

**Application for Planning Permission**[click here for case file](#)

Reference	PA/21/02776/A1
Site	15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14
Ward	Canary Wharf
Proposal	Demolition of the existing buildings and structures and construction of residential dwellings (use class C3), public realm works, landscaping, access, servicing, parking and associated works.

Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	Mount Anvil
Architect/agent	Quod (agent); HTA (architect)
Case Officer	Fran Haines
Key dates	- Application registered as valid on 23/12/2021 - Public consultation finished on 15/02/2022

EXECUTIVE SUMMARY

The proposed development is an estate regeneration scheme which re-provides the existing 24 social rented homes and intensifies the residential use with the creation of additional 178 residential units.

In total, the proposed development provides for 58% affordable housing by habitable room, inclusive of the re-provided social rented homes. Excluding the re-provision, the proposal provides for 49% affordable housing. The proposed housing accommodation would be of high quality, with the creation of varied type of accommodation.

From a design perspective, the proposal positively responds to its local context through the delivery of a unique and high-quality design in a tall building zone. A single residential tower of 31 storeys is placed centrally within the site whilst lower elements are proposed along Byng and Manilla Streets. Of particular interest are three storey dwellinghouses along Byng Street which provide an attractive streetscape.

On the northern part of the site, the proposal includes a three-storey residential block in the north-western corner. The proposed courtyard along the site's northern boundary is arranged around the two retained trees, and contains vehicle movement for servicing and deliveries, as well as 2 off-street disabled car parking spaces.

The proposal re-provides the existing link through the site, connecting Byng Street and Manilla Street, and formalises it for the use of pedestrians and cyclists only. The proposed route is landscaped and visually attractive.

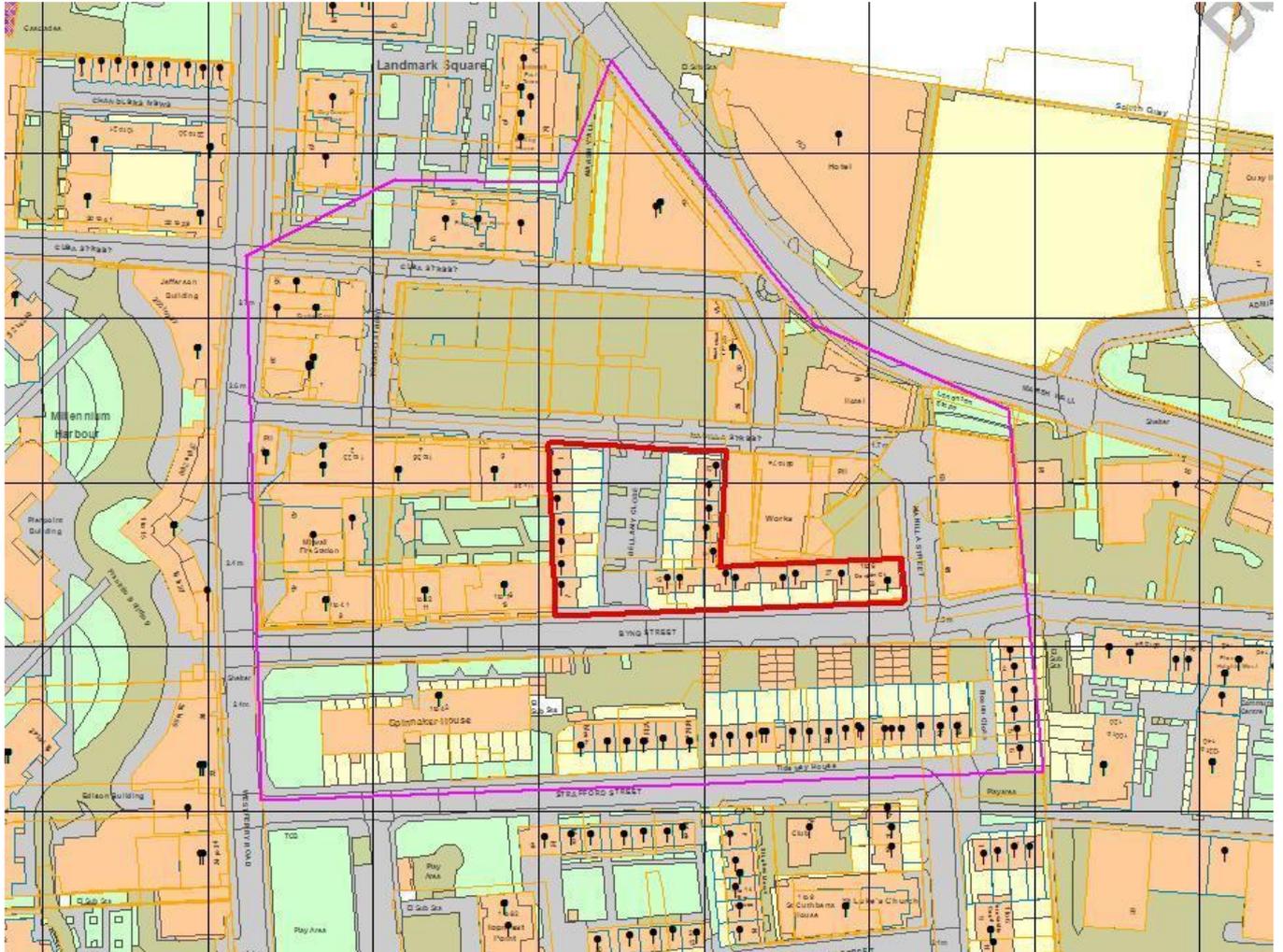
It is considered that the scheme's impact on neighbouring amenity would be acceptable on balance. Whilst some neighbouring properties would experience a reduction in daylight and sunlight, particularly the ones situated to the north of the application site. However, the proposed scheme delivers a number of benefits which on balance outweigh the harm caused to the amenity of neighbouring properties.

In terms of the environmental impacts of the scheme, the proposal would be air quality neutral, provide a biodiversity net gain, acceptable microclimate conditions and a 40% reduction in carbon emission on site with the remainder offset through financial contributions.

The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to local employment and training, feasibility study and the delivery of a connection to the Barkantine district heating network, highways works and enhancement of open spaces in the area.

Considered as a whole, the proposed scheme delivers the requirements of the Local Plan Site Allocation and estate regeneration principles. Officers are satisfied that the proposed development would deliver a high quality, well integrated, inclusive sustainable place.

On this basis, the grant of planning permission is recommended.



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

Planning Applications Site Map PA/21/02776/A1

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



**London Borough
of Tower Hamlets**

Scale : 50m grid squares

Date: 27 May 2022

1. SITE AND SURROUNDINGS

- 1.1 The application site is formed as an L shape of circa 0.3ha and is bounded by Manilla Street to the north and Byng Street to the south. Immediately to the west of the site are 4 storeys streetside blocks of 4 storeys in height with a central courtyard.
- 1.2 To the east and north-east is the consented scheme known as Alpha Square which is a mixed-use development with three towers ranging from 20 to 65 storeys. Backing onto 8-12 Bellamy Close is the approved 34 storey tower with its podium abutting 19-29 Byng Street.
- 1.3 The Former Millwall Fire Station development sits at the end of the urban block in which the application site is situated, where buildings reach a maximum of 9 storeys closer to the junction of Byng Street and Westferry Road. To the north of the application site on the opposite side of Manilla Street sits the consented Cuba Street site, which was resolved to grant planning permission at Strategic Development Committee on 30/03/2022. This development comprises a single tall residential building and with retail use at ground floor and a publicly accessible park.
- 1.4 Further to the south of the application site lies a housing estate formed of several residential blocks including 4 storey Tideaway House, 3 storey block to its west and 6 storey Spinnaker House closer to Westferry Road. These properties are set back from Byng Street: Tideaway House includes garages and storage sheds to the north, the adjoining three storey block contains a car park along Byng Street and Spinnaker House is set back by a strip of green space and a footway providing access to the ground floor units.
- 1.5 The application site is currently occupied by 25 properties in total, made up of 19 houses and 6 flats. The existing houses include terraces 1-7 Bellamy Close on the western boundary of the site, 8-12 Bellamy Close on the north-east corner of the site and 15-27 (cons.) along the southern boundary of the site. The existing six flats are situated at the far eastern corner of the site facing Manilla Street to the east and Byng Street to the south.
- 1.6 There are no significant heritage constraints. The site is not listed nor situated within a conservation area. There are no listed buildings in the close proximity to the site. The closest listed building is the grade II listed Cascades along the River Thames, more than 200m to the north-west of Bellamy Close. The site is within the Strategically Important Skyline Canary Wharf and forms part of a setting of the UNESCO's Maritime Greenwich World Heritage Site.
- 1.7 The site is in an area of good access to public transport facilities with a Transport for London's PTAL (Public Transport Accessibility Level) of 4 on a scale of 0-6b where 6a and 6b are the highest. Byng street forms part of the London Cycle Network and Manilla Street is part of the National Cycle Network along with Cuba Street further to the north which also form part of the borough's Green Grid network.
- 1.8 The site is partially within the Marsh Wall West site allocation with the western part of the site included in the site allocation with 1-7 Bellamy Close being excluded. The whole of the site sits within the GLA's Isle of Dogs and South Poplar Opportunity Area and the Isle of Dogs Neighbourhood Forum's Planning Area. The site is in close proximity to the Canary Wharf Employment Area which includes the area to the north of the South Dock.
- 1.9 The site forms part of the Millwall Inner Dock Tall Building Zone and is situated within an area of deficiency to access to nature, Green Grid buffer zone and Flood zones 2 and 3a. The whole of the borough is within an Air Quality Management Area.
- 1.10 An application at this site for an estate regeneration, including the reprovion of 24 social rented homes to deliver a total of 148 residential homes, a publicly accessible pedestrian link and creative workspace was granted planning permission at Strategic Planning Committee in April 2021 subject to securing a S106 agreement and GLA Stage 2 (ref. PA/20/01065/A1).

2. PROPOSAL

- 2.1 The proposed estate regeneration scheme seeks to deliver a total of 202 residential homes, including the re-provision of existing 24 social rented homes and an increase of 178 net additional homes and the re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.
- 2.2 The proposed layout includes the delivery of 12 three storey houses along the southern boundary of the site on Byng Street (block A), 2 residential units within the three storey block along the north-western corner of the site (block B) and 168 units within the 31-storey residential tower (block C) situated within the central area of the application site.



Figure 1a: Proposed site layout.

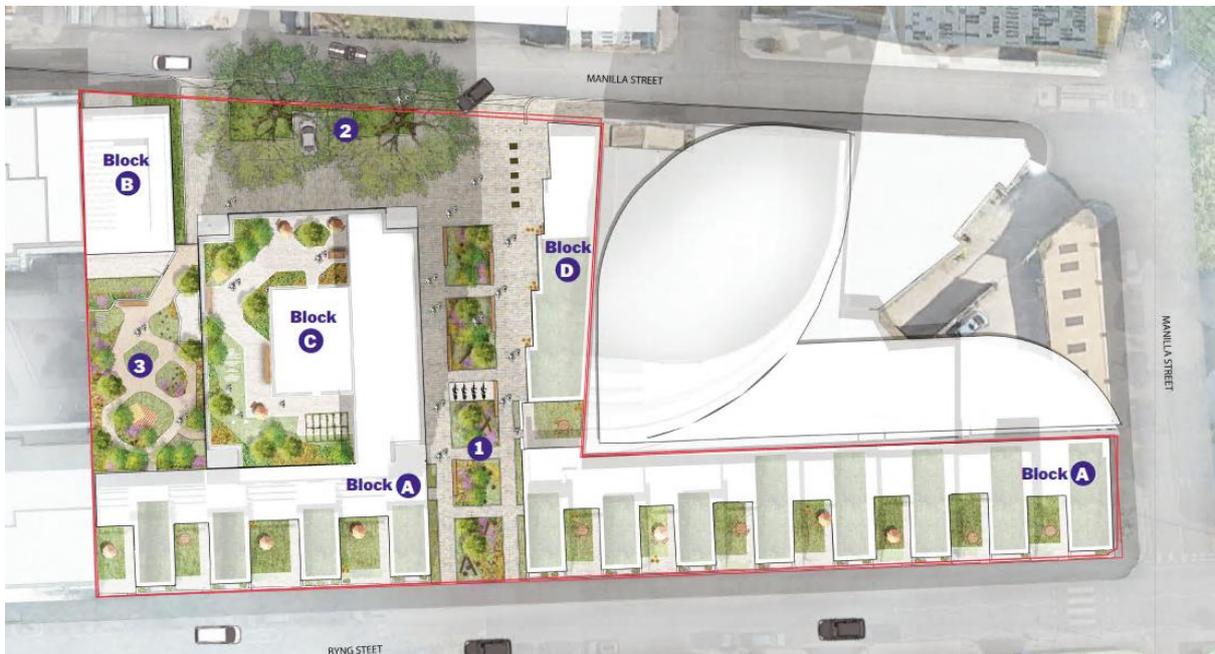


Figure 1b: Original scheme PA/20/01065/A1 approved site layout.

- 2.3 Publicly accessible and landscaped pedestrian link is proposed to the east of the residential tower. This represents a re-provision of the existing informal link formed of the front car parking of dwellinghouses on Bellamy Close.

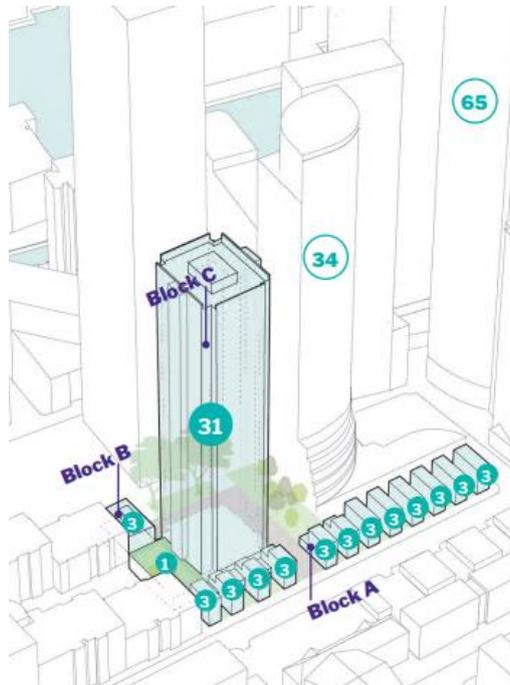


Figure 2a. Heights of the proposed development and adjacent Alpha Square development.

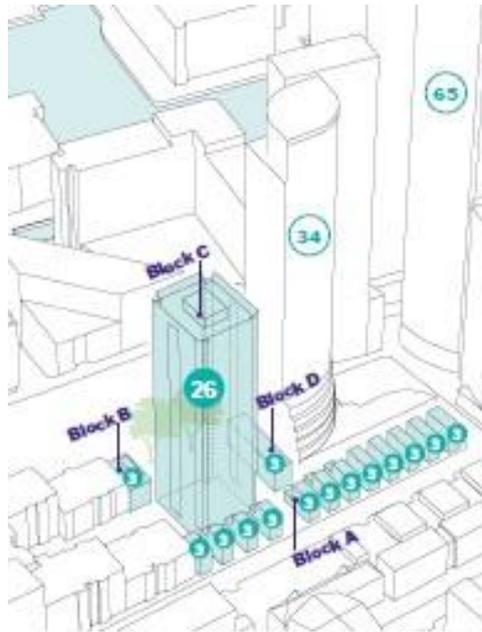


Figure 2b. Heights of the original scheme and adjacent Alpha Square development



Figure 3. Proposed pedestrian link looking south.

- 2.4 The proposal would provide a total of 58% affordable housing. The re-provided social rented and additional affordable rented units would be situated within blocks A and B and lower levels of block C whilst the intermediate and private residential units would be within the higher floors of the residential tower.

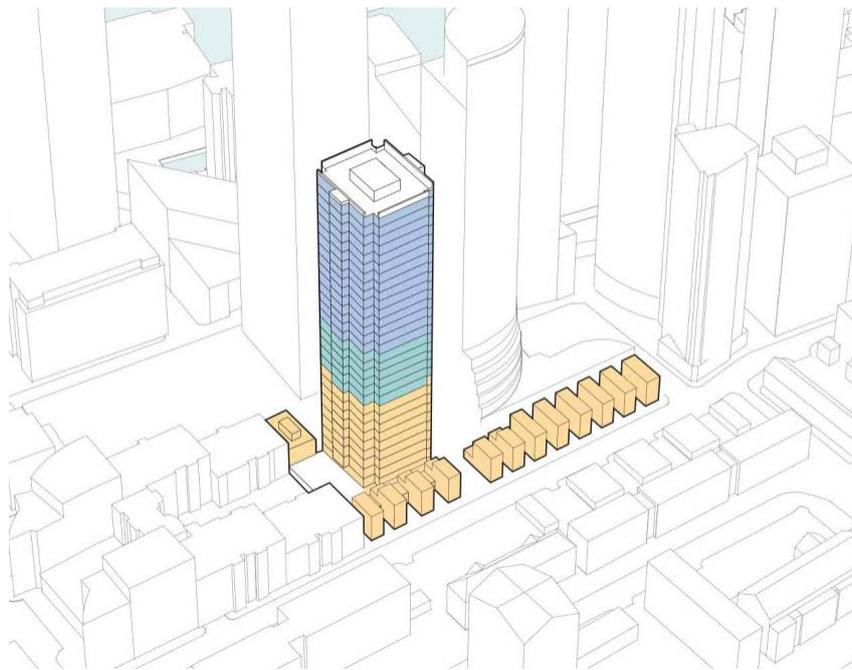


Figure 4. Proposed housing tenure (orange – affordable rent, green – intermediate, blue – market)

- 2.5 In terms of amenity spaces, part of the communal amenity space will be provided indoors on the first floor of Block C and further amenity space is provided outdoors at podium level. The proposal includes the provision of child play space for children 0-5 years old at podium level within Block C.
- 2.6 The proposed development would provide pedestrian and cyclists access from Byng Street to the south and Manilla Street to the North. The proposed vehicle access would only occur from Manilla Street.
- 2.7 Servicing and deliveries would take place off-street within the northern courtyard of the proposed development. This area would also contain vehicle movement associated with the four blue badge car parking spaces.

3. RELEVANT PLANNING HISTORY

3.1 A planning application was submitted for the site in June 2020 (ref. PA/20/01065/A1) (hereafter “the Original Scheme”). The application was for an estate regeneration scheme to deliver at total of 148 residential homes, including the re-provision of 24 existing social rented homes, creation of creative workspace and re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.

The application proposed to deliver the above across the following 4 blocks:

- Block A – 12 townhouses along Byng Street;
- Block B – 2 units within a three storey block at the north west corner of the site;
- Block C – 134 units within a 26 storey building in the centre of the site (rooftop amenity space provided within the original scheme counted as the 26th floor) and creative workspace across the basement, ground and first floors; and
- Block D – Creative workspace within a 3 storey building on the eastern side of the Site adjacent to the Alpha Square development (ref. PA/15/02671/A1). The total amount of creative workspace across Block C and D equated to 683sqm (GIA).

The application went to LBTH Strategic Development Committee on 20 April 2021, where the committee resolved to unanimously grant planning permission subject to securing the S106 agreement and subject to the GLA Stage 2 referral process (GLA reference GLA/5270). The S106 agreement for PA/20/01065/A1 is currently being finalised.

3.2 Summary of key changes when compared to the original scheme

The key changes to the original scheme are:

- Provision of six additional residential storeys to the residential tall building (block C) to deliver more affordable and private dwellings. The height of the tall building therefore increases from 26 storeys to 31 storeys. This is 5 additional floors over the original scheme as the rooftop amenity space provided within the original scheme counted as the 26th floor. Amenity space is now provided internally within the tall building.
- Removal of the creative workspace within the basement, ground and first floors of Block C and all three floors of Block D. The removal of Block D increases the amount of soft landscaping and enhances the pedestrian green link through the site.
- Removal of the basement and placement of plant in podium structure linked to Block C. The communal courtyard and doorstep play space for Block C will sit at podium level.
- Provision of additional lifts in Block C to improve circulation within the building.
- Introduction of projecting balconies to the east and west elevations of Block C
- A change to the façade on Block C from pre-cast reconstituted stone panels to a copper unitised aluminium façade. A brick finish on the lower floors of the residential tall building is proposed to be retained to correspond with the brick townhouses.

3.3 The surrounding sites have the following planning history:

30 Marsh Wall

PA/20/02588 - 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.

- *Strategic Development Committee on 30/03/2022 resolved to grant planning permission subject to securing s.106 Agreement and GLA Stage 2 referral.*

Alpha Square

50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP

PA/15/02671 – Planning permission granted by Mayor of London on 27/03/2017

Application for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4).

Vacant land on Cuba Street

Land at North East Junction of Manilla Street and Tobago Street, London

PA/20/02128 – Strategic Development Committee 30/03/2022 resolved to grant planning permission subject to securing S106 agreement and GLA Stage 2 referral process

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.

PA/15/02528 – Planning permission refused on 11/10/2017

Redevelopment to provide a residential-led mixed use development comprising two buildings of up to 41 storeys (136m AOD) and 26 storeys (87m AOD) respectively to provision up to 434 residential units, 38 m2 flexible retail/ community uses and ancillary spaces together with public open space and public realm improvements.

Millwall Fire Station

Former Site North of Byng Street and Junction of Westferry Road, Byng Street, London

PA/02/00891 – Planning permission granted on 06/02/2003

Erection of new Fire Station with Class A3 / D2 (bar/restaurant and gym) and 173 residential flats in a development up to 9 storeys high with ancillary basement car parking.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant has been carrying out extensive non-statutory engagement with the residents on site since 2016. The consultation methods used by the applicant during the engagement process of the Original Scheme included residents' drop in events and one-to-one meetings. In addition, a dedicated Residents' Steering Group was formed of residents to work collaboratively with the applicant and architects. Further details have been provided in the submitted Statement of Community Involvement.
- 4.2 The applicant has continued to work with the local community on the revised scheme, including offering one-to-one meetings with residents of Bellamy Close and Byng Street, as well as seeking opinions of the wider local community and stakeholders living in the Isle of Dogs, through the distribution of a consultation brochure and questionnaire to 14,000 addresses, as well as a in-person exhibition event and public webinar. Although legal limits on social contact had been lifted at the time of consultation, the applicant was mindful of the fact that not all residents would have been comfortable in attending in person events, therefore the applicant utilised a blend of in-person and virtual events to ensure everyone could participate.
- 4.3 Notwithstanding these arranged events, the applicant has maintained a consistent level of communication with the residents throughout the whole process.

4.4 In terms of the Council's statutory consultation process, a total of 443 neighbour letters were sent to nearby properties. A site notice was displayed adjacent to the application site and a press notice was advertised in the local newspaper.

2 representations were received from the local community as a result of the Council's consultation process during the course of the application. The representations can be summarised as follows:

- Another high rise building in an already congested and over populated area
- House has been surrounded by building sites since 2006
- Development on the Isle of Dogs should be curbed not encouraged
- Inadequate infrastructure cannot cope
- Local services not keeping up with development
- Westferry Printworks site was refused because it was too dense and there was too much massing. This site is only 4 streets away and the decision should apply to this site also.
- No 3D model is available, so it is not compliant with the Neighbourhood Plan
- Key infrastructure details missing such as adequate electricity supply and water mains.
- Fire statement should be updated to reflect PAS 9980
- Proposal should consult HSE Building Safety Regulator

The Council also received a letter of support from the Bellamy Close and Byng Street Residents Steering Group, which confirmed that residents of the estate support the application.

5. CONSULTATION RESPONSES

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

External responses

Canal & River Trust

5.2 No comments to make.

Crossrail Safeguarding

5.3 No comments to make.

Docklands Light Railway

5.4 No comments to make.

Environment Agency

5.5 No objections.

Greater London Authority

5.6 As highlighted within their Stage 1 response, the GLA are supportive of the optimisation of land and contribution towards housing delivery in the Isle of Dogs Opportunity Area. The principle of estate regeneration generally accords with the Mayor's key principles for estate regeneration schemes. The GLA officers have also provided input in the viability review.

5.7 The design of the proposal, including the height and massing strategy is generally consistent with the Opportunity Area Planning Framework. Less than substantial harm would be caused to the Maritime Greenwich World Heritage Site which may be outweighed by public benefits.

5.8 Further details were provided by the applicant to address GLA initial concerns regarding flood risk and air quality. These concerns were resolved, with no further comments to make at this stage.

5.9 The GLA will have a further opportunity to review the revised details at Stage 2.

Greater London Archaeology Advisory Service

5.10 No objections subject to the inclusion of a two-stage archaeological condition.

Historic England

5.11 No comments to make.

Health and Safety Executive (HSE)

5.12 HSE have raised some concern with the common stair forming part of the only escape route from a flat. The fire safety standard states that where a common stair forms part of the only fire escape route from a flat, it should not serve ancillary accommodation such as the cycle stores, refuse store, community area, workspace, dining area, screening area and family area. The solution of providing lobbies/corridors to separate ancillary areas from a single staircase is acceptable only in small buildings (under 11m in height) or buildings containing multiple stairs.

5.13 The resolution is likely to affect land use planning considerations such as the design, layout and appearance of the development. If the applicant is unwilling to resolve this concern, then an impasse has been reached.

Isle of Dogs Neighbourhood Planning Forum

5.14 No comments received.

London Bus Services

5.15 No comments received.

London City Airport

5.16 No conflict with the current safeguarding criteria. No objections subject to the inclusion of condition regarding details on cranes.

London Fire & Emergency Planning Authority

5.17 No comments received.

London Underground

5.18 No comments to make.

Maritime Greenwich World Heritage

5.19 No comments received.

Metropolitan Police – Crime Prevention Design Advisor

5.20 A number of scheme-specific recommendations have been suggested to be secured. A Secured by Design condition is also recommended to be secured.

National Air Traffic Services

5.21 No conflict with the safeguarding criteria.

Thames Water Authority

- 5.22 No comments received. Thames Water provided comment on the original scheme requesting the incorporation of conditions relating to piling method statement (pre-commencement), and water network upgrades and infrastructure phasing plan (pre-commencement).

Transport for London

- 5.23 A new north-south walking and cycling route between Manilla Street and Byng Street is strongly supported. 24 hours a day throughout the year access should be secured.
- 5.24 Following receipt of an updated trip forecast for the Jubilee Line and DLR, no objections were made, concluding that the impact on these services would be acceptable.
- 5.25 The reduction in surface car parking is supported.
- 5.26 Funding, implementation and monitoring of a Travel Plan should be secured in the S106 agreement. Conditions should be secured for the provision of electric vehicle charging point provision, a full delivery and servicing plan, a full construction and Logistics Plan.
- 5.27 TfL welcome the proposed improvements to the cycle parking standards and layout by the applicant in response to concerns raised. TfL accept that the 12 two-tier racks which form a single row at the north of the cycle store, will have an aisle width is 2.16m, in order to support other healthy street aspects of the site. It is also welcomed there is now 2 entrances proposed to both cycle stores. The submitted Deliveries and Servicing Plan should be amended to include how it encourages and enables sustainable freight. A full Construction Logistics Plan should be secured by condition.

Internal responses

LBTH Biodiversity Officer

- 5.28 The application site consists of existing buildings and associated gardens with trees, shrubs and lawns. The existing buildings were found to have negligible potential for bat roosts. The loss of the existing gardens will be a minor adverse impact on biodiversity.
- 5.29 The proposals include sizeable areas of soft amenity landscaping at ground level and in a roof garden.
- 5.30 Detailed on planting plans and green roofs should be secured. These should be biodiverse roofs designed in line with best practice guidance published by Buglife. Other biodiversity enhancements which would be appropriate include bat boxes and nest boxes for birds such as house sparrow, swift and house martin, all of which would contribute to LBAP targets.
- 5.31 Biodiversity mitigation and enhancements should be secured through a condition.

LBTH Building Control

- 5.32 It would appear that the proposed layout for the fire-fighting shafts are not in accordance with the guidance contained in BS 9999: 2017. One option is to provide direct access to the external façade from the staircase, in line with Health and Safety Executive's recommendations. However, the other option allows for ancillary accommodation to be accessed from the dedicated corridor leading from the fire-fighting stair to the exterior of the building providing this accommodation is provided with lobby protection. But for this solution to be acceptable the fire-fighting lift has to be provided with a lobby which should be capable of acting as a muster point for the Fire Service, ie minimum of 5m² floor area, access to the wet riser and separated from the protected corridor by a fire door with 30 minutes fire resistance with smoke seal. This second option could be remediated by introducing another protected corridor from the other side of the firefighting staircase entering the proposed lobby (additional lobby would need to be created) and joining the fire escape route to the exterior of the building. Allowing for a fire door to be constructed to separate the fire escape route from the lifts.

LBTH CIL Team

- 5.33 The proposal would be liable for Tower Hamlets and Mayor of London CIL.

LBTH Energy Efficiency and Sustainability Officer

- 5.34 The scheme to includes the commitment to link to the local district energy network at Barkantine is a supported approach and considered to be the optimal strategy to delivering low carbon heat to the scheme.
- 5.35 Policy D.ES7 requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions to 100%, to be off-set through a cash in lieu contribution. Through integrating energy efficiency measures, a connection Barkantine and installation of renewable energy generating technologies (PV Array) the proposals are anticipated to achieve a 40% reduction in regulated carbon emissions compared to a building regulation baseline. Whilst this is below the policy requirement it is considered acceptable in this specific instance and the carbon content of Barkantine will improve through delivery of decarbonisation of the heat.
- 5.36 A carbon offsetting contribution of £453,435 to offset the remaining 159.1 tonnes CO2 and deliver a net zero carbon development would be required. This calculation has been based on the GLA policy of £95 per tonne.
- 5.37 Substantial feasibility and viability studies are required to confirm the Barkantine connection and further work should be conditioned (or secured within the s106) to ensure commitments are embedded within the permission, and timely delivery.
- 5.38 A condition should be secured to demonstrate delivery of anticipated carbon savings and monitoring requirements of the GLA's 'Be Seen' policy.

LBTH Environmental Health

Air quality

- 5.39 The Air Quality Assessment Report is considered to be satisfactory. No objections raised but Conditions regarding Dust Management and Monitoring, Air Quality Standards for boilers and Construction Plant and Machinery should be secured.

Contaminated land

- 5.40 A standard two-staged condition relating to contaminations should be secured.

Noise and vibration

- 5.41 Following the review of the Noise Impact Assessment report, conditions relating to noise insulation verification report for new residential units, noise from plant and restrictions on demolition and construction activities should be secured.

LBTH Growth & Economic Development

- 5.42 The Economic Benefits Officer provided details on the required financial and non-financial obligations relating to employment and skill training which are to be secured within the s106 agreement

LBTH Health Impact Assessment Officer

- 5.43 No comments received.

LBTH Housing Team

- 5.44 The scheme provides 202 new units, 24 will be provided from those which are being demolished. The scheme as a standalone provides 58% affordable housing by habitable rooms. When taking account of the reprovision of those homes that will be demolished, the scheme will provide 49% per habitable rooms. There is a slight decrease in the overhaul percentage of habitable rooms from that of the consented scheme, however the scheme has increased the number of family homes within this new provision which is welcomed.

- 5.45 The new affordable rented homes will be provided at London Affordable rented units. The existing tenants who will be returning will be charged the same rental level as they were previously charged.
- 5.46 One affordable rented flat is situated on the first floor of the tower is above the main refuse and food recycling for the block. This unit will need to be designed to mitigate any smells arising from this area and also ensure that it has robust defensible space as the layout of this unit has communal open space within a very close proximity and it has windows which directly look on both sides of the communal open space.
- 5.47 As all the affordable rented units will have services charges added, we will set out within the S106 agreement to allow for when service charges added we would expect the overall rented level plus service charge cost to be no higher than the council's Tower Hamlets Living rental costs per week.

LBTH Infrastructure Team

- 5.48 No comments received.

LBTH Occupational Therapist

- 5.49 Amended plans were provided and considered acceptable to ensure all affordable housing units were fully accessible.

LBTH Parks and Open Spaces

- 5.50 No comments received.

LBTH Place Shaping

- 5.51 The heights of Blocks A and C are unchanged from the previously approved scheme. Block C will increase from 26 to 31 storeys. Despite the lower scale buildings to the west and south of the site, in contrast with the emerging taller building heights, the proposal for a 31-storey building on this site is considered to be acceptable.
- 5.52 The changes to the scheme have enabled the applicant to improve the pedestrian space linking Byng Street with Manila Street.
- 5.53 The amenity space on the tower's roof has been removed and amalgamated into the pedestrianised space to the east of block C. The new location of the amenity space for block C could enable the space to have greater passive surveillance and provide opportunities for social interaction with the wider local community. Therefore, officer would not raise any objection to this change.
- 5.54 The components of the proposals have been carefully considered and welcomed the applicants' efforts to improve the overall quality of the scheme. The commonality in materials has created a collection of high-quality, cohesive, familial buildings in various interesting architectural forms.
- 5.55 Design and landscaping details should be secured via condition.

LBTH Senior Arboricultural Officer

- 5.56 No comments received.
- 5.57 As per the original scheme comments, tree retention/removal plan, detailing retained trees and their Root Protection Areas both within and outside of the development red line is required. Arboricultural Impact Assessment and Method Statement should be submitted, as well as a tree planting methodology in line with BS 8545 Trees: from nursery to independence in the landscape.

LBTH Street Naming and Numbering

5.58 No comments to make.

LBTH Surface Water Run Off

5.59 The proposed discharge rate at 4.5l/s would be considered acceptable. This is backed up by the new proposed raingardens that haven't been factored into the hydraulic calculations which would aid in reducing surface water run-off from the site.

5.60 Welcome the removal habitable rooms on the ground floor and the removal of the basement. This should mitigate the sites overall flood risk.

LBTH Transportation & Highways

5.61 The scheme is a car free development with provision for accessible parking both within the site and on street. Whilst it is preferable that all accessible parking is provided on site (as this can be better controlled in terms of use) this would have impacted on the URS waste service collection which cannot be undertaken from the public highway.

5.62 The site should be secured as a car free development, apart from accessible parking which is being proposed. The accessible parking bays should be free of charge and leased only.

5.63 In terms of cycle storage, the proposal meets the quantum required by the London Plan. All cycle details should be agreed prior to determination. Details should show full dimensions.

5.64 In terms of servicing, all servicing is proposed to take place on site for the northern part of the site and from Byng Street for the houses (as per the current situation). This is considered acceptable. A service management plan outlining how the service will be managed is required and should form a condition to be agreed prior to any occupation.

5.65 A travel plan, including a travel pack for the development, will be required prior to occupation.

5.66 The demolition and construction in this location raises concerns given the number of other active development sites. A full demolition and construction management plan should be secured. The applicant should work closely with other developers to secure consolidation and minimise the cumulative impacts.

5.67 A S278 agreement is required which will include an agreed schedule of highway improvement works.

LBTH Viability Officer

5.68 Following the review of the Financial Viability Assessment and amendments made to appraisals over the course of negotiations, it was concluded that 58% (including re-provision) is the maximum viable affordable housing provision and that the scheme is deliverable with a break even scenario on a without prejudice basis.

5.69 The proposed level and mix of affordable housing is the maximum viable and no further affordable housing or contribution can be provided.

LBTH Waste Officer

5.70 Following receipt of a revised plan showing 7 URS units, the waste team have no further comments to make. The units would meet the council's required storage capacity.

5.71 A Reuse and Recycling Waste Plan should be submitted as a condition prior to completion.

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 (adopted 2021)
- Tower Hamlets Local Plan (adopted 2020)
- Isle of Dogs Neighbourhood Plan (adopted 2021)

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

Land Use (*residential*)

- London Plan policies: H1
- Local Plan policies: S.H1

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

- London Plan policies: D6, D7, D11, D12, H4, H5, H6, H8, H10
- Local Plan policies: S.H1, D.H2, D.H3

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

- London Plan policies: D1, D3, D4, D5, D8, D9, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7
- IOD Neighbourhood Plan – Policy D1 – infrastructure, D2 – High Density

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

- London Plan policies: D3, D6, D9
- Local Plan policies: D.DH8
- IOD Neighbourhood Plan: CC1, CC2, CC3

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

- London Plan policies: T2, T4, T5, T6, T6.1, t7, T8
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

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

- London Plan policies: G5, G6, SI1, SI2, SI5, SI8, SI12, SI13
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.MW3
- IOD Neighbourhood Plan – SD1

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- The Mayor's Good Practice Guide to Estate Regeneration (2018)
- London View Management Framework SPG (2012)

- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2021)
- LBTH Development Viability SPD (2017)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH High-Density Living SPD (2020)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)
- Isle of Dogs and South Poplar Opportunity Area Planning Framework (September 2019)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Transport
- vi. Environment
- vii. Infrastructure
- viii. Local Finance Considerations
- ix. Equalities and Human Rights

Land Use

Residential use

- 7.2 Increasing housing supply is a fundamental policy objective at national, regional and local levels. The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings.
- 7.3 The existing use of the site is residential. As such, the principle of the residential use has been established. In addition, the application falls within the Marsh Wall West Site Allocation and the Isle of Dogs and South Poplar Opportunity Area. Both designations earmark the site for high density housing delivery.
- 7.4 The delivery of housing, and particularly affordable housing, is a priority in the borough. The re-provision of the existing social rented units and intensification of the residential use with the provision of additional units is supported given the site's planning designations.
- 7.5 In summary, the proposed residential development is supported and considered acceptable and in accordance with the planning policy.

Housing

- 7.6 London Plan Policy H1 places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year.
- 7.7 The proposed development would contribute to the achievement of the Council's housing targets and will meet the requirements of the Marsh Wall West site allocation in which it is situated.

Estate Regeneration

- 7.8 London Plan policy H8 requires that loss of existing housing be replaced at existing or higher densities with at least the equivalent level of overall floorspace. This policy also seeks a consideration of alternative options before the demolition and replacement of affordable homes. In additions, the policy requires the replacements social rent units to be provided as social rent where facilitating a right of return for existing tenants.
- 7.9 Part 5 Tower Hamlets Local Plan policy D.H2 provides a set of criteria which estate regeneration schemes are required to follow. These include the following:
- a. protect and enhance existing open space and community facilities
 - b. protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels
 - c. provide an uplift in the number of affordable homes, and
 - d. include plans for refurbishment of any existing homes to the latest decent homes standard.
- 7.10 The Mayor of London’s Good Practice Guide to Estate Regeneration provides detailed guidance for assessing approaches to estate regeneration. The guide puts great emphasis on early consultation and engagement with residents and requires all estate regeneration schemes to provide an increase in affordable housing, full rights to return or remain for social tenants, and a fair compensation deal for leaseholders and freeholders.
- 7.11 The proposal seeks to intensify the residential use on site and provide additional housing, and affordable housing. Alternative option with the retention of existing homes would not secure significant provision of housing on site. There are numerous benefits of the proposed scheme, including the re-provision of homes which are accordant with the latest standards and policies, and fully address the housing need of existing residents on site.
- 7.12 All existing homes are social rented managed by One Housing Group apart from one private 4 bedroom unit. The proposal includes the re-provision of all social rented units. The following table shows the existing and proposed social housing mix.

Units	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
Existing	6	4	8	5	1	24
Proposed	4	5	7	7	1	24

Table 1. Existing and proposed social rented units.

- 7.13 The applicant has carried out extensive and regular consultation with the existing residents which has fully informed the proposal. All existing residents were provided with a right to return to a new home which meets the specific current needs of their household, as evident in a slightly changed housing mix of the re-provided homes. The private tenants have also had the opportunity of being rehoused.
- 7.14 The regeneration plans were subject to a successful resident ballot in December 2019 which resulted in 100% turnout and a total of 84% of the residents voted in favour of the regeneration proposal.
- 7.15 The proposal also includes details regarding the decant strategy which provides detailed arrangement and confirms that the decant of existing homes on site was subject to a positive ballot. As a result, the Council’s Common Housing Register Forum approved the decant of the existing residents.
- 7.16 The proposal would therefore re-provide the same number of affordable rented units; however, across an increased floorspace. The floorspace of the existing units amounts to 2,077sqm whilst the proposed floorspace for the re-provided units would be 2,465sqm.
- 7.17 In terms of rental levels, the returning residents would continue to pay the same rent, both during the decant status and when moved into a re-provided home on site. Adjustments to rents would be made only if there are changes to the number of bedrooms. The changed rent would match an equivalent sized home on the estate.

- 7.18 Whilst the existing site does not include community facilities and open spaces, significant focus during the pre-application stage was on the existing car parking spaces to the front of houses on Byng Street. An improved and regularised pedestrian link would be provided as part of the proposed scheme.
- 7.19 The proposal provides an intensification of the residential use which also provides an uplift in the number of the overall affordable homes. The proposed scheme was subject to a viability tested route in order to ensure that the proposed affordable housing quantum on site has been maximised.
- 7.20 In summary, the proposed development is considered to be policy compliant in terms of the principle of an estate regeneration. The applicant has followed the Mayor of London's good practice guide.

Housing Mix and Tenure

- 7.21 London Plan Policy H10 requires developments to consist of a range of unit sizes. Tower Hamlets Local Plan Policy D.DH2 also seeks to secure a mixture of small and large housing that meet identified needs which are set out in the Council's most up-to-date Strategic Housing Market Assessment (2017).
- 7.22 The table below details the overall proposed mix of the scheme, inclusive of 24 re-provided homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	72 (incl 15 studios)	36	0	0	0	108
Affordable	12	13	22	10	1	58
Intermediate	12	8	16	0	0	36
Total	96 (47%)	57 (28%)	38 (19%)	10 (5%)	1 (1%)	202

Table 2. Proposed housing mix, including re-provided affordable rented units.

- 7.23 The table below sets out the scheme's housing mix inclusive of the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	67%	15%	33%	25%	21%
2 bed	50%	33%	40%	22%	30%	22%
3 bed	20%	0%	45%	44%	30%	38%
4 bed					15%	19%

Table 3. Proposed housing mix assessed against policy requirements, including re-provided affordable rented units.

- 7.24 Overall, the whole development would deliver 25% of family sized homes. Within the market and intermediate sectors, there would be an overprovision of 1 bedroom homes and an underprovision of 2 bedroom and 3 bedroom units.
- 7.25 Within the affordable rented sector, there would be a significant provision of family sized homes equating to 57% of all affordable rented homes. There would be a minor underprovision of 1 bedroom and 2 bedroom homes.

7.26 The table below details the proposed mix of the scheme, excluding 24 re-provided affordable rented homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	72 (incl 15 studios)	36	0	0	0	108
Affordable	8	8	15	3	0	34
Intermediate	12	8	16	0	0	36
Total	92 (52)	52 (29%)	31 (17%)	3 (2%)	0 (0%)	178

Table 4. Proposed housing mix, excluding re-provided affordable rented units.

7.27 The table below sets out the scheme's housing mix excluding the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	67%	15%	33%	25%	23.5%
2 bed	50%	33%	40%	22%	30%	23.5%
3 bed	20%	0%	45%	44%	30%	44%
4 bed					15%	9%

Table 5. Proposed housing mix assessed against policy requirements, excluding re-provided affordable rented units.

7.28 Without taking into consideration the re-provided homes into the housing mix, there is an over-provision of family homes and a small under provision of 1 and 2 bedroom units within the affordable rented sector.

7.29 Great weight is given to the adequate re-provision of all of the existing social rented homes and the overall high provision of family sized homes, and particularly affordable homes within the proposed scheme. The proposal has been viability tested which is outlined below. On balance, the proposed housing mix and tenure are considered acceptable.

Affordable Housing

7.30 London Plan policy H8 states that all proposals demolishing and replacing affordable housing would be subject to a viability tested route.

7.31 Tower Hamlets Local plan policy S.H1 sets an overall strategic target of 50% of affordable housing, with a minimum of 35% provision sought, subject to viability. The policy refers to the GLA's Affordable Housing and Viability SPG which requires a minimum of 50% affordable housing provision for applications on industrial land to be considered under the fast track route.

7.32 Tower Hamlets Local Plan policy D.H2 sets the requirements of affordable housing provision within development in the borough, in terms of quantum, standard and provision. Development is required to maximise the provision of affordable housing with a 70% affordable rented and 30% intermediate tenure split.

7.33 Tower Hamlets Local Plan policy D.H3 requires development to provide affordable housing which is not externally distinguishable in quality from private housing.

- 7.34 Of the total proposed 202 units, the scheme would provide 58% affordable housing, inclusive of the re-provided homes. Of the additional 178 units, the scheme would provide 49% affordable housing, excluding the re-provided homes.
- 7.35 The application was supported by the submitted Financial Viability Assessment (FVA) prepared by Quod, which was reviewed and scrutinised by the Council's viability officers.
- 7.36 Following a robust review of the submitted viability evidence, LBTH viability team concluded that the proposal results in a break even scenario, where the developer does not generate a deficit or a surplus. As such, it is agreed and concluded that 58% (including the re-provision) is the maximum viable affordable housing provision. An early and late stage review will also be secured through the s106 to ensure that the maximum reasonable quantum of affordable housing is secured.
- 7.37 Within the affordable tenure, the proposal includes the re-provision of 24 units and additional provision of 34 units. The re-provided homes would retain the existing social rents. The additional affordable rented homes would be provided as London Affordable Rent which does not meet the policy requirement of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent. However, given that the applicant will seek grant funding to partially fund the scheme, this is considered acceptable on balance.
- 7.38 Within the intermediate tenure, the proposal includes a total of 36 units, all being provided as a shared ownership housing product.
- 7.39 The proposed tenure split for the additional residential units equates to 70:30 in favour of affordable rent which is policy compliant.
- 7.40 The affordable rented units would be provided within dwellinghouses on Byng Street, a three storey building within the north-western corner of the site and lower levels of the residential tower. The intermediate units would be provided within the middle section of the tower whilst the upper levels of the residential tower would include private units only. Certain floors would be shared, as indicated in the table below.

Level	Tenure
Levels 00-09	Affordable rented
Level 10	Affordable rented & Intermediate
Levels 11-15	Intermediate
Levels 16-31	Private

Table 6. Breakdown of floor tenure.

- 7.41 The proposed scheme would provide a tenure blind residential tower with additional affordable housing provided separate along Byng Street and on the north-western corner of the street. The provision of affordable housing is considered to be appropriate and as such, the proposed development is considered acceptable.

Wheelchair Accessible Housing

- 7.42 London Plan policy D7 and Tower Hamlets Local Plan policy D.H3 require residential developments that at least 10% of dwellings must meet Building Regulation M4 (3) 'wheelchair accessible dwellings' and the remainder of dwellings to meet M4 (2) 'accessible and adaptable dwellings'.
- 7.43 A total of 20 wheelchair accessible dwellings meeting Building Regulation M4 (3) standards are proposed, which amounts to 10% of the total units, These units are therefore fully wheelchair adaptable and accessible. The remainder of the 82 residential units would meet Building Regulation M4 (2) standards which means they are designed so that they're easily accessed and adaptable, should the need arise in the future.

7.44 Of the total wheelchair accessible units, 7 would be within the affordable rented sector, including three re-provided wheelchair units, 3 within the intermediate sector and the remaining 10 units within the private units. The table below sets out the location of the proposed wheelchair units.

Level	Wheelchair housing units
Level 02	1 affordable rented unit
Level 03	1 affordable rented unit
Level 04	3 affordable rented units
Level 05	2 affordable rented units
Levels 10 - 12	1 accessible intermediate unit per floor
Levels 20 - 29	1 accessible private unit per floor

Table 7. Location of wheelchair accessible units.

7.45 The detailed floor layouts within the site for the wheelchair accessible homes within the affordable tenure have been agreed by the Councils Occupational Therapist. Blue-badge accessible parking would be provided as discussed below in the highways section of the report.

Quality of Residential Accommodation

7.46 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings.

7.47 Tower Hamlets Local Plan Policy D.H3 requires developments to meet the most up-to-date London Plan space standards and provide a minimum of 2.5m floor-to-ceiling heights.

7.48 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant.

7.49 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor. Within the proposed development, a maximum of eight dwellings per core on each floor within the residential tower is provided. All units would meet a minimum floor to ceiling of 2.5m.

7.50 Out of total proposed residential units, 65 percent would be dual aspect. All of the residential units within blocks A and B would be dual aspect. Within the residential tower, the only single aspect units would be one-bedroom west-facing or east-facing units. Overall, this is considered acceptable, and it is not considered that this would represent a poor standard of residential accommodation.

7.51 All residential units would meet or exceed the minimum space standards set out in the London Plan Policy D6.

7.52 All of the residential units would satisfy the minimum private amenity space standards. The proposed dwellinghouses along Byng Street would be provided with a front garden and a first floor terrace. In addition, one of the dwellinghouses would also have a second floor terrace. The two Block B units would have rooftop (Level 03) terraces as their private amenity spaces, as well as one of the units also having a first floor private garden.

7.53 The first floor home in Block C will have their own large garden area which is fenced off from the communal open space. The upper residential units within Block C would have balconies as their private amenity space, which meet the minimum depth and width requirements.

Daylight & Sunlight

- 7.54 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.55 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.
- 7.56 The applicant has submitted an Internal Daylight and Sunlight Assessment in support of the application, prepared by The Chancery Group. The Council's external consultants, Delva Patman Redler, have reviewed the submitted information.
- 7.57 Following the initial response from the Council's external daylight and sunlight consultants, the applicant submitted a response letter which clarified questions raised in the external consultant's review.

Daylight

- 7.58 The applicant has analysed all habitable rooms for ADF and NSL, in line with the BRE guidance. This includes a total of 596 windows were tested.
- 7.59 A summary of all windows and areas these are serving is provided in the table below.

Area	No. of total windows	No. of compliant windows	Compliance
Living/kitchen/dining area	74	62	84%
Living room	125	122	99%
Kitchen	41	33	81%
Bedrooms	350	327	93%
Total	590	544	92%

Table 8. Average Daylight Factor.

- 7.60 In terms of the original scheme, 78% of the living areas assessed complied with the BRE Guidelines/target value for ADF.
- 7.61 The results of the ADF assessment show that 550 (92%) of 596 rooms assessed would be fully compliant with the BRE Guidelines. Of the 46 rooms falling short of the target criteria, 1 room is located within Block A, 1 room is located within Block B and 44 rooms are located within Block C.
- 7.62 The single room which falls short of the target value in Block A is a bedroom, but would retain a good ADF value of 0.89%. Furthermore, the main living area fully complies with the BRE Guidelines.
- 7.63 The single room which falls short of the target value in Block B is a kitchen which demonstrates a very good ADF value of 1.71%. Furthermore, this kitchen is linked to a living area that demonstrates very good levels of daylight.

- 7.64 With regards to Block C, of the 44 rooms which fall short of the target values, 22 rooms (50%) are bedrooms, 7 are kitchens and 15 rooms are Living/dining or Living/kitchen/dining areas. Regarding the bedrooms, all 22 retain good ADF values of between 0.68% and 0.99%. The shortfalls are partly due to the Alpha Square development on the boundary of the site and the provision of balconies. In terms of the kitchens, all 7 demonstrate good ADF values of between 1.32% and 1.85%. Furthermore, all kitchens are linked to a living area that demonstrates good daylight values. Finally, for the living areas and living kitchen diners, all 15 demonstrate good ADF values of between 1.10% and 1.50%. Again, the shortfalls are due to the Alpha Square development on the boundary of the site and the provision of balconies.
- 7.65 Overall, the daylight provision in all units would provide a compliance of 92% with the BRE guidelines. Given the site's constraints and the high density character of the surrounding area, including the existing and emerging developments, this is considered acceptable on balance.

Sunlight

- 7.66 The applicant has analysed all living areas served for windows facing within 90 degree of due south for APSH and WPSH.
- 7.67 Out of the total 140 living areas, 75 would fully meet the BRE's sunlight guidelines. This amounts to the overall compliance of 53% for sunlight. Of the rooms that fall short of the BRE Guidelines, the majority of the rooms would achieve an annual sunlight value of at least 17% and above, which is considered to be good for the location. Furthermore, most of the rooms which fall below the annual target criteria would meet the winter sunlight criteria.
- 7.68 In terms of living areas not meeting the minimum sunlight requirements, nearly all of these would be linked to a kitchen which would receive amount of sunlight which is acceptable for a dense urban area.
- 7.69 Overall, the sun lighting conditions within the proposed development are considered reasonable and acceptable on balance given the site's constraints and the high density character of the surrounding area.

Wind/Microclimate

- 7.70 The application was supported with the submission of a Wind and Microclimate Assessment. The external consultant Temple was appointed by the Council for the review. The applicant has provided clarifications requested by the consultants. These were also reviewed by the Council's Environmental Impact Assessment (EIA) officer and were deemed acceptable.
- 7.71 As such, it is considered that the wind and microclimate conditions for the proposed residential units would be acceptable.

Noise/Air quality

- 7.72 As confirmed by the Council's Environmental Health officers, the proposed residential units would not be subjected to unacceptable noise or air quality conditions. Conditions would be secured to ensure that new accommodation is constructed to appropriate standards with regard to acoustic insulation.

Fire safety

- 7.73 London Plan (2021) policy D12 requires all major applications to be submitted with a Fire Statement produced by a third party, suitably qualified assessor. The policy sets out the requirements in terms of details that Fire Statement should contain. London Plan Policy D5 (B5) states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users.
- 7.74 The application is supported by a Fire Strategy, produced by CH/PK who are considered to be a third party and suitably qualified assessor, a fire engineering consultancy firm. The

proposed development comprises a common stair serving floors 0-31 and 4 lifts, which also operate as 2 evacuation lifts and 2 firefighting lifts.

- 7.75 The development would be required to meet the Building Regulations in force at the time of its construction, by way of approval from a relevant Building Control Body.
- 7.76 As part of the planning application process, the Health and Safety Executive were consulted. Comments were first received on 8th April 2022 and a follow up response was provided on 17th May 2022. The HSE comments are summarised within the consultation section of this report and stipulated some concern with a common staircase forming part of the only escape route from a flat, which also serves ancillary accommodation.
- 7.77 The applicants have responded to HSE's initial concerns by providing an addendum to original fire statement. An Approved Inspector was brought into the process to test and review the design on behalf of the applicants, concluding that the proposals align with the appropriate clauses of the building regulations.
- 7.78 Due to the conflicting views of relevant building regulations between HSE and the applicants appointed assessors, officers sought advice from the Council's own Building Control department.
- 7.79 The Council's Building Control team advised that after reviewing the layout the proposed ground floor layout for the firefighting shafts was not in accordance with the guidance contained within building regulation BS 9999: 2017.
- 7.80 It was identified that the issue with the staircase access could be addressed by rearranging the layout of the ground floor to provide the staircase with direct access out of the building, without ancillary uses using the same route. The applicants have confirmed that rearranging the ground floor layout and access will be possible, and updated plans will be provided and summarised within the addendum report.
- 7.81 Alterations to the ground floor staircase access would overcome HSE's concerns and officers would seek confirmation from Building Control officers that the relevant fire safety building regulations are met.
- 7.82 A condition is recommended requiring a detailed Fire Statement to be submitted, once the detailed design is finalised

Communal Amenity Space & Play Space

- 7.83 Tower Hamlets Local Plan Policy D.H3 requires a minimum of 50 sqm of communal amenity space for the first 10 units and a further 1sqm for every additional unit thereafter, as well as the provision of appropriate child play space as determined by the child yield calculator.
- 7.84 The proposed development results in a minimum requirement of 228sqm of communal amenity spaces for all residential units. The proposed development exceeds this, delivering a total of 252sqm of communal amenity space. Part of the communal amenity space will be provided indoors on the first floor of block C, measuring 216sqm. The space is designed to be flexible to support various types of uses throughout the day. A further 36sqm of communal amenity space is provided outdoors at podium level which will overlook the 173sqm of under 5 years child play space at podium level. This tenure-blind space would be accessible to all residents of block C.
- 7.85 The dwellinghouses along Byng Street and the two residential units within block B would be provided with their own private amenity spaces of generous sizes.
- 7.86 With respect to child play space, the following table provides details on child yield generated by the proposed development and the minimum child play space requirements based on the LBTH Child Play Space calculator:

Age group	Child yield	Child play space requirement [sqm]
Under 5 years	42	421
5-11 years	36	364
12+ years	40	400
Total	118	1,185

Table 9. Children play space requirement for the proposed development.

- 7.87 As detailed above, the development is predicted to generate 118 children in total and therefore 1,185sqm of child play space is required, split across the different age groups. Units within blocks A and B would have access to their own private amenity gardens, therefore would have their own child space provision. Block C is predicted to generate 80 children and therefore a total of 795sqm of child play space is provided, split across different age groups. For 0-4 year olds, block C would require 306sqm of play space.
- 7.88 A total of 340sqm of place space is proposed for under 5 years. 167sqm of child play space for children under 5 years old is proposed to be situated within the enclosed courtyard space along the western part of the application site and within the pedestrian link, which will be accessible to all. 173sqm of play space is proposed at podium level to the west of block C, which will be accessible to all residents in block C.
- 7.89 Given the competing priorities for the site, including the re-provision of existing homes, delivery of a pedestrian link and on-site servicing arrangements, the remainder of the child play space required for children above 5 years old cannot be accommodated on site. As such, an appropriate off-site contribution is considered acceptable on balance given that the proposal would heavily rely on existing services.
- 7.90 The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. As detailed in this guidance, for developments projected to accommodate between 30 – 49 children, facilities for 5 – 11s should be provided first on site; however as above if not able to be accommodate they should be located within 400m walking distance of the site. For over-12s it is expected that appropriate play space should be provided within 800m walking distance from the site.
- 7.91 The SPD provides details on the needs of different age groups, noting that 0 – 11 requires local playable space and neighbourhood playable space which includes landscaped open spaces, kickabout areas, and equipment integrated into the landscape. Youth space, for ages 12 and above, is detailed as catering towards higher intensity uses including multi-use games areas (MUGA), climbing walls, wheeled sports areas, outdoor stages and exercise equipment.
- 7.92 The application site is in close proximity to several existing areas of open spaces which provide for a variety of character and uses. Trafford Street play area is approximately 110m walking distance to the south-west from the application site. This play area is owned, managed and maintained by the applicant, and includes play facilities aged 11-16 age group which includes fixed equipment, a youth shelter and a skate park.

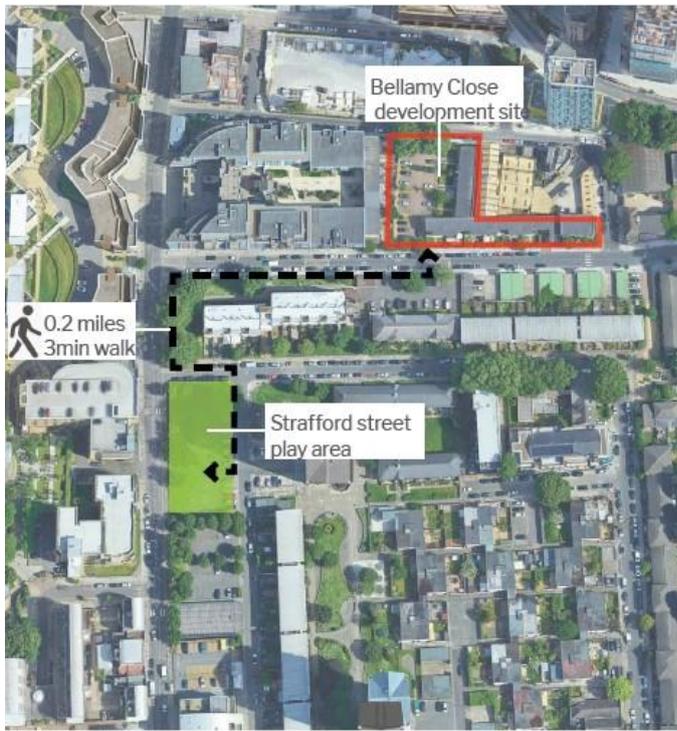


Figure 5. Location of the Stafford Street play area.

7.93 The applicant has proposed improvements and upgrades to the Stafford Street play area due to the ownership implications and in order to improve and upgrade the existing play equipment. As detailed in the Design and Access Statement Addendum, the proposed improvements and upgrades to the play area include the following:

- Introduce facilities for 5-11 age group
- Enhance the quality of existing facilities for 11-16 years old
- Improve skate park features
- Provide better quality surface finished and soft landscape design
- Provide improvements in access and/or signage/wayfinding.

7.94 The Council's Parks and Open Space team did not provide comment on this application. However, the team had agreed to improvements to the Stafford Street area in the previous application, subject to securing this by a S106 agreement.

7.95 Whilst there are other play spaces in the surrounding area, Stafford Street play area is the closest one to the proposed development. Given this proximity, it is considered that it is likely to be visited more often by the children in the proposed development than other play spaces in the area. As such, the proposed improvements and upgrades to this space are considered acceptable. Details and the commitment to the delivery will be secured by s106 agreement.

7.96 In summary, the application would provide requirements for doorstep play area catering to under-5s of Block C. The proposal's failure to provide play spaces for children above 5 years old given the number of competing priorities that the proposed development has satisfied, would be mitigated through the provision of enhancements and upgrades to the nearby play area.

Design & Heritage

7.97 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.

- 7.98 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be located 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.
- 7.99 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high quality design so that the proposed development are sustainable, accessible, attractive, durable and well-integrated into their surroundings. Complementary to this strategic policy, Local Plan policy D.DH2 seeks to deliver an attractive, accessible and well-designed network of streets and spaces across the borough.

The 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.

Site Layout

- 7.100 The application site has an unusual shape where the majority of the land is arranged in a squared shape around the existing houses on Bellamy Close with an extended strip of land towards the east along Byng Street. The existing route through the site is of an informal arrangement given that it is formed of car parking spaces of existing dwellinghouses.
- 7.101 The proposed layout seeks to respond to the streetscape with lower scale formed of three storey dwellinghouses on Byng Street and a three storey building on the north-west side of the northern entrance courtyard.
- 7.102 The proposed residential tower is set back from the streets on both sides which allows for a continuation of dwellinghouses along the south and the creation of an entrance courtyard which predominantly contains vehicle movement along the north. In addition, the set back of the residential tower on all parts of the site seeks to respond to the minimisation of amenity impacts to existing and future developments.



Figure 6. Proposed site layout.

- 7.103 The re-provision of the route through the site is strongly supported as it seeks to formalise the existing route and therefore provide permeability through the site into the surrounding area.
- 7.104 Overall, the proposed layout arrangement is considered to respond appropriately to the site's context and constraints.

Heights, Massing and Scale

- 7.105 London Plan (2021) policy D9 provides a strategic guidance for tall buildings in the London area. The policy also sets out criteria which against which development proposals should be assessed and these include visual, functional and environmental impacts.
- 7.106 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.
- 7.107 The application site is situated within the Millwall Inner Dock cluster Tall Building Zone (TBZ). In addition, the eastern part of the site is included within the Isle of Dogs and South Poplar Opportunity Area and the Marsh Wall West site allocation, both designations which earmark the provision of significant residential development.
- 7.108 The proposed residential tower is 31 storeys in height placed centrally on the application site. Given the site's inclusion within the TBZ and site allocation, the principle of a tall building is considered acceptable in principle, providing it satisfies the principles set out for the subject TBZ.
- 7.109 The principles of the tall buildings policy seek that building heights in the Millwall Inner Dock cluster significantly step down from the Canary Wharf cluster and step down from Marsh Wall to ensure that development proposals are subservient to the Canary Wharf cluster.
- 7.110 The immediate context of the application site includes the existing Novotel hotel which reaches 38 storeys and the Alpha Square development currently under construction where buildings range between 20, 34 and 65 storeys. The Cuba Street development includes a single high density residential tower which reaches 52 storeys.
- 7.111 The application site sits the furthest from Marsh Wall from all of the neighbouring towers. The height of the proposed development ensures an appropriate stepdown from Marsh Wall and the Canary Wharf cluster situated further to the north.
- 7.112 The layout of the proposed development provides an appropriate human scale along the streetscape given the setback of the tall element into the central area of the application site. In addition, the interesting appearance of dwellinghouses along Byng Street would provide a legible streetscape.
- 7.113 In relation to the Isle of Dogs Neighbourhood Plan policy D2, the development is considered to contribute positively in terms of placemaking, creating high quality public realm and north-south pedestrian link that improves the pedestrian experience. 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.
- 7.114 In summary, the scale, height and massing of the proposed development are considered appropriate and provide an adequate response to form two well-defined street blocks with active frontages.

Appearance & Materials

- 7.115 The proposed architectural treatment to the residential tower provides a well-balanced approach to combining vertical and horizontal elements. The use of copper metal cladding on the upper parts of the building introduces a warmth that compliments the colour tones in the brickwork at lower levels.
- 7.116 The corner location of balconies creates a set-back which seeks to reduce the overall massing of the residential tower. The balconies along the west and east elevations are placed centrally and as such, provide a high degree of symmetry and balance to the tower, whilst also allowing it to remain slender.



Figure 7. Proposed residential tower (block C).

7.117 Overall, the proposed architectural approach of the tallest element of the scheme is considered to be successful and would positively contribute to the area with its high quality design.

7.118 The proposed dwellinghouses along Byng Street create a rhythm along the streetscape due to their setbacks which create private amenity spaces. This adds a particular interest to the proposed scheme which is further enhanced with the modern full-height window arrangement along dwellinghouses.



Figure 8. Proposed dwellinghouses along Byng Street.

- 7.119 Three storey block B on Manilla Street is a simple boxed building which seeks to repair the urban block to the west through the provision of an appropriate response in terms of its height and shape. It serves as a transitional element between the neighbouring properties and the residential tower, and its simpler design and large fenestration provide an appropriate response.



Figure 9. Proposed block B on Manilla Street.

- 7.120 In terms of materials, brick treatment is proposed as the base of the scheme. It is the main façade treatment for all blocks apart from the residential tower where it is proposed for the lowest two storeys. In addition, the proposed aluminium window frame, metal railings and horizontal stone panels with scallop profile are used across all proposed buildings.
- 7.121 The proposed use of materials across the whole site results in the creation of a cohesive design scheme which enhances the surrounding area and positively contribute to the character of the Millwall and Canary Wharf areas.
- 7.122 The site is generally physically and visually permeable, with the exception of the proposed first floor podium amenity space between block B on Manilla Street and the proposed residential tower. Residents of Block C only would have access to the podium level space. There are no objections to this element of the scheme.
- 7.123 Overall, the proposed appearance and materials would ensure the delivery of a high quality design which enhances the local character. Material samples and further details will be secured by conditions.

Landscaping & Public Realm

- 7.124 London Plan (2021) policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.
- 7.125 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.
- 7.126 The landscape strategy, included within the Design and Access Statement, provides the following key components: entrance square which is the northern courtyard for the vehicle movement, pedestrian link which includes a portion of child play space and a first floor podium garden along the western edge of the site.

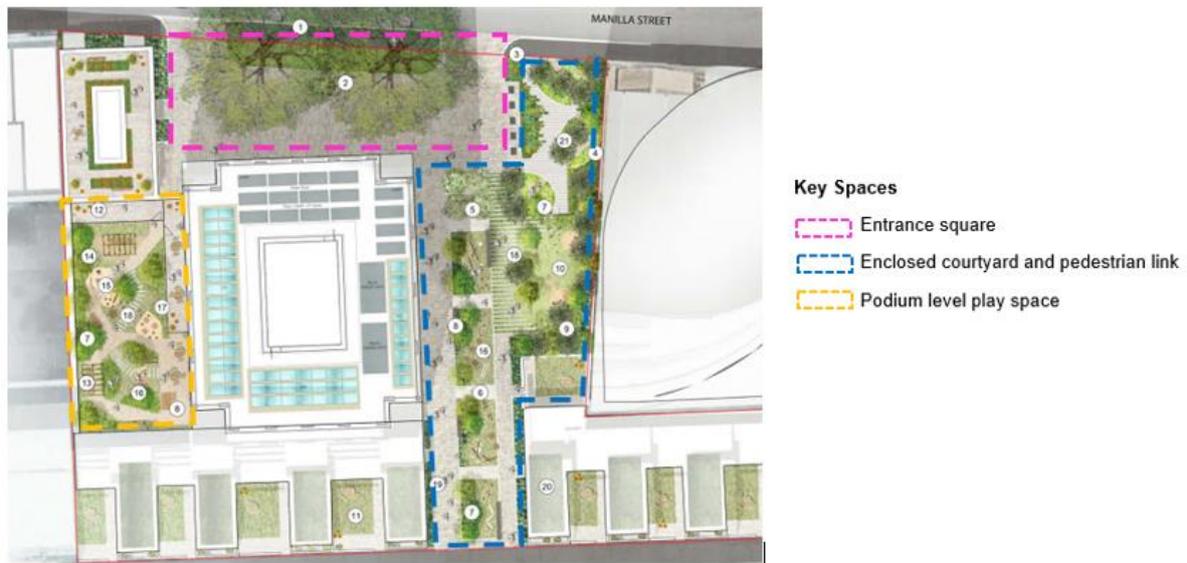


Figure 10. Proposed landscape strategy.

- 7.127 The proposed entrance square is arranged as a shared surface which would serve as the pedestrian access from the north and the only vehicle access, as well as the area for servicing and deliveries. The movement is proposed around the two retained trees.
- 7.128 It has been acknowledged that the proposed northern courtyard would contain a number of activities which should ideally have their own designated spaces. However, given the site's constraints and a preference to provide a pedestrian link through the site which does not contain any vehicle movement, this is considered as an acceptable approach.
- 7.129 The proposed pedestrian link would be approximately 10m wide creating a visually open and activated space with natural surveillance through the proposed location of the residential lobby.
- 7.130 Overall, the proposed landscape strategy would provide a number of private and public spaces which is considered acceptable. Whilst the applicant has indicated the nature of these spaces in the submission documents, details regarding the soft and hard landscaping, street furniture, child play and communal amenity play space will be secured via condition.

Safety & Security

- 7.131 The scheme has been designed with Secured by Design (SbD) principles in mind, as detailed in the Design and Access Statement.
- 7.132 The scheme seeks to create a pleasant environment with the creation an active frontage along the proposed pedestrian link and street frontage along Byng and Manilla Street to maximise street frontage and create passive surveillance throughout the site.
- 7.133 Prior to the submission, the applicant has met with the Secured by Design officer. These are summarised in the Metropolitan Police's consultation response and have been incorporated into the scheme.
- 7.134 Overall, it is considered that the proposed development would improve the perception of safety in the area and secure a secure public route through the site. As recommended by the SbD officer, a condition will be imposed for the development scheme to apply for a Certificate of Compliance to demonstrate that all recommendations have been delivered on site.

Built Heritage

- 7.135 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions.

- 7.136 Development Plan policies require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.
- 7.137 The application is supported by a Townscape, Heritage and Visual Impact Assessment (THVIA) which provides an assessment of the impact from the proposed development on the townscape character of the immediate and surrounding area and identified heritage assets.
- 7.138 The use and character of the application site has changed a number of times to respond to the changing industrial nature of the area in the 19th and early 20th century and increasing housing demands from the late 20th century onwards.
- 7.139 The nearest heritage assets include the Former west entrance to the South Dock and the adjacent residential block Cascades site. Both are grade II listed and distanced less than 260m from the application site. Other assets include the listed quay walls to the northern docks distanced circa 300m from the application site and the West India Dock conservation area which is slightly less than 700m to the north of the application site.
- 7.140 Given the distance between all of these heritage assets and the application site, as well as the densely built environment, it is considered that there would be no impact due to the lack of intervisibility and the potential to appreciate these together. As such, the proposal is considered acceptable.

Strategic views

- 7.141 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.
- 7.142 The views included by the applicant, as highlighted in the THVIA, have been agreed with the Council's Officers to interrogate the development from a range of angles encompassing a series of strategic viewpoints.
- 7.143 London View Management Framework SPG (LVMF) seeks to protect and manage a number of strategic views across London and some of its major landmarks. The submitted THVIA and its addendum included the relevant views against which the application was assessed.
- 7.144 The views from Greenwich Park and Maritime Greenwich World Heritage Site (WHS) are identified as 'Panoramas' in the LVMF. The particular view known as the 'Grand Axis' looks north from the General Wolfe Statue towards Isle of Dogs and Canary Wharf, across the WHS.
- 7.145 The proposed development would sit slightly to the west of the Grand Axis. Given the nature of the built environment in which the site is situated, it is considered that there would be no direct impact and any indirect impact would be limited.
- 7.146 The view from London Bridge towards Tower Bridge is identified as 'River Prospect' in the LVMF. Given the distance between the application site and this view, as well as the highly built environment between the two which intercepts the view, it is considered there would be no impact.
- 7.147 Overall, the proposal would have a very limited to no impact to the identified strategic views. As such, this is considered acceptable.

Archaeology

- 7.148 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that application site lies within an Archaeological Priority Area and as such, has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

7.149 The application is supported by a Preliminary Archaeological Assessment which was reviewed by GLAAS. Subject to the inclusion of a two-staged condition for further assessments to be carried out, there are no objections to the proposal.

Neighbour Amenity

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

Daylight, Sunlight & Overshadowing

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

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

7.153 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.

7.154 A window is considered to be noticeably affected in terms of sunlight if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH), including at least 5% of the APSH during the winter months (21st September to 21st March) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90 degrees (o) of due south.

7.155 The BRE guidelines state that if the room has multiple windows on the same or on adjacent walks, the highest value of APSH should be taken.

7.156 The table below shows the LBTH numerical classifications that are required to be applied for Negligible, Minor Adverse, Moderate Adverse and Major Adverse bandings for daylight (VSC and NSL) and sunlight (APSH and WPSH).

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

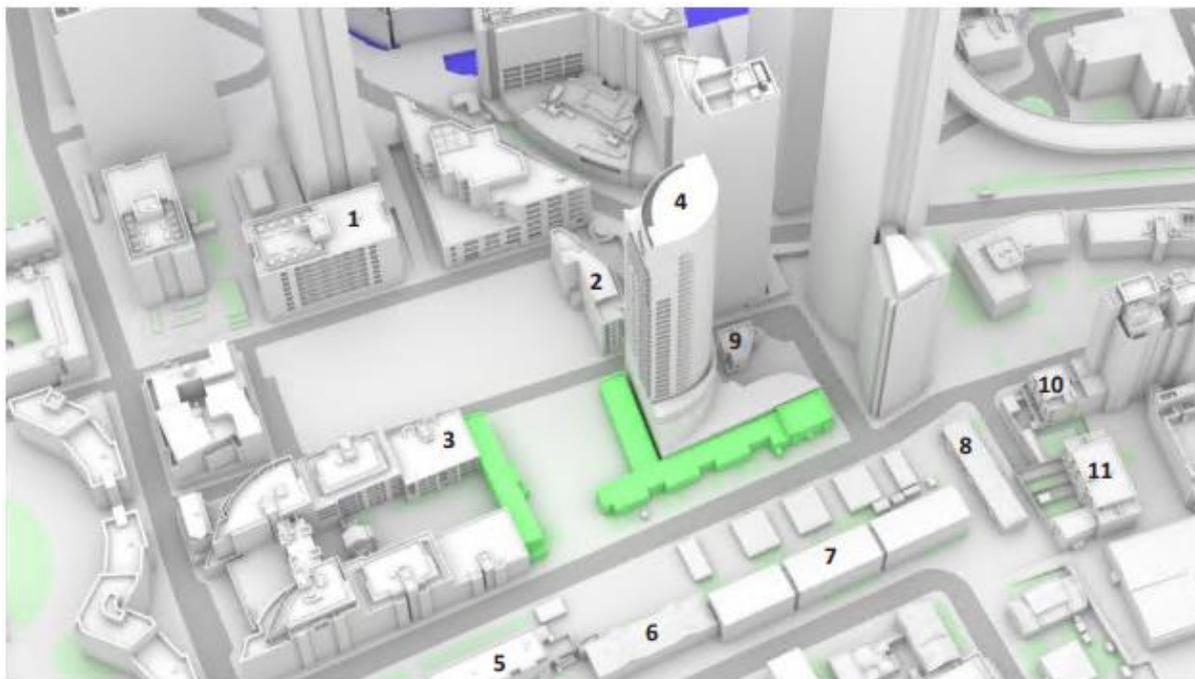
Table 10. Daylight and sunlight effect classification.

7.157 The applicant has submitted a Daylight and Sunlight Assessment in support of the application, prepared by The Chancery Group. The Council's external consultants, Delva Patman Redman, have reviewed the submitted information.

7.158 As the site benefits from an original scheme that received resolution to grant at Committee, a additional daylight and sunlight assessment has been undertaken (on properties with identified effects) to understand if there will be any materially greater daylight and sunlight impacts compared to the original scheme.

7.159 The Daylight and Sunlight Assessment considers the cumulative impact of the proposed development and foreseeable schemes within the immediate area on existing surrounding properties. These schemes are those that have been submitted for planning and have either been approved or awaiting decision. The assessment has therefore considered the following developments as a cumulative impact assessment – the proposed development, Cuba Street Development (PA/20/02128), 30 Marsh Wall (PA/20/02588) and 54 Marsh Wall (PA/16/01637).

7.160 The image below shows the location of the neighbouring properties included within the applicant’s daylight and sunlight assessment. The existing buildings, which are to be demolished, are shown in green.



Key

- | | |
|------------------------|-------------------------------------|
| 1. Endeavor House | 7. Tideway House |
| 2. Block Wharf | 8. 1 to 6 Bosun Close |
| 3. Marlin Apartments | 9. 74 Manilla Street |
| 4. Alpha Square | 10. 4 Mastmaker Road |
| 5. Spinnaker House | 11. 100 to 120 Phoenix Heights West |
| 6. 4 to 48 Byng Street | |

Figure 11. Location of assessed neighbouring properties

7.161 The table below provides a summary of each of the neighbouring groups of properties tested and the effects on daylight and sunlight to neighbouring properties from the proposed development.

Properties	Total no. of rooms tested	Significance of daylight effects overall	Significance of sunlight effects overall
Endeavour House	88	Negligible	Negligible
Block Wharf	14	Major	Major
Marlin Apartments	161	Minor	Minor

Alpha Square	167	Moderate	Moderate
Spinnaker House	48	Minor	Minor
4 to 38 Byng Street	18	Minor	Not applicable
Tideway House	56	Moderate	Not applicable
1 – 6 Bosun Close	9	Negligible	Negligible
74 Manilla Street	7	Negligible	Negligible
4 Mastmaker Road	17	Negligible	Negligible
100 – 120 Phoenix Heights West	29	Negligible	Negligible

Table 11. Impact on neighbouring properties from the proposed development.

7.162 The table above is largely consistent with the impact the original scheme had on neighbouring properties as summarised in the previous committee report. The only difference is that the impact on 4 to 38 Byng Street was previously considered to be moderate adverse, whereas this time, both the applicants consultant and the councils external review agreed the impact was minor adverse. Having reviewed the details in the previous reports, the current conclusion is correct as summarised below.

7.163 The assessment within the Officer's report focuses on those properties which experience a moderate and major adverse effect to their daylighting and sunlighting conditions. The assessment will demonstrate number of windows compliant with BRE guidelines from different scenarios. Scenario 1 includes just the proposed scheme. Scenario 2 looks at the cumulative impact of the proposed scheme and surrounding developments.

Daylight

Block Wharf – 20 Cuba Street

Block Wharf is an 8 storey residential block situated immediately to the north of the application site and abuts the Cuba Street future development to its west.

7.164 The tables below summarises the level of impact to the daylighting conditions of the property based on VSC.

	Scenario 1	Scenario 2
Windows within BRE guidelines	11	10
Windows outside BRE guidelines	25	26
Overall BRE compliance	31%	30%

Table 12. Vertical Sky Component compliance.

7.165 The results of the VSC assessment show that 11 out of 36 of the windows assessed would be fully compliant with BRE Guidelines. Of the remaining 25 windows, all would demonstrate major alterations over 40% from the existing condition. 6 of these windows serve bedrooms and retain VSC values of between 8.09% and 9.35%. Given that the primary use of these rooms is to sleep, the daylight values are considered to be reasonable. A further 6 windows

serve separate kitchens attached to a living room. As these kitchens are significantly below 13sqm (approx. 7.1sqm), they are not considered habitable or relevant for daylight assessment.

7.166 Of the remaining 13 windows, these are all secondary windows serving living/kitchen/dining (LKD) areas. It should be noted that these living areas are all dual aspect. These windows demonstrated retained VSE values of between 2.91% and 11.37%.

7.167 In relation to NSL, 13 out of the 14 rooms assessed would be compliant with the BRE Guidelines. The remaining room (located on the second floor) would only demonstrate a minor alteration of 26% from the existing condition. Furthermore, this room would retain a daylight sunlight distribution level of 60%, which is considered good for the location.

Tideway House – 7 Trafford Street

7.168 Tideway House is a 4 storey residential block of maisonettes situated immediately to the south of the proposed dwellinghouses on Byng Street abutting the Alpha Square towers to their north.

7.169 The table below summarises the level of impact to the daylighting conditions of the property based on VSC.

	Scenario 1	Scenario 2
Windows within BRE guidelines	16	0
Windows outside BRE guidelines	40	56
Overall BRE compliance	28%	0%

Table 13. Vertical Sky Component compliance.

7.170 The results of the VSC assessment show that 16 out of 56 windows assessed would be fully compliant with the BRE Guidelines. Of the 40 remaining windows, 22 windows (all located on the ground and second floor) serve a small kitchen. The kitchens are significantly below 13sqm (approx. 8sqm) and are not considered habitable or relevant for daylight assessment. The remaining 18 windows (all located on the first and second floor) serve bedrooms and retain VSC values of between 9.32% and 13.38%. Whilst this amended proposal does not alter the results to this site from the previously consented scheme, the recent development approvals in the vicinity does alter the cumulative scenario. It should be noted that this area, and along Marsh Wall in particular is an area of significant change and pressure for high density schemes.

7.171 It should be noted that there are overhangs above the ground and second floors which reduce existing daylighting levels.

7.172 In relation to NSL, the property shows high BRE compliance with 52 of the 56 rooms assessed fully compliant. The only impact is to four non-habitable windows.

4-38 Byng Street

7.173 4-38 Byng Street is a three storey block of flats situated immediately adjacent to the west of Tideway House and to the south of the proposed development on the opposite side of Byng Street.

7.174 The property has an external access along the northern elevation which restricts the existing daylight levels. All of the assessed windows are along the northern elevation and serve non-habitable kitchen areas. Same as in the adjacent residential properties in Tideway House, all of the LKD areas are situated along the southern elevation of the property.

Alpha Square development – 63-96 Manilla Street

7.175 Alpha Square is a mixed use development currently under construction with building heights ranging from 20 to 65 storeys. Backing onto the north-eastern part of the application site is the 34 storey tower with its podium abutting the south-eastern part of the site and the proposed dwellinghouses along Byng Street. The applicant has assessed residential windows from floor 6 above given that the lower floors include a primary school.

7.176 The table below summarises the level of impact to the daylighting conditions of the property based on VSC.

	Scenario 1	Scenario 2
Windows within BRE guidelines	269	110
Windows outside BRE guidelines	271	430
Overall BRE compliance	49%	20%

Table 15. Vertical Sky Component compliance.

7.177 The results of the VSC assessment show that 269 out of the 540 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining windows, 17 would demonstrate minor alterations, 64 would demonstrate moderate alterations and 163 would demonstrate major alterations. However, 85 windows are secondary windows to living spaces that would retain good daylight to the north and south, which are not affected by the proposed development. The remaining 159 windows serve bedrooms that demonstrate VSC values of between 9.83% and 26.63%. As noted above, the BRE Guidelines consider bedrooms to be less important than other habitable rooms.

7.178 The NSL assessment showed that 141 out of 195 rooms assessed would be fully compliant with BRE Guidelines. The remaining 54 rooms are bedrooms and except from 15 rooms (located under a balcony), would retain a daylight distribution level of over 50%, which is generally accepted as good for this location.

Cuba Street proposed development

7.179 The development at the Cuba Street to the north of the application site includes a single tower of 53 storeys along the eastern part of the site with a proposed park space along its western part. The second to twenty fifth floor windows and rooms have been assessed for daylight and sunlight.

7.180 The proposed development includes corner LKD areas with south facing windows and windows and doors to east and west facing balconies. Between the corner LKD areas of proposed units are windows which serve bedrooms and these would more affected that the LKD windows.

7.181 The applicant has carried out an analysis of Average Daylight Factor (ADF) to understand the impact on daylight to the proposed residential units at the Cuba Street site as a result of the proposed development. The results of the ADP assessment demonstrate that 133 out of 135 rooms assessed would be fully compliant with the BRE Guidelines/ADF targets.

7.182 An NSL assessment has also been carried out, finding 81 of the 135 rooms assessed would be fully compliant with the BRE Guidelines. The 54 remaining rooms are bedrooms and would retain daylight distribution levels of over 68%, which is accepted as good for the location. Furthermore, given that the primary use of these rooms is to sleep, daylight alterations are considered to be less sensitive.

7.183 In relation to sunlight, except for 13 rooms, all relevant rooms assessed would be fully compliant with the annual and winter sunlight criteria. Of the 13 rooms that fall short of target values, all are bedrooms that retain sunlight of at least 23%, which is considered very good for the location.

Sunlight

Block Wharf – 20 Cuba Street

- 7.184 This property would experience changes outside of the BRE sunlight guidelines.
- 7.185 All relevant rooms assessed would be fully compliant with winter sunlight criteria. In relation to the annual sunlight, 5 of the 13 rooms assessed would be fully compliant with the criteria. Whilst the remaining rooms would demonstrate major alterations, 6 rooms are bedrooms and retain an annual sunlight level of at least 19%, which is considered good for the location. The remaining 2 rooms would retain an annual sunlight level of 23%, against the target of 25%.
- 7.186 The overall daylight and sunlight effects to this building do not materially alter from the original scheme and would remain moderate to major adverse.

Overshadowing

- 7.187 BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on 21st March. It states that the “availability of sunlight should be checked for all open spaces”, which usually includes gardens, sitting-out areas, parks or playgrounds.
- 7.188 The applicant has assessed the loss of light to the proposed park at the Cuba Street site. The analysis shows that 74% would satisfy the minimum BRE requirements.
- 7.189 The applicant has not assessed the loss of light to the internal courtyard of Marlin apartments abutting the application site to the west. However, as outlined in the original scheme, the Council’s consultants confirmed that there is unlikely to be significant impact given that the space is already overshadowed by the wall along Bellamy Close.
- 7.190 The applicant has also carried out an overshadowing assessment to the proposed communal amenity and child play space. The child play space within the pedestrian link and the podium level communal amenity space would meet the minimum standards.

Conclusion on Daylight, Sunlight and Overshadowing

- 7.191 Officers have had regard to the daylight and sunlight results in respect to the analysed properties, as listed above. The majority of neighbouring properties would experience minor to moderate adverse impacts in terms of the deterioration of daylighting and sunlighting conditions.
- 7.192 However, it should be noted that a number of impact windows would not serve habitable windows or primary living spaces such as living rooms and LKD. In addition, some of the properties have existing overhangs which result in higher impact to the loss of lighting conditions.
- 7.193 The proposed development would result in significant and numerous planning benefits, including the re-provision of an enhanced social rented housing, provision of additional housing and affordable housing, affordable workspace, and pedestrian link through the site in addition to a number of financial contributions. The identified harm caused through the loss of daylighting and sunlighting conditions of neighbouring properties is considered acceptable on balance.

Overlooking, Outlook and Sense of Enclosure

- 7.194 The separation distance between the habitable windows on the western elevation of the proposed residential tower and the windows of the Alpha Square directly opposite the proposed development would be 18.1m along the northern part decreasing to 16.1m along the south.
- 7.195 The separation distance between the habitable windows of Marlin Apartments and the proposed residential tower would be 14m at the very least. However, it should be noted that

the horizontal and vertical angles of view are likely to discourage any outlooking or look of privacy. These issues lessen with the increase in separation distance between windows.

- 7.196 The proposed development has been designed sensitively to ensure that there is more than 18m separation distance from the Cuba Street proposed development.
- 7.197 To the south the neighbouring residential buildings are more than 18m distanced from the habitable windows of the proposed dwellinghouse on Byng Street given that these neighbouring residential buildings are significantly set back from the street due to the existence of single storey residential garages closer to the street.
- 7.198 Whilst the proposed development is situated in an established urban area which has been seeing significant changes towards a high density residential character, there would be acceptable levels of separation distance between buildings to safeguard residential amenity, in accordance with the planning policy.

Noise & Vibration

- 7.199 The Council's Environmental Health Officers have reviewed the submitted Noise Impact Assessment report, prepared by Sharps Redmore. Subject to details being submitted via condition regarding the noise levels from the plant and restrictions on demolition and construction activities, there are no objections to the proposed development.

Construction Impacts

- 7.200 Demolition and construction activities are likely to cause additional noise and disturbance to the surrounding area, including additional traffic generation and dust. Details for minimising these impacts would be provided via condition for the submission of Construction Environmental Management and Logistics and Plan.
- 7.201 In addition, given the number of different construction sites in the area, financial contributions would be secured towards development co-ordination and integration as set out in the Planning Obligations SPD. Securing these mitigation measures would comply with policies CC1, CC2 and CC3 of the Isle of Dogs Neighbourhood Plan.

Transport

- 7.202 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.

Vehicular, pedestrian and cycle access

- 7.203 The pedestrian access into the site would be available from Manilla Street from the north and Byng Street from the south. The public movement through the site would be through the proposed south-north pedestrian link. The link would provide direct access to the residential tower.
- 7.204 All dwellinghouses would be accessed directly from Byng Street apart from the two immediately to the east and west of the proposed pedestrian link which would be access from the pedestrian link itself rather than Byng Street. The three storey element providing two maisonettes in the north-western corner of the site would be accessed directly from Manilla Street.
- 7.205 The proposed residential access into the tower would have its entrance from the northern section of the application site. The proposed ground floor cycle storage space within the residential tower would be accessed from within the pedestrian link.
- 7.206 The proposed vehicle access into the site would be available from Manilla Street. The access point would be situated on the eastern end the western end would be an egress point; however, the eastern section can be used both as access and egress point. Vehicle movement

within the development would be entirely contained within the northern section of the application site.

- 7.207 In summary, the proposed access arrangements are considered adequate and would provide an appropriate movement strategy for the proposed development.

Deliveries & Servicing

- 7.208 The proposed deliveries and servicing arrangements would mainly occur within the northern section of the site, with the exception for the proposed dwellinghouse along Byng Street where the arrangement would continue on-street, as per the existing situation.
- 7.209 Smaller deliveries vehicles would be able to access the northern courtyard in the eastern access point to carry out their activities before egressing the site in the western access point. Larger vehicles, including the refuse collection vehicles, would use the eastern access point to access the site in reverse and egress in forward gear.
- 7.210 Given the constraints of the application site, the proposed deliveries and servicing arrangements are considered appropriate. Details including swept paths have been provided in the submitted outline Delivery and Servicing Plan, and full details would be secured via condition.

Car Parking

- 7.211 London Plan policy T6.1 requires residential developments in Inner London areas with PTAL 4 to be car-free. The policy requires the provision of disabled persons parking for new residential developments ensuring 3% provision from the outset with additional 7% to be provided upon request. The policy also states that new residential car parking spaces should provide at 20% of active charging facilities with passive provision for all remaining spaces.
- 7.212 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.
- 7.213 The proposed development will be secured as permit free in accordance with the policy. Six disabled vehicle parking spaces will be provided. Of these 6 spaces, 2 will be located on-site and will be accessible from the Manilla Street frontage to the north and 4 will be located on-street. The 2 on-site spaces will be provided with active electric vehicle charging point.
- 7.214 A total of 21 accessible car parking spaces are required as a 10% provision which would cater for the wheelchair units provided within the development. However, given the site constraints, as well as a significant public benefit of re-providing the existing pedestrian link on site with its formalisation and improvements, the provision of just under 3% of car parking spaces is considered acceptable.
- 7.215 As stated by the applicant, there is a potential to accommodate the remaining 7% of the required accessible car parking spaces within the Barkantine Estate on the southern side of Byng Street which is under the ownership and management by the applicant. This is considered acceptable, and details would be secured via condition for the provision of a Parking Management Plan.
- 7.216 Overall, the proposed car parking arrangements are considered acceptable subject to detailed information secured via conditions and s106 agreement.

Cycle Parking and Facilities

- 7.217 London Plan policy T5 provides the minimum cycle parking standards for different land uses. In relation to residential use, 1 space is required per 1-bedroom unit, 1.5 spaces per 1-bedroom 2-person unit and 2 spaces per all other dwellings. In relation to short-stay spaces for residential uses, 2 spaces are required for the first 40 dwellings and an additional space per 40 dwellings thereafter.

- 7.218 A total of 322 long stay cycle parking spaces has been proposed within the ground floor of block C. These spaces meet the minimum cycle parking required for residential unit within blocks B and C. The proposed cycle parking would include a total of 14 Sheffield spaces and 5% of spaces would be capable of catering for larger cycles. The dwellinghouses would have a dedicated cycle storage space for two bikes in the form of a Sheffield stand situated in a cupboard below the stairs.
- 7.219 A total of 4 Sheffield stands equating to 6 cycle parking spaces are provided within the northern part of the pedestrian link, adjacent to the north-eastern corner of the residential tower. This is sufficient to cater for short-stay residential spaces.
- 7.220 In summary, the proposed provision of cycle storage is considered acceptable and in accordance with the policy requirements.

Trip generation

- 7.221 The application has submitted the transport evidence showing the properly split out trip generation by mode, station and direction. This shows a negligible increase to the line loading and station capacity at nearby London Underground and DLR stations.

It is not considered that the proposed development would have significant impact to the existing stations and services. Following the submission of additional information, no further concerns were raised by statutory consultees. In addition, proposal would contribute to the mitigation of the identified impact by CIL liabilities which would contribute towards the overall infrastructure requirements for the borough.

Travel Planning

- 7.222 A framework travel plan has been provided. The final Travel Plan should be secured and monitored via s106 agreement.

Active Travel Zone and Healthy Streets

- 7.223 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.
- 7.224 The applicant undertook an Active Travel Zone (ATZ) assessment that covers the key walking and cycling routes within a 20-minute radius of the site in order to identify deficiencies and appropriate improvements along routes to the nearest bus stops, stations, services and amenities that should be improved with the proposed development.
- 7.225 Using the Healthy Streets Indicators, the applicant has identified potential areas for improvements to the walking and cycling routes in the area. The proposed walking and cycling route through the application site would significantly contribute to the improvement of the permeability of the area and would secure a pleasant walking and cycling route which will also increase the amount of natural surveillance in this area.
- 7.226 As such, it is considered that the proposal positively contributes towards ATZ in the wider area.

Demolition and Construction

- 7.227 The volume of construction in the area has the potential to create significant impact on the highways network unless managed effectively. An outline Construction Management Plan has been submitted. A full Demolition and Construction Management Plan will be secured via condition.

7.228 In addition, financial contributions will be secured towards development coordination and integration to minimise the construction impact to the surrounding area, in accordance with the Planning Obligations SPD.

Summary

7.229 Subject to securing the relevant conditions and obligations, the proposal would be acceptable in terms of supporting sustainable modes of transport and would have no significant impacts on the safety or capacity of the highways network, in accordance with the planning policies.

Environment

Environmental Impact Assessment

7.230 An Environmental Impact Assessment Screening Opinion was issued for the proposed development confirming that the proposed development is unlikely to have significant environmental effects and as such, an EIA was not required for the proposed development.

7.231 A number of separate reports assessing relevant aspects of the environmental effects of the proposed development have been submitted and have been assessed.

Air Quality

7.232 London Plan policy S11 and Tower Hamlets Local Plan policy D.ES2 require major developments to submit an Air Quality Assessment demonstrating to meet or exceed at least Air Quality Neutral standard.

7.233 The application is accompanied by an Air Quality Assessment which has been reviewed by the Council Environmental Health Air Quality Officer, as well as the GLA officers. The assessment concludes that the proposed development would be air quality neutral, in accordance with the planning policy.

7.234 The mitigation measures to control the environmental impact of the construction and potential operational impact of boilers would be secured via condition, as requested by the Council's air quality officer.

Biodiversity

7.235 London Plan policy G6 and Tower Hamlets Local Plan D.ES3 require developments to protect and enhance biodiversity.

7.236 The application site consists of existing buildings and associated private gardens with trees, shrubs and lawns. The loss of these features would have a minor adverse impact on biodiversity. The Council's biodiversity has confirmed that the existing buildings have negligible potential for bat roosts.

7.237 The proposed development would retain the two existing trees along the northern boundary of the application site. Additional details have been provided to ensure a safe root protection.

7.238 The biodiversity enhancements as part of the proposed development include the provision of green roofs on dwellinghouses along Byng Street (block A) and green walls on the corner of Manilla Street and Byng Street and along the pedestrian link and garden. The proposal would also achieve an Urban Greening Factor of 0.54 which exceeds the minimum recommendations for residential areas.

7.239 Planting details, as well as other biodiversity enhancements will be secured via condition. These will all contribute to Local Biodiversity Action Plan targets, in accordance with the planning policy.

Energy & Environmental Sustainability

7.240 Generally, a decarbonisation agenda has been adopted at all planning policy levels. Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

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

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

7.242 The proposed energy strategy includes energy efficiency measures, a connection to Barkantine district heat network and installation of PV arrays which result in a 40% reduction in carbon emissions compared to the GLA's SAP10 baseline.

7.243 In general, the proposed energy strategy and the identified measures for carbon emissions reduction are considered acceptable. The proposed connection to the district heating network at Barkantine is strongly supported and the applicant's commitment to further feasibility studies and the connection delivery, as well as the cash payment in lieu for the remained of the carbon emissions reduction will be secured via s106 agreement.

7.244 The overall carbon contribution is proposed on a formula-based contribution to be determined at a later stage to ensure that the appropriate financial contribution is secured as its amount would depend on the implementation to the Barkantine district heat network and potential alternative energy strategy.

7.245 As requested by the GLA and the Council's energy officers, a condition will be secured for the scheme to provide details on the 'Be Seen' monitoring requirements.

Flood Risk & Drainage

7.246 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drain is protected to a very high standards by the Thames tidal flood defences up to a 1 in 1000 (0.1%) change in any given year.

7.247 The application is supported by a Flood Risk Assessment (FRA), prepared by Curtins Consulting consultants. The FRA states that the risk of flooding can be managed through the implementation of mitigation measures, for example, all dwellings will have a floor level above the River Thames breach level and there will be no sleeping accommodation at ground level.

7.248 Thames Water Authority have not provided comment on this scheme. However, they did not raise objection to the original scheme at the site, subject to the incorporation of conditions providing details on a Piling Method Statement and details on all water network upgrades or the alternative provision of infrastructure phasing plan if necessary.

7.249 In consultation with the Environment Agency, no objections have been raised to the proposed redevelopment of the site given that the risk from a breach in flood defences has been assessed.

7.250 The GLA have requested further details to ensure compliance with London Plan policy SI. 12. Further assessment is required regarding the risk of pluvial flooding along the eastern site boundary.

Health Impact Assessment

7.251 London Plan GG3 requires developments to assess their potential impacts on the mental and physical health and wellbeing of communities through the use of Health Impact Assessments (HIAs). Tower Hamlets Local Plan D.SG3 requires major developments referable to the GLA to provide an HIA.

7.252 The site has strong potential to offer health benefits to the local population which is welcomed.

Land Contamination

7.253 The application has been reviewed by the Council's Environmental Health Contaminated Land Officer. Subject to the inclusion of standard pre-commencement and pre-occupation condition, the proposal is considered acceptable and in accordance with Tower Hamlets Local Plan policy D.ES8.

Waste

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

7.255 The proposed development includes the use of 7 x Underground Refuse System (URS) situated in the north-eastern part of the site. Food waste refuse store and white goods refuse store are situated within the ground floor of Block C from where would be serviced within the loading bay on Manilla Street.

7.256 The proposed dwellinghouses would be provided with their own bin locations within their front garden areas facing Byng Street.

7.257 The proposed arrangement is considered to be appropriate and compliant with planning policy subject to securing a final Waste Management Plan via condition.

Wind/Microclimate

7.258 The application is supported by a Wind and Microclimate Assessment, prepared by Arcaero, which has been reviewed by the Council's external consultants, Temple. The applicant has provided additional information to respond to the requested clarifications.

7.259 Overall, the spaces provided within the proposed development would be suitable for their uses. In particular, the assessment has confirmed that the proposed pedestrian link and amenity space at podium level, as well as the private outdoor spaces of the houses along Byng Street would be suitable for recreational uses or better. Similarly, private amenity spaces would meet the relevant safety standards.

7.260 The wind and microclimate conditions are expected to be exacerbated along the northern part of the proposed development; however, this is the case in both existing and proposed contexts. These conditions would, however, still be acceptable and suitable for the proposed uses.

7.261 On balance, the proposed wind and microclimate within the proposed development and the surrounding area is considered acceptable and in accordance with the planning policy requirements.

Infrastructure Impact

7.262 Policy D1 (Part A) of the Isle of Dogs Neighbourhood Plan requires that in order to support sustainable development and in view of the strain on infrastructure in the area the shortage of publicly owned land, applicants for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the application.

7.263 The supporting text to Policy D1 highlights that the Neighbourhood Plan seeks to identify those developments that are most likely to impact on the infrastructure needs of the Neighbourhood Plan Area and the wellbeing of its residents, with the aim that both the existing infrastructure provision and the likely impact the development in question are taken into account when such applications are determined.

7.264 The applicants have provided a Infrastructure Impact Assessment in response to Policy D1 of the Isle of Dogs Neighbourhood Plan.

- 7.265 In terms of utilities infrastructure, Thames Water had previously confirmed prior to submission that the existing public sewer has sufficient capacity to accommodate the proposed surface water discharge generated by the development.
- 7.266 With regards to transport matters, a transport statement has been provided which includes a detailed assessment of public transport capacity, concluding that the development would have an acceptable impact on transport capacity.
- 7.267 In relation to social infrastructure, the development is expected to have a neutral impact on health facilities. Furthermore, there is a significant capacity within LBTH secondary schools to accommodate the demand from the development. The development would include a significant CIL payment to commit to improved services.
- 7.268 The development will deliver a new landscaped publicly accessible pedestrian green link which will contribute towards local infrastructure.
- 7.269 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £2,148,509.36 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £465,975.41 (inclusive of social housing relief and exclusive of indexation).
- 7.270 This would result in a total of £2,614,484.77. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.
- 7.271 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.
- 7.272 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £74,824.00 towards construction phase employment skills training
 - £18,200 towards development co-ordination and integration
 - Formula-based carbon emission off-setting contribution (approx £453,435)

Local Finance Considerations

- 7.273 The proposal will generate a considerable New Homes Bonus payment. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver; this is to be calculated at a later date.

Human Rights & Equalities

- 7.274 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.
- 7.275 Given the nature of the proposed estate regeneration scheme, particular attention should be given to the displacement of existing residents. As outlined elsewhere in this report, the applicant has pro-actively engaged with the existing residents throughout the whole process. A decant strategy, including rehousing residents has been secured which ensures that there would be no adverse impact to the existing residents' housing situation.
- 7.276 The application is supported by the submitted Equality Statement which includes detailed information regarding the package of support provided to all existing residents.
- 7.277 The proposed new residential accommodation would meet inclusive design standards and 20 of the new homes will be wheelchair accessible, 7 within the affordable rented tenure, 3 within

the intermediate sector, and 10 within the private sector. These standards would benefit future residents, including disabled people, elderly people and parents/carers with children.

- 7.278 Out of 7 affordable rented wheelchair accessible units, 3 are the re-provided social-rented units which would cater for the returning residents. These proposed units have been specifically designed to meet the needs and requirements of the returning residents.
- 7.279 The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged.
- 7.280 The application has undergone the appropriate level of consultation with the public and Council consultees. The applicant has also carried out an extensive engagement with the exiting residents on site.
- 7.281 To conclude, the proposed development would not result in adverse impacts upon human rights, equalities or social cohesion.

8. RECOMMENDATION

- 8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- a. £74,824.00 towards construction phase employment skills training
- b. Formula-based carbon emission off-setting (approx £453,435)
- c. £18,200 towards development co-ordination and integration
- d. £25,939.77 monitoring fee

Total financial contributions: £118,963.77 (excluding carbon offsetting contribution).

8.3 Non-financial obligations:

- a. Affordable housing (58% by habitable room)
 - 24 units at Social Rent (re-provided units)
 - 34 units at London Affordable Rent
 - 36 units as Shared Ownership
 - Early and Late Stage viability reviews
 - 7 affordable wheelchair accessible units
- b. Access to employment and training
 - 20% local procurement
 - 20% local labour in construction
 - 13 construction phase apprenticeships
- c. Transport
 - Approval and Implementation of Travel Plans (residential)
 - Highway Works (s278)
 - Parking Permit Free development
- d. Maintenance of a publicly accessible pedestrian route through the site
- e. Improvements and upgrade to the Stafford Street play area
- f. Compliance with considerate constructors scheme
- g. Environmental Sustainability

- Feasibility and viability study for the Barkantine district heating connection
- Implementation strategy for the Barkantine district heating connection, or a requirement for an alternative energy strategy

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

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

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;
 - d. Ground-borne vibration limits; and
 - e. Noise pollution limits.
4. Provision of blue badge parking for people with disabilities.

Pre-commencement

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

5. Construction Environmental Management Plan and Construction Logistics Plan.
6. Land Contamination Remediation Scheme (subject to post completion verification).
7. Written Scheme of Investigation (Archaeology) (in consultation with GLAAS).
8. Construction methodology and diagrams (in consultation with London City Airport).
9. Piling Method Statement (in consultation with Thames Water).
10. Infrastructure phasing plan (in consultation with Thames Water).
11. Meanwhile uses strategy

Pre-superstructure works

12. Details of external facing materials and architectural detailing.
13. Details of hard and soft landscaping of all public realm and open spaces including play equipment, street furniture and lighting.
14. Biodiversity enhancements.
15. Detailed fire statement
16. Details of scheme of highway improvements to be secured in S278 agreement

Prior to occupation

17. Deliveries and Servicing.
18. Detailed Cycle parking plans
19. Waste Management Plan

20. Estate Management Plan.
21. Parking Management Plan.
22. Noise verification report (residential units).
23. Demonstration of carbon savings and 'Be Seen' monitoring requirements.
24. Post-installation verification report for mechanical plant (within 6months of occupation).

Post occupation

26. Secured by design accreditation certificate submitted within 6 months of occupation
27. Submission of a post-construction assessment to report on the development's actual Whole Life Carbon emissions

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Seek Crime Prevention Officer Advice

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

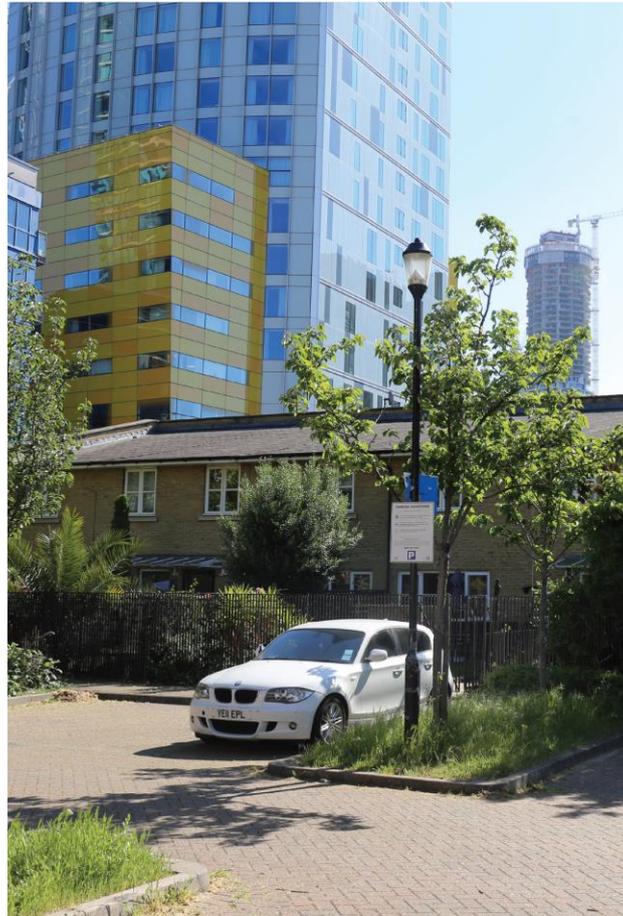
MOU-BCL_HTA-A_XX-DR-0001 – Existing Site Plan
MOU-BCL_HTA-A_XX-E01-DR_0010 – Existing Elevation 01
MOU-BCL_HTA-A_XX-E02-DR-0011 – Existing Elevation 02
MOU-BCL_HTA-A_XX-E03-DR-0012 – Existing Elevation 03
MOU-BCL_HTA-A_XX-E04-DR-0013 – Existing Elevation 04
MOU-BCL_HTA-A_XX-E05-DR-0014 – Existing Elevation 05
MOU-BCL_HTA-A_XX-SA-DR-0015 – Existing Section AA
MOU-BCL_HTA-A_XX-SB-DR-0016 – Existing Section BB
MOU-BCL_HTW-A_XX-00_DR_2000 (revision B) – Level 00 General Arrangement Plan
MOU-BCL_HTW-A_XX-01_DR_2001 (revision A) – Level 01 General Arrangement Plan
MOU-BCL_HTW-A_XX-02_DR_2002 (revision A) – Level 02 General Arrangement Plan
MOU-BCL_HTW-A_XX-03_DR_2003 (revision A) – Level 03 General Arrangement Plan
MOU-BCL_HTW-A_XX-04_DR_2004 (revision A) – Level 04 General Arrangement Plan
MOU-BCL_HTW-A_XX-05_DR_2005 (revision A) – Level 05 General Arrangement Plan
MOU-BCL_HTW-A_XX-06-09_DR_2006 – Level 06 - 09 General Arrangement Plan
MOU-BCL_HTW-A_XX-10_DR_2007 – Level 10 General Arrangement Plan
MOU-BCL_HTW-A_XX-11-13_DR_2008 – Level 11 - 13 General Arrangement Plan
MOU-BCL_HTW-A_XX-14_DR_2009 (revision A) – Level 14 General Arrangement Plan
MOU-BCL_HTW-A_XX-15_DR_2010 (revision A) – Level 15 General Arrangement Plan
MOU-BCL_HTW-A_XX-16-18_DR_2011 – Level 16 - 18 General Arrangement Plan
MOU-BCL_HTW-A_XX-19-20_DR_2012 – Level 19 - 20 General Arrangement Plan
MOU-BCL_HTW-A_XX-21-30_DR_2013 – Level 21 - 30 General Arrangement Plan
MOU-BCL_HTA-A E01-DR 2100 – Elevation 01 North
MOU-BCL_HTA-A E02-DR 2101 (revision A) – Elevation 02 East
MOU-BCL_HTA-A E03-DR 2102 – Elevation 03 South
MOU-BCL_HTA-A E04-DR 2103 – Elevation 04 West
MOU-BCL_HTA-A E05-DR 2104 – Elevation 05 East

Schedule of Documents

Affordable Housing Statement, December 2021
Air Quality Assessment, December 2021
Aboricultural Impact Assessment, December 2021
Construction Management Plan, December 2021
Decant Strategy, December 2021
Design and Access Statement, December 2021
Design and Access Statement Addendum, March 2022
Drainage and SuDS Strategy, December 2021
Daylight, Sunlight and Overshadowing Report, December 2021
Energy Strategy, December 2021
Equality Statement, December 2021
Estate Management Plan, December 2021
External Lighting Assessment, December 2021
Fire Statement, March 2022
Flood Risk Assessment, December 2021
Health Impact Assessment, December 2021
Heritage, Townscape & Visual Impact Assessment, January 2022
Highways Response to GLA, March 2022
Infrastructure Impact Assessment, December 2021
Internal Daylight, Sunlight and Overshadowing Report, December 2021
Noise Impact Assessment, December 2021
Outline Construction Plan, December 2021

Overheating Assessment, December 2021
Planning Statement, December 2021
Preliminary Archaeological Assessment, December 2021
Preliminary Ecological Appraisal Assessment, February 2022
Preliminary Land Contamination Assessment, December 2021
Statement of Community Involvement, December 2021
Stage 1 Road Safety Audit, 14/01/2022
Sustainable Design and Construction Statement, December 2021
Transport Statement, December 2021
Whole Life-Cycle Carbon Report, December 2021
Wind Microclimate Report, December 2021

APPENDIX 2 – Existing photos



Bellamy Close looking east – Before Alpha Square development works



Bellamy Close looking east with Alpha Square development in the background.

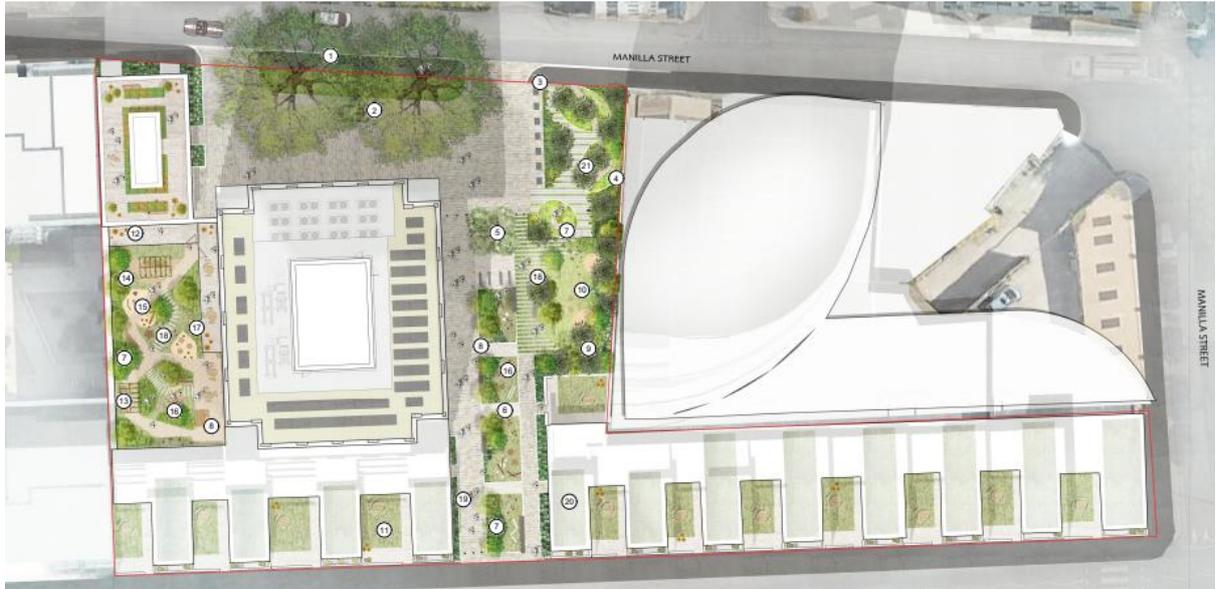


View across Bellamy Close towards north showing existing link and retained trees.

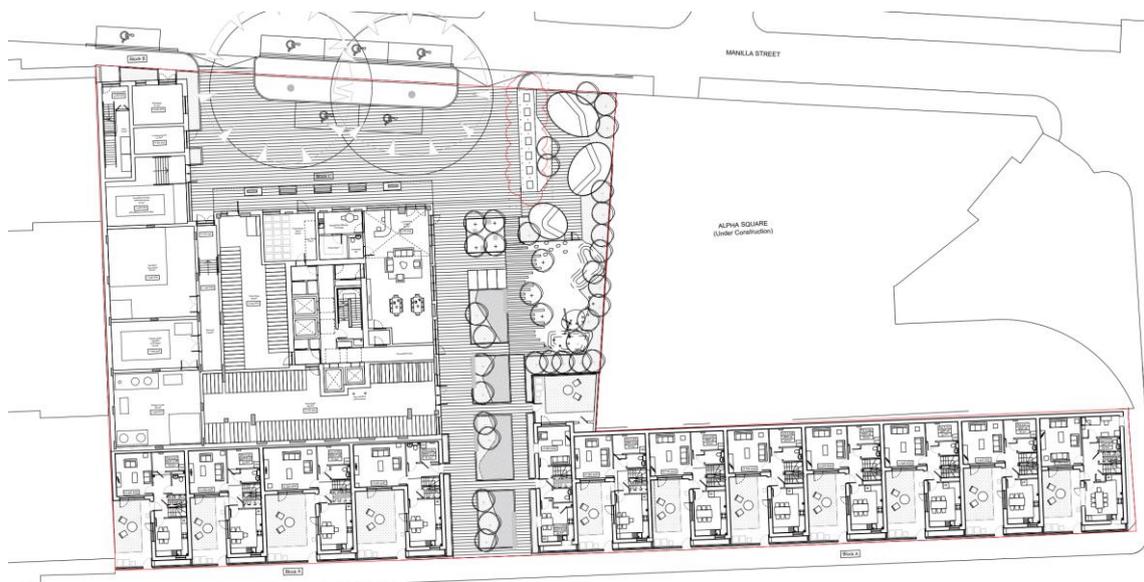


View of Byng Street facing north-west with Alpha Square development behind.

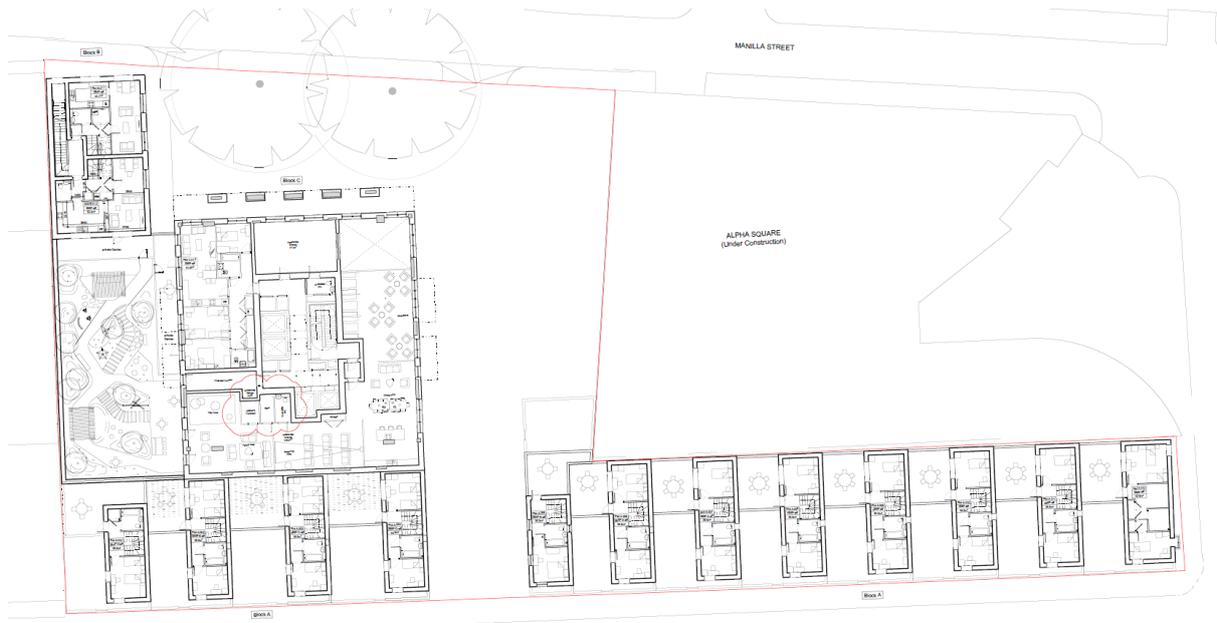
APPENDIX 3 – Proposed drawings



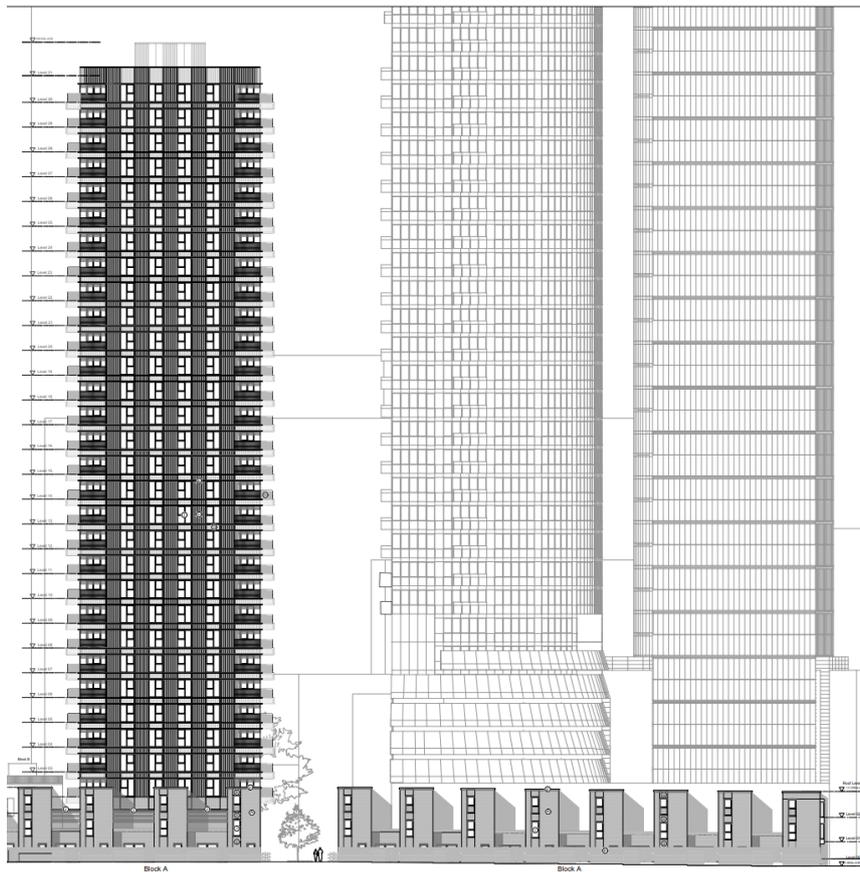
Illustrative masterplan.



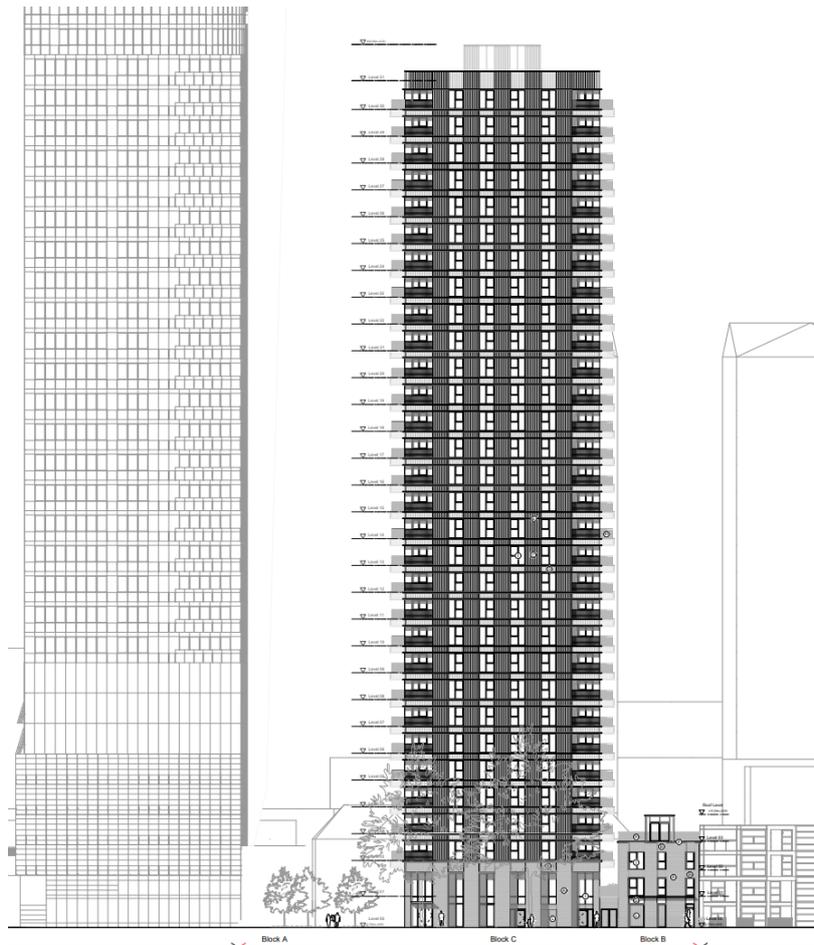
Proposed ground floor plan.



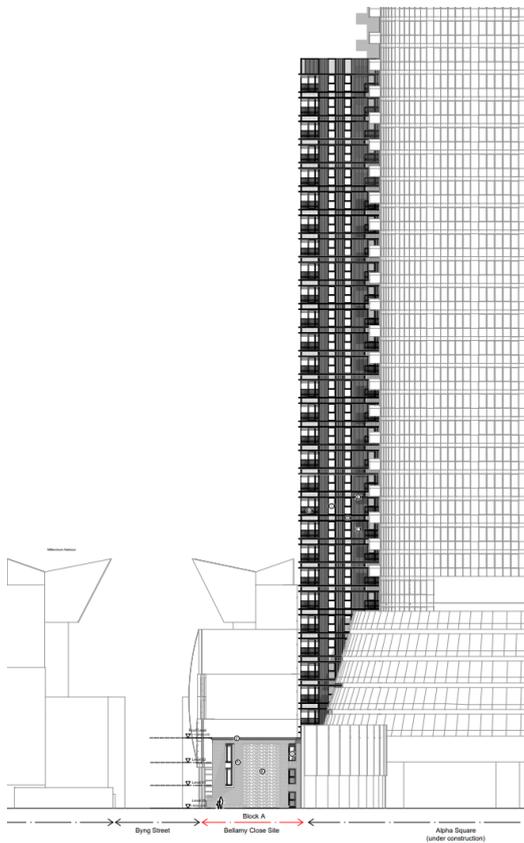
Proposed first floor plan.



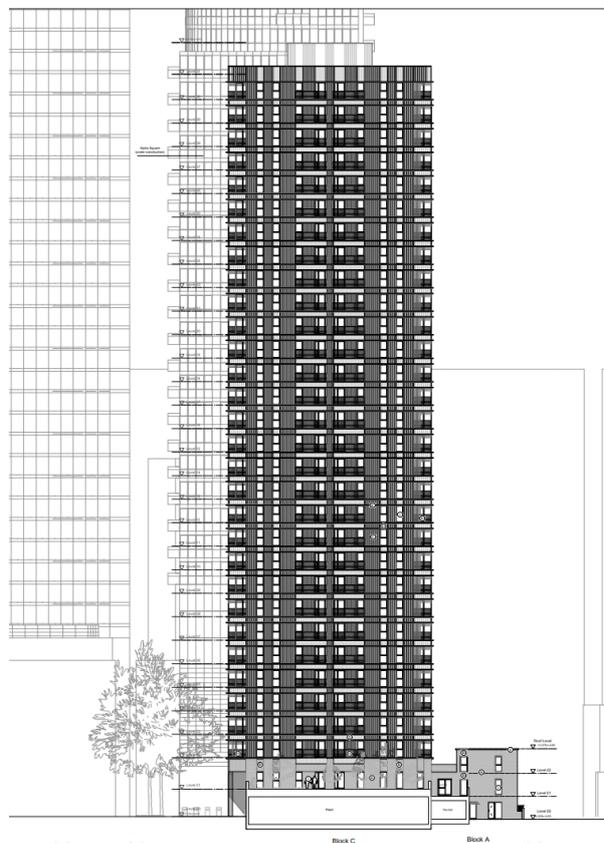
Proposed south elevation (Byng Street).



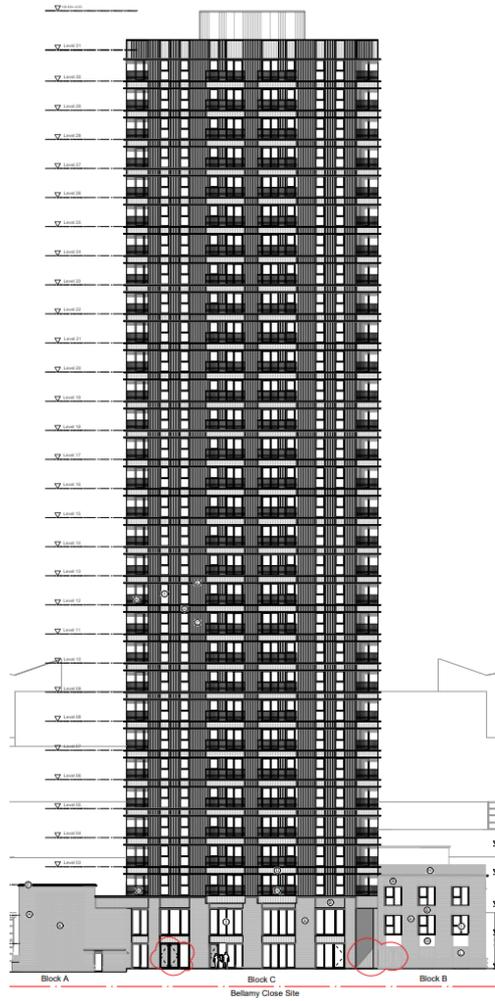
Proposed north elevation (Manilla Street).



Proposed east elevation from Manilla Street.



Proposed west elevation



Proposed east elevation within the pedestrian link.