only for later parts of a day.
- 7.309 Overall, given the supplementary transient overshadowing analysis, the impact of the proposed development on the levels of sun/shadow at the River Lea is considered to be negligible to minor adverse.

Overshadowing to proposed amenity spaces

- 7.310 The riverside walk and tram shed forecourt - the two publically accessible areas – would meet the BRE guide levels and would ensure that 50% of these areas would achieve at least 2 hours of sun on March 21st. The forecourt would be well sun-lit and the riverside walk would benefit from a lot of morning sun.
- 7.311 The proposed communal residential amenity spaces at podium level have been separated into two: the main podium; and northern podium. The main podium area results demonstrate that 49% of the amenity space would receive 2 hours of direct sunlight on the 21st of March. This is just 1% short of the 50% target and as such a very minor transgression. The space would benefit from good afternoon / evening sun as the buildings are lowest along the western elevation.
- 7.312 The northern podium results demonstrate that 35% of the amenity space would receive 2 hours of direct sunlight on the 21st March. This is 15% below the target and has reduced due to the changes in massing of the proposed scheme. It should be noted that the buildings pull away from the northern boundary which creates a rectangular section of the podium which would benefit from generous evening and afternoon sun as well as views over Bromley Hall School to the west and the River Lea to the east.
- 7.313 Taking into consideration all of the above it is considered that on balance the proposed amenity spaces would receive adequate sunlight and not be unduly overshadowed.



Figure 29: Areas sunlit for 2hrs on 21st March in yellow

Overlooking and outlook

Atelier Court

- 7.314 From the existing brick boundary wall of the depot, to Atelier court's façade measures 12.5m across at the narrowest point. The boundary wall is approximately 9m in height which is in effect three storeys in height. The wall runs from the corner northwards for approximately 65m until it joins with the existing three storey Edwardian office building.
- 7.315 The distance between the proposed western perimeter block and the habitable room windows of Atelier Court would vary from between 15.5m to 17.5m due to the uneven nature of the building line to Atelier Court. The distance between the proposed central and southern towers to Atelier Court would be 50m and 60m respectively.
- 7.316 The wall itself does not have any ornamental or decorative features and appears as a long and unabating structure which dominates the street. The combined height and width of the wall is clearly of a scale associated the historic use of the site; to house large transport infrastructure in the form of trams and buses. It is in direct contrast to the scale of the buildings on the opposite side of Leven Road.
- 7.317 The outlook to a number of the first floor living areas and ground floor bedrooms which sit behind semi-recessed balconies or overhangs would benefit from an enhanced street scene created by the development. The blank wall currently visible from these rooms would instead appear as a typical street scene in London, with residential windows on the opposite side of the street and active ground floor entrances. The windows would be setback further than the existing boundary wall by 3m or more and at the upper levels the building would step back considerably.

7.318 This would significantly improve the outlook for windows particularly at ground and first floor which are most affected in terms of daylight. The distance between the towers and the windows within Atelier Court would be significant.

7.319 Overall the proposal would provide a more interesting and attractive outlook to the ground and first floor habitable rooms, and for the floors above the proposed building would step-back and step-down from the corner sufficiently such that the properties in Atelier Court would still benefit from a good outlook.

7.320 Whilst the distance proposed would fall short in some cases of the 18m between habitable rooms this would be for a small proportion. The design of the western elevation steps-up from the existing office building to the corner where it meets with the block above the tram shed façade. The step-backs to the western elevation begin at level 3 and at each level up until level 6 more of the building is removed. The image below shows this.



Figure 30: Model of proposed development in context of Atelier Court

7.321 The effects this has is that at the upper levels there is greater distance between the two dwellings ensuring good privacy and the outlook to the occupiers on lower floors would be markedly better than the existing wall which is a continuous frontage right up to the pavement. The properties at the southern end of Atelier Court would still have good outlook with views towards the terraced houses and along this section of the street - which feels more open as a result of the tram shed building's orientation away from the street line.

Hopwood Court, 86 Leven Road, & 110-126 (even) Leven Road

- 7.322 The distance between Hopwood Court and 86 Leven Road's habitable windows and the development would be 20m at the shortest point. Given this is at the corner the distance would ensure the dwellings have sufficient privacy. With regards to outlook the lower floors would have a taller building in front of them but this would be off-set by the improvements to the streetscene, particularly the activation of the corner through the arches and residential entrances, and views over the tram shed forecourt which is currently blocked by perimeter fencing.
- 7.323 For properties 110-126 (even) Leven Road again the closest distance would be 20m but this would increase steadily as the properties move further away, with No. 126 being 60m from the proposed building along Leven Road. The open tram shed forecourt and restored arches would improve the street scene and would be a marked improvement on the existing hostile perimeter fence. The houses feature small front gardens and good defensible space. Privacy and outlook to these units would be acceptable with the development in place.
- 7.324 From Devons Wharf to the southern tower would be 30m from the nearest window and 22m from the tram shed block at the closest point. The proposed tram shed block would be orientated such that most windows would be considerably further away. The impact on privacy would be negligible. In terms of outlook the proposal would enhance the appearance of the site particularly at lower levels and provide views of the tram shed forecourt, removing a high boundary fence that separates the two ground floor spaces. The tallest section of the building would be 45m away from the tower. In terms of impacts on outlook and privacy to Devons Wharf the proposal would be acceptable.

Sense of Enclosure

- 7.325 The western elevation to the proposed development would improve on the existing situation which currently creates a tunnelling effect with a 9m high brick boundary wall that is 65m long. The proposed development would be setback 2m from the pavement and more at upper levels; which would be less overbearing than the brick wall which is hard up to the boundary.
- 7.326 Similarly the tram shed forecourt would be opened up for the public and an improvement on the tall steel boundary fence that borders the site. Having a space that connects to Devons Wharf would create a more open sense of enclosure to the street and public realm than at present, and it would be beneficial to pedestrians.
- 7.327 The towers to the riverside would be cutback at lower levels and the riverwalk would step back in between the buildings. The buildings would therefore not be overbearing to the riverwalk.
- 7.328 The sense of enclosure to Devons Wharf's private amenity spaces would not be overbearing given the distance between the tall elements of the proposal and the existing balconies. Similarly for 110 -126 (even) Leven Road the taller elements would be sufficiently far away, and the opening up of the tram shed forecourt would improve the openness to the street. For both Hopwood Court and Atelier Court the buildings would appear in view, and alter the existing conditions, but this would not be significant. For Hopwood Court the angle of the tram shed building would ensure it does not feel overbearing to any balconies. For Atelier Court the stepping back and down from the south-west corner would ensure that building would not be unduly overbearing to any amenity spaces, and there would be considerable distance to the taller elements of the proposal.

Noise and Vibration

- 7.329 Council Environmental Health Officers have reviewed the submitted material. They have concluded that the completed development would not have any unacceptable impacts on neighbouring amenity from noise and vibration.
- 7.330 Nonetheless, the noise officer has requested 3 conditions be attached to the planning permission. These will be attached to any forthcoming consent.

Construction impacts

- 7.331 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 and with regard to likely significant effects identified within the ES 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.

Conclusion and overall amenity balance

- 7.332 In a number of dwellings within Atelier Court and Devons Wharf there would be an appreciable reduction in daylight. It can be said that the design of these buildings is not optimal with respect to daylight; some windows feature privacy screens and balconies or overhangs above, and are also recessed. The biggest losses with respect to daylight would be at ground level, although in actuality many windows would be covered by blinds or curtains to ensure privacy.
- 7.333 The proposed development has taken measures to reduce its impacts in the form of the reduction in height and mass of the western elevation. This has notably improved the Daylight Distribution to the living areas within Atelier Court. Nonetheless, as outlined above it is considered that this harmful impact on neighbouring properties daylight carries moderate weight against the proposal, and is in conflict with D.DH8 (d), which seeks to ensure adequate levels of daylight and sunlight.
- 7.334 With respect to sunlight the proposed development would have a very limited impact on neighbouring properties and all of them would accord with the BRE Guide levels for annual and winter sunlight hours with the proposed development in place.
- 7.335 Daylight and Sunlight are two of many factors when considering living conditions and should not be considered in isolation when weighing up the balance of harm. Outlook is of comparable importance. Currently the worst affected windows – at ground and first floor within Atelier Court look out onto a 9m high blank brick wall.
- 7.336 The proposed development would markedly improve the street scene and push back the building façade 3m from the existing boundary wall. This façade would be an improvement architecturally; it would animate and activate the street with residential windows and entrances, as well as balconies/private amenity space. The taller towers proposed would be sufficiently far away and the development overall would improve outlook to rooms at the ground and first floor of Atelier Court.
- 7.337 The improvements in the form of the opening up of the tram shed forecourt and access to the riverside would also lift the quality of the environment and public realm as a whole, and so indirectly improve living standards for the residents of surrounding buildings.
- 7.338 It is accepted that there is a conflict with aspects of London Plan Policies 3.5 A, 7.6B (d) and 7.7 (D)(a), and the Local Plan policy D.DH8 (d), but overall there would be improvements in the living conditions of neighbouring residents - particularly outlook to

rooms at lower levels - and these weigh in favour of the amenity balance. It is considered there is no overall conflict with the policies relating to amenity and that neighbouring occupiers would have good living conditions.

- 7.339 Under the chapter titled 'Achieving appropriate densities' in the NPPF paragraph 123 (c) states that for housing applications, a flexible approach to applying daylight and sunlight policies or guidance should be applied where they would otherwise inhibit an efficient use of the site (as long as the resulting scheme would provide acceptable living standards).
- 7.340 Given the quality of design and conclusion on the amenity balance with regard to living conditions, the scheme would comply with paragraph 123 of the NPPF.

TRANSPORT AND SERVICING

- 7.341 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.

Public transport accessibility and connectivity

- 7.342 All developments are expected to deliver improvements that support the ten Healthy Streets Indicators in line with Policy T2 of the Draft New London Plan. The development should support the Mayor's aims for all Londoners to do 20 minutes of active travel each day and for at least 80 per cent of trips across London to be made by walking, cycling and public transport by 2041. New development is expected to make a greater contribution to achieving this aim, particularly in well-connected parts of London such as the application site.
- 7.343 The proposal is to provide a walking and cycle route along the River Lea which is strongly supported. This would connect seamlessly to adjacent sites and be secured within the S106 agreement. To the north, this would include a tie-in to the proposed development of Islay Wharf. To the south, this would include a tie-in to the existing riverside path as part of the Devons Wharf development including removal of the wall along the site boundary.
- 7.344 In future, once all the sites within the Site Allocation and wider area come forward the Leaway will create pedestrian and cycle access along a significant part of the river and allow residents to enjoy new open spaces, notably the 1.3ha Poplar River Park consented as part of the Leven Gasworks development (PA/18/02803/A1).
- 7.345 It is noted that the planned Ailsa Wharf bridge currently benefits from a £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.
- 7.346 Whilst the site has a very low PTAL score of 1b it is considered that a variety of modes of transport are available within reasonable walking distance which still ensures connectivity across the Borough and through London more broadly. Once the Elizabeth Line opens in Canary Wharf this will dramatically shorten journey times to central London and given that Poplar DLR will likely act as a point of interchange to this line - via the North Quay site - it is considered that the access to public transport will further improve.
- 7.347 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.

- 7.348 A sum of £201,364.00 has been secured by the council for TfL to improve the local bus network and ensure an extra bus can be provided at peak times to extend the 488 bus service from Bromley-by-Bow to better service the Lower Lea Valley. It is also noted that access to services at Star Lane DLR will be facilitated by the future 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.
- 7.349 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.
- 7.350 The proposal brings forward considerable accessibility within the area. At present there is a significant deficit of pedestrian permeability through the broader site allocation. The application site will deliver two new access routes from Leven Road to the river. The northern route allowing for vehicles to access the site, whilst the southern route would be pedestrian and cycle friendly.
- 7.351 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.
- 7.352 With regard to vehicular access, this will be managed via Leven Road north of the existing office building 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. The on-site arrangement would be for a shared surface which prioritises pedestrians over vehicular traffic.
- 7.353 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 utilise public footway for vehicle movements.

Car Parking

- 7.354 The development would provide all parking within the two podium garages accessed from the northwest part of the site. It would be limited to 5 general on-site parking spaces and 27 for blue badge holders. Two on-street car club spaces would be provided where the level access to the site would be removed.
- 7.355 Whilst officers note the request from the highways officer to have the development car-free given the limited PTAL and large number of residential dwellings coming forward it is considered that the equivalent of 1% was acceptable. The residents would be required to enter into a 'permit-free' agreement meaning that they would not be able to gain a parking permit for on-street parking within the borough. Overall it is considered the proposal is in line with the aims of the policy D.TR3 of the Local Plan (2020) and acceptable in the context.
- 7.356 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 27 blue badge bays proposed would constitute 5% overall. It is considered that this is above the level required as a minimum and as part of the Parking Design and Management plan the additional 5% will need to be demonstrated. The podium garage could accommodate further space as well as general parking being removed.

- 7.357 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 in the form of Langdon Park DLR, Bromley-by-Bow Underground station, and bus stops. The applicant's transport assessment considers that the site has a PTAL level of 3.
- 7.358 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 on balance this provision would be acceptable and supported by the GLA and TfL. The provision of electric charging points to the accessible spaces would be required and secured by condition as requested by TfL.

Servicing and Deliveries (including waste)

- 7.359 The development proposes all servicing to take place on-site via the podium garage and the service yard. The commercial and residential elements would both be serviced either within the podium garage or within the yard space on-site. The site would be able to accommodate a maximum of six service vehicles at any one time, with vehicles able to enter and exit the site in a forward gear.
- 7.360 The podium garage would have a clearance height of 4.2m and therefore accommodate a number of different types of delivery vehicle. 'Keep Clear' signage and an on-site management team/concierge would maintain site operations so that vehicles do not park in locations that obstruct access – details to be secured within a Delivery and Servicing Plan, which would be secured by condition.
- 7.361 The majority of urban deliveries would be by light goods vehicles (LGV) or 'transit style vans' and the development shall include a centralised delivery point to accept deliveries of parcels by a concierge. These vehicles would be able to access the podium. Swept path diagrams have been provided which demonstrate a number of delivery scenarios where multiple vehicles arrive at once without blocking the site access or pedestrian access.
- 7.362 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 to any forthcoming consent.

Cycle Parking

- 7.363 The revised development proposals would provide a total of 954 cycle parking spaces for site residents, of which 56 spaces would be provided as Sheffield stands (28 Sheffield stands, with each accommodating 2 cycles). Sheffield stand cycle parking is to be provided as part of the long-stay residential cycle parking which would equate to 6% of the total cycle parking provision.
- 7.364 All residential cycle storage would be covered and secure. The revised ground floor layout has sought to make the long stay cycle parking provision attractive and accessible. Additional 'visitor' cycle parking would be provided in the public realm, suitable to accommodate 34 cycles (17 Sheffield Stands). This assumes 1 space for every 40 residential units (14 spaces), 156.5sq.m A1 food retail (8 spaces), 313sq.m A1 non-food retail (6 spaces) and 2,801sq.m of B1 office use (6 spaces).
- 7.365 Draft London Plan Policy T5 requires Policy requires 895 Long Stay spaces. The proposal therefore exceeds this requirement by 59 spaces. Final details of cycle parking layouts would be required to ensure it meets the London Cycle Design Standards (LCDS), and would be secured by condition.

7.366 Overall, the proposed cycle storage is considered to be adequate for both visitors and residents.

Healthy Streets and Vision Zero

7.367 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.

7.368 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 routes that should be improved with this proposed development.

7.369 As part of the ATZ assessment four routes were identified. The two key routes to Bromley-By-Bow and Langdon Park are identified within the Ailsa Street Allocation. Therefore it was considered these were of the most importance. The council has secured £50,000.00 as a financial obligation to improve two key points along these routes.

Demolition and Construction Traffic

7.370 The Construction Environmental Management Plan secured via a planning condition would need to consider the impact on pedestrians, cyclists, and vehicles as well as fully considering the impact on other developments in close proximity. Subject to the details being acceptable to TfL and LBTH Highways consider there would not be an unacceptable impact.

7.371 The ES concludes that if the Bromley Hall School is operational (although this is unlikely to happen in the near future) then the CLP is relied upon for reducing the effects from major adverse to minor adverse. The CLP will contain strong measures to protect school children, in the event Bromley Hall is re-opened/redeveloped as a working school.

Travel Plan

7.372 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 the S106 agreement.

Summary

7.373 Subject to the above conditions it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport, and will have no unacceptable 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

Environmental Impact Assessment

- 7.374 The planning application constitutes an EIA development. The application was submitted in October 2019 accompanied by an Environmental Statement (ES) produced by Waterman on behalf of Leven Road LLP, and provided assessment of the following topics:
- Socio-economics;
 - Transportation and Access;
 - Air Quality;
 - Noise and Vibration;
 - Ground Conditions and Contamination;
 - Water Resources and Flood Risk;
 - Ecology;
 - Wind Microclimate;
 - Daylight, Sunlight and Overshadowing;
 - Archaeology;
 - Greenhouse Gases;
 - Townscape and Visual Impact; and
 - Built Heritage.
- 7.375 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.376 The application has been supported by an ES, an ES Interim Review Report Response (January 2020), and an ES Final Review Report Response (April 2020), both review report responses included a revised Non-Technical Summary (NTS).
- 7.377 The ES Interim Review Report Response (January 2020) and ES Final Review Report Response (April 2020), were considered to be 'further information' under Regulation 25, and were processed as required under the EIA Regulations.
- 7.378 The Council's EIA Officer has confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations, supported by an ES Review undertaken by the Councils retained EIA consultants.
- 7.379 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed Development, which forms the basis of the assessment presented in this report.
- 7.380 Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations. The environmental information comprises of: the ES, including any further information and any other information; any representations made by consultation bodies; and representations by any other person about the environmental effects of the Proposed Development.

ENERGY AND SUSTAINABILITY

- 7.381 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.
- 7.382 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.
- 7.383 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)
- 7.384 Policy D.ES7 includes the requirement for all 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.
- 7.385 The submitted Energy Strategy identifies that the design has sought to reduce energy demand through energy efficiency measures (8%) and supply energy efficiently through integration of Air Source Heat Pumps.
- 7.386 The CO₂ emission reduction is anticipated to be 44.6% for the domestic buildings against the building regulation baseline which is just 0.4% short of the 45% minimum reduction required by policy. This is considered acceptable.
- 7.387 The report notes an annual domestic baseline CO₂ emission rate of 524 tonnes per annum, with the proposed scheme anticipating a 234 tonne reduction which means the proposal is 291 tonnes short of achieving zero carbon. With regard to D.ES7 which seeks a zero carbon development, the S106 will include a financial payment of £523,200 to offset the remaining 291 tonnes of carbon to comply with the policy.
- 7.388 With regard to the non-domestic elements of the scheme the baseline is 50 tonnes per annum and the proposal would provide an 18 tonne reduction which means the proposal is 32 tonnes short of achieving zero carbon. The S106 agreement will therefore require a financial payment of £56,800 to offset the remaining 32 tonnes of carbon to comply with policy.
- 7.389 The GLA and Council energy officers initially questioned the lack of PV array for on-site energy generation given the extensive roof space available. The scheme has been updated to provide approx. 530m² of PV panel area at roof level that is available, unshaded and accessible. This would result in an estimated maximum PV array of 82 kWp.
- 7.390 The applicant has provided greater detail on on-site renewable generation through photovoltaics and also the expected costs of ASHPs for residents which show costs in line with a gas CHP system. As well as further information on modelling outputs for the energy hierarchy.
- 7.391 The applicant has subsequently submitted an updated strategy as of March 2020 with information to address the GLA's and council's comments, which have all been broadly resolved.

7.392 In conclusion it is considered that the application would deliver sufficient carbon savings through both the energy hierarchy and via the financial obligations required to ensure the scheme meets the zero carbon targets for all development, as set by Policy S12 of the Draft New London Plan, and policy D.ES7 of the Local Plan.

Air Quality

7.393 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.

7.394 The applicant has demonstrated that the residential development will not be affected by levels of air pollution above National Air Quality Standards. Therefore no additional mitigation will be required to protect future occupiers from existing environmental pollution.

7.395 The applicant has stated that heating for the development would be by air source heat pumps which have no local emissions to atmosphere. The applicant has undertaken a transportation air quality neutral assessment which meets the GLA benchmark and would meet the GLA air quality neutral standard.

7.396 The ES identifies the main likely effects on local air quality during construction would be related to dust. A range of measures to minimise or prevent dust would be implemented with the CEMP and it is considered that following mitigation, the effects from nuisance dust emissions would be not significant.

7.397 Emissions from construction vehicles would be small in comparison to the emissions from the volume of vehicles travelling on roads in the surrounding area of the site and would not significantly affect air quality. Therefore, the effect of construction vehicles entering and egressing the site during the construction period would be not significant. There is the potential for significant effects with surrounding developments coming forward at the same time. The CEMP and CLP will need to provide suitable mitigation and reviewed in detail prior to discharge of the conditions.

7.398 In accordance with the London Plan, all construction plant would need to adhere to the emissions standards for NO₂ and PM₁₀ (particles with a diameter up to 10µm) and PM_{2.5} (particles with a diameter up to 2.5µm) set out for non-road mobile machinery (NRMM). It is therefore considered the likely effect of construction plant on local air quality would be not significant.

7.399 Following completion, the Development is predicted to have a negligible impact on NO₂, PM₁₀ and PM_{2.5} concentrations, at all receptors considered. As such, the overall effect of the Development on air quality is not significant.

7.400 Overall the scheme would accord with policy D.ES2 of the Local Plan and policy 7.14 of the London Plan (2016) and conditions would be attached to any forthcoming consent to ensure local air quality is not adversely affected through the demolition and construction process.

Waste

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

7.402 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

- 7.403 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.
- 7.404 At present the site comprises almost entirely of a somewhat dilapidated warehouse structure. There are very 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.
- 7.405 The Biodiversity officer questioned the lack of planting across the site as a whole and especially along the Riverwalk. Officers considered the comments and had to balance the increase in planting with ensuring the walkway would be unobstructed for cyclists and pedestrians. In response to the comments planting has increased where the built form steps back to 12/14m and this would further green the Riverwalk. In addition non-native species have been replaced with native species in response to the Biodiversity officer's comments.
- 7.406 The planting palette for the ornamental planting at ground level, and the more extensive first floor ornamental planting, includes a good range of nectar-rich flowers, which will contribute to LBAP objectives to increase forage for bees and other pollinators. The Lighting Strategy indicates low, hooded bollards for most of the lighting, including along the riverside. These will avoid light spill onto the river.
- 7.407 However, up lighting of trees is not supported. This can be addressed through the lighting condition. The ecology chapter of the ES recommends bat boxes and nest boxes for birds including house sparrow and black redstart. These would be appropriate on the site, and would contribute to LBAP targets. These will be secured via planning condition.
- 7.408 At present the biodiversity officer does 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.
- 7.409 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.
- 7.410 Subject to three conditions securing the biodiversity enhancements proposed, and ensuring no loss of native species on site, the development complies with policy and would lead to net gains in biodiversity.

Flood Risk & Drainage

- 7.411 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.412 Paragraph 161 NPPF (2019): *Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-*

making stage, or if more recent information about existing or potential flood risk should be taken into account.

- 7.413 The proposal does not need to undertake the sequential test and as part of the Local Plan Site Allocation for Ailsa Street the exception test was undertaken. It was considered that the proposal would provide sustainability benefits that outweigh the flood risk. This development would accord with the principles of the site allocation and therefore meets this requirement.
- 7.414 The exception test also requires that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.415 The submitted Flood Risk Assessment (FRA) demonstrates that the proposed development would not be unduly at risk from flooding. The site is in Flood Zone 3a and mitigation measures are proposed to address the residual risk of tidal flooding during a breach scenario. The site is assessed to be at very low to negligible risk of flooding from all other sources. The mitigation measures can be summarised as follows:
- The siting of 'more vulnerable' areas i.e. sleeping accommodation above the flood level, on the first floor and above
 - Flood resilient construction to a level of 5.85mAOD for ground floor residential areas
 - Provision of an onsite safe area for the local community
 - Assessment of the adjacent River Lea wall, with repairs and modifications where necessary (secured by condition)
- 7.416 In consultation with the Environment Agency it is noted that a series of objections were raised initially with regard to the Flood Risk Assessment. The FRA was considered to fail in complying with the requirements of with paragraph 160 of the National Planning Policy Framework (NPPF) which requires it to be demonstrated that developments will be safe for their lifetime (100 years) and paragraph 163 which requires it to be demonstrated that development is appropriately flood resistant and resilient.
- 7.417 The applicant provided further information on the 19th March to the EA to address these concerns and they have subsequently removed their objection. This is due to the fact the applicant has submitted a tracking plan for the river wall setback as requested and the river wall improvement works, and the TE2100 raisings can be implemented by way of a planning condition.
- 7.418 With respect to Flood Risk the proposal would accord with the requirements of the NPPF (2019) and policies D.ES4 and D.ES5.
- 7.419 The drainage strategy for the Development has been designed to reduce flood risk, and would provide an improvement when compared to the existing situation (an 83% reduction in surface water runoff). The strategy would require storage of rainwater on site for a period of time to allow for reduced runoff rates, and this storage would be in the form of tanks at ground level within the podium and in storage within each of the podium roofs specifically designed to store water (known as blue roofs). The strategy takes into consideration the requirements for climate change.
- 7.420 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.

- 7.421 In addition to the above 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 and SUDS features.
- 7.422 Subject to conditions the proposal would be acceptable with regards to surface water run-off and drainage.

Land Contamination

- 7.423 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition discharge process, and will ensure that the land is made safe prior to any construction or demolition work takes place.

INFRASTRUCTURE IMPACT

- 7.424 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,346,695.47 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £1,712,225.10 (inclusive of social housing relief and exclusive of indexation).
- 7.425 This would result in a total of £3,058,920.56. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.
- 7.426 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.
- 7.427 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD and TfL which are as follows:
- £201,364 towards construction phase employment skills training
 - £77,390.48 towards end-user phase employment skills training
 - £50,000 towards ATZ works
 - £580,000 towards carbon off setting
 - £203,482 towards local bus services (TfL)

HUMAN RIGHTS & EQUALITIES

- 7.428 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.
- 7.429 The proposed new residential accommodation meets inclusive design standards and over 530 of the new homes will be wheelchair accessible, 154 within the affordable tenures, and 27 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.

7.430 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. £201,364 towards construction phase employment skills training
- b. £77,390.48 towards end-user phase employment skills training
- c. £580,000 carbon offsetting obligation
- d. £50,000 towards ATZ works
- e. £203,482 towards local bus services (TfL)
- 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 plant
4. Inclusive Access Standards
5. Smart meters
6. Accessible parking
7. Cycle store compliance

Pre-commencement

8. Archaeology: Written Scheme of Investigation in consultation with GLAAS
9. Archaeology: Foundation design in consultation with GLAAS
10. Bat survey
11. Construction Environmental Management Plan and Construction Logistics Plan in consultation with TfL
12. Construction Waste Management Plan
13. Crane methodology in consultation with London City Airport
14. Demolition and Façade Retention Strategy
15. Energy Strategy
16. Highways Improvement Works
17. Jersey Cudweed Survey
18. Land Contamination Remediation
19. Odour from fixed plant and equipment
20. Piling
21. River wall and flood defence in consultation with EA
22. Wheelchair housing detailed plans

Pre-commencement of above ground works

23. Biodiversity enhancements
24. Details of fixed plant and machinery (air quality)

Pre-superstructure works

25. Affordable Workspace Management Plan
26. Delivery, Servicing, and Waste Management Plan
27. Details of external facing materials and architectural detailing
28. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture, biodiversity mitigation and enhancements.
29. Details of cycle parking
30. Lighting Strategy
31. London City Airport Bird Management Strategy
32. Play Space Management Plan
33. Secure by Design
34. Surface water Drainage Strategy

Prior to Occupation

35. BREEAM Certificate for Commercial Units and Workspace
36. Contamination verification
37. Parking Design & Management Plan
38. Noise Verification Report for Residential

39. Secured by design compliance
40. Water Infrastructure

Prior to completion

41. 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

2244-00-DR-1603 rev P01 Existing Arch Detail
2244-00-DR-1604 rev P01 Maisonette Detail Elevation
2244-00-DR-1605 rev P01 Southern Elevation Parapet and Arch
2244-00-SC-0002 rev P05 Schedule
2244-00-DR-0011 rev P01 Site Location Plan
2244-00-DR-0001 rev P01 Existing Ground Level
2244-00-DR-0002 rev P01 Existing First Level
2244-00-DR-0003 rev P01 Existing Second Level
2244-00-DR-0004 rev P01 Existing Elevations
2244-00-DR-0005 rev P01 Existing Sections
2244-00-DR-2000 rev P02 Location of Affordable Units Sheet 1
2244-00-DR-2001 rev P01 Location of Affordable Units Sheet 2
2244-00-DR-2002 rev P01 Location of Affordable Units Sheet 3

2244-00-DR-0100 rev P02 Site Plan - Level 00
2244-00-DR-0101 rev P02 Site Plan - Level 01
2244-00-DR-0102 rev P02 Site Plan - Level 02
2244-00-DR-0103 rev P03 Site Plan - Level 03
2244-00-DR-0104 rev P03 Site Plan - Level 04
2244-00-DR-0105 rev P03 Site Plan - Level 05
2244-00-DR-0106 rev P02 Site Plan - Level 06
2244-00-DR-0107 rev P02 Site Plan - Level 07
2244-00-DR-0108 rev P02 Site Plan - Level 08
2244-00-DR-0109 rev P02 Site Plan - Level 09
2244-00-DR-0110 rev P02 Site Plan - Level 10
2244-00-DR-0111 rev P02 Site Plan - Level 11
2244-00-DR-0112 rev P02 Site Plan - Level 12
2244-00-DR-0113 rev P02 Site Plan - Level 13
2244-00-DR-0114 rev P02 Site Plan - Level 14
2244-00-DR-0115 rev P02 Site Plan - Level 15
2244-00-DR-0116 rev P02 Site Plan - Level 16
2244-00-DR-0117 rev P02 Site Plan - Level 17
2244-00-DR-0118 rev P02 Site Plan - Level 18
2244-00-DR-0119 rev P02 Site Plan - Level 19
2244-00-DR-0120 rev P02 Site Plan - Level 20
2244-00-DR-0121 rev P02 Site Plan - Level 21
2244-00-DR-0126 rev P02 Site Plan - Level Roof
2244-00-DR-0601 rev P03 North Elevation
2244-00-DR-0602 rev P03 East Elevation
2244-00-DR-0603 rev P03 South Elevation
2244-00-DR-0604 rev P03 West Elevation
2244-00-DR-0605 rev P03 Elevation 1
2244-00-DR-0606 rev P03 Elevation 2
2244-00-DR-0607 rev P03 Elevation 3
2244-00-DR-0401 rev P02 Section 1- AA
2244-00-DR-0402 rev P02 Section 2- BB
2244-00-DR-0403 rev P02 Section 3- CC
2244-00-DR-0404 rev P02 Section 4- DD
2244-00-DR-0406 rev P02 Section 5- FF
2244-00-DR-1601 rev P01 Detailed Tower Section and Elevation Planning
2244-00-DR-1602 rev P01 Top Tower Detail Elevation

Schedule of Documents

Design and Access Statement 2244-00-BR-0010-P03 dated 18th March 2020

Planning Statement October 2019
Fire Statement Version 5 May 2020
Transport Assessment - PB8537-RHD-ZZ-XX-R-Z-001
Addendum Transport Assessment - PB8537-RHD-ZZ-XX-R-Z-0017-S2
Residential Travel Plan - PB8537-RHD-ZZ-XX-RP-R-001
Framework Workplace Travel Plan - T&PPB8537R001F0.1
Delivery and Servicing Plan - PB9537-RHD-ZZ-XX-RP-R-005
Outline Construction Logistics Plan - PB8537-RHD-ZZ-XX-RP-R-007
Statement of Community Involvement - Snapdragon
Flood Risk Assessment dated 27th September 2019
Walsh Design Note Revision 2 Project Reference 5004 (River Wall)
Updated Internal Daylight, Sunlight and Overshadowing Assessment March 2020
Supplementary Report: Daylight Effects on Neighbouring Buildings March 2020
Development Viability Report dated 23 September 2019
Health Impact Assessment WSP September 2019
MEP Engineering Utilities Report Revision 01 – 03 July 2019
Energy Strategy 08 – 31 March 2020
Acoustics Report For Planning Revision 2 – 18th September

Environmental Statement Non-Technical Summary
Environmental Statement Volume 1
Environmental Statement Volume 2
Environmental Statement Volume 3
Environmental Statement Volume 4
ES Interim Review Report Response (January 2020)
ES Final Review Report Response (April 2020)

