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## Application for Planning Permission

**Reference** PA/20/02588

**Site** 30 Marsh Wall, London, E14 9TP

**Ward** Canary Wharf

**Proposal** Demolition of existing building and erection of a 48 storey building (plus basement and lift pit) to provide 1,068 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 184.6sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs.

This application is accompanied by an Environmental Statement.

**Summary Recommendation** Grant Planning Permission subject to conditions and a legal agreement

**Applicant** Tide Construction Limited

**Architect/agent** EPR/Rolfe Judd

**Case Officer** Katie Cooke

**Key dates**

- Application validated 02.07.2020
- EIA consultation press notice 07.01.21
- EIA consultation (neighbours) 06.01.21 and (consultees) 23.12.20
- Letters sent to neighbours on 06.01.21
- Press date 07.01.21
- Site notice 15.01.21
  
- EIA Reg 25 consultation (neighbours and consultees) 03.02.22
- EIA Reg 25 press date 03.02.22
- EIA Reg 25 consultation ended on 04.03.22
- Amended scheme emails to consultees 07.02.22
- Amended scheme letters sent to neighbours 09.02.22
- Amended scheme press date 10.02.22
- Amended scheme site notice 10.02.22
- 14 day planning consultation ended on 25.02.22

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## **EXECUTIVE SUMMARY**

The application comprises of a proposal for the erection of a 48 storey providing 1,068 student rooms (use class sui generis) with flexible retail/commercial floorspace at lower levels (use class E) alongside parking, landscaping, public realm and other associated works.

In land use terms, the proposed student led mixed use scheme is acceptable in this accessible location, being just a short walk (500m) from Heron Quays and South Quay DLR stations and with bus stops being located directly on Marsh Wall served by route D8 which provides immediate access to Major and Central Activity Centres at Canary Wharf ensures that the proposed student accommodation use will be appropriately sited for visitor and business accommodation.

The public realm proposals are acceptable and will contribute towards the renewal of the area. The landscaping and regeneration of the site is a considerable public benefit and will enhance legibility, safety and urban design within the locality.

The height, massing and design is considered to respond appropriately to its context within the Canary Wharf Tall Building Zone, will not result in harmful impacts to heritage assets in the locality or strategically. The proposed buildings would contribute positively to an existing diverse townscape, comprise high-quality architecture, relate well to its surroundings and help deliver improvements to the public realm and infrastructure.

The proposal would result in some impacts upon neighbouring residents from a daylight and sunlight perspective. Officers are satisfied that the scale and massing of the built form has been designed to minimise such impacts. In terms of privacy the proposed building is reasonably distant from most existing buildings and has been designed with consideration towards the proposed future development at Cuba Street (subject of a separate planning application) to limit the privacy impacts as much as possible between these sites. Amenity impacts that arise would be proportionate and consistent with a tall building and high-density development in a location where such development is supported by planning policies.

Highway improvement works and associated operational infrastructure have been developed in consultation with Transport for London, the GLA and Borough Highways Officers and will be provided within the proposal and secured in perpetuity by way of S278 and S106 legal agreements.

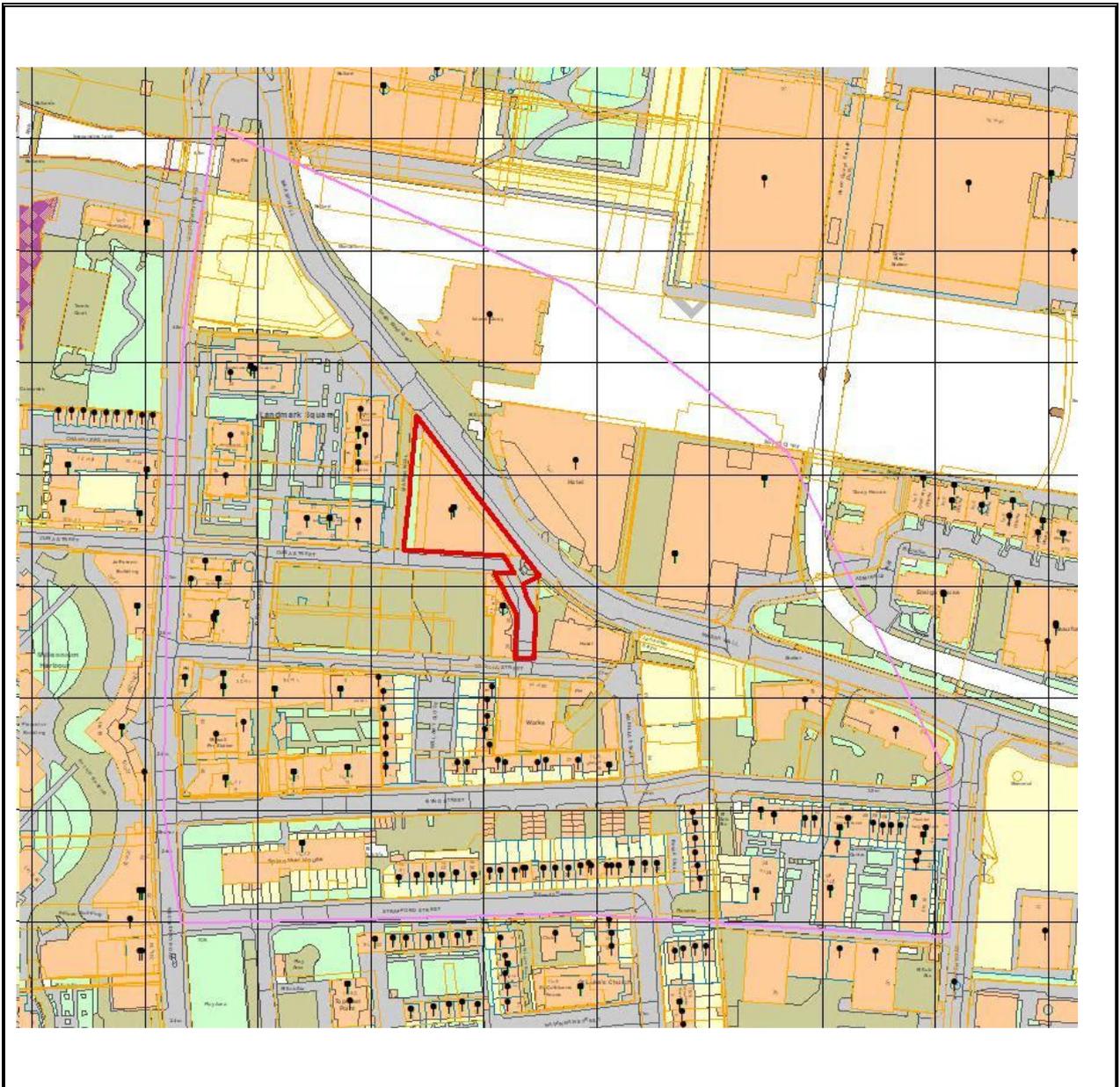
The proposed scheme would provide a significant amount of student housing. This would be in line with the local and strategic objectives for the site.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements, with a substantive carbon offset contribution to be secured within the S106.

Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements, and the landscaping proposals of the site contribute towards ecology.

The scheme would be liable to both the Mayor of London's and the Borough's community infrastructure levy. In addition, it would provide a necessary and reasonable planning obligation to local employment and training.

# SITE PLAN

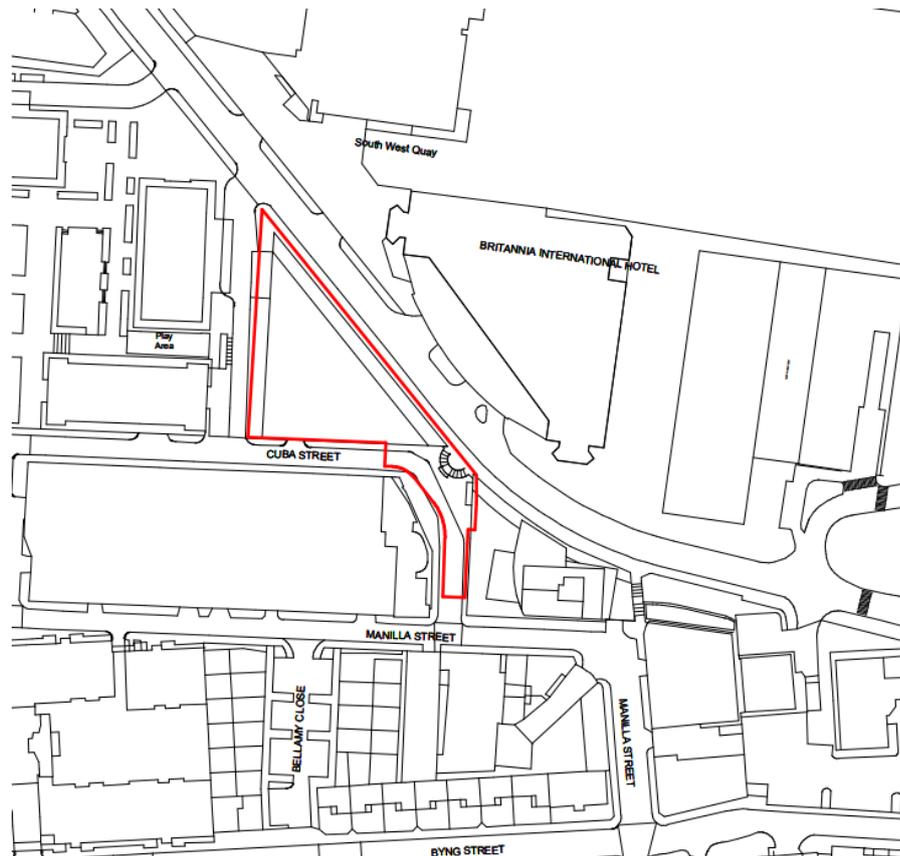


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<ul style="list-style-type: none"> <li> Planning Application Site Boundary</li> <li> Other Planning Applications</li> <li> Consultation Area</li> <li> Land Parcel Address Point</li> <li> Locally Listed Buildings</li> <li> Statutory Listed Buildings</li> </ul>	<p><b>Planning Applications Site Map</b> <b>PA/20/01402</b></p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p><b>TOWER HAMLETS</b> London Borough of Tower Hamlets</p>
	<p>Scale: 50m grid squares</p>	<p>Date: 30.03.22</p>

# 1 SITE AND SURROUNDINGS

- 1.1 The triangular shaped application site is located on the western side of the Isle of Dogs east of Westferry Road at the end of West India Dock South Quay. It is bounded by Marsh Wall to the east, Cuba Street to the south and to the west by a private vehicular ramp as well as the Landmark East and Endeavour House developments.
- 1.2 The site area shown on Figure 1 below measures approximately 0.21 hectares and includes steps leading to Marsh Wall from Cuba Street and adjoining land within the applicant's ownership and land forming the Cuba Street public highway within the Council's ownership.



**Figure 1:** Site with redline boundary

- 1.3 The site is occupied by a 5,519 sqm, 6-7-storey early 1990's building on basement, ground and five upper floors comprising 5,076 m2. of Class E offices. There are 32 basement car parking spaces with vehicular access and servicing taken from Cuba Street. The existing building footprint occupies the entire triangular plot. The existing building is currently vacant.
- 1.4 The existing building is predominantly red brick and presents solid faces on all three sides. The buildings orientation and architecture forms a barrier between Marsh Wall and Cuba Street with a clearly defined front and back to the site, with no active frontage on Cuba Street.
- 1.5 There is a fall in ground levels from north to south across the site. This results in the ground floor on Marsh Wall (serving as the main entrance to the building) being a full storey (3.4m higher) above the ground floor on Cuba Street with two flights of steps available for public use at the eastern end of Cuba Street providing pedestrian access between the two streets.

- 1.6 The site is part of a dense urban fabric with a mix of built form accommodating predominantly high density residential and hotels with notable sensitive interfaces including the various residential buildings of Landmark Square, Cruise Court, Manilla Street and Block Wharf.
- 1.7 The site is located in an area of intense change, with a number of significant planning applications in the locality recently consented or under construction.
- 1.8 Notable schemes include Landmark Pinnacle to the west of 30 Marsh Wall, the Wardian towers to the east of both sites, and 50 Marsh Wall (Alpha Square) immediately to the south. These schemes are expected and have alter the townscape and skyline to both Canary Wharf and Millwall Inner Dock.
- 1.9 Furthermore, a largely vacant redevelopment site (albeit with temporary hotel use on part of it) lies immediately to the south of the Site, occupying most of the urban block between Cuba Street, Manilla Street and Tobago Street. This site is subject to a planning application for a 52-storey residential tower with an open space, Cuba Park, proposed to be located to its west (planning reference PA/20/02128).



**Figure 2:** The application site to the north with the Cuba Street site to the south (with the proposed park)

- 1.10 In terms of Local Plan designations, the site is within the Isle of Dogs Activity Area, Isle of Dogs Archaeological Priority Area, Isle of Dogs Neighbourhood Planning Area, Isle of Dogs and South Poplar Opportunity Area and the Marsh Wall West site allocation which remains a residential focused strategic plan with priority given to delivering housing and a range of employment land uses.
- 1.11 The site is considered suitable for the development of a tall building on site, being located at the edge of the Canary Wharf Tall Building Zone.
- 1.12 The Canary Wharf Major Centre and Preferred Office Location, as designated in the Tower Hamlets Local Plan, is within walking distance of the site and it is noted that the new London Plan now designates Canary Wharf as a Metropolitan Centre.

- 1.13 The site is also within the Canary Wharf Skyline of Strategic Importance, an area of poor air quality (40 micrograms per cubic metre) and contains a series of flood risk overlays.
- 1.14 30 Marsh Wall is not listed of architectural or historic interest but lies within the setting of the former entrance to West India South Dock - Grade II listed. It does not lie within or affect the setting of a conservation area. The site is some distance from the Tower of London and Maritime Greenwich UNESCO World Heritage Sites but sits within a number of strategic views and river prospects identified in the Mayor's London View Management Framework including view 1A.1 from Alexandra Palace, view 2A.1 from Parliament Hill, view 4A.1 from Primrose Hill, view 5A.1 from Greenwich, views 6A.1 from Blackheath Point; and 11B.1 and 11B.2 from London Bridge.
- 1.15 The site has a Public Transport Accessibility Level (PTAL) rating of 4, indicating a good level of public transport accessibility. The nearest bus stops to the site are located directly on Marsh Wall served by route D8. Additional bus services served by routes 135, 277 and D7 are available from the bus stop located on Westferry Road approximately 200m from the site. Both Heron Quays and South Quay DLR stations are accessible within 500m of the site. Canary Wharf underground station is approximately 600m from the site.

**2. PROPOSAL**

- 2.1 The proposal seeks planning permission for the redevelopment of the brownfield site to deliver a purpose-built student accommodation scheme. The proposed development comprises a single tall building with a height of 157.82m, covering the majority of the plot. The scheme will deliver 1,068 student rooms, with ancillary amenity spaces (Sui Generis Use) along with 184.6sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs.
- 2.2 The proposal would provide the following units and floorspace figures:

	<b>Current proposal</b>
<b>No. of student rooms</b>	1,068 student accommodation units (studios)  374 (35%) of which would be affordable student rooms
<b>GIA of flexible retail/commercial space</b>	184.6sqm
<b>NIA of internal student amenity space</b>	2,292.4sqm (2.1sqm per student)
<b>GEA of private external student amenity space</b>	773.2 sqm
<b>GEA of public amenity space</b>	1,176.3sqm

**Table 1:** Land use breakdown for the proposed scheme

2.3 Below is a CGI of what the proposed building will look like within the context of its surroundings.



**Figure 3:** Artistic impression of the application looking north

2.4 The principal design element of the scheme is a single tower with the use of terracotta and aluminium as cladding for the façade of the building.

2.5 The proposed student accommodation split is set out in the schedule below:

<b>Studio Type</b>	<b>Floor Area (sqm)</b>	<b>Total Units</b>
Studio 01	21.42	161
Studio 01A	20.26-24.58	7
Studio 02	17.28-17.38	402
Studio 03	18.25	80
Studio 04	20.49	80
Studio 05	18	160
Studio 06	21.49	82
Studio 07	23.85	81
Studio 08	44.39 – 46.84	3

Studio 09	34.95	4
Studio 10	42.03	2
Studio 11	36.84	2
Studio 12	25.51	2
Studio 13	30.37	2
<b>Total no. of units</b>		<b>1,068</b>

**Table 2:** Student Rooms Breakdown

- 2.6 Servicing and delivery would be managed at lower ground floor level via a servicing yard fronting Cuba Street which would accommodate a range of vehicle types.
- 2.7 The proposal is for a car free development, with the exception of accessible parking, which is proposed to be on-street in Cuba Street.
- 2.8 The majority of the resident cycle parking will be located on the 3<sup>rd</sup> floor of the building, with some cycle parking provided be on the ground floor level for maximise convenience for cyclists.

### **3. RELEVANT PLANNING HISTORY**

#### **The Site**

- 3.1 PA/16/00477/R – Withdrawn 29/11/2016

Demolition of the existing building and erection of a 43 storey building comprising flexible retail (Use Classes A1-A4) and community uses (Uses Class D1) at podium lower ground and ground level, 271 residential (Use Class C3) units on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking at a basement level, and associated works.

- 3.2 PA/13/03161/R – Withdrawn

Demolition and redevelopment to provide a mixed use scheme over two basement levels, lower ground floor, ground floor, and 52 upper floors (rising to a maximum height including enclosed roof level plant of 189 metres from sea level (AOD)) comprising 73 sq m of café/retail floorspace (Use Classes A1-A3), 1781 sq m of office floorspace (Use Class B1), 231 sq m of community use (Use Class D1), 410 residential units (46 studios, 198 x 1 bed, 126 x 2 bed and 40 x 3 bed) with associated landscaping, 907 sq m of ancillary leisure floorspace and communal amenity space at 4th, 24th, 25th, 48th and 49th floors, plant rooms, bin stores, cycle parking and 50 car parking spaces at basement level accessed from Cuba Street. (Amended location and description)

#### **Cuba Street Site, Land At North East Junction Of Manilla Street And Tobago Street, Tobago Street, London**

- 3.3 PA./20/02128 – Currently being assessed

Erection of single tower block accommodating a high density residential led development (Use Class C3) with ancillary amenity and play space, along with the provision of a flexible retail space at ground floor (Use Class E), the provision of a new publicly accessible park and alterations to the public highway.

This application is accompanied by an Environmental Statement.

### **225 Marsh Wall**

#### 3.4 PA/21/0900 – Currently being assessed

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

### **Ensign House, 17 Admirals Way**

PA/21/00952 – Members of the Strategic Development Committee resolved to grant planning permission on 16/03/22

Demolition of the existing building (Use Class E) and the comprehensive redevelopment of the site to provide a single tall building (205m AOD to the top of the building and 230m AOD to the top of the spire) providing residential accommodation (Use Class C3) along with a mix of flexible commercial uses (Use Class E) at ground floor level with associated hard and soft landscaping including the delivery of a new pocket park providing general public realm improvements.

The Application is accompanied by an Environmental Impact Assessment.

### **15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close**

#### 3.5 PA/20/01065– Members of the Strategic Development Committee resolved to grant planning permission on 20/04/21

Demolition of the existing buildings and structures and construction of a mixed use development comprising residential dwellings (Use Class C3) and non residential uses (Sui Generis), a basement, public realm works, landscaping, access, servicing, parking and associated works.

### **North Quay, Aspen Way**

#### 3.6 PA/20/01421+ PA/20/01412 –the Strategic Development Committee resolved to grant planning permission on 23/09/21

Application for outline planning permission (all matters reserved) for the redevelopment of the North Quay site for mixed use comprising:

- Demolition of existing buildings and structures;
- Erection of buildings and construction of basements;
- The following uses:
  - Business floorspace (B1)
  - Hotel/ Serviced Apartments (C1)
  - Residential (C3)
  - Co-Living (C4/Sui Generis)
  - Student Housing (Sui Generis)
  - Retail (A1-A5)
  - Community and Leisure (D1 and D2)
  - Other Sui Generis Uses
  - Associated infrastructure, including a new deck over part of the existing dock;
  - Creation of streets, open spaces, hard and soft landscaping and public realm;
  - Creation of new vehicular accesses and associated works to Aspen Way, Upper Bank Street, Hertsmere Road and underneath Delta Junction;

- Connections to the Aspen Way Footbridge and Crossrail Place (Canary Wharf Crossrail Station);
- Car, motorcycle, bicycle parking spaces, servicing;
- Utilities including energy centres and electricity substation(s); and
- Other minor works incidental to the proposed development.

This application is accompanied by an Environmental Statement.

## **2 Trafalgar Way**

- 3.7 PA/20/01402 –the Strategic Development Committee resolved to grant planning permission on 05/10/21

Redevelopment of the site to provide a new mixed use building including student accommodation units and associated uses (Sui Generis), residential units (Class C3), office (Class B1), shops/cafes (Class A1/A3) and a restaurant/takeaway (Class A3/A5) arranged over a 4 storey podium with three taller elements of 46, 36 and 28 storeys (with roof-top plant and basements), alongside parking, landscaping, public realm and other associated works.

## **4 PUBLICITY AND ENGAGEMENT**

- 4.1 There have been two rounds of public consultation undertaken by the LPA, all of which took place in accordance with statutory requirements.

### **First round of consultation**

- 4.2 A total of 1398 planning notification letters were sent to nearby properties on 06.01.21, as well as site notices being erected on 15.01.21 and press notice displayed on 07.01.21.
- 4.3 As part of the 1<sup>st</sup> round of consultation, 25 individual objection letters were received in response to notification and publicity of the application in addition to a petition. The petition submitted was not signed and comments related to the current Cuba Street development (planning reference: PA.20.02128). In addition to the objections, 1 letter of support was also received.
- 4.4 The material considerations raised in the objections are summarised thematically below:
- 4.5 Land Use/Housing
- Site is wrong location. Is next to the UK's primary business district, Canary Wharf. This area is the showcase for the UK's leading financial, legal and banking sectors. It is odd to create cheap / dense student accommodation in the vicinity.
  - There is no justification. It is not within the immediate vicinity of a university.
  - The student accommodation will not fit in the surrounding residential area and will create great nuisance for the residents.
  - The proposed development will only introduce transient populations of students for a short period and shall remain vacant for the most part.
  - Would be more community and environmentally friendly to refurbish the existing building at 30 Marsh Wall or construct a low-level new structure and provide a much-needed health and community centre.

- The land should be used in a different way - a small local park for example, a medical centre or a children's play area etc. This would be of far more use to the local community.
- The Application fails to justify the loss of existing office floorspace, or re-provide an element of such floorspace.
- No community floorspace

#### 4.6 Amenity

- Development will adversely affect quality of life for the residents in Landmark East due to lack of light.
- Proposed will block the sun to Whitby House and Landmark East as well as homes in Cuba/Tobago Streets.
- The proximity to Landmark East building, by completing blocking the East facing (sun raising side) of Landmark East, which may in breach of Rights of Light Act 1959.
- Concerns regarding the noise, view obstruction and dust caused by the development as experienced with South Quay.
- Development will block the view from the Wardian building.
- The proposed development will cause unacceptable harm to the amenity of surrounding land and adjacent buildings, including but not limited to privacy, solar glare, overshadowing.
- Loss of light.
- Loss of privacy.
- Concerns regarding air quality

#### 4.7 Open Space

- Hopes this scheme will provide landscaping that helps connect South Dock/Marsh Wall to Canary Wharf.
- Concerns regarding the quality, and functionality, of the proposed pocket park

#### 4.8 Design

- The area of land is small and not suitable for a building of this size
- The façade looks cheap and tacky.
- Looks like a high-rise slum block.
- Design is out of date.
- Density should be reduced.
- Another tower on a small site
- Overdevelopment of the site

#### 4.9 Highways/infrastructure

- Local roads and infrastructure cannot cope with current amount of building
- Inadequate on street parking
- Concerns whether there is enough infrastructure to cope with 1000+ students (i.e. restaurants, grocery stores, retail units etc)
- This will cause a lot of disruption locally with the extra traffic, construction vehicles and closures of footpaths etc
- There is already strain on local services in terms of healthcare, schools, etc as well as an increase in traffic. This will greatly add to it
- Disruption to pedestrian and vehicular access to Cuba/Manilla/Tobago Streets and to on street parking.
- In relation to the CEMP, as can be seen from the image the developer wishes to occupy this section of Marsh Wall to facilitate demolition and construction. What hasn't been identified is that at this location there is a pelican crossing

#### 4.10 Environment

- The proposed development will cause prolonged construction noise, dust and traffic complications
- Potential wind tunnels
- During construction will be unacceptable air, noise, vibration, dirt and night glare pollution affecting health and well-being of residents

#### 4.11 Other

- Area already over-built with skyscrapers.
- Will box in existing developments (e.g. the Wardian scheme).
- Proposal will reduce the value of surrounding apartments.
- Having 1000 extra students in the area has the potential to create a significant amount of anti-social behaviour and strain on local services.
- Concerns regarding the cumulative impacts of development, arising from the numerous schemes being proposed / constructed in the surrounding area.
- Unsafety and risk of loss of life. We have all been shocked and saddened by the disaster and loss of life in Grenfell Tower.

*(Officer comment: This objection relates to the Cuba Street proposal as reference is made to the scheme having one stairway. The 30 Marsh Wall proposal comprises 2 stairways).*

- It was noted that, as part of your statutory consultations, Historic England has stated that the applicant's Environmental Assessment is deficient and that "the applicant's failure to submit that [further archaeological evidence]" would give grounds for refusal. (Ref their letter of 04/01/2021).

#### 4.12 The following comments were made in support:

- It is a welcome addition of something that is not purely residential nor commercial.

## **Second Round of Consultation**

- 4.13 As part of the planning application process, the applicant amended the scheme to increase the provision and distribution of internal amenity space within the building and add 2 additional retail units at the ground floor level to improve the active frontages along the pocket park. As a result, this resulted in updated plans and documents being provided. A second round of consultation was conducted with letters being sent on 09.02.22, site notice erected on 10.02.22 and press notice issued on 10.02.22. EIA Reg 25 consultation was also undertaken which ended on 04.03.22
- 4.14 As part of the second round of consultation, 1 letter of support and 18 individual letters in objection were received.
- 4.15 Reasons given in objection to the scheme include which are different to those previously received:
- Amenity
    - The proposed building would create loss of sunlight, loss of light and loss of amenity to Landmark East and Endeavour House.
    - Morning shadow would be created over Landmark East and Endeavour House.
    - Landmark East and Endeavour House would suffer significant loss of privacy.
    - Landmark East and Endeavour House would be subject to extensive glare and light pollution from the proposed building.
    - Object to working hours of:  
08:00 – 18:00 hours between Monday and Friday;  
08:00 – 13:00 hours on Saturdays;  
Should just be 08:00-1700 Mondays to Fridays.
  - Landscaping
    - The proposed building landscape would not produce additional open space, in a locality in which there is already a harmful absence of open space.
  - Highways
    - How is only 1 disabled space acceptable
    - Underground car parking should be provided
  - Other
    - Concerns over the future use of the building. If granted what is stopping the permitted use from being used as a hotel or multi-occupation.
    - Insufficient time given for consultation
    - Application is rushed with inconsistencies
    - The project should be postponed in the best-case scenario until the neighbouring developments in < 1-mile radius are completed
    - Fire risk (I don't understand why this was approved so quickly).
- 4.16 The material objections raised will be considered in the relevant sections of the report.
- 4.17 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring stakeholders and landowners.
- 4.18 Due to Covid-19 restrictions, holding public consultation events in person was not advised. Therefore, the consultation process carried out by the applicant focused on a combination of individual online meetings, an online webinar and the offer of hard copy materials and telephone engagement for those unable to engage digitally. The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH, and the GLA since early 2020. The scheme was also considered at a CADAP meetings in May 2020.

## 5 CONSULTATION RESPONSES

### Internal Consultees

#### **LBTH Waste**

- 5.1 The waste from the student accommodation is classed as household waste, therefore the council would collect this as household waste and not commercial waste.
- 5.2 Commercial waste is to be kept separate from the household waste each individual commercial unit is to have its own bin store area. All businesses are expected to separate their waste for recycling and so require suitable facilities.
- 5.3 After further discussions between the applicant and council, the waste officer was satisfied with the updated refuse management plan, which addressed initial concerns relating to waste generation, approach to compaction, storage capacity and required frequency of collection. Further details are provided in the waste section of this report

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

##### Car parking

- 5.4 The proposal is for a car free development, with the exception of accessible parking, which is proposed to be on street in Cuba Street. On site provision is considered much better as the use of these can be controlled by the building management. However, the use of ground floor space, particularly within sites with a constrained footprint are often subject to conflicting land use requirements between design and highways and so often provision is proposed on street, which is the case here. Given the constraints on the ground floor use the proposed on-street provision is considered better than no provision.

##### Cycle parking

- 5.5 The applicant is proposing to deliver cycle parking at a lower level than the London Plan requirements. As justification for this the applicant states that the standards for student cycle parking is too high and provides details of a survey showing that many student cycle parking schemes are underused. To mitigate this and, in the applicant's view, to increase cycling amongst students the applicant is proposing a free 300 bike hire scheme. Whilst new to LBTH, this approach seems to have been adopted elsewhere in other London boroughs. Although the provision falls below the London Plan standards Highways consider the cycle hire scheme worthy of consideration and not automatically discouraged as it provides students with not only a cycle parking space but a bike as well, free of charge, which could encourage an increase in cycling in an area that is well connected to cycling routes.
- 5.6 LBTH's Highways would expect the hire scheme to be condition and through the s106 its provision and 'free to use' status secured for perpetuity and a minimum of 300 cycles be available at any one time. However, as this is a referable scheme then TfL would need to be content with this departure from policy standards.

##### Servicing

- 5.7 Servicing is proposed to take place from Cuba Street. Whilst it is required policy in the Local Plan to have servicing take place on site, this is a case of competing demands between design and highways. Place Making officers had proposed the use of Marsh Wall to the west of the site for servicing in order to prevent vehicles using Cuba Street. However, this is not supported by highways as it considers the possible safety implications of creating another vehicle crossover so

close to the adjacent site would result in additional turning movements across Marsh Wall into the site which would affect pedestrian flow.

It is also proposed to introduce a new north-south route between Cuba Street and the Barkentine Estate onto Marsh Wall and this would not be possible if Marsh Wall was used for servicing.

- 5.8 As such, it is considered that the benefits of the public realm improvement in terms of highway safety favour the use of Cuba Street for service vehicles.
- 5.9 The applicant has agreed to a concierge service to ensure that return visits to the site are minimised. The main pedestrian access to the site is from Marsh Wall and it is likely that take-away deliveries etc will use the frontage there at times. This should be controlled by the travel plan / service management plan.

#### Public Realm

- 5.10 Improvements are proposed to increase pedestrian and cycle permeability through the site, this is welcomed. The building is proposed to be set back on Cuba Street so that improved footway widths can be achieved. The applicant will be required to enter into a s278 Highways agreement and agree a scheme of highway improvement works.
- 5.11 A Healthy Streets assessment has taken place and the applicant will be expected to provide a financial contribution towards improving the pedestrian and cycling infrastructure in the area (particularly as mitigation for not providing policy standard cycle provision).

#### Demolition / Construction.

- 5.12 The applicant has submitted a draft plan to show how the demolition and construction of the site will take place. It is proposed that in the main Marsh Wall is used with Marsh Street, via Cuba Street being used for smaller vehicle. Whilst the location of the site means that either Marsh Wall or Cuba Street is used, highways remain concerned about the cumulative impact of construction in the area and the effect it is having on the highway network and local residential amenity.
- 5.13 The applicant is requested to carry out a robust assessment of current development and find a way to work with other developers to reduce this impact by working together and consolidating deliveries wherever possible. This would be included within the Construction Management Plan Condition should planning permission be granted.
- 5.14 LBTH Highways raised no objection to the revised scheme which was the focus of the second round of consultation

#### **LBTH Viability**

- 5.15 LBTH Viability officers confirmed that the scheme qualifies for the London Plan threshold approach and therefore an assessment is not required as the scheme would be delivering 35% affordable units.

#### **LBTH Public Health**

- 5.16 The detailed HIA submitted is considered to be sound, covering a broad range of potential health issues at various scales (housing, amenities, green infrastructure, transport, access).
- 5.17 Overall, the HIA demonstrates the intent of the scheme to contribute positively, within its remit, to healthier lifestyles within the borough.

#### **LBTH Environmental Health (Noise/Vibration)**

- 5.18 Noise officers raise no objection to the latest scheme, subject to securing the relevant noise conditions.

### **LBTH Environmental Health (Air Quality)**

- 5.19 Air quality officers raise no objection to the latest scheme, subject to securing the relevant noise conditions.

### **LBTH Environmental Health (Contaminated Land)**

- 5.20 Contaminated Land officers raise no objection to the latest scheme, subject to standard conditions.
- 5.21 The recommended conditions will be attached to any forthcoming consent.

### **LBTH Building Control**

- 5.22 No objection and satisfied with the submitted fire strategy.

### **LBTH Occupational Therapist**

- 5.23 No comments to make

### **LBTH Biodiversity**

- 5.24 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 considerable amount of biodiversity enhancements to the site.
- 5.25 Pre-occupation 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 Tree Officer**

- 5.26 As part of initial comments, the Council's tree officer confirmed that he was happy with the proposed facilitation pruning to T1 and T2.
- 5.27 Officers requested an Arboricultural Method Statement (AMS) which was subsequently provided by the applicant and found to be acceptable. No conditions required.

### **LBTH Energy Efficiency**

- 5.28 The application proposes to achieve the carbon savings through energy efficiency measures and use of an air source heat pump ambient heat loop to supply low carbon heat.
- 5.29 Based on the information submitted and justifications provided, the principles of the scheme and carbon emissions are generally supported and the Council's energy officer raised no objection as part of the latest consultation.
- 5.30 In relation to district energy the applicant has provided a commitment that the development is designed to allow future connection to a district heating network and drawings demonstrating how the site is to be future-proofed for a connection to a district heating network have been provided. In relation to on site renewables the applicant has provided additional justification relating to space available and amenity uses provided.
- 5.31 The proposals meet the Local Plan target for anticipated on-site carbon emission reductions and are proposing a 45% reduction compared to the baseline (utilising SAP10 carbon factors). In order to support the scheme the residual CO<sub>2</sub> emissions (439.7 tonnes CO<sub>2</sub>) should be offset through a carbon offsetting contribution of £1,253,145 to deliver a policy compliant net zero carbon development.

5.32 Subject to appropriate conditions securing the energy proposals and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals would be considered in accordance with adopted policies for CO2 emission reductions.

### **LBTH Sustainable Urban Drainage (SUDS)**

5.33 The Council's SUDs officer reviewed the initial information provided and advised that a pumped drainage system falls very low on the SUDs hierarchy. This is due to concerns with any pump failure causing major flooding issues on site and further downstream. Therefore, this approach needed to be reviewed and an alternative approach developed.

5.34 As part of the application assessment, the GLA also had queries in relation to the proposed SUDS/drainage. This led to the applicant submitting a revised Flood Risk Assessment (FRA). Officers consider that the updated FRA appears to cover the concerns raised with regards to surface water flooding and how the site will be resilient against any future flooding.

5.35 No objections are had subject to a surface water drainage drawing condition being attached.

5.36 This is addressed in the Flood risk and drainage section of this report.

### External Consultees

#### **Environment Agency**

5.37 No objections to the application on flood risk grounds. The site is located within Flood Zone 3 and is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. Our latest flood modelling shows the site would be at risk if there was to be a breach in the defences or they were to be overtopped.

#### **Canal and River Trust**

5.38 No comments to make.

#### **Greater London Authority**

5.39 As part of the GLA's Stage 1 report, whilst they broadly supported the principle of the development, they made the following comments in relation to the proposal:

- In terms of the principle of development, the proposed student accommodation on this brownfield site in the Isle of Dogs and South Poplar Opportunity Area could be supported, subject to further information on the loss of the existing office building and student-only occupation and nomination agreement(s) being secured.
- With reference to affordable student accommodation: 35% of the student accommodation would be affordable, which could be eligible for the Fast-Track Route, subject to the affordability of units being secured at the levels set out in the AMR in the S106 agreement, inclusive of all services and utilities as offered to a market unit. A nomination agreement, early-stage review and the affordability of the units must also be secured.
- The proposed development would not cause harm to the Outstanding Universal Value, integrity, authenticity and overall significance of the Maritime Greenwich World Heritage Site or on the listed buildings contained within it. The development would also not harm the significance of any nearby listed buildings or structures or conservation areas.
- In terms of Strategic Views, the development would not appear within any strategic viewing corridors. The development would not compromise the recognition and appreciation of the St

Paul's, Tower Bridge and Tower of London landmarks and would make a positive contribution to strategic views, adding to London's varied skyline.

- Whilst the height and massing could be supported, further information is required on the functional and environmental impacts of the tall building. Subject to further information on overlooking and privacy and overheating for the very large number of single aspect units, overall the development could achieve an acceptable standard of residential quality. The fire statement should be revised to provide further information prior to Stage 2 referral.
- The development achieves acceptable standards of inclusive design. The Council should secure the five percent wheelchair accessible student accommodation by condition or obligation.
- In terms of Sustainable Infrastructure, further information is required on energy efficiency, district heating network connection, renewable energy and overheating to address London Plan and Publication London Plan energy policies. The applicant should provide a detailed Circular Economy Statement.
- Further information is required in relation to the Whole lifecycle statement
- The proposed development is compliant with green infrastructure policy and presents a well-considered scheme where urban greening opportunities have been maximised.
- The proposal does not yet fully comply with strategic transport policies. The applicant must revise its design for cycle parking, secure local Healthy Streets improvements, and appropriate conditions and obligations should be secured.

5.40 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.

5.41 Notwithstanding paragraph 5.40, the applicant is required to liaise with the GLA to meet the requirements of the Economy Statement by achieving the London wide target of 65% recycling by 2035.

5.42 The GLA will have further opportunity to comment as part of their Stage 2 response.

### **Transport for London**

5.43 As part of TfLs review of the initial proposal, the provided the following comments:

#### Access

5.44 The main pedestrian access would be directly from Marsh Wall leading to the reception and the building core. Entrance to the kiosk will be from the new public realm at the northern corner of the site. Cycle parking access would be from Cuba Street which connects directly into the NCR1, provided through two compliant lifts to the third floor ensuring level access. Access for pedestrians and cyclist is considered acceptable

#### Trip Generation

5.45 The proposals are supported by a trip generation and mode share assessment, in line with London Plan policy Policy T4 Assessing and mitigating transport impacts. The applicant provides a net trip forecast by deducting office trips associated with the existing building. It is understood however that this site has been vacant for number of years, and confirmation should be therefore provided. Otherwise TfL will assume that all trips should be gross. On that basis, is anticipated that the proposal would generate approximately 156 daily AM peak trips and 312 PM peak trips.

- 5.46 On mode share, no car trip is expected due to the site's car free nature; the share of individual public transport modes is estimated based on the likely proportion of students travelling to/ from various tertiary education institutions in East and Central London of which 48% will be by bus, 20% by DLR, 16% by tube, 10% by foot and 7% by bike. It is considered that the assessment is reasonable and therefore accepted.

#### Healthy Street and Vision Zero

- 5.47 Due to current travel restrictions, a desktop Active Travel Zone (ATZ) assessment has been agreed. The applicant acknowledges that some improvements will be delivered by committed developments nearby, including Tower Hamlets' Liveable Street Programme proposal. The Council is strongly encouraged to secure additional improvements on other parts of the public realm, in line with London Plan policy T2 Healthy Street.
- 5.48 The proposal would deliver new public realm to improve pedestrian environment around the site. The building façade along Cuba Street is set back approximately 1m to increasing the public realm, and also a set back of approximately 1m further on Marsh Wall, which would result in an increase of footway width. Permeability will be enhanced through provision of a step free, public accessible north-south route along site's western edge linking Cuba Street with Marsh Wall, incorporating seating and landscape, which will provide improved pedestrian space around the entire perimeter of the site is provided.
- 5.49 At the pre application stage, the principle of delivering a pedestrian/cycle route along Marsh Street was strongly supported as it would encourage and facilitate active travel. In addition, the improvement of the stepped route from Marsh Wall to Cuba Street was also urged. TfL notes that these routes will be delivered by section 106 or 278 as appropriate. The Council should also ensure that the Marsh Street route is always publicly accessible.

#### Cycle Parking

- 5.50 The level of cycle space provision is below the London Plan minimum standards of 0.75 space per bedroom. The applicant seeks to mitigate the short fall with the bike hire scheme. Whilst the site constraints are noted, the applicant should explore whether a greater area within the building or site curtilage could be used as such. Currently, all of the resident cycle parking will be located on the 3<sup>rd</sup> floor of the building, therefore the applicant needs to revise the design to ensure all or at least some of the cycle parking would be on the ground floor level for maximise convenience for cyclists, to be in line with the London Cycle Design Standards (LCDS), and London Plan policy T6 Cycling. Notwithstanding this, the cycle hire scheme should be secured in perpetuity and its use monitored through the parking management plan.

#### Public Transport

- 5.51 Up to 75 bus trips are expected from the proposal. TfL confirms that the expected level of bus trips would not give rise to significant capacity issue to local services, therefore no mitigation is sought.
- 5.52 The impact on the Underground and DLR network will not require site specific mitigation.

#### Highway Impact

- 5.53 Due to the car free nature of the proposals, it is not expected that trip generation from the site would give rise to significant highway capacity impact to the local network. The applicant has set out the framework for the student arrival and departure period; this should be secured through the travel plan and monitored. Disabled parking is proposed on street with the creation of additional bays at the eastern end of Cuba Street. The proposals are designed to align with future Liveable Neighbourhood proposals and will deliver additional elements of the public realm at Cuba Street. These should be secured through the section 278 agreement.

- 5.54 TfL requests that the Council to impose legal restrictions to exempt future residents for local parking permits.

#### Servicing

- 5.55 Servicing is proposed to be undertaken from Cuba Street, on-street where a 'goods in' management office will be located. This will accept and manage all goods entering the building making the process as efficient as possible. However, no off-street servicing facility will be provided, which is contrary to London Plan policy T7G; the applicant shall further explain and justify why off-street servicing will not be provided for this proposal.
- 5.56 Nevertheless, a full Delivery and Servicing Plan should be secured by condition and a in line with London Plan policy T7 Deliveries, Servicing & Construction. TfL requires that development shall not hinder the operation of the local bus service.

#### Construction

- 5.57 A Construction Logistics Plan (CLP) should be secured by the Council as Pre-commencement condition in line with London Plan policy T7 Deliveries, Servicing & Construction. The CLP should identify efficient, safe and sustainable arrangements to be employed at each stage of implementation the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the expeditious movement of traffic, amenity and highway safety. Details should, where relevant, include Freight Operator Recognition Scheme (FORS) or similar accreditation, site access, loading/unloading and parking arrangements, booking systems and timing of arrivals at and departures from the site, vehicular routes, scope for load consolidation and use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users.

#### Travel Plan

- 5.58 A Draft Travel Plan has been produced, it is considered that more ambitious target for cycle mode share should be set to further encourage uptake of cycling; and the current 9% increase of walking/cycling combined is not sufficient. Therefore it is recommended to review the targets, measures and action in the Travel Plan ensuring it would be aimed to achieve the Mayor's Strategic Target of 80% trips to be made by sustainable transport modes.
- 5.59 These comments remained unchanged as part of the second consultation.

#### **Dockland Light Railway**

- 5.60 No objection.

#### **London Underground**

- 5.61 No comments to make

#### **Crossrail**

- 5.62 The application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.

#### **Historic England**

- 5.63 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)**

- 5.64 Following comments received from GLAAS, the applicant provided an archaeological boreholes and evaluation report is attached. They also provided an updated Written Scheme of Investigation for the boreholes and evaluation.
- 5.65 GLAAS confirmed that a two-stage archaeological condition could provide an acceptable safeguard and should be secured by condition.
- 5.66 GLAAS also advised that an archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches.
- 5.67 As part of the second consultation, GLAAS requested a further condition for details of the foundation design and construction method to be provided prior to the commencement of development.

### **London City Airport**

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

### **London Fire Brigade**

- 5.69 The Commissioner is satisfied with the submitted fire strategy in terms of access and water supplies. However LFB have confirmed that they will only provide detailed comments at building control stage

### **National Air Traffic Services (NATS)**

- 5.70 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.

### **Port of London Authority (PLA)**

- 5.71 It is welcomed that there are now a number of references to the nearby Riverbus services available from Canary Wharf Pier, and that information on these services and measures to promote their increased use are provided in the Transport Assessment and Travel Plan, including that information on Riverbus services will be included in travel Information Packs that will be provided to occupiers of the development. The need to provide these travel information packs should be conditioned as part of any forthcoming planning permission

### **Thames Water**

- 5.72 Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 5.73 With regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 5.74 Thames Water are currently working with the developer of application PA/20/02588 to identify and deliver the offsite water infrastructure needs to serve the development. A condition is recommended to ensure timely improvement to water infrastructure and to avoid any negative impacts on the water pressure.

### **Metropolitan Police (Secured By Design)**

- 5.75 The police had originally advised officers that the Metropolitan Police had not been consulted by the design team as part of the design as part of the proposal. As such requested a SBD condition to ensure the security and safety of the residents and staff.
- 5.76 The applicant has since consulted the SBD officer and shared a Security Review document with them.
- 5.77 SBD have since confirmed that they still require a condition requiring the development to achieve a Certificate of Compliance to a Secured by Design scheme.

### **Natural England**

- 5.78 No comments to make.

### **Cadent**

- 5.79 No objection but should notify them if minded to approve as apparatus in the vicinity of the site.

### **London Borough of Greenwich**

- 5.80 No comments received.

### **London Borough of Southwark**

- 5.81 No comments received.

### **Maritime Greenwich**

- 5.82 No comments received.

### **Garden Trust**

- 5.83 No comments received.

### **Historic Royal Palace**

- 5.84 No comments received.

### **Isle of Dog Neighbourhood Forum**

- 5.85 No comments received.

### **Tower Hamlets Conservation and Design Advisory Panel (CADAP)**

- 5.86 The proposed scheme was presented to the Council's Conservation and Design Advisory Panel (CADAP) on 18th May 2020.
- 5.87 The scheme presented to the panel was the initial pre-application scheme which comprised a single tower building approximately 60 storeys in height comprising co-living accommodation and a hotel. The proposed scheme was well received by the panel who supported the design principles and gave constructive feedback on more detailed elements of the design which the design team have sought to incorporate into the Proposed Development.
- 5.88 The panel provided written feedback on 3rd June 2020. Changes which have been made to the scheme in accordance with comments received from the Conservation and Design Advisory Panel are as follows:

- Panel members considered the two uses (co-living and hotel) with a vertical split was compromising the plans and amenity space within the building. This comment has been overcome through the shift to a single use building with a more efficient floorplate;
- A reduction in the footprint of the building was encouraged to maximise pedestrian comfort and permeability around the site. Since the panel meeting, the footprint of the proposed building has been reduced, with the podium element removed;
- Panel members felt the proposed façade lacked depth and detail. Since the CADAP meeting, the scheme architects have worked to increase the depth and interest in the horizontal and vertical banding to add further visual interest to the exterior of the building;
- The scheme presented to the panel included a podium at the base of the building, this has been removed to improve the relationship of the building with neighbouring buildings.

## 6 RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

- The London Plan 2021 (LP)
- Tower Hamlets Local Plan 2031
- Isle of Dogs Neighbourhood Plan, “The Isle of Dogs NP” (adopted May 2021)

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

Growth (spatial strategy, healthy development)

- London Plan policies: SD1, SD10, GG5
- Local Plan policies: S.SG1, S.H1, D.SG3

Land Use (social infrastructure, student, employment, retail)

- London Plan policies: SD6, SD7, SD8, SD9, S1, H1, H15, E11, E9, E1, D3,
- Local Plan policies: S.TC1, D.TC2, D.TC3, D.H6, S.H1, S.EMP1, D. EMP2, D.TC5

Housing (affordable housing, housing mix, housing quality, student housing, amenity)

- London Plan policies: SD1, GG2, H1 H4, H5, H6, H15
- Local Plan policies: S.H1, D.H2, D.H6
- Isle of Dogs NP: D2

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

- London Plan policies: D1, D2, D3, D4, D5, D8, D9, D12, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, S.DH5, D.DH6, D.DH7

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

- London Plan policies: D3, D7, D9, D14
- Local Plan policies: D.DH8

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

- London Plan policies: T1, T2, T4, T5, T6, T7

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

Environment (air quality, biodiversity, contaminated land, flooding and drainage, energy efficiency, noise, waste, agent of change)

- London Plan policies: G1, G4, G5, G6, G7, SI1, SI2, S13, S14, SI5, SI7, SI8, SI12, SI13, D12, D13,
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.OWS3, D.MW3
- Isle of Dogs NP: CC1, CC2, CC3, SD1, D1.

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (as updated)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (December 2020)
- LBTH Refuse, Recycling & Waste (July 2021)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)

6.5 The following draft guidance is relevant, although it has limited weight:

- LBTH Draft Tall Buildings SPD

## **7 PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

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

### Environmental Impact Assessment

7.2 The planning application represents Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) co-ordinated by Trium.

7.3 Regulation 3 prohibits the council from granting planning permission without consideration of the '*environmental information*' that comprises the ES, including any further information submitted following request(s) under Regulation 25 and any other information, any representations made by consultation bodies or by any other person about the environmental effects of the development.

7.4 The Council issued an EIA Scoping Opinion (PA/20/02026) on 12/11/20. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- Socio-economics
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Daylight, Sunlight Overshadowing and Solar Glare
- Wind Microclimate
- Archaeology
- Greenhouse Gas Emissions
- Townscape and Visual Impact and Heritage Assessment

- 7.5 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).
- 7.6 The application has been supported by an ES and Non-Technical Summary (NTS) (December 2020), an ES Interim Review Report Response (March 2020), and an ES Addendum (January 2022), in addition to 2no technical notes prepared by Air Pollution Services November and December 2021) to resolve concerns relating to air quality .
- 7.7 Subsequent ES submissions were considered to be ‘further information’ under Regulation 25 and was processed as required under the EIA Regulations.
- 7.8 The Council’s Appointed EIA Consultants independently examined the ES, to preparing an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the authority’s internal environmental specialists. The IRR dated 12 February 2021 identified clarifications and potential ‘*further information*’ required under Regulation 25.
- 7.9 In response to the IRR, the applicant submitted an ES review response note document dated 11 March 2021. The Council’s Appointed EIA Consultants issued a Final Review Report (FRR) 001 dated 29 March 2021 that took account of the applicant’s responses. Further clarifications and information required under potential Regulation 25 were requested and were provided by the applicant in January 2022 as part of the ES Addendum, as discussed below.
- 7.10 Following amendments to the makeup of the scheme (increase in an additional storey and reduction in 1 unit in order to provide a better amenity layout) the applicant submitted an ES Addendum dated January 2022 considering some minor changes to the residential unit mix, commercial floorspace and height. As part of this, the applicant also provided a response to the FRR (as set out above).
- 7.11 The Council’s EIA Officer and the Councils Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.
- 7.12 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.
- 7.13 Mitigation / monitoring measures as proposed in the ES would be secured through planning conditions and/or planning obligations. The environmental information comprises the ES, including any further / other information, any representations made by consultation bodies and by any other person about the environmental effects of the Proposed Development.

#### **Land use**

##### **Student Housing**

- 7.14 The principle of providing purpose-built student accommodation in this location is supported by planning policy. At a national level NPPF highlights the importance of boosting the housing supply,

with paragraphs 62 and 65 setting out the importance of providing for specific housing groups, such as students.

- 7.15 London Plan Policy H15 states that strategic and local requirements for student housing which meet a demonstrable need are to be addressed by working closely with stakeholders in higher and further education in well-connected locations, promoting mixed and inclusive communities and without compromising capacity for the delivery of conventional homes.
- 7.16 The London Plan acknowledges the significant demand for student accommodation, (paragraph 4.15.2) with a potential requirement for some 3500 places annually over the plan period. It goes on to recognise that the provision student accommodation may reduce pressure on other elements of the housing stock currently occupied by students in the private rented sector.
- 7.17 The London Plan provides further guidance on the consideration of student accommodation units. Of note is the specification that student accommodation units should count towards housing targets on a basis of a 2.5:1 ratio. London Plan Policy H15 (Purpose-built student accommodation) provides detailed guidance on the development of purpose-built student accommodation (PBSA) units.
- 7.18 The GLA support the principle of the student use stating that there is a clear increasing demand for student accommodation and there is very little purpose-built accommodation in the Isle of Dogs at present. Given the significant residential and office development in both Canary Wharf and Marsh Wall, the development would further diversify the range of uses, including introducing an element of affordable student accommodation to the area. As such, the development would contribute to a mixed and inclusive neighbourhood.
- 7.19 The quantum of units would also provide a significant contribution to addressing identified student housing need across London and the borough and also meeting general housing needs as set out in London Plan Policy H1.
- 7.20 A Student Demand Assessment & Market Analysis prepared by Knight Frank has been submitted with the application to detail the overall supply and demand across the area. The study outlines that there is currently a supply/demand imbalance for student units within London and within the Marsh Wall area, where the number of students needing a bed space is between approximately 3.4 -5.2 students per currently available bed space. This study provides insight into the shortfall of student accommodation units within London and the projected demand for such units.
- 7.21 Following submission of this planning application in December 2020, two planning applications providing student accommodation in the borough have received a resolution to grant planning permission from LB Tower Hamlet's Strategic Development Committee (SDC). These are the 2 Trafalgar Way scheme (ref: PA/20/01402), which will provide 1,672 student beds alongside other uses, and the North Quay scheme (ref: PA/20/01421), which sought outline planning permission for a number of different uses, including an option of up to 100,000sqm of student accommodation (which could potentially provide up to 3,500 student beds).
- 7.22 When compared against the Student Demand Study report, the approval of these two student accommodation schemes will not remove the need for the proposed student accommodation and will not reduce the significant benefit of providing additional student beds in this location.
- 7.23 The Student Demand study report confirms that if the current consented pipeline within a 2.5 mile radius (4,491) is included within supply, this ratio reduces to 3.6 students per bed space.
- 7.24 Overall, the demand for the student accommodation units has been established and the submitted study appears sound.

- 7.25 At a local level Policy D.H6 provides guidance on the consideration of new purpose-built student accommodation units. The policy sets out guidance that such proposals should be proximate to the Borough's higher education institutions or in highly accessible locations. Additionally, this policy sets out the following guidance where proposals must:
- a) not compromise the supply of land for self-contained homes
  - b) have an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide an element of affordable student accommodation
  - c) respect existing residential amenity, and
  - d) provide 5% of student rooms which are wheelchair accessible, including access to a wheelchair-accessible shower room for independent use.
- 7.26 This policy recognises the positive impacts that student housing brings to the local economy, local communities and to the Borough's higher education industry.
- 7.27 Importantly, paragraph 9.63 of this policy identifies that developments must demonstrate that there would not be a resultant net loss of self-contained housing identified through a site allocation within the Local Plan. In this regard, the site is located within the Marsh Wall West site allocation which contains the following use requirements: Housing and Employment – a range of floorspace sizes, including small to medium enterprises. The site allocation does not reference the proposed student accommodation use.
- 7.28 The application proposes to provide 1068 student accommodation units on the subject site, the units would be provided within a single building. Of the proposed units, the proposal provides that 374 (35%) would be provided as affordable student units.
- 7.29 The Local Plan sets out that student accommodation must be built in highly accessible locations or proximate to the Borough's higher education institutions. The site itself has good public transport accessibility (PTAL rating of 4) with DLR and underground services within walking distance. In terms of proximity to higher education institutions, the planning statement outlines four institutions within a 1-mile radius (University of Sunderland, University of the West of Scotland, Anglia Ruskin University and University of Cumbria) and further institutions within a 2.5-mile radius such as, the University of Greenwich, Queen Mary University and Ravensbourne University. The application meets these policy tests appropriately.
- 7.30 In terms of part A of policy D.H6, the proposal must ensure that the provision of student units would not compromise the supply of self-contained homes. The Marsh Wall West Site allocation provides employment and housing as use requirements for sites in this area. The applicant submits that the site is unsuitable for traditional residential accommodation due to the site shape, layout and constraints in providing adequate amenity for future occupants. Previous applications on the site have been submitted for residential accommodation which were subsequently withdrawn, highlighting issues with achieving a balanced and appropriate residential design.
- 7.31 A series of land-use options have been considered as part of pre-application discussions. Officers accept that there are a number of constraints on the site which would result in difficulties delivering high quality residential units, namely in relation to daylight and sunlight, aspect ratios and poor internal layouts. However, local plan policies set out above, require it to be robustly demonstrated that the provision of an alternative use (student accommodation) would not undermine the overall supply of self-contained homes across the borough.
- 7.32 The Borough has a shortage of traditional housing units and of affordable housing units in particular. Using the 2.5:1 ratio specified within the London Plan, the 1068 student accommodation units equate to 427 residential units. This calculation would contribute to the Council's targets, however whilst there would still be a resultant physical void of traditional housing stock provision as part of the scheme and also of affordable housing, the provision of student units is considered

a public benefit across the borough and Wider London area in meeting the demand for student accommodation.

- 7.33 Part B of the above-mentioned policy advises that an undertaking must be in place to provide housing for students at one or more specific education institutions. This is also mirrored in policy H15 of the London Plan which sets out the need for the majority of bedrooms to be secured through a nomination agreement.
- 7.34 Given the current economic climate due to the pandemic, the applicant has confirmed that Universities are not willing or able to enter into nomination agreements with student housing providers until planning permission has been granted. Therefore, whilst the applicant is in discussions with a number of Universities, they are not in a position to enter into a nominations agreement at this time. LBTH officers and the GLA are aware of this situation and, as such, agree that a nominations agreement shall be secured through the Section 106 Agreement prior to first occupation of the student accommodation.
- 7.35 Part C of policy D.H6 seeks to ensure the amenity of surrounding uses and the overall living standards of the existing environment do not become unreasonably impacted. This includes noise disturbance issues, loss of access to shops and services for local residents. Mitigation measures and management conditions should be incorporated within schemes.
- 7.36 In terms of respecting existing residential amenity, there is unlikely to be an overconcentration of student housing as there are no other purpose-built student housing in the immediate vicinity. In terms of a loss of shops or services that meet current residents need, this should be partly mitigated by the four new retail / commercial spaces on the ground floor and the fact there is sufficient amenity space within the proposed development for students to use. The applicant has also provided a management plan setting out the principles by which the block will be managed, including a team of 30 staff and security personnel with an on-site presence. The management plan has been carefully considered by the council and has been deemed sufficient with additional details being secured via a s106 agreement and planning conditions.
- 7.37 This management plan should help to reduce noise disturbance to surrounding residents and other potential anti-social concerns from students. On these grounds, officers consider that the proposed development will respect existing residential amenity and have sufficient security.
- 7.38 Objections have been received with regards to the impact on local services in the area. In review there are no similar proposals in the area and the scheme would not result in an over-concentration which would unduly impact upon the wider housing mix in the area.
- 7.39 With regards to part D of policy D.H6, the development provides a minimum of 5% wheelchair accessible units which accords with the requirement and will be secured as part of the s106.

#### *Employment Policy – Loss of Employment Floorspace*

- 7.40 Local Plan Policy S.EMP1 seeks to ensure development supports, protects and enhances designated employment locations. The subject site is within the Isle of Dogs Activity Area which contains the following identified role and function:

*“The Tower Hamlets Activity Areas, District Centres and larger Neighbourhood Centres also provide opportunities for purpose-built office buildings with ground-floor retail and leisure uses. The Activity Areas in particular have the potential to accommodate substantial employment growth to support the strategic role of the Primary and Secondary POLs and other parts of the CAZ.”*

7.41 Policy D.EMP3 seeks to resist the net loss of employment floorspace unless appropriately justified. Part 2 of this policy sets out requirements to be met if the net loss of employment floor space is proposed. The policy sets out the following:

*“Development should not result in the net loss of viable employment floorspace outside of the designated employment locations cited in Part 1 above or Local Employment Locations (LELs), except where they:*

- a. provide evidence of active marketing over a continuous period of at least 24 months at a reasonable market rent which accords with indicative figures, or*
- b. provide robust demonstration that the site is genuinely unsuitable for continued employment use due to its condition; reasonable options for restoring the site to employment use are unviable; and that the benefits of alternative use would outweigh the benefits of employment use.”*

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

7.43 The proposal seeks to demolish the existing vacant office building. The proposed newly constructed building would host primarily student accommodation and ancillary uses with no re-provision of any office floorspace.

7.44 The applicant has provided reference of previous marketing of the site to justify the loss of employment floorspace. This information includes past references to marketing of the site in previous applications and an inability to secure an appropriate tenant.

7.45 The applicant has referred to the triangular shape of the site and its constraints on ability to provide large office floor plates that would attract office tenants. The application also submits that the existing building has condition issues and would require substantial investment which would be unviable and unattractive to prospective occupiers.

7.46 Given the constraints of the site in providing a viable, attractive employment/office development and the emerging pipeline of new and emerging office floorspace within the immediate area, the loss of employment floorspace is considered acceptable in this instance. Evidence of economic benefits the student accommodation units would provide across the borough has been submitted which on balance would outweigh the benefits of the existing under-utilised office block.

#### Retail Provision

7.47 Local Plan Policy S.TC1 provides the Borough’s hierarchy and network of centres. The site is located within the Isle of Dogs Activity area which contains the following identified role and function:

- “a. Provide areas of transition between the scale, activity and character of the Central Activities Zone and Canary Wharf Major Centre and their surrounding areas.*
- b. Support a mix of uses which make a positive contribution to health and well-being.*
- c. Promote active uses at ground floor level.”*

7.48 Part 2 of policy S.TC1 provides the following in relation to retail uses:

*“New development within the Central Activities Zone, Tower Hamlets Activity Areas and Major, District and Neighbourhood Centres will be expected to support the delivery of new retail and leisure floorspace to meet identified needs.”*

7.49 The proposed development will provide four flexible retail / commercial units at the lower and upper ground floor levels accessed off Cuba Street and Marsh Wall, respectively. The proposed commercial units will provide a total of 184sqm (GIA) and will fall within the new Use Class E (Commercial, Business and Service). This provision of retail / commercial units is in line with the role and function of the Isle of Dogs Activity area in that active uses have been promoted at ground

floor level and these units will help to provide a transition from Canary Wharf Major Centre to the surrounding area.

- 7.50 The proposed retail units would assist in meeting the needs of future student occupants, but also the provide an enhanced convenience offer and other local services to meet the immediate needs of local residents. There are no policy concerns with the proposed provision of retail units as part of the development.

#### *Land Use Conclusions*

- 7.51 Overall, the submitted scheme would provide a number of public benefits. The loss of the existing office floorspace has been justified and the scheme would deliver a significant amount of student accommodation units where there is an identified demand for such a use. The provision of student accommodation units on the site would be an acceptable use. The provision of active ground floor retail floorspace is also supported and will assist in the revitalisation of the area.

### **Student housing**

#### Affordable Student Accommodation

- 7.52 London Plan Policy H15 requires the majority of the student bedrooms, including all affordable, to be secured through a nominations agreement with one or more Higher Education Providers (HEP). At least 35% of the accommodation must be secured as affordable student accommodation to follow the “Fast Track Route.” Local Plan Policy D.H6 supports this approach and as stated above, the applicant has committed to entering into a nominations agreement via a s106 obligation with one or more HEP.
- 7.53 The proposed development would provide 35% of the student accommodation as affordable, to be secured at rates equal to or below 55% of the maximum Government maintenance loan for living costs in accordance with the London Plan Annual Monitoring Report (AMR). The proposed offer would therefore be eligible for the Fast-Track Route, subject to the units being secured at the levels set out in the AMR in the S106 agreement, inclusive of all services and utilities as offered to a market rented unit.
- 7.54 Information has been submitted stating that the affordable student accommodation would also have no discernible differences in quality with all rooms being finished to the same standard. The affordable and wheelchair accessible element shall be secured via a S106 obligation and condition.
- 7.55 As per London Plan Policy, the development would be subject to an early-stage viability review in order to ensure the maximum amount of affordable accommodation is being delivered on site.

#### Quality of Accommodation

- 7.56 London Plan policy H15 also requires purpose-built student accommodation to provide adequate functional living space for students in terms of the design and layout of bedrooms. Supporting paragraph 4.15.6 of the London Plan states that student accommodation should achieve a high residential quality in line with Policy D3, which requires, among other things, a safe, secure and inclusive environment, appropriate outlook, privacy and amenity, conveniently located open spaces, and comfortable and inviting indoor and outdoor environments.
- 7.57 While there are no defined space standards (including amenity space) for student accommodation, it is the view of officers that the principles of good residential design should be applied to a proposal for student housing given that student accommodation is a primary place of residence. It is critical that design of purpose-built accommodation is of a high quality with adequate amenity to contribute to healthy and sustainable lifestyles.

- 7.58 The student accommodation units are intended for single use only, with no provision for larger units to support families.
- 7.59 The submitted accommodation schedule sets out the range of unit types proposed which would range from 17.28sqm to 46.84sqm, providing generous private space for future residents. Despite all the units being single aspect, the proposed student accommodation will be well lit and ventilated with all habitable rooms having acceptable levels of outlook and privacy. The bedrooms have been designed with an efficient layout to provide sufficient space for a bed, desk and chair, and storage space for future occupants. All the student rooms will be studios which will include a private en-suite and kitchenette.
- 7.60 Whilst the proportion of single aspect north facing units would not be acceptable within housing scheme, the arrangement proposed does not raise any particular planning concerns, given the short-term nature of student accommodation tenancies and the provision of communal amenity spaces with alternative aspects within the scheme.
- 7.61 It is also noted that whilst there are up to 27 units per floor, the corridors would be naturally lit, and the units and communal spaces would be accessed by five lifts on each floor.
- 7.62 Paragraph d of policy D.H6 states that 5% of student rooms must be wheelchair accessible. The proposal would be tenure blind and would deliver 54 accessible units (2 per floor on levels 4-30), fitted-out to the same standard as the rest of the accommodation. The applicant has also indicated that the larger premium units at upper levels can be adapted for wheelchair users. This will be secured through the s106 and conditions.
- 7.63 While all the student bedrooms will be provided as studios with all the necessary facilities such as cooking and washing facilities, communal amenity spaces will also be provided throughout the building, providing an acceptable environment for students to interact and study outside of their bedrooms.
- 7.64 The scheme has been developed in collaboration with a student accommodation provider and will provide 2sqm of amenity space as well as laundry and post room facilities for each student. When benchmarked against other student accommodation buildings constructed or under construction in London, the proposed development will provide the highest quantum of amenity space per student.
- 7.65 The maintenance and management of these spaces will be the responsibility of the developer and the details will be secured by condition. The remaining space at the top levels of the block is designated for PVs, plant and ancillary uses. It is considered that the scheme provides an acceptable level of amenity space for the range of uses provided.
- 7.66 The site falls within an air quality management area, however suitable mitigation measures, such as mechanical ventilation, would be in place to address this.
- 7.67 Sufficient separation distances would be retained from other buildings to maintain privacy. This is addressed in detail within the Amenity section of this report.
- 7.68 In line with Development Plan policies, 5% of the student rooms would be wheelchair accessible, which would be secured by condition.
- 7.69 The noise and air quality assessments have been reviewed by the Council's Environmental Health Officers and are considered acceptable subject to conditions.

### Daylight/Sunlight – for proposed new development

- 7.70 The submitted Internal Daylight and Sunlight report assesses the internal daylight provision for the proposed homes in terms Average Daylight Factor (ADF) and No Skyline methodologies. It also assesses internal sunlight by way of the Annual Probable Sunlight Hours (APSH), and a Sun Hours on Ground (SHoG) assessment was undertaken to consider potential overshadowing of internal amenity spaces.
- 7.71 The BRE results for the ADF assessments show very high adherence levels. Against the 1.5% ADF target for living rooms, 99% of rooms adhere to the guidelines, and all rooms adhere to the 1% ADF target for bedrooms. There are 12 rooms that fall beneath the 1.5% ADF target and these range between 1% and 1.4% ADF and are confined to the 2<sup>nd</sup> to 5<sup>th</sup> floors.
- 7.72 The NSL assessment has also been used to show which parts of the room have a view of sky. Again, a high adherence rate of 80% of the rooms tested achieve the BRE guidelines. Some of those rooms which do not adhere to the NSL guideline have low levels. These are at 2<sup>nd</sup> to 6<sup>th</sup> floor where the NSL results range between 20% and 50%.
- 7.73 With regard to the sunlight results, in the existing baseline condition 99.8% of windows tested adhere to the guidelines. There is one window that falls beneath the annual and winter guidelines, but this window lights a room that is lit by other adherent windows. Therefore, the room as a whole adheres to the sunlight guidelines. The rooms tested are those which face south and therefore have an expectation of sunlight
- 7.74 In terms of SHoG, three amenity areas proposed as part of the development have been assessed for sun on the ground analysis. Area 2 (level 1 amenity space) adheres to the 50% BRE guideline, Area 1 (level 46 terrace) falls marginally below at 49.19% and Area 3 (public space around the perimeter of the proposed tower at ground floor) achieves 39.11%.
- 7.75 A supplementary assessment has been used for June, which shows Areas 1 and 2 achieve and exceed the 50% March guideline and the Area 3 (ground floor) again falls narrowly below at 49.78%.
- 7.76 Despite some transgressions to the sun on the ground guidelines, the provision of amenity space is very important, especially in urban areas. The amenity spaces, although not all achieving two hours of sunlight for more than 50% of their respective areas, nonetheless achieve a mixture of fuller sunlit parts, and more shaded parts.

### Conclusion

- 7.77 The proposed development would provide adequate levels of daylight and sunlight.

### Amenity space

- 7.78 As this is a student accommodation scheme rather than conventional residential, there is no policy requirement for play space, open space or communal amenity space to be required.
- 7.79 Whilst there are no standards for the student accommodation on communal space, however, using the 2.5-1 conversion ratio the development would be required to provide communal space for 427 units.

Required	Proposed
467sqm	773.2sqm(external)+2,292.4sqm (internal) = 3,065.4sqm

**Table 3:** Communal amenity space

- 7.80 As seen in the table above, in terms of the proposed amenity space, the proposed development will provide communal amenity space both internally and externally for students residing within the building, as well as improvements to the public realm through increased landscaping, the new north-south link and the improved stairway which will be available to the public.
- 7.81 The internal amenity space would provide 2,292.4sqm of internal amenity space including a gym, spa, quiet study areas and entertainment space and 773.2sqm of external amenity space. These internal spaces would occupy levels GF, 01, 02, 06, 09, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45 and 46 (PDR room). On the 45<sup>th</sup> floor is a spa lounge, yoga/dance studio and gym with the 1<sup>st</sup> floor terrace and 46<sup>th</sup> floor being an external amenity space.
- 7.82 The proposed public amenity space (1,176.3sqm) will take the form of a new pocket park including a new pedestrian connection which will provide a link between Marsh Wall and Cuba Street, as well as seating resting points, and ecological and biodiversity enhancement. This new access route will be planted to provide a new green corridor down to the future proposed Cuba Park (PA/20/02128). Some of the key features include: in-situ concrete paving to pocket park, integrated timber bench seating, raised planters, stainless steel cycle stands, new shared surface crossing, new lighting and CCTV.
- 7.83 The planting will have similar species to Cuba Park to provide an ecological link and marker trees are proposed at the north and south ends to aid in wayfinding. The species of the marker tree is intended to match the marker tree in Cuba Park to create a strong visual link.
- 7.84 No play space is required on site as the site will be occupied solely by higher education students and therefore results in zero child yield.



**Figure 4:** Artist's impression showing roof top amenity space

## **Fire safety**

- 7.85 Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12(A).
- 7.86 The application has been accompanied by a Fire Strategy prepared by Jeremy Gardner Associates and details how the development would achieve the highest standards of fire safety, including details of fire safety systems, means of escape, internal fire spread, external fire spread, access and facilities for fire-fighting and fire safety management.
- 7.87 The GLA and the London Fire Brigade (LFB) have both reviewed the Fire Report and raise no objection. The LFB found the report to be satisfactory in terms of access and water supplies and given they are not a statutory consultee on planning applications, they have confirmed that they will provide detailed comments at building control stage.
- 7.88 The Council's Building Control Service have also reviewed the submitted Fire Strategy and raised no objection. They noted that the scheme will include two stairs, one fire-fighting staircase with Fire-fighting lift and wet riser and mobility impaired persons evacuation lift. The Outline Fire report states compliance to be achieved with Building Regulations BS9991 BS9999 and will be subject to detailed design and consultation with Building Control Body. The Building Control team recognise the building is over 50m and need for Quality Design Review requirements over and above the British Standards at the Building Control Stage.
- 7.89 The Building Control team also advise that Computational Fluid Dynamics (CFD) analysis required at detailed design stage. They've also stated that public road access via Marsh Wall and Cuba Street provides reasonable Fire Service Access, and finally that the Fire Report recognises changes in cladding requirements in high rise buildings and proposes to incorporate the current recommendations
- 7.90 A condition is recommended requiring the development to be implemented in accordance with the submitted Fire Report.

## **Design**

### Design Policy

- 7.91 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.
- 7.92 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be in locations well connected to jobs, services, infrastructures and amenities, in accordance with London Plan (2021) D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.
- 7.93 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high-quality design so that the proposed development is sustainable, accessible, attractive, durable and well-integrated into their surroundings. Complementary to this strategic policy, Local Plan policy D.DH2 seeks to

deliver an attractive, accessible and well-designed network of streets and spaces across the borough.

### Density

- 7.94 London Plan Policies D2 and D3 require optimising site capacity through a design-led approach, whilst taking account of existing and proposed infrastructure.
- 7.95 London Plan Policy SD1 states that proposals in Opportunity Areas should seek to optimise density and contain a mix of uses.
- 7.96 Explanatory text to Tower Hamlets Local Plan Policy D.DH7 makes clear that proposed tall and dense developments are required to consider the criteria set out in Policy D.DH6. The Council's High-Density Living SPD (December 2020) provides guidance on designing for high density.
- 7.97 With reference to London Plan policy SD1, the site is located within the Isle of Dogs and South Poplar Opportunity Area, for which there is an ambition to develop up to 29,000 new homes and 110,000 new jobs. The Isle of Dogs and South Poplar OAPF (2019) revises this to an indicative capacity of 31,000 new homes and 110,500 new jobs.
- 7.98 Isle of Dogs Neighbourhood Plan Policy D2 expects developments exceeding the 1,100 habitable rooms/hectare density to meet the specific expectations set out in the Mayor of London's Housing SPG for development exceeding the density matrix thresholds in the previous (2016) London Plan. It is noted that the updated London plan 2021 no longer makes reference to the density matrix however the proposal has been considered in relation to the Housing SPG.
- 7.99 The development would have a residential density of equivalent to 2,038 conventional residential units per hectare. London Policy D4 requires that all proposals exceeding 30m high and 350 units per hectare must have undergone a local borough process of design scrutiny. The applicant has engaged extensively with officers and an emerging scheme for the site was considered by the Conservation and Design Advisory Panel (CADAP), which has informed the current scheme and design layout. The application scheme generally reflects guidance in the *High-Density Living SPD (2020)*. The London Plan (para. 3.4.9) requires applications for higher density developments (over 350u/ha) to provide details of day-to-day servicing and deliveries, longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers).
- 7.100 As part of the planning application submission, the applicant submitted a student accommodation management plan and details of the CADAP comments and how the scheme has been amended to reflect these comments.

### Site Layout

#### *Changes to the scheme over the course of the application*

- 7.101 As part of original planning submission, the proposal comprised a single tower building reaching 47 storeys with student accommodation units and amenity space along with 2 flexible retail/commercial units at the lower building with one at lower ground floor level fronting Cuba Street and the second at upper ground floor level fronting Marsh Wall.
- 7.102 However, as part of the application assessment, concerns were had by officers regarding the quantum and distribution of the internal amenity space proposed, the number of student rooms per floor and the active frontages along the pocket park.
- 7.103 Of significant concern was the lack of communal amenity space on each residential floor (floors 4-42). Student accommodation is a primary place of residence, therefore, officers consider it critical

that the design of purpose-built accommodation is of a high quality with adequate amenity to contribute to healthy and sustainable lifestyles. Whilst there is no clear policy setting out the appropriate amenity standards for a student development, officers are of the view that the principles of good residential design should be applied to a proposal for student housing.

- 7.104 As such, officers did not support the proposed communal amenity space being at only levels 1 and 2 of the building. It was felt that the amenity provided should reflect the ambitions of creating healthy and sustainable communities and should be spread throughout the building to help foster and create community groups. In addition to the distribution of amenity space, the number of units proposed per floor was considered unacceptable as it was proposed that each typical floor had 27 studios which ranged in sizes from 16.86sqm to 24.58sqm.
- 7.105 Officers raised further concerns in terms of the proposed green route between Cuba Street and Marsh Wall. Whilst this is supported in principle, officers felt that it lacked activity. Whilst this may not be an issue during the day there were concerns about the lack of activity in this location in the evenings. Officers asked the application to look at the way the uses at ground and lower ground floor on these important elevations are laid out to maximise the wider benefits but also to significantly improve public safety.
- 7.106 Officers advised the applicant that further thought should be given to the most appropriate way to deliver communal spaces throughout the building. A series of discussions between the applicant and their design team were had to identify a way forward to overcome the unsupported layouts and to identify a more acceptable way forward.
- 7.107 In light of these concerns, the applicant submitted revisions to the original planning application which consist of the following changes:

- An additional floor of accommodation, resulting in an increase in height to 48 storeys from the 47 storeys of the original scheme (becoming 2.875m taller);

*Internal changes:*

- An additional 2 no. retail units included (increasing floorspace to 184.6sqm from 115.1sqm) along the northwest elevation, facing the new pocket park in lieu of the post room which has been relocated on the Cuba Street elevation.
- Back of House spaces at lower ground floor reconfigured to provide a dedicated entrance for deliveries, a larger security office adjacent to the fire exit, and a larger cycle entrance lobby on Cuba Street;
- 3 student rooms have been converted into a centralised amenity space on every third level of accommodation throughout the building.
- 11 student studios added on the 2nd floor;
- Moving amenity space provision to 45<sup>th</sup> floor from the 44<sup>th</sup> floor of original scheme; and
- Reduction in the overall student accommodation by 1 studio to a new total of 1,068 student studios.

*Changes to landscaping:*

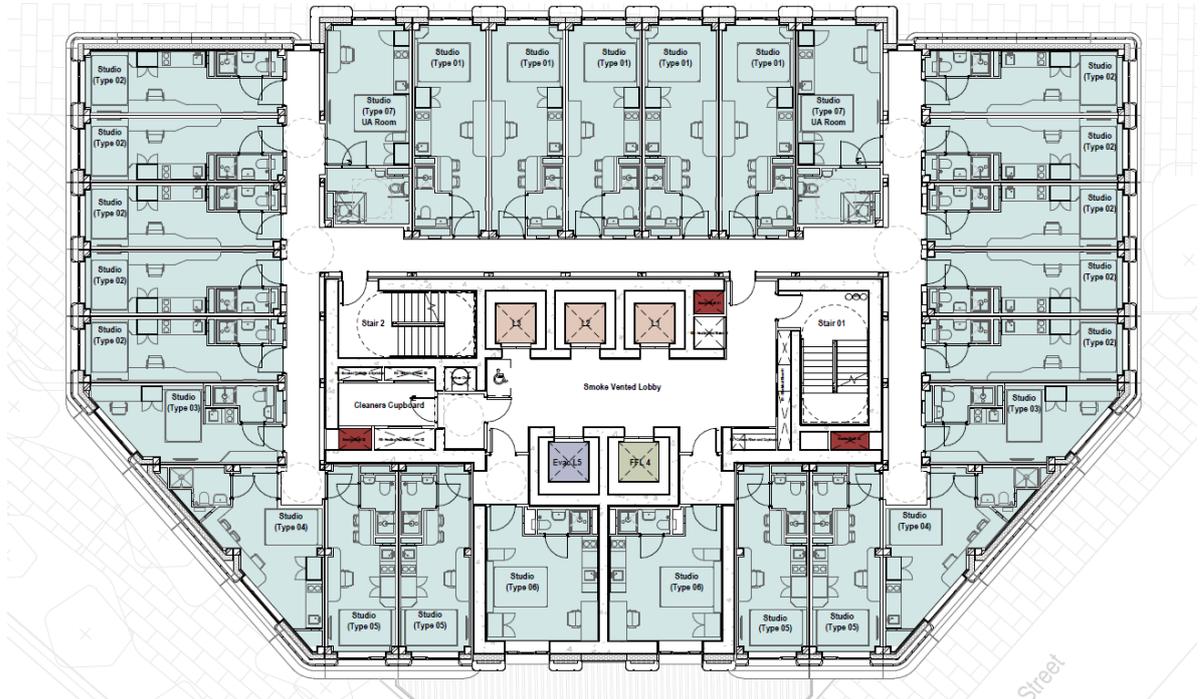
- Two additional cycle stands included on Marsh Wall; one near the northern retail units and one near the Marsh Wall steps;
- Relocation of two cycle stands on Cuba Street to the bottom of the new access route to accommodate air exhaust requirements;

- Adjustment of planter to accommodate gas meter room on Cuba Street;
- Adjustment of planter configuration to accommodate additional retail units; one on the new access route and one to the north-east;
- One additional tree along the new access route to maintain Urban Greening Factor (UGF) policy compliance (revised score of 0.40);
- Adjustment of planter configuration to accommodate additional retail unit along new access route to create more activation;
- Adjustment to the position of the seating areas and landscaping design for the Level 1 terrace; and
- Two additional retail unit doors added to elevations facing the pocket park

#### Overall final layout

- 7.108 The proposed development comprises a single tall building with a height of 157.82m, covering the majority of the plot.
- 7.109 The majority of the plant is contained within a single basement. Above this is the lower ground level which includes the switch and comms rooms, UKPN substation and gas meter room. This level also comprises the bin stores, refuse drops, staff cycle parking and showers. The service yard entrance is located off Cuba Street at this level as well as the cycle entrance and delivery entrance. Two of the four retail units are also access from this level from the pocket park.
- 7.110 The double height entrance at the upper ground level provides generous proportions to the student reception, accessed directly from the pavement along Marsh Wall. The entrance is set back from the main volume of the building above to provide protection from the elements. From the reception students have direct access to the first-floor amenity via a feature stair with informal auditorium seating. Upper ground floor amenity includes the post room, flexible space and staff room. Two retail kiosks have been included on the northern corner and western side of the site on Marsh Wall to provide animation and active frontages. Adjacent to the retail kiosk on Marsh Wall is a single UKPN substation. A single fire escape discharges away from the entrance on the north western corner of the site.
- 7.111 The first floor provides open study areas as well as booth seating and private study spaces. In addition, a lightweight bridge link connects the student amenity spaces across the double height reception. On the south western elevation there is access to an external terrace with views back towards the proposed Cuba Park.
- 7.112 The second floor comprises 11 student rooms on the northern side of the building as well as a large communal lounge, games room and 2 PDR rooms.
- 7.113 Cycle parking has been dedicated to the third floor of the building. Access to the secure bicycle storage is via two dedicated bicycle lifts from lower ground floor on Cuba Street. This floor also hosts laundry facilities.
- 7.114 Between floors 4 to 44 are the student rooms. Each typical floor has 27 studios which range in sizes from 17.28sqm to 46.84sqm, providing generous private space for future residents. The units and communal spaces would be accessed by five lifts on each floor.

7.115 Communal amenity space has been provided within 3 modules along the Marsh Wall elevation on levels 06, 09, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39 and 42. On the 45<sup>th</sup> floor is a spa lounge, yoga/dance studio and gym with the 46<sup>th</sup> floor being an external amenity space.



**Figure 5** – Typical floor plan without amenity space



**Figure 6** – Typical floor plan with amenity space

7.116 Whilst there have been improvements to the uses on ground floor by way of increasing the active frontages and the relationship between the internal and external spaces as part of the application's revision, the Council's design officer remains concerned about the residential layouts proposed

and the lack of amenity space on the residential floors where no amenity space is proposed in addition to concerns over the number of rooms per floor.

- 7.117 Whilst officers acknowledge these comments, there is currently no adopted policy or government design standards for student accommodation.
- 7.118 When assessing these concerns against the benefits that the scheme would deliver, and in the absence of policy standards, officers consider that the proposal would assist in delivering the student housing figures set out in the London Plan (3,500 units per year). Furthermore, the internal amenity of the proposed student rooms would receive acceptable levels of daylight and sunlight and the scheme would deliver acceptable levels of outlook, privacy and amenity for the student bedrooms.
- 7.119 As such, on balance, the proposed internal layout is considered acceptable and would deliver adequate functional living space and layout in line with Policies D3 and H15 of the London Plan.

#### Townscape, Massing and Heights

- 7.120 London Plan Policy D9 provides a strategic guidance for tall buildings in the London area. The policy also sets out criteria against which development proposals should be assessed and these include visual, functional and environmental impacts.
- 7.121 Tower Hamlets Local Plan policy D.DH6 seeks to guide and manage the location, scale and development of tall buildings in the borough. The policy identifies five tall buildings clusters in the borough and sets out principles of each of them.

#### *Tall building policy*

- 7.122 London Plan Policy D9 states that boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. It also requires proposals for tall buildings to address their visual, functional, environmental and cumulative impacts.
- 7.123 Policy D.DH4 (Shaping and managing views) of the Local Plan requires development to positively contribute to views and skylines that are components of the character of the 24 places in the Borough. This policy seeks to resist intrusive elements in the foreground, middle ground and backdrop of important views. This policy specifically references the need to positively contribute to the skylines of tall building clusters including Canary Wharf and seeks to preserve and enhance local views identified within conservation areas. Townscape views to and from development sites are noted for their importance to the identify and character of a place. Additionally, in the assessment of views, developments must comply with the requirements of the London View Management Framework and World Heritage Site Management Plans.
- 7.124 The Local Plan and Adopted Policies Map identifies a skyline of strategic importance which can be observed from various locations within and across the Borough. Borough designated views are also identified. The designated skyline of Canary Wharf is noted for its distinctiveness and is a prominent and recognisable feature in views from the surrounding area. The Canary Wharf cluster specifically is a globally recognised silhouette and the skyline of strategic importance includes the entirety of the Canary Wharf cluster.
- 7.125 Policy D.DH6 of the Local Plan provides guidance on the development of tall buildings and sets out a range of criteria that must be demonstrated as part of the application process. These relate to overarching urban design, public realm, microclimate, safety and biodiversity strategies to ensure high quality tall building developments. Tall Buildings are directed through this policy to designated Tall Building Zones. The site is located to the southern edge of the Canary Wharf Tall Building zone, adjacent to the Millwall Inner Dock Tall Building zone. The Canary Wharf Tall

Building zone contains the following principles which are required be followed as part any planning application for a tall building:

- a. *Development within this location will be expected to positively contribute to the skyline of strategic importance and maintain the iconic image and character of Canary Wharf as a world financial and business centre.*
- b. *Individual buildings should be integrated into urban super blocks set in the public realm.*

7.126 The principles of the tall buildings policy seek that building heights in the building heights within the Canary Wharf cluster should step down from the central location at One Canada Square.

7.127 The immediate context of the application site includes 40 Marsh Wall, directly to the south-east of the Site, which is occupied by a hotel building built in recent years, the Novotel, which rises to 38 storeys on Marsh Wall and 39 on Manilla Street. The Landmark development lies adjacent to the Site to its west. This includes two towers and two lower blocks, with the tallest of the towers rising to 44 storeys in height. In addition, the Alpha Square development is currently under construction where buildings range between 20, 34 and 65 storeys. Also, the proposed Cuba Street development includes a single high density residential tower which reaches 52 storeys (which is yet to be determined).



**Figure 7:** Night-time artistic impression of the application site within the cluster

7.128 The application proposes to construct a building reaching 48 storeys in height with a basement. This would total 157.82m AOD. The proposed development sits at the southern edge of the Canary Wharf tall building zone. Given the site's location within a tall building zone and the stepped down approach from One Canada Square, the principle of the height of the proposed development is supported in policy terms.

### *Impact on Designated Strategic Views*

- 7.129 The applicant has submitted a Townscape Visual Impact and Heritage Assessment (TVIHA) and addendum report (Appendix I of the ES Addendum) which demonstrates how the proposal responds to the context and aligns with the emerging townscape of the area.
- 7.130 The submitted TVIHA indicates that the proposed development would animate Marsh Wall and Cuba Street through the location of active uses at ground level, and the public realm on the site would be enhanced with new hard and soft landscaping.
- 7.131 Where visible in long range views, the proposed development would appear consistent with the pattern of development across the Isle of Dogs tall buildings cluster. In longer range views from the east, there would be little or no visibility of the proposed development due to recent development.
- 7.132 In medium range views, there would be limited visibility of the proposed development from the east along Marsh Wall due to existing development. In views from the north, south and west, the proposed development would appear as a distinctive and visually interesting addition to the views.
- 7.133 Finally, in local views from the streets surrounding the site, the proposed development would form a positive addition to the townscape, with a clearly expressed base and active frontages that would address surrounding streets.
- 7.134 Whilst the proposal would have a significant (moderate) effect in some views, it is considered that the proposed development would relate well to proposed and consented schemes around the site. It would form a coherent part of the overall pattern of development within an Isle of Dogs cluster expanded by cumulative schemes. As such, both the GLA and Tower Hamlets officers consider that the tall building would have acceptable visual impacts.

### Massing

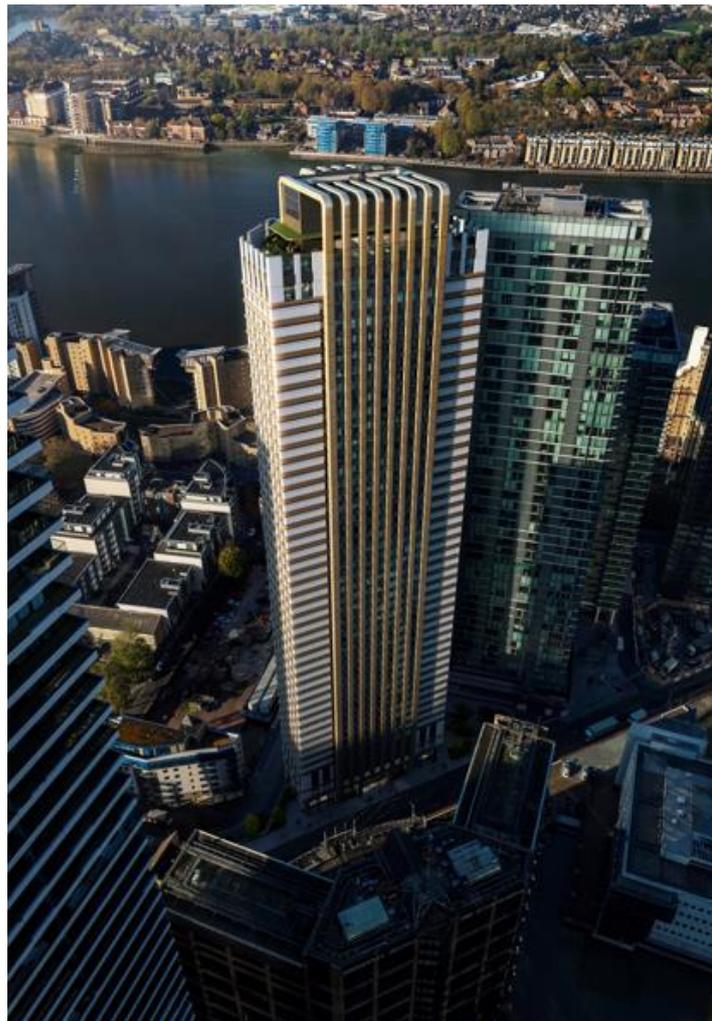
- 7.135 The massing strategy has been developed to respond to the existing and emerging context. The building's heights have been tested through the analysis of the key strategic views outlined in the LVMF, in particular the views from Greenwich towards the Canary Wharf cluster of tall buildings. The scale and location of the proposal would fit comfortably within the cluster.
- 7.136 The building is further articulated to form long, medium and short-range views through layered detailing and texture within the cladding.
- 7.137 The two Marsh Wall corners of the building have been cut back to reduce the street frontage along Marsh Wall, thereby reducing the sense of bulk and mass to the building.
- 7.138 With regards to the overall bulk and massing, officers are satisfied that the proposed building would sit well within the context of the neighbouring buildings along Marsh Wall (and the proposed Cuba Street development to the south).

### Appearance and Materials

- 7.139 Following the feedback from the CADAP meeting at pre-application stage in May 2020, where comments were made about the design impact of the two formerly proposed uses, on increasing and improving the public realm around the development, increasing the articulation of the facade and top of the buildings and ensuring active frontages, the applicant has since changed the proposal to student accommodation and has broadly addressed the panel's comments.
- 7.140 The proposed building will form a single tower and the façade is divided into three elements; the base, the body and the crown. Horizontal banding is proposed across the entire building with a

distinct vertical expression up the Marsh Wall elevation which extends up and over the roof terrace to form an expressive crown to the building, and then continues down the opposite (southern) elevation.

- 7.141 In terms of materials, the predominant material of the building will be white terracotta panels with a bronze aluminium material for the horizontal and vertical banding. Ventilation grills and window frames are proposed as a matte dark bronze to contrast to the lighter bronze aluminium banding.
- 7.142 Officers consider that the horizontal banding, combined with the vertical central feature creates a refined building that has visual interest on a city level, works well with the townscape on a more district level and creates a positive statement at a local level along Marsh Wall. The distinctive vertical detail, almost Art Deco in style, creates a strong frontage and an interesting top. The attention to detail on the pronounced horizontal banding and ceramic panelling is welcomed and contributes towards creating a façade that is distinctive at range and visually interesting at a pedestrian level.
- 7.143 The termination of the vertical banding at the roof level is supported would create an expressive and iconic roofline within the tall building zone and Marsh Wall cluster.
- 7.144 The advice provided during pre-app has been carried through in the design iterations to deliver a stronger southern elevation that reflects the bold design approach of the north elevation.



**Figure 8:** Artistic impression of the application from the Warden

7.145 Overall, the proposed architectural quality and materiality of the scheme is broadly supported. It is recommended that details of external materials are secured by planning condition

#### Landscaping & Public Realm

7.146 London Plan Policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.

7.147 Policy G1 of London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4.

7.148 Tower Hamlets Local Plan policy D.DH2 requires developments to positively contribute to the public realm through the provision of active frontages and multi-usable spaces that can cater for social gathering and recreational uses.

7.149 The proposed building has been pulled back from the site boundaries to create breathing room around the site and increase the area of public realm and landscaping. The scheme provides four distinct landscaped areas, which are as follows:

##### *i. Marsh Wall Pocket Park*

7.150 The proposal would provide improved connections from Marsh Wall to Cuba Street through the introduction of a new green public north-south route as well as an improved stairway in the south-east corner of the site. The applicants design team have engaged with the Cuba Street design team, allowing a landscaping masterplan to be developed which ensures both schemes improve permeability and access in the immediate area.

7.151 The planting will have similar species to Cuba Park to provide an ecological link and marker trees are proposed at the north and south ends to aid in wayfinding. The species of the marker tree is intended to match the marker tree in Cuba Park to create a strong visual link.

7.152 The adjacent retaining wall which forms part of the Landmark East site will also be greened with climbing plants to ensure this route is a pleasant environment for pedestrians. To ensure this new route is safe, particularly in the evening and at night-time, the proposals include lighting and CCTV, furthermore 2 new retail kiosks have been provided since the original submission was made which would increase the level of natural surveillance along this passage.

7.153 The ground level furniture strategy will provide a number of seating and cycle parking opportunities in both the pocket park, Cuba Street and Marsh Wall. The proposed planters would be set with an edge above ground to form a visual and physical boundary to aid users with mobility or visual impairments.

##### *ii. The Streets*

7.154 New surfacing is proposed to Cuba St along with extending the shared surface to create a pedestrian friendly environment, in line with Liveable Streets. Improvements to the Marsh Wall steps will feature new lighting and create a more direct route down to Cuba Street.

7.155 Improvements to the steps include, new planting, improved visual link between Marsh Wall and existing café unit, improved steps to meet current regulations and new cycle ramp to side of steps.

7.156 New surfacing is proposed to Marsh Wall, as well as new raised planting along the development site. It is proposed to replace the existing paving to match paving in front of the Novotel in addition to creating new planting pockets along Marsh Wall.

iii. *The Amenity Terrace*

7.157 The 1<sup>st</sup> floor amenity terrace would overlook the proposed Cuba Park and will primarily serve as an extension of the internal study areas. The north part of the terrace partially joins onto the internal private dining room, offering an opportunity for outdoor use. The terrace will be managed by building management to maintain reasonable operation hours and to ensure it is kept clean and functional. The terrace will be maintained by the accommodation provider to ensure no detrimental impact on adjacent residential amenity.

iv. *The Roof Terrace*

7.158 The 46<sup>th</sup> floor amenity terrace is enclosed by glass windows and column supports that form part of the architecture. The terrace has been tested to perform well for seating opportunities. The space creates space for flexible uses with the active zone on the eastern side and the study zone located on the west. The terrace will be managed by building management to maintain reasonable operation hours and to ensure the terrace is kept clean and functional. Biodiverse roof is proposed to the uppermost level.

7.159 A series of raised planters and moveable planting will provide a flexible terrace which could be used for a variety of student uses. This space has been designed for both individual users who would like to study outside whilst also providing space for social gatherings.

7.160 The furniture proposals shown for the amenity and roof terrace are indicative and further details will be secured by condition including access to the amenity space by all tenures.



**Figure 9** – Level 1 Terrace and Roof Terrace

7.161 Typical hard landscaping features within the site incorporate various types of paving (i.e. resin bound, granite, york stone, concrete and porcelain), timber effect porcelain and artificial grass. A rich variety of soft landscaping features including hedges, shrubs, and trees will be located across the site encouraging a diverse range of species contributing to the varied character of the different spaces.



**Figure 10:** Landscape Character Areas

### *Lighting*

7.162 The strategy for lighting within the scheme is to illuminate the road and public realm to create a safe and welcoming environment whilst also creating a sense of place and providing a visual hierarchy and includes multi fixture lighting posts and bollards in the public realm, LED lighting on street furniture and fixtures and uplighting on feature walls and trees. A full lighting strategy will be secured via condition.

### *Trees*

7.163 There are 2 mature large leaf lime trees (T1 and T2) on site both located on the pavement of Cuba Street to the south-eastern tip of the building which are to be retained. To promote biodiversity and ecology, 41 trees are proposed within the redline boundary across all areas (38 trees at ground floor and 3 additional trees on first floor terrace). The Council's tree officer has reviewed the proposal and raised no objection.

7.164 The landscaping scheme along the north south link along the side of the proposed building has been updated to address the proposed design changes. The location of planters has been adjusted and reconfigured to accommodate two additional retail entrances. Two of the proposed external cycle stands have been re-located and a further two stands added to address the amendments described above. Further, to ensure the scheme maintains Urban Greening Factor policy compliance, an additional tree has been incorporated resulting in a final UGF of 0.4 which accords with Policy G5 of the London Plan.

### *Summary*

7.165 The proposed landscaping and enhancement of natural features and lighting are supported.. It is recommended that details of the landscaping management are secured by planning condition to ensure a high quality of landscape design and maintenance.

### Safety & Security

7.166 The site is currently vacant and therefore the crime figures from around the site are relevant. The provided statistics from the Met Police are still significant and considering the number and type of users on site safety and security measures will be imperative.

7.167 The proposed scheme has been developed in consultation with the Met Police Designing Out Crime Officer (DOCO). Design features incorporated into the design include:

- External Lighting;
  - *To be provided to illuminate entrances and exits and to areas below under crofts to the building. Lighting will be provided to the landscaped areas and will be in addition to the existing adjacent highway lighting provided to Marsh Wall & Cuba Street.*
- Public Realm;
  - *Furniture has been proposed in intermittent locations along the new access ramp to provide resting points for disabled users who may require them. The benches will be fixed and non-moveable.*
  - *Appropriate signage.*
  - *The cycle stands have been strategically located in small groups around the site to remain as close as possible to the building entrances.*
  - *Trees have been strategically located along the building column lines to ensure there are opportunities for passive surveillance from lower and upper ground floors along the access ramp.*
  - *Climbers are proposed to the existing landmark east retaining wall to prevent graffiti and provide a green outlook for pedestrians and users of the building.*
- Active frontages:
  - *Active frontages through the provision of 4 retail units along Cuba Street, the pocket park and Marsh Wall, increasing natural surveillance.*
- Accessible Windows
  - *There are no windows currently proposed to the lower floors where access could be made from the surrounding public realm.*
- Entrance Doors
  - *The two entrance doors to the building, main entrance and cycle access doors will be automatic sliding doors operated via a security fob or video intercom.*
  - *The entrance is provided with a secure lobby which is overseen by the main reception and can be remotely secured from the reception desk.*
- Fire break glass buttons.
- Fire routes & security.
  - *Safe escape routes will be provided to comply with the Building Regulations.*
- CCTV
  - *A detailed CCTV system will be developed to provide suitable surveillance to the common areas of the building, entrances and external areas including public realm.*
- Access control and compartmentation of communal areas.
  - *The common areas of the building and general access will be controlled via a security access system. Guests of residents will require to be accompanied to gain access to any common areas.*

7.168 The Metropolitan DOCO supports the proposed overall layout and has recommended that planning conditions relating to Secured by Design are attached to any decision.

#### Inclusive Design

7.169 Policy 7.2 of the London Plan 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. The key access provisions for the proposed development include:

- Incorporation of the principles for inclusive design wherever possible;

- A new inclusive pedestrianised route with an appropriate gradient between Marsh Wall and Cuba Street;
- Accessible routes to all connections with local pedestrian routes and public transport;
- Safe spaces and routes for pedestrians segregated from vehicle traffic;
- Provision of one on-street disabled badge holder car parking space (not reserved for the sole use of the building, however a student resident could apply to London Borough of Tower Hamlets to have the bay allocated to them);
- Accessible cycle parking spaces for student residents, staff and visitors;
- Step-free access to all parts of the buildings, including terraces; and
- The use of the evacuation lift as part of the evacuation strategy.

7.170 The scheme proposes that 5% 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 D5.

7.171 This is supported given that there are no strategic planning policy standards for accessible student accommodation, and this should be appropriately secured by condition. 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

7.172 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.

7.173 The form and layout of the proposed building would create a strong relationship with the street and enhance the existing townscape. The architecture is well considered and responds directly to wider surrounds. The materials and appearance of the buildings would be of an exceptional quality and the design would appear as a vibrant addition to the Marsh Wall area.

7.174 The landscaping of the scheme is viewed as a considerable public benefit due to creating a north-south pedestrian link, connecting Marsh Wall to Cuba Park (and vice versa). The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area.

7.175 In apportioning weight to these benefits, it is considered the scheme design and landscaping carries significant weight in favour of the proposal.

#### **Heritage**

7.176 Statutory tests for the assessment of planning applications affecting listed buildings and conservation areas are found in Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Section 66(1) relates to applications that affect a listed building or its setting. It requires the decision maker to: "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Section 72(1) relates to applications affecting a conservation area. It states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". There is a presumption that development should preserve or enhance the character or appearance of conservation areas.

7.177 London Plan Policy HC1 and Tower Hamlets Local Plan Policy S.DH3 require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.

7.178 London Plan policy HC4 seeks to protect strategic views identified in the London View Management Framework. Tower Hamlets Local Plan D.DH4 reiterates this requirement and requires developments to preserve and positively contribute to the skyline of strategic importance.

7.179 The Townscape Visual Impact and Heritage Assessment (TVIHA) that forms part of the ES considers and assesses the likely significant effects on above ground heritage assets within a 500m radius of the site in relation to conservation areas and Listed Buildings. The TVIHA also considers and assesses the likely significant effects on townscape, identifying the following four Townscape Character Areas:

- Townscape Character Area A: South Quay and northern Millwall;
- Townscape Character Area B: Canary Wharf;
- Townscape Character Area C: Between Westferry Road and the River Thames;
- Townscape Character Area D: Inner Millwall
- Riverscape

7.180 The assessment of the effects on built heritage has considered any impact of the proposed development on designated and non-designated heritage assets as listed below:

***Conservation Areas:***

- West India Dock;
- Coldharbour; and
- Narrow Street.

***Listed Buildings:***

- Quay walls, copings and buttresses to Import and Export Dock - Grade I;
- The former west entrance lock to the South Dock – Grade II;
- Cascades – Grade II;
- Nelson House - Grade II\*;
- Nelson Dry Dock including gate – Grade II;
- Nelson Dock patent slip including gates – Grade II;
- 263 Rotherhithe Street – Grade II;
- Forecourt Wall, gate piers and gates at No. 265 Nelson House – Grade II; and
- Canada Wharf and Columbia Wharf, including former engine house and boiler to south – Grade II.

***Scheduled Monuments:***

- Site of the launch ways of the SS Great Eastern.

***World Heritage Sites:***

- Maritime Greenwich; and
- Tower of London.

- 7.181 In terms of Townscape Character Areas (A-D), the proposal would have a beneficial and not significant effect on all the areas identified.
- 7.182 With regards to the conservation areas identified above, the impacts would be neutral and not a significant effect.
- 7.183 Looking at the listed buildings, the proposed development would have a neutral effect.
- 7.184 In terms of scheduled monuments, the proposed development would have a neutral effect on the site of the launch ways of the SS Great Eastern.
- 7.185 In summary, the proposed development is not considered to cause harm to any heritage assets or strategic views and its visual impact within the surrounding townscape does not give rise to any strategic concerns. As such, both the GLA and Tower Hamlets officers consider that the tall building would have acceptable visual and heritage impacts.

***Maritime Greenwich World Heritage Site***

- 7.186 The Development is situated to the north-west 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 the existing character.
- 7.187 Officers consider that the proposed building would belong to the middle '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.
- 7.188 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, 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.
- 7.189 The Development would not adversely affect the visual integrity of the WHS and would have no effect on its Outstanding Universal Value.



**Figure 11: LVMF 5A.1 – General Wolf Statue (cumulative view)**

#### *Archaeology*

- 7.190 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. The site lies within an Archaeological Priority Area and was referred to the Greater London Archaeological Advisory Service (GLAAS) for their comments.
- 7.191 As part of the application assessment, GLAAS requested further details be provided in order for them to advise the effects on archaeological interest and their implications for the planning decision. There were 3 areas which required further details to be submitted, these included, the archaeological potential of the site, the assessment of impact and the future management of harm in any consented scheme.
- 7.192 Following the comments received from GLAAS, the applicant provided details of the requested archaeological boreholes and an evaluation report. In addition, the applicant also provided an updated Written Scheme of Investigation (WSI) for the boreholes and evaluation.
- 7.193 GLAAS were satisfied with the details provided and raised no objection to the application subject to a condition being attached requiring the submission of a WSI as well as a condition requiring the applicant to provide details of the foundation design and construction method used.

#### **Neighbour Amenity**

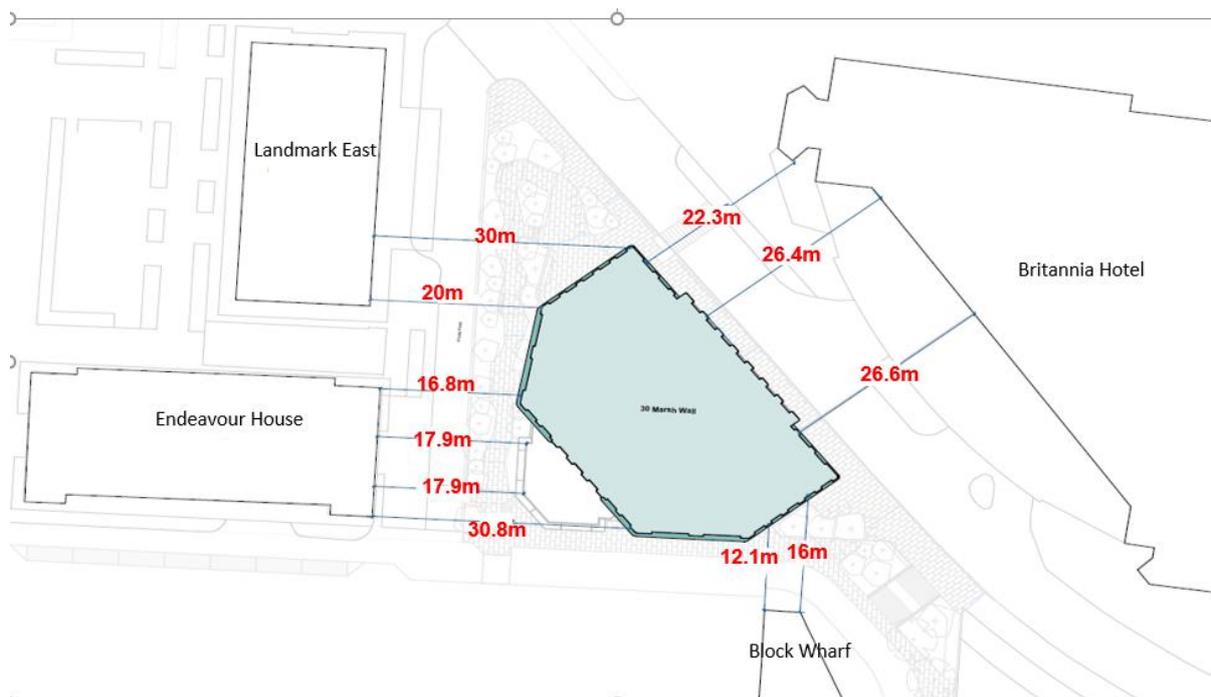
- 7.194 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.

#### Privacy & Outlook

- 7.195 In order to minimise the impact on the surrounding existing and proposed residential properties and in order to maximise separation distances, a number of design solutions were used. For example, where the existing building line extends up to the site boundary, the proposed building has been pulled back to create space around the site and increase the area of public realm and

landscaping. This includes the provision of a new public north-south route along the western boundary of the site and increased footpaths along both Cuba Street and Marsh Wall.

- 7.196 Endeavour House and Landmark East are located immediately to the west of the site. The separation distance between the application site and Landmark East is 20m (in excess of the 18m policy requirement). The closest separation distance between the site (edge of the lower-level external terrace) and Endeavour House is just shy of the policy requirement with a distance of approximately 16.8m. Whilst this falls just below the policy requirement, there would be planting on this terrace which would further increase the separation distance. Furthermore, in accordance with the Student Management Plan submitted all external amenity spaces will be managed and supervised through CCTV.
- 7.197 To minimise the potential for any overlooking to these neighbouring properties, the internal layout of the student accommodation has been designed to direct views from the student bedrooms away from these buildings, rather than providing direct views towards them. This has been achieved by cutting back the corners of the building to provide views towards the north-west and south-west, passed these existing buildings, as opposed to directly west facing windows.
- 7.198 The closest building to the application site is Block Wharf which is located directly south. The shortest distance is approximately 12.1m. The windows on the northern elevation of Block Wharf on this elevation are secondary windows to living/dining areas with the main outlook on the north east elevation where the balconies to these units are located. Furthermore, whilst the distances do not comply with policy D.DH8 of the Local Plan (2020), the windows are at oblique angles and officers are satisfied that there would not be any direct overlooking.

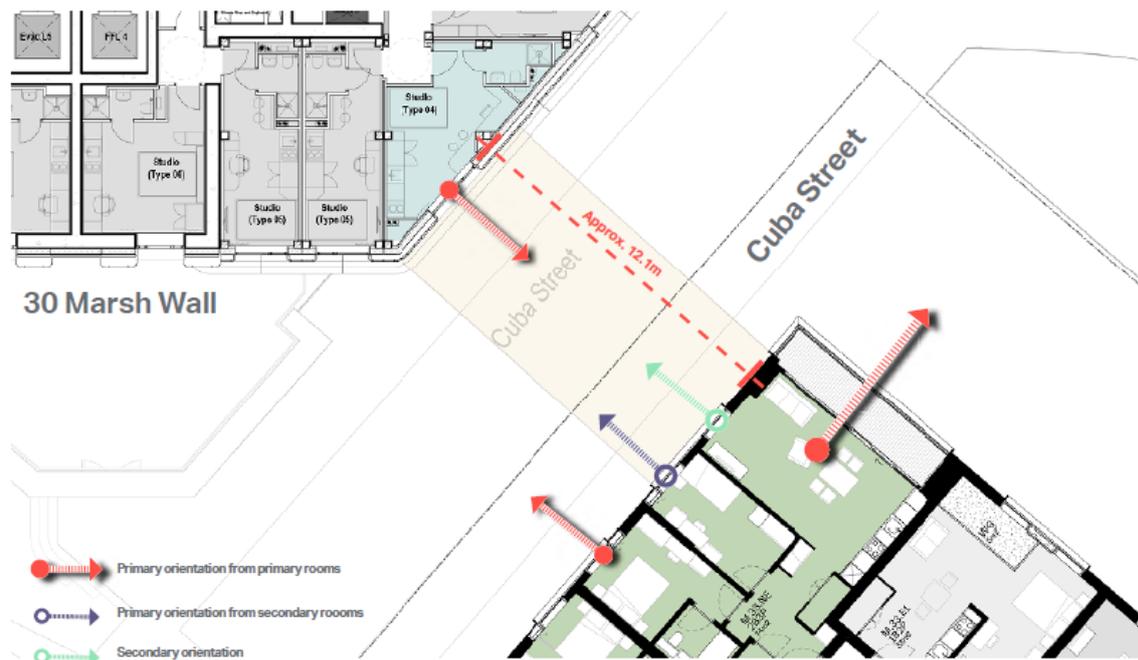


**Figure 12:** Approximate distance between nearby properties

- 7.199 With regards to the possible future relationship with the proposed Cuba Street scheme, there would be a separation gap of 12.1m between the windows. This would be less than the 18m requirement as set out in policy D.DH8 of the Local Plan.
- 7.200 The following measures have been incorporated to prevent overlooking and safeguard privacy to both the proposed Cuba Street and 30 Marsh Wall developments:

- Lower level amenity spaces overlooking BOH spaces within Cuba Street development;
- Minimising overlap of 30 Marsh Wall and Cuba Street massing;
- Orientation of studios and living spaces;
- Staggered windows to facing bedrooms; and
- Staggered floor heights

7.201 Officers have reviewed this relationship and whilst there would be some overlooking between the 2 schemes, the primary view from the Cuba Street scheme is to the east (away from 30 Marsh Wall). Also, whilst the primary window from 30 Marsh Wall faces towards Cuba Street, these are into secondary rooms.



**Figure 13:** *Overlooking relationship between the Cuba Street application and the proposed development for 30 Marsh Wall on a typical floor plan*

7.202 Whilst this would be a deviation from policy in terms of separation distances, officers consider that this issue is not uncommon for dense urban locations such as these.

7.203 Furthermore, officers did not consider it reasonable to request the applicants to put opaque glazing into the 30 Marsh Wall scheme as this could reduce the DLSL levels and also make the rooms feel enclosed as there are no other windows for these units other than on this elevation. Similarly, with the Cuba Street scheme, officers did not consider requesting the applicant to put opaque glazing into these bedrooms as this would not provide pleasant living conditions.

7.204 Objections have been received with specific regards with the loss of privacy and overlooking to nearby residential buildings such as Landmark East and Endeavour House. However, as mentioned above, the applicant has reduced the potential for any overlooking by designing the direct views from the student bedrooms away from these buildings, rather than providing direct views towards them. On balance, Officers consider that the regenerative benefits of the proposals in this location outweigh the departure from policy in this instance and that the proposed building form would deliver a suitably high-quality scheme with negligible impacts on surrounding occupiers.

#### Daylight, Sunlight & Overshadowing

7.205 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

- 7.206 To calculate daylight to neighbouring properties, the BRE guidelines, referenced in the Council’s Local Plan policies, emphasise that vertical sky component (VSC) is the primary assessment together with the no skyline (NSL) assessment where internal room layouts are known or can reasonably be assumed. For sunlight, applicants should calculate the annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and are likely to have their sunlight reduced by the development massing. For Sun Hours on Ground (SHoG) assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21st March.
- 7.207 The ES assesses the likely significant impact of the proposal on the daylight and sunlight on surrounding residential properties (sensitive receptors) identified in Figure 14 below:



**Figure 14 - Daylight, sunlight and overshadowing sensitive receptors**

- 7.208 The BRE guidelines say that changes in daylight and sunlight of 20% or less are negligible and therefore acceptable. There is no industry-standard categorisation for impacts that exceed BRE guidelines. However, for VSC, NSL and ASPH, the Council consistently uses the following categories:
- Reduction less than 20% - Negligible
  - Reduction of 20.1% - 29.9% - Minor adverse
  - Reduction of 30.1% - 39.9% - Moderate adverse
  - Reduction greater than 40% - Major adverse

- 7.209 The ES adopts the above significance criteria for VSC, NSL and ASPH assessments. However, where defining a 'minor adverse' effect for daylight only, where the VSC levels as a percentage reduction in excess of 20% but retain a VSC greater than 27%, the impact is considered negligible.
- 7.210 In relation to ASPH a further criterion used is if the retained total APSPH levels are in more than 25% with at least 5% of this occurring in the winter months, the resultant effects are considered negligible (and not significant), regardless of the percentage alterations.

#### *Daylight and Sunlight summary*

- 7.211 In relation to daylight impacts, of the 3,675 windows assessed for VSC, 424 (12%) have a baseline VSC equal to or greater than the 27% recommended by the BRE guidelines. 1614(72%) of the 2231 rooms assessed for NSL have a baseline daylight distribution of at least 80% or more of the total room area.
- 7.212 With regard to sunlight, of the 1742 windows assessed, 918 (53%) meet the BRE guidelines achieving at least 5% or more winter and 25% or more total sunlight in the baseline condition.
- 7.213 A summary of the daylight (VSC) impacts of the proposed development on neighbouring properties is included in the table above. It should be noted that Landmark West Tower, 8-11 Byng Street, 17 Byng Street, 1-5 Bellamy Close, 22-29 Cuba Street, Waterman Building and the Pierpoint Building were also assessed as part of this scenario and would all retain VSC and NSL levels within BRE guidance.
- 7.214 The officers report will focus on those properties that result in minor and moderate adverse impacts. No properties (0%) are considered to experience an overall Major Adverse effect (significant) to daylight amenity

#### *Landmark East Tower*

- 7.215 A total of 558 windows serving 462 rooms were assessed for daylight within this residential building. For VSC, 306 windows (55%) would meet the BRE guideline and are therefore considered to experience a negligible effect (not significant).
- 7.216 113 (20%) windows experience a minor adverse alteration. Of these 113 windows referred to above, 50 are located in bedrooms. A further 60 retain a VSC over 15% which may be considered reasonable for a dense urban environment. This leaves 2 windows which retain VSC values of 14%, importantly these windows have an existing VSC under the BRE criteria and are located on the 2nd and 3rd floors indicating breaches of the BRE guidelines may be likely.
- 7.217 116 (21%) windows experience a moderate adverse alteration. Of the 116 windows, 69 are located in bedrooms. The remaining 47 windows retain a VSC over 15%-24% which is considered reasonable for a dense urban environment.
- 7.218 23 (4%) windows experience a major adverse effect. 16 windows retain a VSC over 16% which can be considered reasonable for a dense urban environment.
- 7.219 With regards to NSL, 336 of 462 (73%) rooms meet the BRE guideline and are considered to experience a negligible effect.
- 7.220 69 (15%) rooms would fall below the recommended BRE guideline for NSL and experience minor adverse effect. 31 of these rooms are bedrooms. The remaining 30 retain an NSL of >64% meaning the sky can be seen from the majority of the room area.

- 7.221 54 (11%) rooms fall below the recommended BRE Guideline for NSL and experiences a moderate adverse effect. All of these rooms are less sensitive bedrooms and 46 retain an NSL of 55% or more meaning the sky can be seen from the majority of the room area.
- 7.222 4 (1%) rooms experience a Major Adverse effect. All of these rooms have windows with VSC values of less than 12% meaning amenity access is partly restricted in these locations and therefore larger percentage changes with regards NSL may be unavoidable. These rooms are bedrooms.
- 7.223 In consideration of the above, overall, the effect to daylight within this residential building is moderate adverse when considered under main assessment.
- 7.224 *Endeavour House.*
- 7.225 A total of 104 windows serving 104 rooms were assessed for daylight within this residential building. For VSC, 67 windows (65%) would meet the BRE guidelines criteria and are therefore considered to experience Negligible effect. 15 (14%) windows experience a Minor Adverse effect. These windows have existing values of 6% or below meaning absolute changes in VSC of circa 2% result in larger percentage changes, however these alterations are unlikely to be noticeable to the occupant. 11 of these bedrooms serve less sensitive bedrooms.
- 7.226 7 (7%) windows experience a Moderate Adverse effect. All of these windows have existing values of 8% or less meaning absolute changes in VSC of circa 3% can result in larger percentage changes, however these alterations may not be noticeable to the occupant. 3 of these windows serve less sensitive bedrooms.
- 7.227 15 (14%) windows experience a Major Adverse effect. 9 of these windows serve less sensitive bedrooms and 7 of which have an existing VSC below 10%. The remaining 6 are living kitchen diners ("LKDs") which have existing VSC values between 9% and 4% meaning larger percentage changes may be likely where absolute changes are relatively small.
- 7.228 With regards to NSL, 90 of 104 (87%) rooms meet the BRE guideline and are considered to experience a Negligible effect (not significant).
- 7.229 6 (6%) rooms would fall below the recommended BRE guideline for NSL and experience a Minor Adverse effect. 2 of these rooms are bedrooms which have a lower requirement for daylight and the remaining 4 retain an NSL of >65% meaning the sky can be seen from the majority of the room area.
- 7.230 3 (3%) rooms fall below the recommended BRE Guideline for NSL and a Moderate Adverse effect. These rooms have windows with low existing VSC levels which indicates that amenity access is partly restricted meaning high percentage changes may be likely in these locations.
- 7.231 5 (5%) rooms experience an alteration of >40% which is technically considered to be Major Adverse. All of these rooms have windows with VSC values of less than 2% meaning amenity access is partly restricted in these locations and therefore larger percentage changes may be unavoidable. These rooms are also bedrooms which have a lower requirement for amenity compared to other room uses.
- 7.232 It is important to have in mind that most of the significant Adverse effects occur where amenity levels are low in the existing condition meaning larger percentage changes can arise where the absolute changes may not be noticeable.
- 7.233 In consideration of the above, in particular the VSC reductions and proportion of rooms which adhere to the BRE criteria, overall the effect to daylight within this residential building is considered to be moderate adverse

*Mayflower House*

- 7.234 A total of 72 windows serving 72 rooms were assessed for daylight within this residential building. For VSC, 52 windows (72%) would meet the BRE guidelines criteria and are therefore considered to experience a Negligible effect.
- 7.235 18 (25%) windows experience a Minor Adverse effect. All 18 windows have an existing VSC below 4% meaning larger percentage changes may be likely even with small absolute changes. All 18 windows serve less sensitive bedrooms. 2 (3%) windows experience a Moderate Adverse effect. Both windows serve less sensitive bedrooms and have existing VSC values of 2% meaning larger percentage changes may be unavoidable even with small absolute changes.
- 7.236 With regards to NSL, 51 of 72 (71%) rooms meet the BRE guideline and are considered to experience a Negligible effect. 10 (17%) rooms would fall below the recommended BRE guideline for NSL and experience an alteration of between 20%-29.9%, which is considered a Minor Adverse effect (not significant). These rooms are less sensitive bedrooms which retain NSL of 42-68% amenity is still received to a considerable proportion of the room area.
- 7.237 5 (11%) rooms fall below the recommended BRE Guideline for NSL and experiences a Moderate Adverse effect. These rooms are bedrooms with windows with low existing VSC levels which indicates that amenity access is partly restricted meaning high percentage changes may be likely in these locations.
- 7.238 6 (1%) rooms experience a Major Adverse effect. All of these rooms have windows with VSC values of less than 4% meaning amenity access is partly restricted in these locations and therefore larger percentage changes with regards NSL may be unavoidable. These rooms are also bedrooms which have a lower requirement for amenity compared to other room uses.
- 7.239 It is important to consider that most of the significant Adverse effects occur where amenity levels are low in the existing condition meaning larger percentage changes can arise where the absolute changes may not be noticeable.
- 7.240 In consideration of the Adverse effects which are generally minor and / or represent relatively small absolute alterations in amenity, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### *Block Wharf*

- 7.241 A total of 28 windows serving 8 rooms were assessed for daylight within this residential building. For VSC, 26 windows (93%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect (not significant).
- 7.242 1 (3%) window would fall below the recommended BRE Guidelines and experience an alteration in VSC between 20%-29.9%. This window gives light to a room with 2 additional windows which adhere to the BRE criteria, it is considered the reduction in amenity may not be noticeable. 1 (3%) window would fall below the BRE Guidelines and experience a Moderate Adverse alteration. This window gives light to a room with 3 additional windows which adhere to the BRE criteria, it is considered the reduction in amenity may not be noticeable.
- 7.243 8 (100%) rooms adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect.
- 7.244 In consideration of the above, in particular the isolated areas which experience an Adverse alteration, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### *Tideway House*

- 7.245 A total of 17 windows serving 16 rooms were assessed for daylight within this residential building. For VSC, 15 windows (88%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect. 2 (12%) windows would fall below the recommended BRE Guidelines and experience a minor Adverse. Both of these windows have an existing VSC of <3% meaning small absolute reductions of c.1% VSC result in larger percentage changes.
- 7.246 16 (100%) rooms adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect.
- 7.247 In consideration of the above, in particular the isolated areas which experience an Adverse alteration, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### *4-38 Byng Street*

- 7.248 A total of 52 windows serving 32 rooms were assessed for daylight within this residential building. For VSC, 13 windows (25%) would meet the BRE guidelines criteria and are therefore considered to experience a Negligible effect. 27 (51%) windows experience a Minor Adverse effect. These windows have existing values under 5% VSC meaning absolute changes in VSC of circa 2% can result in larger percentage changes, however these alterations are unlikely to be noticeable to the occupant.
- 7.249 10 (20%) windows experience a Moderate Adverse. These windows have existing values under 4% VSC meaning absolute changes in VSC of 2% can result in larger percentage changes, however these alterations are unlikely to be noticeable to the occupant.
- 7.250 2 (4%) windows experience a Major Adverse. Both of these windows existing values are under 3% meaning absolute changes in VSC of 2% result in larger percentage changes, however these alterations are unlikely to be noticeable to the occupant.
- 7.251 With regards to NSL, 31 (97%) rooms meet the BRE guideline and experience a Negligible effect. 1 (3%) room would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect. This room retains an NSL value of 48% meaning the sky can be seen from a large proportion of the room.
- 7.252 In consideration of the above, overall the effect to daylight amenity within this residential building is considered to be Minor Adverse (not significant).

#### *Spinnaker House*

- 7.253 A total of 64 windows serving 48 rooms were assessed for daylight within this residential building. For VSC, 57 windows (89%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect. 3(5%) windows experience a Minor Adverse effect. These windows have an existing value of 6% or less and meaning absolute changes in VSC of circa 3% can result in larger percentage changes, however these alterations may not be noticeable to the occupant.
- 7.254 4 (6%) windows would fall below the BRE Guidelines and experience a Moderate Adverse alteration. These windows have an existing value of 4% or less and meaning absolute changes in VSC of circa 3% can result in larger percentage changes, however these alterations may not be noticeable to the occupant.
- 7.255 48 rooms (100%) adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect.

7.256 In consideration of the above, in particular the small proportion of the property, which is Adversely affected, over the effect to daylight amenity within this residential building is considered to be Minor Adverse (not significant).

*12 Bellamy Close*

7.257 A total of 5 windows serving 5 rooms were assessed for daylight within this residential building. For VSC, 3 windows (60%) would meet the BRE guideline and therefore considered to experience a Negligible effect. 2 (40%) windows experience an alteration between 20-29.9% which is considered to be Minor Adverse. These windows retain VSC values of 21% which may be considered reasonable in an urban environment. These windows also give light to rooms which adhere to the BRE guideline for NSL.

7.258 3 (60%) rooms adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect. 2 (40%) rooms a Major Adverse effect. These rooms are not the primary living space within the property and receive light through a relatively small window.

7.259 In consideration of the above, in particular the Adverse changes and retained values, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*15 Byng Street*

7.260 A total of 6 windows serving 4 rooms were assessed for daylight within this residential building. For VSC, 6 windows (100%) would meet the BRE guidelines criteria and are considered to experience a negligible effect.

7.261 With regards to NSL, 3 (75%) rooms meet the BRE guideline and experience a Negligible effect. 1 (25%) room would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect.

7.262 In consideration of the above, in consideration of the VSC Adverse effect and retained amenity values, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*7 Manilla Street*

7.263 A total of 38 windows serving 23 rooms were assessed for daylight within this residential building. For VSC, 6 windows (16%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect. 20 (32%) windows experience a Minor Adverse effect. 8 of these windows give light to bedrooms which have a lower requirement for daylight compared to other room uses. The other 12 windows are located in rooms which have multiple windows where the NSL criteria is adhered to.

7.264 9 (47%) windows experience a Moderate Adverse impact. All of the rooms give light to rooms which meet the BRE guideline for NSL. 2 of these windows give light to less sensitive bedrooms and have existing VSCs of 6% or below. A further 2 are located in rooms with multiple windows which do meet the BRE criteria.

7.265 3 (4%) windows experience a Major Adverse effect. These windows have an existing VSC less than 9% meaning larger percentage may be likely. 2 of these windows are located in rooms with additional windows which do meet the BRE criteria.

7.266 23 (100%) rooms adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect.

7.267 In consideration of the above, in particular room use and that 100% of rooms experience a negligible NSL effect, overall, the effect to daylight within this residential building is considered to be Moderate Adverse.

#### *4 Manilla Street*

7.268 A total of 52 windows serving 36 rooms were assessed for daylight within this residential building. For VSC, 34 windows (65%) would meet the BRE Guidelines criteria and are therefore considered to experience a Negligible effect. 16 (31%) windows experience a Minor Adverse impact. These windows have existing VSC of 18-2% VSC meaning larger changes may be likely where absolute changes are relatively small. 10 of these windows are located in rooms with multiple windows and with NSLs of 81% and 74%.

7.269 2 (4%) windows experience a Moderate Adverse impact. 1 window serve a less sensitive bedroom and both windows have existing VSC of 3% VSC meaning larger changes may be likely where absolute changes are relatively small.

7.270 With regards to NSL, 35 of 36 (97%) rooms meet the BRE guideline and are considered to experience a Negligible effect. 1 (3%) room would fall below the recommended BRE guideline for NSL and experience a Moderate Adverse effect (significant). The window which gives light to this room has an existing VSC of 3% indicating amenity access is inherently restricted to this window and room.

7.271 In consideration of the above, in particular that Adverse alterations are limited to a relatively small number of windows at the property, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### *2 Manilla Street*

7.272 A total of 36 windows serving 24 rooms were assessed for daylight within this residential building. For VSC, 35 windows (97%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect. 1 (2%) window would fall below the recommended BRE Guidelines and experience a minor Adverse effect. this window has an existing VSC of 3% which means larger percentage changes may occur where absolute changes are small.

7.273 24 (100%) rooms adhere to the BRE guideline for NSL and are therefore considered to experience a Negligible effect (not significant).

#### *13 Byng Street*

7.274 A total of 28 windows serving 25 rooms were assessed for daylight within this residential building. For VSC, 24 windows (88%) would meet the BRE guideline and are therefore considered to experience a Negligible effect (not significant). 4 (12%) windows do not meet the BRE guideline and experience a Minor Adverse impact. All these windows give light to rooms which the BRE criteria for NSL.

7.275 With regards to NSL, all 25 rooms (100%) meet the BRE guideline and are considered to experience a Negligible effect (not significant).

7.276 In consideration of the above, in particular that all rooms adhere to the BRE guideline for NSL, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### *11 Byng Street*

7.277 A total of 74 windows serving 46 rooms were assessed for daylight within this residential building. For VSC, 56 windows (76%) would meet the BRE guidelines criteria and are therefore considered

to experience a Negligible effect. 16 (22%) windows do not meet the BRE guideline and experience a Minor Adverse effect. 13 of these windows are located in rooms with additional windows which do meet the BRE guideline for VSC. All 16 windows give light to rooms which meet the BRE guideline for NSL.

- 7.278 2 (2%) windows experience a Major Adverse effect. Both of these windows have existing VSCs of 2% and are located in rooms with additional windows which do adhere to the BRE criteria for VSC.
- 7.279 With regards to NSL, 46 (100%) rooms meet the BRE guideline and are considered to experience a Negligible effect (not significant).

*1 Manilla Street*

- 7.280 A total of 43 windows serving 24 rooms were assessed for daylight within this residential building. For VSC, 42 windows (98%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect (not significant).
- 7.281 1 (2%) windows experience a Minor Adverse effect. This window serves a room with additional windows which do meet the BRE criteria for VSC.
- 7.282 With regards to NSL, 23 (96%) rooms meet the BRE guideline and experience a Negligible effect.
- 7.283 1 (4%) room would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect. This room has an existing VSC below 50% meaning larger percentage changes may be likely where absolute changes are small and may not be noticeable to the occupant.
- 7.284 In consideration of the above, in consideration of the VSC Adverse effect and retained amenity values, overall, the effect to daylight within this residential building is considered to be Minor Adverse.
- 7.285 In consideration of the above, in particular that all rooms adhere to the BRE guideline for NSL, overall the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*1 Tobago Street*

- 7.286 A total of 29 windows serving 22 rooms were assessed for daylight within this residential building. For VSC, 25 windows (86%) would meet the BRE guidelines and are therefore considered to experience a Negligible effect.
- 7.287 4 (2%) windows experience an alteration between 20-29.9% which is considered to be Minor Adverse. These windows have an existing values between 13 and 7% and meaning small absolute changes in VSC can result in larger percentage changes, however these alterations may not be noticeable to the occupant.
- 7.288 With regards to NSL, 18 (82%) rooms meet the BRE guideline and experience a Negligible effect. 4 (18%) room would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect. 2 of these are less sensitive bedrooms which retain NSL of 77 and 51% meaning the sky can be seen from the majority of the room area. The remaining 2 rooms retain NSL values of 49 and 38% of the room meaning the sky can be seen from a considerable portion of the room.
- 7.289 In consideration of the above, in consideration of the VSC Adverse effect and retained amenity values, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*Wardian West Block*

- 7.290 A total of 1118 windows serving 503 rooms were assessed for daylight within this residential building. For VSC, 838 windows (75%) would meet the BRE guideline and are therefore considered to experience a negligible effect.
- 7.291 202 (18%) windows experience a Minor Adverse effect. All of these windows have an existing value under 12% which means larger percentage changes which be disproportionate to the loss of amenity may be likely. 101 of these windows serve bedrooms which have a lower requirement for daylight amenity.
- 7.292 78 (7%) windows experience a Moderate Adverse effect. All of these windows have an existing value under 12% which means larger percentage changes which be disproportionate to the loss of amenity may be likely. 48 of these windows serve bedrooms which have a lower requirement for daylight amenity.
- 7.293 With regards to NSL, 496 (99%) rooms meet the BRE guideline and are considered to experience a Negligible effect. 7 (1%) rooms would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect. These rooms are all bedrooms which have a lower requirement for daylight.
- 7.294 In consideration of the above, in particular the large proportion of rooms and windows which adhere to the BRE guideline (VSC and NSL) and the low existing VSC to some of the property, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

#### Wardian East Block

- 7.295 A total of 952 windows serving 423 rooms were assessed for daylight within this residential building. For VSC, 745 windows (78%) would meet the BRE guidelines criteria and are therefore considered to experience a Negligible effect.
- 7.296 104 (11%) windows experience a Minor Adverse effect. All of these windows have an existing value that is 11% or below which means larger percentage changes may be likely which are disproportionate to the absolute changes in VSC.
- 7.297 92 (10%) windows experience a Moderate Adverse effect. All of these windows have an existing value of 9% or below which means larger percentage changes may be likely which are disproportionate to the absolute changes in VSC.
- 7.298 11 (1%) windows experience a Major Adverse effect. All of these windows have an existing value is 7% or below which means larger percentage changes may be likely which are disproportionate to the absolute changes in VSC.
- 7.299 With regards to NSL, 401 of 423 (95%) rooms meet the BRE guideline and are considered to experience a Negligible effect.
- 7.300 13 (3%) rooms would fall below the recommended BRE guideline for NSL and experience a Minor Adverse effect. 11 of these rooms are bedrooms which have a lower requirement for daylight and the remaining 3 retain an NSL of >59% meaning the sky can be seen from the majority of the room area.
- 7.301 9 (2%) rooms falls below the recommended BRE Guideline for NSL and experience a Moderate Adverse (significant). All of these rooms are less sensitive bedrooms and 7 retain an NSL of >50% meaning the sky can be seen from the majority of the room area, the other two bedrooms retain NSLs of 45% and 40%.

7.302 In consideration of the above, in particular the large proportion of rooms and windows which adhere to the BRE guidelines (VSC and NSL), overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*Jefferson Building*

7.303 A total of 35 windows serving 35 rooms were assessed for daylight within this residential building. For VSC, 35 windows (100%) would meet the BRE guidelines criteria and are considered to experience a negligible effect. 0 (0%) will experience significant Adverse effects (moderate or Major Adverse)

7.304 With regards to NSL, 20 (86%) rooms meet the BRE guideline and experience a Negligible effect. 15 (14%) rooms would fall below the recommended BRE Guideline for NSL and experience an alteration of NSL between 20%-29.9%, which is considered a Minor Adverse effect (not significant).

7.305 In consideration of the above, in consideration of the VSC Adverse effect and retained amenity values, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

*Franklin Building*

7.306 A total of 80 windows serving 80 rooms were assessed for daylight within this residential building. For VSC, 80 windows (100%) would meet the BRE guidelines criteria and are considered to experience a negligible effect. 0 (0%) will experience significant Adverse effects (moderate or Major Adverse)

7.307 With regards to NSL, 79 (99%) rooms meet the BRE guideline and experience a Negligible effect. 1 (1%) rooms would fall below the recommended BRE Guideline for NSL and experience a Minor Adverse effect.

7.308 In consideration of the above, in consideration of the VSC Adverse effect and retained amenity values, overall, the effect to daylight within this residential building is considered to be Minor Adverse (not significant).

7.309 VSC (below 15%) and NSL (circa 50% or less) values generally caused by existing architectural features such as overhanging balconies

*Sunlight*

7.310 The ES states that overall, 13 properties (76%) listed below would not experience a breach of the BRE criteria levels for APSh and Winter Probable Sunlight Hours ("WPSH") with the completed Proposed Development in place. It is considered that these properties would experience a Negligible effect, which is considered not significant:

- Landmark West Tower;
- Block Wharf;
- 4 Manilla Street;
- 2 Manilla Street;
- 11 Byng Street;
- 1 Manilla Street;
- 1 Tobago Street;
- Wardian West Block;
- 22-29 Cuba Street;
- Waterman Building;
- Jefferson Building;

- Pierpoint Building; and
- Franklin Building.

7.311 3 (18%) properties are considered to experience an overall Minor Adverse effect (not significant) with regards to sunlight amenity and 1 property will experience an overall major adverse effect. These are addressed in more detail below:

*Landmark East Tower*

7.312 558 windows within this property have been assessed for sunlight. Of these, 190 windows (34%) will meet the BRE guidelines for both APSH and WPSH sunlight.

7.313 In relation to WPSH sunlight, 507 (93%) windows meet the BRE guideline and experience a Negligible effect, and 3 (1%) windows experience a moderate Adverse effect considered significant. 48 windows (6%) experience a Major Adverse alteration (significant). These windows give sunlight to rooms which are predominantly orientated close to due east or are located under balconies meaning they are partly restricted in the sunlight amenity they can receive, and larger losses of light may be expected.

7.314 In relation to APSH, 204 (37%) will meet the BRE guideline and experience a Negligible effect.

7.315 14 (3%) windows experience a Minor Adverse effect.

7.316 100 (18%) windows experience a Moderate Adverse alteration and 245 (44%) windows experience a Major Adverse alteration.

7.317 174 of these windows which experience an Adverse effect give light to less sensitive bedrooms. The remaining 159 windows are generally located where amenity access is partly restricted by an easterly orientation or balcony features.

7.318 It is important to note that the many of the windows at Landmark East Tower face close to due east and are therefore close to being irrelevant for assessment on the basis that there should be a lower expectation of sunlight amenity than that which is in-line with the BRE Guidelines recommendations. In addition, an expectation of higher levels of sunlight may be unreasonable bearing in mind contextual factors.

7.319 The locality is categorised by tall buildings, including Landmark East Tower itself. The redevelopment of the site with a tall building to the east of Landmark East Tower would be likely to cause some larger sunlight effects if proposals are to be in keeping with the general heights and form of surrounding properties.

7.320 Landmark East Tower is considered to retain high levels of sunlight amenity for the majority of the building as a whole. The retained values are considered reasonable given the easterly orientation and location in relation to the Proposed Development and other tall buildings.

7.321 The effect to sunlight amenity within this property is considered to be Major Adverse (significant)

*Endeavour House*

7.322 56 windows within this property have been assessed for sunlight. Of these, 40 windows (71%) will meet the BRE guidelines for both APSH and WPSH sunlight.

7.323 In relation to WPSH, 56 windows (100%) meet the BRE guideline and experience a Negligible effect.

7.324 In relation to APSH, 40 (71%) will meet the BRE guideline and experience a Negligible effect.

- 7.325 8 (14%) windows experience a Minor Adverse effect (not significant). 5 (9%) windows experience a Moderate Adverse alteration (significant) and 3 (5%) windows experience a Major Adverse alteration (significant). These windows are partly obstructed to their easterly orientation
- 7.326 Whilst significant Adverse effects have been identified these occur generally in locations where existing values are low meaning larger percentage changes occur which are disproportionate to the loss of amenity.
- 7.327 In consideration of the Adverse effects and that the majority of windows experience a Negligible effect, the overall effect to sunlight amenity within this property is considered to be Minor Adverse (not significant).

*Mayflower House*

- 7.328 72 windows within this property have been assessed for sunlight. Of these, 52 windows (72%) will meet the BRE guidelines for both total and winter sunlight.
- 7.329 In relation to WPSH, 70 (97%) windows meet the BRE guideline and experience a Negligible effect (not significant).
- 7.330 2 (3%) windows experience a Moderate Adverse alteration (significant) albeit has an existing value of 3% meaning small reductions can result in a technical breach of the BRE guideline whilst absolute losses are no more than and 1 % WPSH.
- 7.331 In relation to APSH, 53 (74%) windows meet the BRE guideline and experience a Negligible effect (not significant).
- 7.332 9 (12%) windows experience a Minor Adverse alteration (not significant). These windows give light to bedrooms.
- 7.333 9 (12%) windows experiences a Moderate Adverse effect these windows give light to bedrooms which have a lower requirement for daylight amenity.
- 7.334 1 (2%) windows experience a Major Adverse effect (significant). This room has an existing APSH value of 5% which indicates that larger percentage changes may be likely even where absolute losses are 4% APSH. It is important to note that this window serves a bedroom which has a lower requirement for daylight compared to other room uses.
- 7.335 In consideration of the above and in particular the sunlight amenity alterations and retained values, the effect to sunlight amenity within this property is considered to be Minor Adverse (not significant).

*Wardian East Block*

- 7.336 282 windows within this property have been assessed for sunlight. Of these, 268 windows (95%) will meet the BRE guidelines for both APSH and WPSH sunlight and so experience a Negligible effect (not significant)
- 7.337 In relation to WPSH, 282 windows meet the BRE guideline and experience a Negligible effect (not significant).
- 7.338 267 windows (95%) will meet the BRE guidelines for both APSH sunlight and so experience a Negligible effect (not significant).
- 7.339 3 (1%) windows experience a Minor Adverse alteration (not significant). These windows have existing APSH values of 4 % which indicates that larger percentage changes may be likely even where absolute losses are 2% APSH.

7.340 12 (4%) windows experience a Major Adverse effect (significant). These windows have existing APSH values of 1-4 % which indicates that larger percentage changes may be likely even where absolute losses are 2% APSH.

7.341 In consideration of the Adverse effects and large proportion of windows which adhere to the BRE guideline, the effect to sunlight amenity within this property is considered to be Minor Adverse (not significant).

#### *Overshadowing*

7.342 In respect of overshadowing, the ES has adopted two methodologies to assess overshadowing of public and private amenity areas; Transient Overshadowing and Sun Hours on Ground.

7.343 For Transient Overshadowing, the assessment requires the plotting of a shadow plan to illustrate the location of shadows at different times of the day and year. The ES therefore mapped the hourly shadows for the following three key dates:

- 21<sup>st</sup> March (Spring Equinox)
- 21<sup>st</sup> June (Summer Solstice)
- 21<sup>st</sup> December (Winter Solstice)

7.344 The ES reports that 21<sup>st</sup> September (Autumn Solstice) provides the same overshadowing images as 21<sup>st</sup> March (Spring Equinox) as the sun follows the same path at these corresponding times of year. Therefore, the assessment results for 21<sup>st</sup> March would be the same for 21<sup>st</sup> September.

7.345 In relation to the Sun Hours on Ground test, the assessment requires that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21<sup>st</sup> March to appear adequately sunlit throughout the year. If as a result of new development an existing amenity area does not meet the above, and the area that can receive 2 hours of sun on 21 March is less than 0.8 times its former value (i.e., a 20% reduction), then the loss of sunlight is likely to be noticeable.

7.346 The ES identifies 4 amenity areas of which being as follows:



- Area 1: Land between Landmark West Tower, Landmark East Tower, Mayflower House and Endeavour House
- Area 2: Waterways

- Area 3: Mayflower House Roof Terrace
- Area 4: Endeavour House Roof Terrace

**Figure 15: Overshadowing and Solar Glare**

7.347 All amenity areas (Areas 1, 2, 3 and 4) adhere to the BRE guidelines recommendation in the proposed condition when considering the 21st March on the basis that each area retains 0.8 times its former value. The amenity areas are therefore considered to experience a Negligible effect and have not been considered further.

7.348 In terms of transient overshadowing, the same 4 amenity areas have been considered for the assessment as summarised below:

*21st March*

7.349 There will be a slight increase in shadow at the following times to the areas listed below as a result of the Proposed Development:

- 2 - 3pm – Area 2: Waterway

7.350 However, the affected area is a relatively small part of the amenity area and for a large portion of the day, these amenity areas will remain unaffected by transient overshadowing from the Proposed Development on 21<sup>st</sup> March. Furthermore, the amenity area already experiences intermittent overshadowing from existing structures and as such it is considered that the increased overshadowing would not be noticeable.

7.351 The effect of Transient Overshadowing on this amenity area on 21st March is therefore considered to be Minor Adverse (not significant).

7.352 The remaining 3 amenity areas (Areas 1, 3 and 4) will not experience additional shadow on 21st March and are thus considered to experience a Negligible effect (not significant).

*21st June*

7.353 In the summer period, shadows are shorter in length due to the higher position of the sun.

7.354 As a result of the Proposed Development, additional shadow will be cast on 21st June at the following times to the areas listed below:

- 9am –Area 3: Mayflower House; and
- 3-4pm Area 2: Waterway.

7.355 However, for the majority of the day, these amenity areas will remain unaffected by transient overshadowing from the Proposed Development on 21st June, similarly the affected areas are relatively small and unlikely to be noticeable particularly as intermittent overshadow already occurs due existing buildings.

7.356 The effect of Transient Overshadowing on these amenity areas on 21st June is therefore considered to be Minor Adverse (not significant).

7.357 The remaining 2 amenity areas, Land between Landmark West Tower and Endeavour House, will not experience any additional shadow on 21st June and are thus considered to experience a negligible effect (not significant).

*21st December*

7.358 On 21st December, the sun's altitude is particularly low; therefore, relatively low obstructions create longer shadows.

7.359 As a result of the Proposed Development, all 4 amenity areas will not experience any additional shadow on 21st December and are thus considered to experience a Negligible effect (not significant).

#### *Solar Glare*

7.360 The BRE Guidelines state at paragraph 5.8.1: "Glare or solar dazzle can occur when sunlight is reflected from a glazed façade or area of metal cladding."

7.361 The Solar Glare analysis assessed the impact of solar glare on a number of locations around the site. It was concluded that there would be negligible or minor impacts from Solar Glare and the results would be similar to other buildings of similar scale and character.

#### *Cumulative Scenarios*

7.362 The EIA Daylight and Sunlight chapter also includes details of a number of cumulative scenarios which have tested the impact of the development alongside approved developments and an emerging scheme at Cuba Street. The cumulative analysis does identify some significant impacts on neighbouring properties. This is not unexpected given the dense nature of the area and the approved developments within the area.

7.363 To further understand which part of the cumulative effect that relates to the Proposed Development, a future baseline scenario has been considered which has considered the cumulative schemes as built and assesses the impact of the development on neighbouring buildings. The conclusions of this analysis demonstrate that a large proportion of the impacts on neighbouring properties are a result of the cumulative schemes rather than the proposed development.

#### *Daylight and sunlight conclusion*

7.364 The BRE Guide recommends that a room with 27% VSC will usually be adequately lit without any special measures, based on a low-density suburban model. This may not be appropriate for higher density, urban London locations. The NPPF 2021 advises that substantial weight should be given to the use of 'suitable brownfield land within settlements for homes...' and that LPAs should take 'a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site'. Paragraph 2.3.47 of the Mayor of London's Housing SPG supports this view as it acknowledges that natural light can be restricted in densely developed parts of the city. Officers consider that retained VSC values in the mid-teens (that the applicant puts forward as a reasonable alternative target) are deemed acceptable.

7.365 It is acknowledged that the proposed development would result in daylight sunlight and sunlight impacts on surrounding properties. Officers have reviewed the information submitted and considered the impacts and balanced these against the benefits of the scheme. The application site is located within an Opportunity area and within a site allocation with the expectation that a higher density development and a tall building would be acceptable in principle in this location. The proposal would make a substantial contribution towards strategic housing targets. Taking account of the local context of dense urban development in tall buildings, officers consider the likely significant effects of the proposed scheme on nearby homes would be significant but not of magnitude to warrant refusal when balanced against the benefits of the scheme.

#### Noise and Vibration

- 7.366 The Council's 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.
- 7.367 Nonetheless, officers have requested several conditions be attached to the planning permission. These will be attached to any forthcoming consent.

#### Wind Impacts

- 7.368 Policy D.DH6 'Tall Building' states: 1. *"Developments with tall buildings must demonstrate how they will: [...] demonstrate that the development does not adversely impact on the microclimate and amenity of the application site and the surrounding area"*.
- 7.369 A wind microclimate assessment was conducted which comprised a series of initial wind testing and CFD simulations and detailed studies.
- 7.370 Post design freeze, wind tunnel testing was undertaken. The baseline assessment demonstrated that windier conditions were present in the northwest and east, further away from the site (Landmark Towers and Wardian). In these areas, pedestrian activities that require calmer wind conditions (e.g. building access points, waiting areas, recreational spaces and outdoor seating) would therefore be unsuitable.
- 7.371 With the introduction of the proposed scheme, at street level wind conditions are generally suitable, in terms of pedestrian wind comfort for their intended use, however some exceptions occur where wind conditions have become unsuitable for their intended use. In a few locations to the north and east of the site wind comfort ratings have improved and have become suitable for the respective pedestrian uses.
- 7.372 Wind conditions in the vicinity of the existing site in the context of the cumulative scenario are comparable to the existing baseline, but with slightly calmer conditions to the east of the site due to shielding effects provided by some of the cumulative schemes.
- 7.373 With the introduction of the proposals, both in the context of the existing and cumulative surroundings, windier conditions occur in the area between the site and the adjacent Britannia International Hotel due to acceleration of winds around the southeast corner of the proposed development. Notably, improvements in wind conditions at a limited number of locations to the north of the site were also observed with the introduction of the proposed development.
- 7.374 With the introduction of wind mitigation measures, all exceedances of the pedestrian safety and comfort criteria at street level resulting from the introduction of the proposed development were resolved, whereas most of the inherent exceedances in the surrounding area persist. Wind conditions at thoroughfare and designated entrance locations in and around the site meet the required level of wind comfort.
- 7.375 At the elevated levels, wind conditions at almost all the locations are suitable for intended uses. A single exception occurs at the southeast corner of the Level 1 terrace, within the context of cumulative surroundings only, whereby wind conditions are slightly too windy for outdoor seating in summer (suitable 93% of the time as opposed to the threshold requirement of 95%) but remain suitable for more active recreational pursuits.
- 7.376 In order to assist with mitigating this space against the impacts of the wind, the revised proposal has removed the previously proposed moveable seating and included planting in its place to provide more protection from the wind. Whilst this hasn't been retested, it is considered that this would assist in improving the wind impact.

7.377 In summary, despite just one receptor of the proposed development being affected by the impacts of wind, officers are satisfied that is a minor failure. Nonetheless, a condition will be attached requiring a wind tunnel test to accompany the final landscaping design to ensure that all amenity spaces are acceptable.

7.378 Therefore, on balance the wind impacts are acceptable and, the proposal does not adversely impact on the microclimate and amenity of the application site and the surrounding in line with policy D.DH6 of the local plan.

#### Air Quality

7.379 The application has had regard to the potential impact of the proposed development on air quality at nearby residential properties and the impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.

7.380 As part of the initial assessment of the application, officers raised concerns regarding the proposed NO<sub>2</sub> concentrations arising from a horizontal discharge from vertical louvres and boiler emissions. As a result, the applicant was requested to revisit the assessment of the exhaust from the louvre and propose suitable mitigation.

7.381 In response, the applicant provided the following mitigation measures:

- New boilers with rated NO<sub>x</sub> emissions of less than 24 mg/kWh, approximately 40 per cent lower than previously proposed.
- A canopy to be installed above the louvre and below the podium floor level.
- The exhaust louvre to start 3.1m above ground, terminate 6.1m above the ground and be 2.3m wide. This will increase the exhaust exit velocity to 2 m/s.
- The exhaust louvre to have extended fins at 45 degrees, to help channel the exhaust away from the podium at 1<sup>st</sup> floor level.

7.382 Officers are now satisfied that with the new mitigation that the new boilers will avoid likely substantial adverse effects off site. In addition, the combination of new proposed mitigation makes it highly unlikely that the one-hour NO<sub>2</sub> objective will be breached on the podium. The proposed mitigation measures shall be secured by conditions.

7.383 With the new proposed mitigation, the energy centre no longer conflicts with Policy SI 1 of the London Plan

7.384 Mitigation of construction dust is proposed through implementation of mitigation measures in accordance with the Mayor of London's SPG based on the assessed risks of dust soiling and human health impacts from the site prior to mitigation. The required mitigation and dust monitoring strategy has been integrated into the submitted Construction Environmental Management Plan (CEMP), to include an Air Quality and Dust Management Plan (AQDMP) and Construction Logistics.

#### Construction impacts

7.385 The Council's Code of Construction Practice Guidance require major developments to operate a Construction Environmental Management Plan (CEMP) and construction Logistics Plan (CLP) that outlines how environmental, traffic and amenity impacts attributed to construction traffic will be minimised.

7.386 The application is supported by a Construction Environmental Management Plan which has been reviewed by officers and found to be acceptable. This estimates an overall construction period of

6 months (with the overall site works lasting for approximately 178 weeks) and sets out potential security and storage, traffic routeing, loading/unloading areas, delivery times, construction vehicle restrictions, working times, noise/dust/air pollution control measures and management, monitoring, and review arrangements etc.

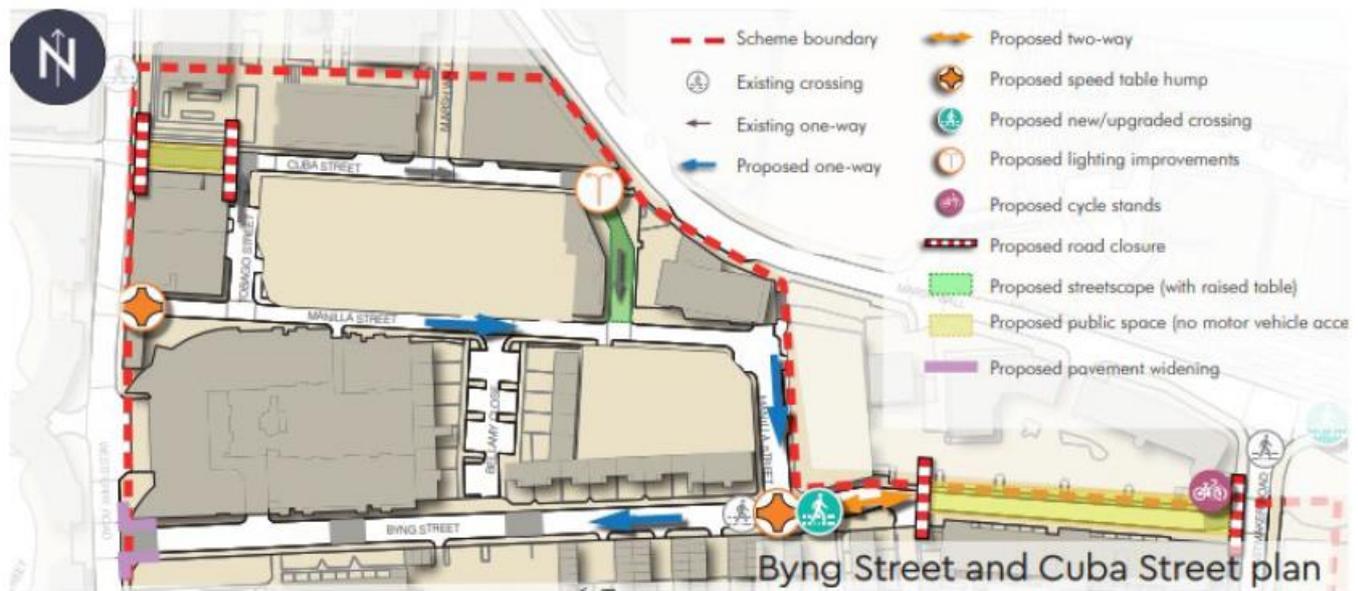
- 7.387 The ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction (including a CEMP). It is therefore recommended that planning conditions secure the implementation of the approved detailed CEMP and Construction Logistics Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.

### **Transport and servicing**

- 7.388 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.
- 7.389 As described under Site and Surroundings, the site has a PTAL rating of 4 (good) and is well connected with surrounding services.

### Vehicular, pedestrian and cycle access

- 7.390 The main student entrance would be directly from Marsh Wall leading to the reception and the building core. Entrances to the 2 lower ground kiosks will be from the new public realm along the pocket park and the 2 kiosks located on the upper ground will be accessed from the north western corner of the site. The proposed development includes public realm proposals improving the pedestrian environment around the site. The building façade along Cuba Street is set back approximately 1m increasing the public realm and also set back approximately 1m further on Marsh Wall.
- 7.391 In addition, new compliant stairs, to replace the existing poor-quality stairs, between Marsh Wall and Cuba Street are proposed to be provided at the south west corner of the site with associated additional landscaping. These stairs are in the private ownership of the development site but are publicly accessible
- 7.392 Cycle parking access would be taken from Cuba Street. Access to the cycle parking is provided through two compliant lifts up to the third floor ensuring level access.
- 7.393 With regards to vehicular access, the site is located within the Barkentine Liveable Streets. As part of the Liveable Street proposals, changes are being proposed to the local highway network. As part of this, the western end of Cuba Street between Westferry Road and Tobago Street will be closed to traffic. Vehicle access will be taken from Manilla Street which will operate one-way eastbound with exit via Byng Street onto Westferry Road. These changes will allow for better public spaces to be provided in the areas closed to traffic.



**Figure 16:** Barkentine Liveable Streets proposals to the south of the Site.

- 7.394 As part of the planning assessment, the council's highways officer raised concerns regarding the number of outwards facing doors onto Cuba Street. The applicant has since revised the lower ground floor plan which shows the delivery, cycle entrance and service yard doors opening inwards. Officers support this amendment and raise no objection to the fire escape and blast doors to the UKPN station remaining as outward openings as they are allowed to open in this direction given that they are emergency doors. A condition will be attached noting that these doors must only be opened in emergencies.
- 7.395 The details of the public highway works would be agreed by condition and implemented through a Section 278 agreement with the Council and TfL as the local highway authorities.

#### Car Parking

- 7.396 London Plan Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that appropriate levels blue badge parking should be provided within the development. Tower Hamlets Local Plan policy D.TR3 requires all residential developments to be permit free and that all parking associated with the development should be provided off-street.
- 7.397 The proposal will be 'car-free' and 'permit-free'. In terms of parking for disabled persons, there are proposed alterations to the on-street parking arrangements within the public realm scheme where an additional on-street car parking space would be provided within Cuba Street at its eastern end. The proposals are designed to align with future Liveable Neighbourhood proposals and will deliver additional elements of the public realm at Cuba Street. These should be secured through the section 278 agreement. The additional parking bay would be designated as a blue badge parking bay from the outset.
- 7.398 Whilst on street bays are not the favoured option by LBTH given that these are open to any registered blue badge holder and are time restricted, on-street provision has been demonstrated as not being possible. The use of ground floor space, particularly within sites with a constrained footprint are often subject to balancing land use requirements between design and highways and often provision is proposed on street, which is the case here. Given the constraints on the ground floor use, the Council's highway's officer accepts that in this instance, the proposed on-street provision is considered better than no provision.

- 7.399 Given that the proposal will involve alterations to the existing on street parking layout to provide one blue badge bay from the outset, the Council's parking team consider this to be reasonable plan with no impact on the traffic route. However, this blue badge parking bay is open to anyone with a blue badge (within the U.K) and not necessarily secured to the development. Therefore the parking team have requested a financial contribution of £10K towards the Traffic Management Orders to introduce, review its effectiveness and once tenanted upon application (should planning permission be granted) to convert it into a Personalized disabled parking bay.
- 7.400 As such, officers will seek a commuted sum for a period of three years to fund a new personalised blue badge space on street if required. This sum would be £10,000 and returned to the applicant if such a bay is not requested by a resident in the development within the three-year period. This would be secured through the s106 agreement.
- 7.401 The proposed car parking arrangements are acceptable subject to the recommended conditions and s106 planning obligations.

#### Cycle Parking and Facilities

- 7.402 Cycle parking access would be taken from Cuba Street and internal access is provided through two compliant lifts up to the third floor ensuring level access in line with London Cycle Design Standards (LCDS).
- 7.403 In terms of the cycle parking provision, the proposed strategy seeks to encourage cycling as a mode by providing the following:

##### *Students*

438 long stay spaces:

- 300 free to hire
- 138 bike spaces for student's personal bikes.
- 27 short stay spaces in the public realm.

##### *Student Housing Staff (not a policy requirement)*

6 Long Stay spaces (in 3 sheffield stands) at lower ground level within the service area inside the building)

##### *Commercial/Retail Uses*

2 Long Stay spaces (@ 1 per 175sqm - minimum of 2)

11 short stay spaces (@ 1 per 20sqm) in the public realm

Combining the Student and Commercial Short Stay Spaces equates to an overall provision of 38 bikes (19 sheffield stand) in the public realm.

- 7.404 The applicant is proposing to deliver cycle parking at a quantum lower level than the London Plan requirements. As justification for this, the applicant has stated that the standards for student cycle parking is too high and within the TA provides details of a survey showing that many student cycle parking schemes are underused. To mitigate this and to increase cycling amongst students, the applicant is proposing a free 300 bike hire scheme.
- 7.405 Whilst new to LBTH, this approach seems to have been adopted elsewhere in other London boroughs. Although the provision does not meet the London Plan standards, the Council's Highway's officer considers the cycle hire scheme reasonable as it provides students with not only a parking space but a bike as well, free of charge, which could encourage an increase in cycling in an area that is well connected to cycling routes.

- 7.406 Whilst LBTH officers are supportive of this proposal, TfL raised concerns regarding the cycle parking throughout the application. TfL requested that the applicant should explore whether a greater area within the building or site curtilage could be used. Initially, all of the resident cycle parking was proposed to be located on the 3<sup>rd</sup> floor of the building, therefore TfL requested the design be revised to ensure all or at least some of the cycle parking would be on the ground floor level for maximise convenience for cyclists, to be in line with the London Cycle Design Standards (LCDS), and London Plan policy T6 Cycling.
- 7.407 The provision of cycle parking for students is provided at the third floor as a result of the pre-application discussions. During these meetings, the design officer raised concerns regarding an earlier scheme iteration where cycle storage was proposed at 1<sup>st</sup> floor level and that it did not contribute to active frontage/overlooking onto the surrounding streets. Thus student communal space was moved down the building and cycle parking moved up. LBTH design, highways and planning officers consider this layout to be the most effective and suitable layout.
- 7.408 Staff cycle parking is provided at grade from Cuba Street, therefore there is some provision at grade, with access direct onto the cycle network.
- 7.409 Given the constraints of the site, to split the student cycle parking provision would require additional management of these spaces, as such, it seems more practical to make that provision all within a single location (with the exception of the short stay spaces which are provided at grade).
- 7.410 In summary, officers recognise the constraints of the site in respect of the requirement for active uses to be provided, along with waste storage provision, goods entrance and substation access. However, the applicant has taken on board officer pre-application advice in creating high quality active frontages, which are essential along the proposed north-south pedestrian link to enable active surveillance and promote a safe and secure public space. This has therefore resulted in the cycle parking being designed on the 3<sup>rd</sup> floor.
- 7.411 Notwithstanding the comments from TfL, there is no London Plan policy which states cycle parking must be at grade (other than visitor / short term). The proposals only fail to meet policy on the quantum by not providing the minimum requirements. However, to mitigate this, the applicant has included a free cycle hire provision as part of the proposal.
- 7.412 On balance, officers raise no objection to the proposal subject to conditions which would include the cycle parking and hire scheme and its provision as 'free to use' to be secured for perpetuity and a minimum of 300 cycles be available at any one time.

#### Deliveries & Servicing

- 7.413 Servicing is proposed to be undertaken from Cuba Street, on-street where a 'goods in' management office will be located. This will accept and manage all goods entering the building making the process as efficient as possible, minimising any effect on the public highway. Waste collections would also be managed and collected on Cuba Street with the bins for collection being managed for collection.
- 7.414 Whilst it recommended and required policy in the Local Plan to have servicing take place on site, the site is heavily constrained in respect of the requirement for active uses to be provided, along with waste storage provision, goods entrance, substation access, and the main student entrance.
- 7.415 As part of the planning application, officers asked the applicant to provide alternative servicing solutions so as not to use Cuba Street. The applicant proposed the west of the site for servicing in order to prevent vehicles using Cuba Street and using Marsh Wall instead. However, the Highway's officer did not support this option as it would have jeopardised the possible safety implications of creating another vehicle crossover so close to the adjacent site and would result in additional

turning movements across Marsh Wall into the site which would affect pedestrian flow. Furthermore, the alternative servicing strategy on the land to the west of the site could only operate as a one-way street and so vehicles would still have to either enter or exit onto Cuba Street anyway.

- 7.416 It is also proposed to introduce a new north-south route between Cuba Street and the Barkentine Estate onto Marsh Wall and this would not be possible if this was used for servicing.
- 7.417 Therefore, having considered the different options, it is considered that the benefits of the public realm improvement in terms of highway safety outweigh the use of Cuba Street for service vehicles. Whilst this isn't considered the ideal scenario, given the constraints on the site and those placed on it by other demands, it is considered acceptable. The applicant has agreed to a concierge service to ensure that return visits to the site are minimised.
- 7.418 Officers raise no objection to the proposal subject to conditions, including a Travel Plan as well as a Delivery, Servicing, and Waste Management Strategy.

#### Trip generation

- 7.419 The submitted Transport Assessment (TA) states that the proposed student accommodation scheme is estimated to generate 22 and 134 arrivals and departures respectively in the AM and PM peak with 194 arrivals and 118 departures in the PM peak across a typical day.
- 7.420 In terms of the commercial units, given their combined small size and excluding office use within Use Class E, would not be a major attractor of trips and would serve the students, local residents and pedestrians in the general vicinity of the site. The commercial space would therefore only attract a very small number of infrequent deliveries per week. Staff trips are expected to be outside of the typical peak hours.
- 7.421 The submitted Transport Assessment concludes the proposed scheme is well located to benefit from good access to public transport and ideally located in terms of pedestrian and cycle routes to all amenities. Officers consider that the generated trips by each of the different modes of transport can be accommodated on the surrounding transport infrastructure with negligible impact and that the proposal meets the policy requirements towards sustainable development and will support and encourage the use of sustainable modes of transport as a result of its design and location.

#### Healthy Streets and Vision Zero

- 7.422 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.
- 7.423 Due to Covid travel restrictions, a desktop Active Travel Zone (ATZ) assessment has been provided as part of the TA. The ATZ assessment has been undertaken focusing on the primary walk and cycle routes to key destinations from the site. Each of the routes has been assessed with reference to the Healthy Streets criteria.
- 7.424 The proposal would deliver new public realm to improve pedestrian environment around the site. The building façade along Cuba Street is set back approximately 1m to increasing the public realm, and also a setback of approximately 1m further on Marsh Wall, which would result in an increase of footway width. Permeability will be enhanced through provision of a step free, public accessible north-south route along site's western edge linking Cuba Street with Marsh Wall, incorporating seating and landscape, which will provide significant improved pedestrian space around the entire perimeter of the site is provided.

7.425 At the pre application stage, the principle of delivering a pedestrian/cycle route along the north-south route was strongly supported by TfL and officers as it would encourage and facilitate active travel. In addition, the improvement of the stepped route from Marsh Wall to Cuba Street was also urged. TfL requests that the north-south route is always publicly accessible. These routes will be delivered by condition and section 278 works as appropriate.

#### Demolition and Construction Traffic

7.426 The applicant has submitted a Construction Environmental Management Plan as part of the application which shall be secured via a planning condition. Both TfL and LBTH Highways officers have reviewed the document and consider the details to be acceptable and that there would not be an unacceptable impact and would comply with policies CC1, CC2 and CC3 of the Isle of Dog Neighbourhood Plan .

#### Travel Planning

7.427 The submitted Travel Plan identifies measures to encourage sustainable travel and it is recommended that the approval and implementation of detailed Travel Plans is secured by planning obligation.

#### Highway works

7.428 Extensive works are proposed to Cuba Street and Marsh Wall, including but not limited to the following:

- Realignment of Cuba Street to accommodate new stairs with carriageway and footway works on both sides of Cuba Street;
- Resurfacing the footway along the northern side of Cuba Street with dropped kerbs at the cycle and goods/refuse accesses;
- Removal of the existing vehicle/car park access on Cuba Street;
- Alterations to on-street parking bays at the eastern end of Cuba Street to provide an additional space to be designated as a disabled bay; and
- Resurfacing of footway on Marsh Wall and removal of the railings and bollards on both sides of Marsh Wall adjacent to the pelican crossing.

7.429 These would be secured by way of a s278 agreement.

#### **Health Impacts**

7.430 Local Plan Policy D.SG3 states that developments that are referable to the Mayor require to be supported by a Health Impact Assessments (HIA). The submitted HIA (which was incorporated in the ES under the socio-economic chapter) has been assessed by the bough HIA officer and concludes that the methodology is sound identifying the following:

- Housing Quality and Design: The proposal would deliver much needed student accommodation which positively contributes to annual housing targets as well as helping to meet local demand for various types of accommodation, encouraging a vibrant resident community. Residents would benefit from functional, comfortable and energy efficient living including accessible units for mobility impaired users;

- **Open Space:** Identifies that there is currently a lack of open space on site and that the proposal will provide a new public realm and pocket park with a new pedestrian route along western boundary which will be greened. Furthermore, the existing steps will improve accessibility around the site.
- **Crime Reduction and Community Safety:** The scheme has been designed to maintain clear sightlines, ensure spaces are well lit and that there is a decent amount of natural surveillance that would help to reducing fear of crime. The proposals have been developed in consultation with a Designing Out Crime officer;
- **Access to Work and Training:** flexible retail and commercial space generating up to 30 FTE jobs providing opportunities for employment, including for residents. In addition, during the demolition and construction phase, temporary employment opportunities would be generated;
- **Pedestrian and Cycling Activity:** strong public transport links and prioritises pedestrian and cycling modes of travel, both in terms of accessing the site and within the site itself thereby encouraging and promoting active travel and exercise;
- **Minimising the use of natural resources:** The site meets the principle of section 11 of the NPPF by reusing land that has previously been developed for a mix of uses and would enhance the amenity value of the site for occupiers and the local community. It incorporates sustainable design and construction techniques and will be highly energy efficient; and
- **Incorporation of Renewable Energy:** inclusion of Air Source Heat Pumps and energy efficiency measures helping to mitigate against climate change impacts and reduce potential for fuel poverty.

7.431 Officers agree that the proposed development would result in the above positive health comes, which would be secured by several the proposed planning conditions and planning obligations.

### **Energy & Environmental Sustainability**

- 7.432 Local Plan Policy D.ES7 requires developments (2019-2031) to achieve the following improvements on the 2013 Building Regulations for both residential and non-residential uses: Zero carbon (to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% - to be off-set through a cash in lieu contribution).
- 7.433 Local Plan Policy D.ES10 requires new development to ensure that buildings (both internally and externally) and the spaces around them are designed to avoid overheating and excessive heat generation, while minimising the need for internal air conditioning systems.
- 7.434 London Plan Policy SI 2 also calls for major development to be zero-carbon by reducing greenhouse gas emissions by improvements on the 2013 Building Regulations, but by 35% (with at least 10% for residential and 15% for non-residential coming from energy efficiency measures), in accordance with the Mayor of London's energy hierarchy. This policy also calls for developments referable to the Mayor to include a Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 7.435 London Plan Policy SI 3 requires development within Heat Network Priority Areas to have communal-low temperature heating system, with heat source being selected in accordance with a hierarchy (connect to heat networks, use zero carbon or local heat sources (in conjunction with heat pumps, if required), use low-emission CHP).
- 7.436 London Plan Policy SI 4 calls for development to minimise overheating in accordance with a cooling hierarchy.
- 7.437 The principal target is to achieve a reduction in regulated CO2 emissions in line with the LBTH Local Plan that requires all residential development to achieve the 'Zero Carbon' standard with a minimum 45% CO2 emission improvement over Part L 2013 Building Regulations. This exceeds

Policy 5.2 of the London Plan that requires the 'lean', 'clean' and 'green' stages of the Mayor of London's Energy Hierarchy to be followed to achieve a 'Zero Carbon' Standard targeting a minimum onsite reduction of 35%. All surplus regulated CO2 emissions must be offset at a rate of £95 for every ton of CO2 emitted per year over a minimum period of 30 years.

7.438 The application is supported by a Sustainability & Energy Statement and the ES (Chapter 13) reports on an assessment of the likely significant effects on greenhouse gas emissions.

#### *Energy*

7.439 The Mayor of London's Energy Hierarchy is as follows:

- be lean: use less energy and manage demand during operation;
- be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly;
- be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site; and
- be seen: monitor, verify and report on energy performance.

7.440 '*Be Lean.*' The Mayor's hierarchy prioritises a 'fabric first' approach, including thermal insulation, glazing energy and light transmittance, mechanical ventilation, domestic hot water (DHW) system and natural daylight and lighting strategy to reduce energy demand. These proposed measures would result in a saving of 124tCO<sub>2</sub>/year for the non-residential which would equate to a 15% reduction in annual regulated CO<sub>2</sub> emissions beyond the gas boiler baseline via passive design and energy efficiency measures (utilising SAP10 carbon factors).

7.441 '*Be Clean.*' Initially the sustainability statement stated that the connection with the nearby Barkentine heat and power network was not an option. However, the GLA requested the further consideration was given to this. The applicant has since confirmed that investigations have been carried out and it is found that Barkentine Energy Network can be connected to the site once it is available for connection with decarbonization plan being implemented. CHP is not proposed due to poor carbon reduction and adverse air quality impacts.

7.442 As requested by the GLA, a condition shall be attached requiring a viability assessment prior to the commencement of development, to confirm if the proposed development will have the potential to connect and benefit from the planned decarbonisation works on the heat network. A further condition will be attached requiring the applicant to continue working with the Barkentine District Heating Network operators and LBTH.

7.443 '*Be Green.*' The feasibility of on-site renewable energy technologies has been assessed, and Air Source Heat Pumps (ASHP) have been found suitable. ASHP will be implemented to provide space heating and domestic hot water requirement. As part of the original proposal, solar PVs were not included. Officers (LBTH and GLA) requested the applicant to reevaluation this and carry out further analysis to see where they could be provided. The applicant has provided vertical PV on the roof level. On-site renewable energy technology is expected to save 240.2 tonnes of carbon dioxide per year (a 30% saving above SAP 10).

7.444 '*Be Seen.*' Extensive metering, use of energy management software and FM management training will enable post construction monitoring to be undertaken. This will be secured through the S106.

7.445 The measures implemented as part of the Be Lean, Be Clean and Be Green assessment result in a saving of 364.2 tCO<sub>2</sub>/year for the non-residential, which equates to a 45% reduction from the baseline respectively, when the SAP 10 emission factors are applied.

7.446 *Carbon Offsetting.* The proposals meet the Local Plan target for anticipated on-site carbon emission reductions and are proposing a 45% reduction compared to the baseline (utilising SAP10 carbon factors). In order to support the scheme the residual CO<sub>2</sub> emissions (439.7 tonnes CO<sub>2</sub>)

should be offset through a carbon offsetting contribution of £1,253,145 to deliver a policy compliant net zero carbon development.

- 7.447 *Overheating.* The detailed overheating risk assessment has been carried out using dynamic thermal modelling. GLA's cooling hierarchy has been explored to reduce and avoid the need of cooling for this development. Building design features such as natural ventilation from openable windows, mechanical ventilation, external shading from overhangs, internal shading by the use of blinds and low window/curtain wall G-value (optimised to 40%) have been adopted to achieve compliance with CIBSE TM59. All corridors pass overheating criteria as stipulated in CIBSE TM59 with ventilation strategy as mentioned in this report. This meets London Plan Policy SI 4.
- 7.448 The GLA has advised that the applicant should commit to providing guidance to occupants on minimising the overheating risk in line with the cooling hierarchy, as previously requested. This shall be conditioned.
- 7.449 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 London Plan and policy D.ES7 of the Local Plan.

#### *Environmental sustainability*

- 7.450 Policy D.ES6 requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development, taking into consideration the cumulative impact of current and proposed development.
- 7.451 Policy D.ES7 of the Local Plan also requires all new non-residential development over 500sqm floorspace to meet or exceed BREEAM 'excellent' rating. The policy also encourages all self-contained residential proposals to meet the Home Quality Mark. These requirements are repeated in Policy SD1 of the Isle of Dogs Neighbourhood Plan.
- 7.452 Movement and transport, Landscape and ecology, air quality, noise, daylight and sunlight, flood risk and drainage are addressed in detail in other sections of this report.
- 7.453 *Building Performance.* The Sustainability Statement includes a BREEAM pre-planning assessment which states that the proposed new student units could achieve a BREEAM Excellent rating. It is recommended that a planning condition secures this.
- 7.454 *Construction waste.* The applicant's Sustainability Statement states that it would put in place waste management systems during the (demolition) and construction phase to minimise waste, including the sorting and recycling of waste and diverting it from landfill. A Site Waste Management Plan will be secured by planning condition.

#### *Circular Economy*

- 7.455 The application has been accompanied with a detailed Circular Economy Statement that sets out key circular economy commitments for the proposed development which include but not limited to as summarised below:
- 7.456 *Conserve Resources:* The Proposed Development has been designed to ensure that material and resources are effectively used, managed and reduced as far as possible, in accordance with the GLA first principle of the circular economy. The development has also ensured that material quantities and other resources are minimized, responsibly and local sourced throughout the development process.

- 7.457 The Proposed Development is using Modern Methods of Construction (MMC) – Prefabricated Modular Units and therefore the process itself leads to a more efficient use of material and resources.
- 7.458 *Eliminate Waste:* The Proposed Development has also been designed to eliminate waste generation as far as possible, in accordance with the GLA second principle of circular economy. The development has been designed to be flexible and adaptable, therefore increasing the building durability and longevity and thereby reducing construction, demolition, and excavation waste arising.
- 7.459 As mentioned above, the Proposed Development is using MMC and therefore reducing construction waste by up to 80% compared to traditional construction and 97% of its waste is recycled. Advance offsite technologies allow for internal and external design flexibility.
- 7.460 *Manage Waste Sustainably:* The Proposed Development has been designed to manage waste sustainably, in accordance with the GLA third principle of the circular economy. A demolition and construction audit along with a site-specific Site Waste Management Plan, was carried out to help set a target, manage and divert construction waste from the landfill. Moreover, a Refuse Management Plan was submitted with the application which covers normal waste as well as recycling for the building once occupied. which was developed to help with the operation waste of the building during occupation and how it will be segregated and diverted from the landfilled. A sufficient and compliant bin area and appropriately sized bins have been provided to help maximise recycling and the reuse of municipal waste in accordance with the local and GLA requirements.
- 7.461 A Demolition and Construction Statement, (Chapter 5 of the Environmental Statement Vol 1) submitted with the application, was carried out and due to the MMC, 97% of construction waste will be separated into recycled waste streams and diverted from the landfilled, which is higher than the target set by the GLA of 95%.
- 7.462 The GLA have requested that the applicant achieves the London wide target of 65% recycling by 2035.
- 7.463 Officers consider the above key commitments identified within the submitted Circular Economy Statement to be acceptable and in accordance with Policy SI7 of the London Plan.

#### Waste management

- 7.464 All students will be required to separate their waste into the following types in accordance with the collection system provided by London Borough of Tower Hamlets:
- General waste;
  - Recycling (comingled):
  - Cartons.
  - Organic/Food waste
- 7.465 Each student will be provided with the appropriate bins to separate their waste into the types listed above.
- 7.466 A refuse chute system has been included in the design with access to lobbies on each floor for students to deposit their waste. The refuse chute system travels through the centre of the building into the waste storage area on the lower ground level. Once on the lower ground floor, the chute will empty into the appropriate bin.
- 7.467 Bins will be placed under the chute for the separate collection of refuse and recycling. Once these bins are full, the building management team will replace these with the empty bins within the waste storage area. The full bins will then be compacted using the lever arm in-bin compactor to a ratio of up to 2:1.

- 7.468 Waste would be collected from the servicing bay along Cuba Street. Waste collection for this site would be once a week for all 3 waste streams.
- 7.469 The Council's waste and highway's officers have reviewed the proposed waste strategy and raise no objection subject to a condition requiring an operational waste management plan to be approved by the Council prior to completion of the development.
- 7.470 As discussed under Environmental Sustainability above, it is recommended that a Site Waste Management Plan for the construction stage is secured by planning condition.

#### Biodiversity

- 7.471 London Plan Policy G6 states that 'development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain' and Tower Hamlets Local Plan Policy D.ES3 require developments to protect and enhance biodiversity. The site does not form part of any statutory or non-statutory nature conservation site and is not located within a preferred location for biodiversity under the Local Plan's Green Grid Network.
- 7.472 The application is supported by a Preliminary Ecological Appraisal, Biodiversity Net Gain Report and letter regarding a Jersey Cudweed Survey.
- 7.473 The site has small areas of ruderal vegetation and planted shrubbery, and a couple of trees. These will provide some habitat for common birds and invertebrates.
- 7.474 The existing trees and building have negligible potential for bat roosts. The trees and shrubs could support nesting birds. Removal of potential nesting habitat should be undertaken outside the nesting season, or a survey for nesting birds carried out immediately before clearance. This will be the subject of a condition.
- 7.475 The protected plant, Jersey cudweed, has been found growing on similar areas of hardstanding in other places around the docks. A survey in November 2020 found no Jersey cudweed on the application site. Jersey cudweed is an annual that can spread very easily. As site clearance has not been undertaken by November 2021, within a year of the survey, a precautionary survey for Jersey cudweed should be undertaken prior to site clearance. If Jersey cudweed is found, a licence will be required from natural England. This will need a mitigation plan, which would presumably be to transfer Jersey cudweed to the proposed biodiverse roof. This will be secured through a condition.
- 7.476 The loss of the existing vegetation will be a very minor adverse impact on biodiversity. Policy D.ES3 requires major developments to provide net gains for biodiversity that contribute to the delivery of the Local Biodiversity Action Plan (LBAP). The proposals include a biodiverse roof at the highest level, and ornamental/amenity planting at ground level and on terraces at first and 46th floor levels. The outline design for the biodiverse roof is good. It will contribute to a LBAP target to create new open mosaic habitat.
- 7.477 Within the ornamental planting, the proposed trees include four native species, and the shrubs, climbers and herbaceous planting include numerous good nectar plants which will provide nectar for bees and other pollinators. These will contribute to further LBAP objectives.
- 7.478 The Biodiversity Strategy in the Design & Access Statement also proposes bird and insect boxes and log piles at various levels. Some of these will contribute to further LBAP targets. The proposed landscaping and features for biodiversity will be sufficient to ensure substantial net gains for biodiversity, as required by D.ES3. Full details of all biodiversity enhancements should be subject to a condition.

#### Flood Risk & Drainage

- 7.479 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drain is protected to a very high standards by the Thames tidal flood defences up to a 1 in 1000 (0.1%) change in any given year. Policy D.ES6 requires new development to minimise the pressure on the combined sewer network.
- 7.480 The application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The FRA identifies the site as being in Flood Zone (high risk) and concludes that all the proposed uses are appropriate. The Environment agency have commented that the site is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event
- 7.481 Furthermore, the proposal does not have a safe means of access and/or egress in the event of flooding from all new buildings to an area wholly outside the floodplain. However safe refuge within the higher floors of the development are proposed with which the EA raised no objection.
- 7.482 To improve flood resilience, the EA recommended that, where feasible, finished floor levels are set above the 2100 breach flood level, which is 5.08m AOD. As set out in the FRA, the basement level (-2.250m AOD) will be dedicated entirely to the provision of plant and storage rooms only and that the lower ground floor (LGF) (2.000m AOD), will accommodate additional plant and storage rooms, plus 1No. retail unit. While this level would be susceptible to flooding during a breach event, it is worth noting that safe refuge for the users of the LGF will be provided via direct internal access to the upper ground level (UGL), which will allocate a number of communal, commercial and retail areas set at a level of 5.450m AOD, effectively 370mm higher than the anticipated 2100 breach level of 5.08m AOD.
- 7.483 The lowest sleeping accommodation will be provided at 4th floor, which will be set at a level of 23.810m AOD. This is 18.730m above the predicted 2100 breach level of 5.080 m AOD.
- 7.484 As set out above, only 'less vulnerable' uses such as retail and back of house spaces have been located below the breach level. These areas will be of a flood resilient construction in accordance with the EA's guidance. Basement waterproofing is also required to be designed in accordance with BS 8102 to mitigate the risk of flooding from groundwater. Any plant sensitive to flooding will be protected by flood doors
- 7.485 The proposed incorporation of SuDS and reduction in surface water discharge rates to the public sewers would be beneficial in contributing to a reduction of flood risk in the area. Neither the Environment Agency nor Thames Water have raised any objections to the proposals and after some clarification the GLA have also accepted the proposal and agreed that the FRA has had regard to the London Plan Drainage hierarchy.
- 7.486 In terms of SuDS, the drainage strategy proposes rain gardens in the form of landscaped planters at the perimeter of the building, green roofs, tree pits, and permeable paving, as well as a rainwater harvesting tank at ground floor level (as requested by the GLA and officers) and the second-floor terrace will have a blue roof system (the roof shall be fitted with an attenuation mat and the attenuated water will have an overflow towards the attenuation system). These are accepted by officers and will go towards the sites SuDS requirements.
- 7.487 The proposed building will discharge all foul water collected into the existing sewer network on Cuba Street. The surface water discharge into Marsh Wall and will be controlled and limited to 2l/s (pump chamber outflow control) using the following SuDS measures:
- SDS Geolight Cellular Attenuation outside of the building footprint;
  - Pump chamber from the attenuation tank will limit surface water discharge to 2l/s.
- 7.488 Both the GLA and LBTH SUDs officers raised concerns regarding the use of pumping as it is not a sustainable solution to surface water discharge and should be avoided. Additionally, the Council's

SUDs officer felt that it would be a better option if surface water discharge was allowed into Cuba Street (rather than Marsh Wall) then a pumped system is not required.

- 7.489 However, Thames Water have confirmed that if the surface water is allowed into the combined sewer on Cuba Street, this water then will have to be pumped by Thames Water pumping station(s) later down the line. It also means that Thames Water will have to treat the surface water at Becton STW before it is then discharged out and also can contribute to the number of CSO spills.
- 7.490 Thames Water have confirmed that the proposals provide a good opportunity for the surface water to discharge to the surface water sewer which, whilst would need to be pumped originally, it would then be in the surface water network which will eventually be discharged to a watercourse instead. As such, officers consider that the proposed drainage strategy to be acceptable and in line with policy D.ES6 of the Local Plan. Furthermore, it is supported by Thames Water who would be the body controlling these sewars.
- 7.491 The Council's SUDs officer requested that a surface water drainage drawing, and strategy for the site be conditioned.
- 7.492 With reference to the Tower Hamlet's SFRA, the site is located within a rapid inundation area and as a result, the proposed strategy during a significant overtopping or breach event is to stay within the building. Consequently, a Flood Warning and Evacuation Plan is required to be developed to include the relevant guidance and advice to the residents with regards to the flood risk on the site. It should provide details of the flood warning system, how the plan is triggered and what actions are required. The plan should be reviewed regularly for the lifetime of the development. This will be secured through a condition.

#### Land Contamination

- 7.493 Geo-environmental (Ground Conditions, Groundwater and Land Take and Soils) was scoped out of the EIA. However, the application is supported by a Geo-environmental Desk Study Report based on a conceptual site model, this sets out the characteristic ground conditions and elements of the surrounding environment and identifies potential sources of contamination, potential receptors of the contamination and potential pathways between them. It does conclude that there are potential sources of contamination and recommends a ground investigation to allow an assessment of the underlying ground conditions. Given this, it is recommended that the Council's standard land contamination remediation and verification report conditions are attached to any planning permission. This would ensure that the application accords with Tower Hamlets Local Plan policy D.ES8

#### **Infrastructure considerations**

- 7.494 Policy D1 (Infrastructure Impact Assessment) of the Isle of Dogs Neighbourhood Plan states that applications for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the planning application. As such, this was provided as part of the planning application submission.
- 7.495 Policy D1 of the Isle of Dogs (IOD) Neighbourhood Plan requires the submission of infrastructure Assessment to consider the impact of high-density developments on local infrastructure. Although the application submission pre-dated the adoption of the IOD neighbourhood plan, an Infrastructure Impact Assessment was submitted which assesses the impact on utilities, social infrastructure and transport infrastructure. The applicant also provided a Utilities Appraisal which identifies where there is sufficient capacity to serve the proposed development and if not, the necessary steps to be taken to ensure there is.

- 7.496 In terms of Transport matters the ES includes a detailed assessment of public transport capacity which has concluded that the development would have an acceptable impact on public transport capacity.
- 7.497 In terms of both surface water and foul water drainage, Thames Water have raised no objection. Thames Water have confirmed that there is sufficient capacity within the water network to accommodate the development until the 99<sup>th</sup> unit after which upgrades to the water network shall be required. A condition shall be attached to ensure development doesn't outpace the delivery of essential infrastructure.
- 7.498 With regards to electrical supply and infrastructure, within the submitted Utilities Assessment, the applicant has confirmed that following engagement with the statutory undertaker UKPN, capacity for the required 3.5MVA load demand can be accommodated by the network in the area.
- 7.499 In addition, the applicant has confirmed that an application shall be made to UKPN for the installation of a new electricity connection to serve the proposed development should planning permission be granted. This will ensure that an electricity connection is provided to the Site prior to the first occupation of the building, and that there is sufficient capacity in the network to serve the new building. This will be secured by condition.
- 7.500 A formal application has been made to Cadent Gas to understand the potential impact of the proposed development on the gas network and determine whether there is sufficient capacity in the network to serve the proposed building. The applicant is currently awaiting a response from Cadent Gas.
- 7.501 The applicant has recognised that upgrades to the current gas supply network will be required to serve the proposed development and ensure there is not a detrimental impact to the surrounding area in this regard and that they will be responsible for covering the costs of these
- 7.502 In order to ensure that a suitable gas connection is provided, along with sufficient capacity in the network, should planning permission be granted, a condition shall be attached requiring the applicant to engage with the gas supplier and ensure that a suitable connection is provided, along with sufficient capacity in the network prior to the first occupation of the proposed development.
- 7.503 The Utilities Assessment notes that the asset information obtained indicates that there are currently several telecoms providers that have assets in that area. As such, the proposed new telecoms for the site would have a range of providers to choose from.
- 7.504 In relation to health and education facilities, the development would include a significant CIL payment to commit to improved services. Furthermore, the proposed development, being solely student accommodation and flexible commercial / retail space, will generate no child yield. As such, the proposal will not increase demand on existing primary and secondary education facilities.
- 7.505 While there is no identified standard for open or amenity space for student accommodation, the Proposed Development includes internal and external amenity space for the future residents of the development which will help to relieve pressure on nearby public open spaces. 2,292.4sqm (2.1sqm per student of communal amenity space within the proposed building shall be provided. In addition to the communal amenity spaces provided for students, the Proposed Development also includes a new 'Pocket Park' in the northern corner of the Site which extends along the western boundary of the Site through the provision of a new, landscaped pedestrian route. As well as this Pocket Park, the scheme will deliver significant public realm improvements, including replacement steps in the southern corner of the Site which provide access from Marsh Wall down to Cuba Street, and increased footpaths widths to improve pedestrian comfort.
- 7.506 Whilst not forming part of this planning application, should planning permission be granted in the future for the neighbouring Cuba Street development (application reference PA/20/02128), this would deliver a new public park totalling 1,600sqm. This would provide public open space for future

residents of that development as well as existing residents in the area, helping reduce pressure on existing public open spaces.

- 7.507 Overall the development subject to securing the relevant conditions and planning obligation the development is considered by officers, including the council's Infrastructure team, to have an acceptable impact on local Infrastructure and meets the requirements of the Neighbourhood Plan.

#### Contributions to community infrastructure

- 7.508 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £11,775,903.93 and Mayor of London CIL of approximately £2,475,585.57.
- 7.509 This would result in a total of £14,251,489.50. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.

#### Planning obligations

- 7.510 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the mitigate the site specific impacts of the proposed development.
- 7.511 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:
- £173,211.30 towards construction phase employment skills training
  - £5,217.30 towards end-user phase employment skills training
  - £40,336.80 towards development coordination and integration
  - £1,253,145.00 towards carbon off setting
  - £10,000 commuted sum for blue badge parking bay (3years)
  - Monitoring fee

### **HUMAN RIGHTS & EQUALITIES**

- 7.512 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.
- 7.513 The proposed new student accommodation meets inclusive design standards and 5% will be wheelchair accessible. Furthermore, 35% of the units will also be affordable. These standards would benefit future employees and residents, including disabled people. The proposed affordable housing would be of particular benefit to students 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.
- 7.514 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) £173,211.30 towards construction phase employment skills training

- b) £5,217.30 towards end-user phase employment skills training
- c) £40,336.80 towards development coordination and integration
- d) £1,253,145.00 towards carbon off setting
- e) £10,000 commuted sum for blue badge parking bay (3years)
- f) Monitoring fee

### 8.3 Non-Financial Obligations

- a. Nomination agreement (including signing of the nomination agreements to take place prior to occupation) (GLA)
- b. 374 (35%) affordable student rooms
- c. Early stage review and the affordability of the units (GLA)
- d. 5% wheelchair accessible units
- e. Access to employment:
  - 20% local procurement
  - 20% local labour in construction
  - 33 construction phase apprenticeships
- f. Transport
  - Approval and implementation of Travel Plan (Tfl)
  - Implementation and funding of highway works (as covered in s278)
  - Car and permit free development
- g. Compliance with Considerate Constructors Scheme
- h. Architect retention
- i. Management and maintenance plan for public space (GLA)
  
- h. Post construction monitoring of whole lifecycle carbon cycle (GLA)

- 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

### Compliance

1. 3 years deadline for commencement of development
2. Development in accordance with approved plans
3. Restricting office use (to ensure active frontages)
4. Cycle facilities to be retained and maintained for life of development for their approved use only
5. The 'free to use' cycle hire scheme to be retained and maintained for life of development and maintained at minimum of 300 working cycles. Free membership to last for each student whilst they reside at the location and in perpetuity for the development.
6. 24 hour public access of pocket park
7. Construction Environmental Management Plan, including an Air Quality and Dust Management Plan (AQDMP)
8. CEMP to be valid for 2 years. If works have not begun in that time a new, updated CMP is required to be submitted.
9. Air Quality Standards for Boilers and CHP Units
10. Timing of vegetation clearance (breeding birds)
11. Precautionary Jersey Cudweed survey
12. Development to be carried out in accordance with fire strategy
13. Fire doors are only to be used in an emergency situation.

14. Control of the duration of gas boilers and diesel generators
15. Louvre design to be provided as detailed in Air Quality Technical Note, dated 24.12.21, prepared by Air Pollution Services
16. Air quality measures should be in place throughout the lifetime of the scheme
17. Developer to ensure that any combustion plant exhaust emissions venting through the proposed louvres are fully mixed with the ambient air
18. Developer to continue working with Barkentine District Heating Network Operators and LBTH

#### Pre-commencement

19. Construction Site Waste Management Plan
20. Land Contamination Remediation
21. Construction Plant and Machinery (NRMM)
22. Air Quality particulates (PM10) Monitoring
23. Surface Water Drainage Drawing and strategy (excluding demo)

#### Six months post -commencement

24. Viability assessment (in consultation with GLA energy)

#### Pre demolition and post demolition

25. Construction Logistics Plan – phase 1 (pre demolition) and phase 2 (post demolition)

#### Demolition to slab level

26. Details of the foundation design and construction method (in consultation with GLAAS)

#### Pre-demolition or commencement of below ground works

27. Archaeology: Written Scheme of Investigation (in consultation with GLAAS)
28. Interpretation Boards to provide public information on the history of the site (in consultation with GLAAS)

#### Above ground construction

29. Crane methodology (in consultation with London City Airport)

#### Pre-superstructure

30. Wheelchair housing detailed plans (student)
31. Operational waste management plan
32. Delivery, Servicing, and Waste Management Strategy (in consultation with TfL and GLA)

#### Prior to Installation of modules

33. Details of external facing materials and architectural detailing
34. Details of hard and soft landscaping of all public realm and open spaces including details relating to street furniture, biodiversity mitigation and enhancements and wind mitigation.
35. Lighting Strategy

#### Prior to Occupation

36. Water network upgrades (Thames Water)
37. BREEAM Certificate to be 'Excellent' (6 months of first occupation)
38. Post completion verification report (in consultation with GLA)
39. Contamination verification
40. Kitchen Extract Standards for Commercial Uses (prior to occupation of the commercial units)
41. Protecting residential units and the building envelope from noise
42. Biodiversity enhancements
43. Landscape maintenance Strategy
44. Detailed studies of shopfronts
45. Noise design of mechanical plant and equipment

46. Flood Warning and Evacuation Plan
47. Engagement with gas supplier to ensure suitable connection and capacity provided
48. Engagement with UKPN to ensure suitable electricity connection and capacity provided
49. Developer to provide guidance to occupants on minimising the overheating risks (in consultation with GLA)
50. Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed (in consultation with the GLA)
51. Secure by Design

#### Informatives

1. Thames Water (Groundwater Risk Management Permit)
2. Thames Water (Underground Assets)
3. Thames Water (The applicant is advised to read our guide working near or diverting their pipes)
4. Thames Water (The applicant is advised to read our guide 'working near our assets')
5. GLAAS (Written Scheme of Investigation)
6. GLAAS (Foundation Design)
7. SBD (Applicant must seek advice of SBD)
8. Air Quality (PM10 monitoring)

## **APPENDIX 1 – List of Plans for Approval**

### **Schedule of Drawings**

#### Existing

11233-EPR-00-00-DR-A-TP-0001 rev 4 – Site Location Plan  
11233-EPR-00-00-DR-A-TP-0002 rev 4 – Existing Site Boundaries  
11233-EPR-00-00-DR-A-TP-0100 rev 4 – Proposed Site Boundaries

11233-EPR-00-LG-DR-A-TP-0009 rev 2 – Existing lower ground floor  
11233-EPR-00-UG-DR-A-TP-0010 rev 2 – Existing ground floor  
11233-EPR-00-01-DR-A-TP-0011 rev 2 – Existing first floor  
11233-EPR-00-02-DR-A-TP-0012 rev 2 – Existing second floor  
11233-EPR-00-03-DR-A-TP-0013 rev 2 – Existing third floor  
11233-EPR-00-04-DR-A-TP-0014 rev 2 – Existing fourth floor  
11233-EPR-00-05-DR-A-TP-0015 rev 2 – Existing fifth floor  
11233-EPR-00-06-DR-A-TP-0016 rev 2 – Existing roof plan

11233-EPR-00-NE-DR-A-TP-0040 rev 2 – Existing NE elevation  
11233-EPR-00-SW-DR-A-TP-0041 rev 2 – Existing SW elevation  
11233-EPR-00-NW-DR-A-TP-0042 rev 2 – Existing NW elevation

11233-EPR-00-XX-DR-A-TP-0050 rev 2 – Section AA  
11233-EPR-00-XX-DR-A-TP-0051 rev 2 – Section BB

#### Proposed

11233-EPR-00-LP-DR-A-TP-0197 rev 3 – Proposed lift pit floor  
11233-EPR-00-B1-DR-A-TP-0198 rev 3 – Proposed basement floor  
11233-EPR-00-LG-DR-A-TP-0199 rev 10 – Proposed lower ground floor  
11233-EPR-00-UG-DR-A-TP-0200 rev 4 – Proposed upper ground floor  
11233-EPR-00-01-DR-A-TP-0201 rev 4 – Proposed first floor  
11233-EPR-00-02-DR-A-TP-0202 rev 4 – Proposed second floor  
11233-EPR-00-03-DR-A-TP-0203 rev 4 – Proposed third floor

11233-EPR-00-19-DR-A-TP-0219 rev 3 – Proposed typical accommodation floor (Floor A)  
11233-EPR-00-21-DR-A-TP-0221 rev 2 – Proposed typical accommodation floor (Floor B)  
11233-EPR-00-31-DR-A-TP-0231 rev 4 – Proposed typical accommodation floor (Floor C)  
11233-EPR-00-33-DR-A-TP-0233 rev 3 – Proposed typical accommodation floor (Floor D)  
11233-EPR-00-37-DR-A-TP-0237 rev 4 – Proposed typical accommodation floor (Floor E)  
11233-EPR-00-39-DR-A-TP-0239 rev 3 – Proposed typical accommodation floor (Floor F)  
11233-EPR-00-44-DR-A-TP-0244 rev 4 – Proposed premium accommodation (Level 44)  
11233-EPR-00-45-DR-A-TP-0245 rev 4 – Proposed forty fifth floor (Level 45)  
11233-EPR-00-46-DR-A-TP-0246 rev 4 – Proposed roof (Level 46)  
11233-EPR-00-46M-DR-A-TP-0246M rev 5 – Proposed roof plant mezzanine floor (Level 46M)  
11233-EPR-00-47-DR-A-TP-0247 rev 5 – Proposed roof plant – lift motor room (Level 47)  
11233-EPR-00-48-DR-A-TP-0248 rev 3 – Proposed roof top floor (Level 48)

11233-EPR-00-NE-DR-A-TP-0400 rev 3 – Proposed Context NE elevations (Marsh Wall)  
11233-EPR-00-SW-DR-A-TP-0401 rev 4 – Proposed Context SW elevations (Cuba Street)  
11233-EPR-00-NE-DR-A-TP-0402 rev 3 – Proposed NE elevations  
11233-EPR-00-SE-DR-A-TP-0403 rev 5 – Proposed SE elevations  
11233-EPR-00-SW-DR-A-TP-0404 rev 4 – Proposed SW elevations  
11233-EPR-00-NW-DR-A-TP-0405 rev 4 – Proposed NW elevations

11233-EPR-00-XX-DR-A-TP-0500 rev 3 – Proposed Section AA

11233-EPR-00-XX-DR-A-TP-0501 rev 3 – Proposed Section BB

11233-EPR-00-NE-DR-A-TP-3100 rev 3 – Proposed Student Entrance

11233-EPR-00-NE-DR-A-TP-3101 rev 3 – Proposed Podium- North East

11233-EPR-00-SW-DR-A-TP-3102 rev 3 – Proposed Podium – South West

11233-EPR-00-XX-DR-A-TP-3103 rev 3– Proposed Podium – North West and South East

11233-EPR-00-SW-DR-A-TP-3104 rev 3– Proposed Podium - Pavilion

11233-EPR-00-NE-DR-A-TP-3105 rev 3 – Proposed Tower – North East

11233-EPR-00-XX-DR-A-TP-3106 rev 3 – Proposed Tower – North West and South East

11233-EPR-00-XX-DR-A-TP-3107 rev 3 – Proposed Crown

11233-EPR-00-XX-SC-A-TP-0750 rev 9 – Areas and Accommodation Schedule

11233-EPR-00-XX-SK-A-SK-A-SK-0024 rev 3 – Adjacent Building Proximities

209 – EPR -00-46-SK-A-SK-0020 rev 1 - Level 46 amenity

209 – EPR -00-46M-SK-A-SK-0021 rev 1- Level 46m – Biodiverse canopy and plant area

11233 – EPR -00-46M-SK-A-SK-0022 rev 2- Top core

8326-PL-GA-P-100 Rev 02 - Landscape and Public Realm – Amenity Terrace - General Arrangement, Ground Floor

8326-PL-GA-P-101 Rev 02 – Landscape and Public Realm – Amenity Terrace - General Arrangement, Level 01

8326-PL-GA-P-102 Rev 02- Landscape and Public Realm – Roof Terrace – Level 46

8326-PL-GA-P-103 Rev 03- Landscape and Public Realm –Biodiverse Roof - General Arrangement Roof Level

## **Schedule of Documents**

- Planning Application and CIL Forms, completed by Rolfe Judd Planning;
- Planning Statement, dated 2<sup>nd</sup> December 2020 - prepared by Rolfe Judd Planning;
- Planning Statement Addendum, Rev A, dated 27<sup>th</sup> January 2022 – prepared by Rolfe Judd Planning;
- Design & Access Statement – revision 8, dated 1<sup>st</sup> December 2020, prepared by EPR Architects & Spacehub;
- Design & Access Statement Addendum, Rev 4, dated February 2022, prepared by EPR Architects;
- External Materials report, dated April 2021, prepared by EPR Architects;
- Energy and Sustainability Statement (including Overheating Assessment), version 3, dated November 2021 – prepared by Evolusion Innovation Ltd;
- Transport Assessment, dated November 2020 – prepared by TPP;
- Response to LBTH Highways dated 18 October 2021 - prepared by TPP;
- Student Demand Assessment & Market Analysis, – prepared by Knight Frank;
- Student Management Plan, dated November 2020 – prepared by Fresh Property Group;

- Economic Benefits Assessment, dated November 2020 – prepared by Icen Projects Ltd;
- SuDS and Drainage Infrastructure Report (including SuDS Proforma) version PL5, dated 27<sup>th</sup> January 2022 – prepared by Barrett Mahony;
- Flood Risk Assessment, version 2, dated 29<sup>th</sup> September 2021 – prepared by Tully De’Ath;
- Desk Assessment / Preliminary Risk Assessment (Land Contamination), version final, dated 25<sup>th</sup> March 2020 – prepared by Jomas Associates Ltd;
- Television and Radio Impact Assessment, version 1.0, dated 9<sup>th</sup> November 2020 – prepared by GTech Surveys Ltd;
- Technical Aerodrome Safeguarding Assessment, version 3, dated 19<sup>th</sup> November 2020 – prepared by Pager Power;
- Refuse Management Plan, version 5, dated 25<sup>th</sup> January 2022 – prepared by RPS;
- Waste note dated 2 December 2021, prepared by TPP
- Waste note dated 20<sup>th</sup> December 2021, prepared by TPP
- Preliminary Ecological Appraisal, version 2, dated 25<sup>th</sup> November 2011 – prepared by Ecology Consultancy;
- Jersey Cudweed Survey Letter, dated 20<sup>th</sup> November 2020 – prepared by Ecology Consultancy;
- Biodiversity Net Gain Report, version 3.1, dated 11<sup>th</sup> January 2021, prepared by The Ecology Consultancy;
- Outline Fire Strategy, Issue 10, dated 9<sup>th</sup> February 2022 – prepared by Jeremy Gardner Associates;
- Infrastructure Impact Assessment, dated 27<sup>th</sup> January 2022- prepared by Rolfe Judd;
- Construction Site Waste Management Plan, version 01, dated November 2020 – prepared by Tide Construction Ltd;
- Construction (and Demolition) Environmental Management Plan (CEMP), version 04, dated January 2022 – prepared by Tide Construction Ltd;
- Basement Impact Assessment, version P3, dated 1<sup>st</sup> December 2021 – prepared by Barrett Mahony;
- Statement of Community Involvement, dated November 2020 – prepared by Cratus;
- Arboricultural Impact Assessment (including Tree Survey), version 1, dated 10<sup>th</sup> November 2020 – prepared by Arbeco;
- Arboricultural Method Statement, version 1, dated 8<sup>th</sup> April 2021 – prepared by Arbeco;
- Geoarchaeological Fieldwork & Deposit Modelling Report, version 1, dated 3<sup>rd</sup> June 2021 – prepared by Quest;
- Written Scheme of Investigation for a Geoarchaeological Evaluation, version 1, dated April 2020, prepared by Icen Projects;
- Detailed Circular Economy Statement, version 4, dated January 2022, prepared by WSP;
- Whole Life Cycle Carbon Assessment, version 2, dated February 2022, prepared by WSP;
- Overlooking and Privacy Report, dated March 2021- prepared by EPR Architects;
- Security Review, dated 17<sup>th</sup> February 2021 - prepared by EPR architects
- Overheating analysis, provided by Evolusion innovation

- Internal Daylight/Sunlight and Overshadowing Report, dated December 2021 - prepared by Avison Young
- Letter from Avison Young dated 11.01.22
- Utilities Appraisal, prepared by Sustainable Energy Purchasing, Rev c, dated February 2022

Environmental Statement (dated December 2020) and accompanying technical reports – compiled by Trium Environmental Consulting LLP, comprising:

- Non-Technical Summary, dated December 2020;
- Introduction;
- EIA Methodology;
- Alternatives and Design Evolution;
- The Proposed Development;
- Demolition and Construction;
- Socio-Economics;
- Traffic and Transport;
- Air Quality;
- Noise and Vibration;
- Daylight, Sunlight, Overshadowing and Solar Glare (updated December 2021);
- Wind Microclimate;
- Archaeology;
- Greenhouse Gas;
- Effect Interactions;
- Likely Significant Effects;
- Mitigation and Monitoring; and
- Glossary and Abbreviations.
- ES Volume 2: Townscape, Visual Impact and Heritage Assessment.
- ES Volume 3: Technical Appendices.
- Health Impact Assessment.

ES Review Response, dated March 2021 - prepared by Trium Environmental Consulting LLP, comprising:

- Appendix A – Wind Microclimate Policy Annex
- Appendix B – Greenhouse Gas
- Appendix C – GLHER Information Policy

ES Addendum Report (January 2022), prepared by Trium Environmental Consulting LLP, comprising:

- Appendix A – 30 Marsh Wall Design & Access Statement (updated)
- Appendix B. Updated Cumulative Schemes List and Map (updated to include Park Place)
- Appendix C. Updated Non-Technical Summary (no change)
- Appendix D. Applicants Response to the April 2021 FFR (no change)
- Appendix E. Traffic Flow Re-Assessment (no change)
- Appendix F- Air Quality Energy Note (no change)
- Appendix G - 30 Marsh Wall Air Quality Responses to Review Report (updated)
- Appendix H - 30 Marsh Wall Air Quality Recommended Mitigation (updated)

- Appendix I - Updated Views Requested by The LBTH (no change)
- Appendix J - Replacement Daylight, Sunlight and Overshadowing ES Chapter and Appendices (updated)

Air Quality Technical Note (rev 01), dated 25 November 2021, prepared by Air Pollution Services

Air Quality Final Responses (rev 01), dated 3 December 2021, prepared by Air Pollution Services