



## DEVELOPMENT COMMITTEE

4<sup>th</sup> October 2022

Report of the Corporate Director of Place

Classification: Unrestricted

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### Application for Planning Permission

[click here for case file](#)

<b>Reference</b>	PA/21/02746
<b>Site</b>	Langdon Park Community Centre and Land at rear St Leonards Road, London E14
<b>Ward</b>	Lansbury
<b>Proposal</b>	Demolition of existing buildings and redevelopment of the site to provide a residential development, comprising 65 dwellings, plus disabled car parking spaces, cycle parking, refuse/recycling facilities and access together with landscaping including communal and private amenity space, and associated development.

<b>Summary</b>	Grant planning permission with conditions and planning obligations
<b>Recommendation</b>	
<b>Applicant</b>	Byron Street (Langdon Park) LLP
<b>Architect/agent</b>	Dowen Farmer Architects/ CMA Planning Ltd
<b>Case Officer</b>	Oliver Cassidy-Butler
<b>Key dates</b>	<ul style="list-style-type: none"><li>- Application registered as valid on 11/03/2022</li><li>- Significant amendments received on 08/06/2022</li><li>- Public consultation finished on 08/02/2022</li></ul>

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### EXECUTIVE SUMMARY

The proposals comprise the demolition of the former Langdon Park Community Centre, which closed in 2011 and which has been vacant ever since, and the construction of a residential development comprising of 65 self-contained residential units. The proposals will consist of 3 connected cores of between 3-5 storeys in height, to form an 'L' shaped block which fronts Bright Street, Byron Street, and St. Leonard's Road..

The former Langdon Park Community Centres former community use has been reprovided within the local community and therefore there is no conflict with Policy D.CF2 of the Tower Hamlets Local Plan

2031 (2020). The application site has laid vacant since its closure in 2011 and the lawful use of the site has been abandoned

The scheme provides 36% affordable housing by habitable room, including a variety of typologies across both tenures. The accommodation is of a high standard, providing good floor to ceiling heights, internal spaces and private and communal amenity space. The development is inclusive of a 4bed (5 person) larger family, wheelchair accessible home, which has been adapted to align with the specific requests of LBTH Occupational Therapists, so that it meets the current needs of the borough.

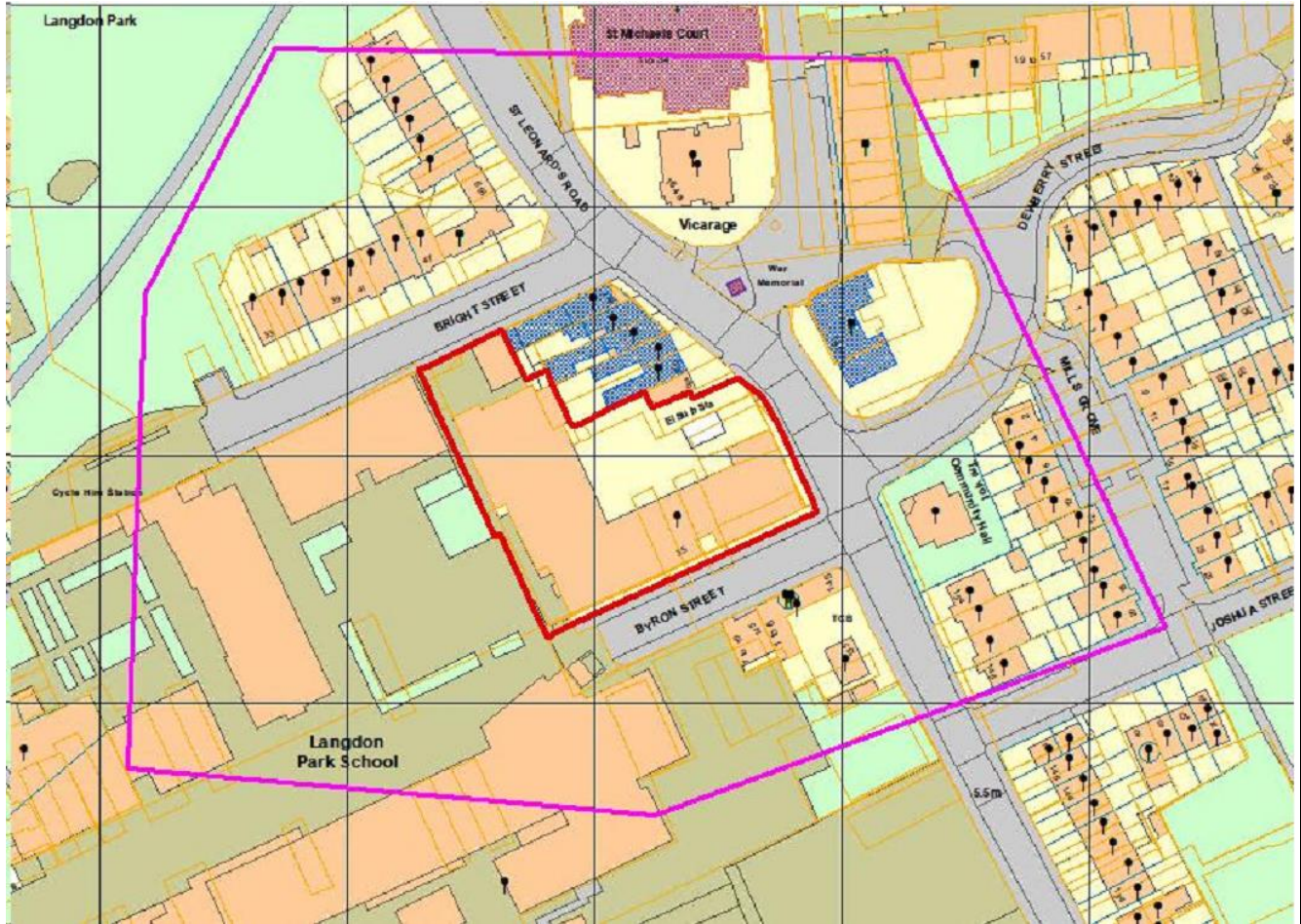
The height, massing and design are considered to appropriately respond to the local context. The building would deliver high quality design which would positively contribute to the area, whilst preserving the character and appearance of the Langdon Park Conservation Area, and the listed buildings which populate the local setting. The demolition of the existing, vacant and derelict buildings which exist on site, and construction of buildings which are of a high standard of design, and which may serve local residence will further enhance the local setting.

The proposal is considered to have minimal impact on the amenities enjoyed by and the living standards of neighbouring occupiers in relation to matters concerning daylight, sunlight, overshadowing, outlook or sense of enclosure.

The proposal would be 'car-free' with the exception of 2 blue badge spaces, and, cycle parking would be provided in accordance with the London Plan requirements. Submission of a Travel Plan will be secured by condition.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements. A carbon off setting contribution will be secured via a legal agreement.

Officers recommend the proposed development be granted planning permission, subject to conditions and obligations identified to be secured via s106 agreement.



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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/21/02746

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: 20 September 2022

## 1. Site and Surroundings

- 1.1 The application site comprises the former Langdon Park Community Centre, which formerly closed in 2011 and has been vacant ever since. The site is considered to have no formal lawful use, due to the time frame in which it has been left vacant. This consideration will be discussed in detail within Section 7 (Land Use) of the report.
- 1.2 The site is an 'L' shaped plot which occupies 0.256 hectares of floor space. It is bound; to the north by Bright Street; to the east of the site lays St. Leonards Road, inclusive of the Locally Listed terrace consisting of Nos. 159-167 St Leonards Road; Byron Street to the south; and to the west of the site lays Langdon Park School.
- 1.3 The application site's northern section which fronts Bright Street is located within the Langdon Park Conservation Area; with the site's southern portion laying adjacent to the designation. To the northeast of the site lays the Grade II Listed St Leonards Road War Memorial and Grade II Listed Church of St Michael and All Angels.
- 1.4 The site is within the designation of; CIL Residential Zone 3 and Flood Zone 1. Additionally, it is noted that the application site lies to the south of the Locally Designated southward view from Langdon Park towards Balfron Tower and Canary Wharf.
- 1.5 The site has a PTAL (Public Transport Accessibility Level) of 2-3 which is moderate on a scale of 0-6b where 0 is the worst. The site is situation some 115m from Langdon Park DLR station and Bus stop for No 309 is located with close proximity connecting to site to and from Bethnal Green to Canning Town.



Figure 1. Site Location



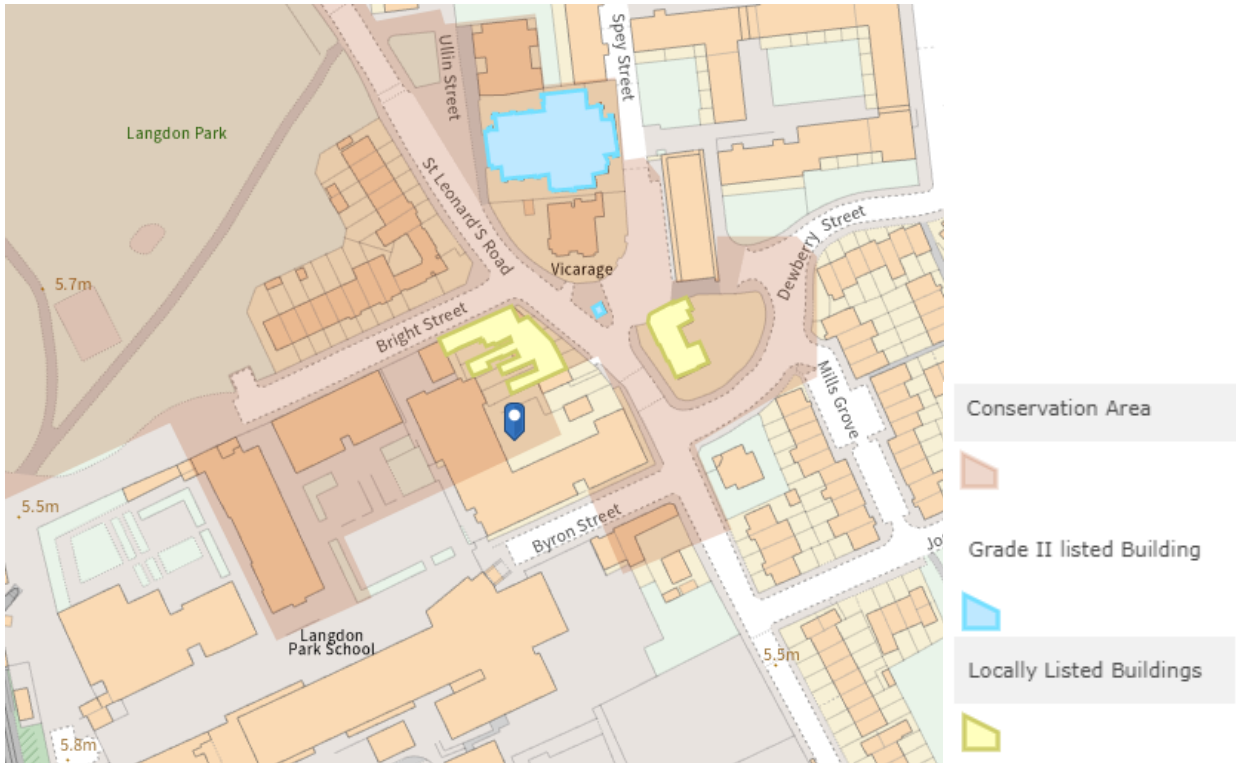


Figure 2. Heritage constraints

## 2. Proposal

- 2.1 The proposals comprise the demolition of the site's existing buildings and the construction of a residential development comprising of 65 residential units. The development would be formed of three cores, connecting with one another to create an 'L' shaped complex, with an internal communal courtyard and landscaping to provide 0-4 year-old's child play space. Core A, which fronts Bright Street would be four storeys in height. The south-western core, Core B, which fronts Byron Street would be height of five storeys. Core C which is bound by both Byron Street and St. Leonards Road, would be four storeys height.
- 2.2 The scheme will provide 11 affordable rented units and 5 Intermediate units, which represents 36% affordable housing contribution by habitable room.

## 3. Relevant Planning History

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

- 3.1 PA/22/00093: Application to determine if prior approval is required for a proposed: Demolition of Buildings of the Langdon Park Community Centre and Land at Rear, St Leonards Road, London E14. Refused – 23/02/2022.

- 3.2 PA/03/00070: Demolition of existing buildings and erection of two 4-storey buildings, with a part 5-storey element, to provide total of 54 flats with associated car parking provision and landscaping treatment. Withdrawn – 12/01/2006.
- 3.3 PA/03/00071: Demolition of existing buildings on site to facilitate the development of 54 no. flats. Withdrawn – 12/01/2006.

*(Pre-application advice meetings)*

- 3.4 PF/12/00107: Demolition of existing buildings on Langdon Park Community Centre and land at rear of Bright Street, E14. Proposed residential development of around 75 units 35-50% affordable housing (included on-site). Request received – 04/07/2012.
- 3.5 PF/13/00195: Pre-application advice was sought in relation to the proposed redevelopment of the site to provide 74 residential units in blocks ranging from 2 to 6 storeys in height. Request received – 28/10/2013.
- 3.7 PF/21/00142: Pre-application advice sought for the redevelopment of the site to produce a residential focused development. A total of three pre-application advice meetings took place between June 2021 and August 2021.

***Planning history relevant to the local setting***

- 3.8 PA/01/00420: Erection of single storey extensions to the existing school sports hall, a revised school entrance plus a new brick wall, entrance gates and piers to the existing car park. | Langdon Park School, Byron Street, London, E14 0RZ. Permitted - 04/05/2001.
- 3.9 PA/03/00546: Addition to approved scheme for development of new sports buildings (permission ref PA/01/00420 dated 4th May 2002) consisting of a further single storey building, immediately south of the existing sports hall, to provide a 'multi-gym'. | Langdon Park Secondary School, Byron Street, London, E14 0RZ. Permitted – 09/06/2003
- 3.10 PA/10/02232: Demolition of a number of existing buildings and part of boundary wall. Remodelling and refurbishment of existing buildings to be retained, including the erection of a glazed entrance and lift to the Edwardian school building. Erection of two new buildings up to three storeys in height and associated works. | Langdon Park Secondary School, Byron Street, London, E14 0RZ. Permitted – 18/01/2011.
- 3.11 PA/11/00750/A1: Erection of three storey building located within the north-west section of the School for the purposes of a youth centre proposal includes landscaping works including the removal of two trees. | Langdon Park Secondary School, Byron Street, London, E14 0RZ. Permitted – 28/06/2011

**4. Publicity and Engagement**

- 4.1 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since June 2021.
- 4.2 As detailed in the submitted Statement of Community Involvement (SCI), the applicant has engaged with neighbouring occupiers and stakeholders. The SCI states that the applicant team have consulted local residents directly by sending letters, as well as creating an online survey, and holding online Q&A sessions also.

- 4.3 In terms of the Council meeting its statutory requirements, neighbouring owners/occupiers were notified by post, in total 157 letters were sent. The application was also publicised online and advertised in the local press on 13/01/2022.
- 4.3 A total of three site notices were displayed on 18/01/2022 and were located within the immediate vicinity of the site, on Byron Street, Bright Street, and St. Leonards Road.
- 4.4 A total of 80 letters of representation were received in response to the proposals. 76 letters were received in support of the proposals, and 4 were received in objection.
- 4.6 Below is a summary of those letters received in support of the proposals:
- The proposals would bring redevelopment to a long vacant site which is regarded as being an 'eyesore', which is detrimental to the character of the area.
  - The proposals if permitted would provide much needed high-quality homes, which would also contribute towards the current local need for affordable housing.
  - Additionally, it is noted that a proportion of letters received indicated general favour towards the proposals, citing trust towards the developer as a contributing reason.
- 4.7 Below is a summary of those letters received in objection of the proposals:
- The overwhelming scale of the development is out proportion to the local setting, particularly so, when considered in relation to the adjacent Locally Listed terrace (Nos. 159-167 St. Leonards Road).
  - The proposals, at 6 storeys in height are considered inappropriate to the local setting. They do not respond appropriately to the existing heights of buildings within the immediate vicinity of the site.
  - The design of the proposals does not properly compliment the character of the area. The properties that neighbour the development are of a Georgian or Victorian style and have arched windows, typical of the period. The proposed development seeks to incorporate square windows, which are inconsistent with the characteristic features of the 19<sup>th</sup> Century townscape.
  - The proposals have the potential to negatively impact upon all of the heritage assets located within the Langdon Park Conservation Area. This therefore means that the proposals cannot be considered a positive contribution to conservation area.
  - The proposed density of residential units is not considered sensitive to the existing character of the local setting, with the proposals being referred to as a 'ground-scraper'.
  - The proposals if permitted would result in an unacceptable increase in overshadowing, and loss of light for local residents; particularly those living within Nos. 159-167 St Leonards Road.
  - The proposals would be harmful to the experience amenities of local residents, particularly those living within Nos 159-167 St. Leonards Road, as a result of increased opportunities for overlooking to occur and a general loss of privacy.

- The proposals will result in harm and the loss of local trees, some of which are located within the Langdon Park Conservation Area.
- The proposed hours of work for the construction of development are unreasonable. Works should begin later than 8am on Saturdays, as is proposed in the construction Logistics Plan.

## **5. Consultation responses**

### **External Consultees:**

#### **5.1 Crime Prevention Design Advisor**

5.2 A condition is recommended to requiring that a Secured by Design strategy detailing the measures to being incorporated into the development in order to meet Secure by Design accreditation is submitted to and approved by the Local Planning Authority prior to the commencement of above ground works. Additionally, it is advised that condition be applied requiring the development to achieve a Certificate of Compliance to a Secured by Design Scheme, prior to first occupation or use of the site.

#### **5.3 Historic England (Archaeology)**

5.4 No comments were provided.

#### **5.5 Thames Water**

5.6 Thames Water raise no objection. A condition is recommended to require the submission of a piling method statement prior to commencement of works.

### **Internal Consultees**

#### **LBTH Air Quality**

5.7 The Air Quality Assessment submitted in support of the proposals is satisfactory.

5.8 It is advised that 'Construction Plant and Machinery (NRMM)' and dust control measures should be secure via condition.

#### **LBTH Biodiversity**

5.9 The application site lies between Langdon Park and Jolly's Gren; two open spaces that have seen biodiversity enhancements in recent years. There is an opportunity for landscaping to provide a green link between these sites. This opportunity is not taken by the current proposals at ground level; however, the green roof is noted to provide something of a green link, albeit not one that can be appreciated by people.

5.10 The Preliminary Ecological Appraisal found that two of the existing buildings have potential for bat roosts. Further information regarding the probability of bat roosts was provided in March 2022, outlining that there is only low potential for bat roosts on site.

5.11 In response to the information above, LBTH Biodiversity Officers recommend that a Precautionary Bat Survey be mandated by condition. The survey must be undertaken by a licensed bat worker,



with the evidence being submitted to, and approved in writing by the Local Planning Authority, prior to the commencement of any demolition and/or tree works.

### **LBTH Employment and Enterprise**

#### 5.12 Proposed employment/enterprise contributions at construction phase:

To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Economic Development Service will support the developer to achieve their target through ensuring that they work closely with the council's Enterprise team to access the approved list of local businesses.

The council will seek to secure a financial contribution of £20,428.68 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to prove and procure the support necessary for local people who have been out of employment and/or do not have the skills required for the jobs created.

Proposed employment/enterprise contributions at end-use phase:

There are no end use obligations.

### **LBTH Energy Efficiency/Sustainability**

#### 5.13 The updated Byron Street Energy Strategy Report (JAW Sustainability – 25th August 2022) sets out the proposals to reduce energy demand through energy efficiency measures, efficient heating system (air source heat pump) and renewable energy generating technologies (photovoltaic array 41.5kWp).

The development is anticipated to have the following CO2 emissions:

- Site Wide Baseline – 69.64 tonnes CO2 per annum
- Site Wide Proposed Emissions – 19.52 tonnes CO2 per annum

The proposals are for a 50.12 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £55,642 to offset the remaining 19.52 tonnes CO2 and achieve net zero carbon. This calculation has been based on SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

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

#### 5.14 Environmental Health's Contaminated Land officers raise no objection, subject to the application standard conditions.

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

#### 5.15 The Noise Assessment submitted by Ardent, dated September 2022, is considered satisfactory and thus Environmental Health officers raise no objection the proposals. It is however proposed that condition ensuring that none of the residential units shall be occupied until a post completion verification report, including tests results, has first been submitted to and approved in writing by the Local Planning Authority confirming that the specified minimum standards have been achieved.

Additionally, Environmental Health officers recommend that compliance condition be applied; to ensure that any mechanical plant and equipment is designed and maintained for the lifetime of the development so that at no point does it result in unacceptable levels of noise; and to apply standard restrictions on demolition and construction activities in order to ensure that the development does not cause undue harm to the quality of life experienced by local residents.

## LBTH Housing

- 5.16 The applicant is providing 36% affordable housing which provides 16 units delivered as affordable tenures. The affordable housing provision will comprise of 5 shared ownership and 11 affordable rented units. All the rented units coming forward should be at 50% London Affordable Rent and 50% Tower Hamlets Living Rent. The proposal meets the Council's requirements in delivering affordable housing.

Details of the Council's rent structure are detailed below.

	London Affordable Rent (LAR) 2021/22 Published by GLA	Tower Hamlets Living Rent (THLR) 2021/22 (incl. Service charges)
	£ per week	£ per week
1 Bed	£161.71	£196.86
2Bed	£171.20	£216.54
3Bed	£180.72	£236.23
4Bed	£190.23	£255.92
5Bed	£199.73	£265.76

## LBTH Transport and Highways

- 5.17 The applicant's transport team have worked with LBTH Highways in developing the proposals. The proposals are for a car free development with the exception of two accessible blue badge spaces. This represents the required 3% provision required by the London plan as an initial provision should planning permission be granted then a condition for the applicant to provide parking management plan will be required. This will need to indicate where the additional 7% (a total of 10% brackets) blue badge parking will be allocated should the demand arise it is proposed that the commuted sum of £15,000 is held for a period of three years from the date of occupation to provide a further two bays on the public highway if required. This money, or the remaining sum, will be returned to the applicant if there is no further requirement to provide bays within that time. This should be secured by a106 agreement. The applicant is to enter into a legal 'Permit Free' agreement which restricts all future residents (other than blue badge holders and those that may qualify under the Permit Transfer Scheme) from obtaining parking permits for on street parking. This will form a condition to any planning permission which may be granted and should be secured via the s106 agreement (or similar legal mechanism as agreed by the case officer). All marketing for the developing should emphasis that this is a permit free development.

In terms of cycle parking the applicant states that it will meet the London Plan and London Cycle Design Standards in terms of numbers and accessibility. The applicant is proposing a mixture of stands across the site including double stackers and Sheffield type stands for larger and adapted and cargo bikes. Again this is welcomed. The double stackers are not favoured as being fully accessible and so they must be hydraulically controlled in order for those with mobility problems to access them. A condition requiring all cycle facilities to be retained and maintained for their

approved use only for the life of the development is required. The stands designed for the larger or adapted cycles should again be provided on a needs basis when required.

Servicing. The applicant is proposing that refuse vehicles can reverse into the area occupied by the accessible car parking bays. Whilst this is acceptable for refuse vehicles which may have a short stay this isn't necessarily acceptable for other service vehicles which may need a longer dwell time whilst delivering as this will obstruct access to the accessible bays. A draft Service Management Plan has been submitted and a full one will be required by condition in terms of detailing how access to the accessible bays will be maintained. Other servicing is proposed from street and the applicant is reminded that this can only take place where legal and safe to do so. The Local Plan states that all servicing should take place within the site. As this is a new build development in terms of Highway comments there is no reason why this couldn't be designed into the scheme. The conflict with design and highways over land use is again evident in this proposal.

Should planning permission be granted the above conditions must be included. In addition the following is required:

A s278 agreement for alterations to the public highway and works to the footway around the site to improve any dilapidated areas and to ensure that the footway is suitable for the additional footfall in line with the healthy street programme.

A robust demolition / construction management plan detailing how works can take place whilst minimising the impact on the public highway and local environment. Care must be taken to take the nearby school into account and minimising the impact there by avoiding school start and finish times.

A travel plan which includes a travel pack for residents outlining the availability of local services within walking and cycling distances.

In summary there is no in principle objection to the proposed land use but further info as outlined above is required.

## **LBTH WASTE**

### Bin Stores

- 5.18 The applicant is required to provide details outlining the drag distance between residential units and waste stores/areas for collection. This should not exceed 30m in distance as outlined in policy H6 of the London Plan.
- 5.19 The applicant must provide information which details the expected volume of waste which will be produced on site, and the volume of waste which can be stored within across the developments refuse storage areas. This must be inclusive of detail of bin sizes and also provide adequate detail to ensure that the storage areas are both accessible and functional for residents.

### Waste Collection Service

- 5.20 The applicant is required to provide information where the waste collection vehicle will park to load and unload this proposed development. This information should be inclusive of drag distances and the location of dropped kerbs.

## LBTH Parks

5.21 A financial contribution is sought to mitigate against the impact towards the local play provisions. Langdon Park is the closest site with play equipment already in situ and a contribution of £25,000 would be required to enhance the existing provision.

## 6. Planning Policies and Documents

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

6.2 In this case the Development Plan comprises:

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

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

Land Use - (*Abandonment of lawful use, loss of community use, residential*)

- o Local Plan policies – S.H1, S.DH1, D.CF2
- o London Plan policies – H1

Housing - (*standard of accommodation, amenity, play-space*)

- o Local Plan policies – S.H1, D.H2, D.H3
- o London Plan policies – D1, D3, D6, D7, H1, H4, H6

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

- o Local Plan policies – S.DH1, D.H2, S.DH3, D.DH4, D.DH8
- o London Plan policies – D1, D3, D4 HC1

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

- o Local Plan policies – D.DH8 and D.ES9
- o London Plan policies – D3, D6

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

- o Local Plan policies – S.TR1, D.TR2, D.TR3, D.TR4
- o London Plan policies – T5, T6, T6.1

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

- o Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES2, D.ES3, D.ES7, D.ES8
- o London Plan policies – G5, G6, G7, SI 1, SI2, SI3

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

- National Planning Policy Framework (2021)
- National Planning Policy Guidance (2021)
- LP Housing SPG (updated 2017)
- Historic England Heritage Supplementary Guidance (Various)

- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- Langdon Park Conservation Area Character Appraisal and Management Guidelines (2009)
- Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight' (2011)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- LBTH Planning Obligations SPD (2016)

## **7. Assessment**

7.1 The decisive issues are:

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

### **i Land Use**

#### Loss of Community Land Use

7.2 Policy D.CF2 of the Tower Hamlets Local Plan states that existing community facilities must be retained unless it can be demonstrated that:

- a) there is no longer a need for the facility or an alternative community use within the local community, or
- b) a replacement facility of similar nature that would better meet the needs of existing uses is provided.

7.3 Langdon Park Community Centre was acquired by Tower Hamlets School Limited from the London Borough of Tower Hamlets as part of the structuring to the Grouped Schools PFI project. The school site was granted planning permission (PA/01/00420) in 2001, for developments effecting the school which were inclusive of the construction of a single storey extension to the school's sports hall. The site subsequently provided community uses on site and thus began providing such services within the local area. The community use formally provided by the Langdon Park Community Centre is understood by officers to have subsequently been re-provided within the grounds of the Langdon Park School, situated on the south side of Byron Street and thus the Community Centre ceased its use.



- 7.4 In 2011, Langdon Park School was granted planning permission for the demolition of several existing buildings, remodelling and refurbishment of retained buildings, and the construction of two new buildings up to three storeys in height, plus a series of additional alterations also. In the delegated report which accompanies planning permission for PA/10/02232, it was noted by planning officers that the school continued to be used by the local community due to its housing of a number of sporting facilities including a gym, netball courts and a running track, and that this use was proposed to continue, post determination of the application.
- 7.5 A subsequent planning application (PA/11/00750), was approved in 2011, granting permission for further alterations to Langdon Park School. The proposals sought to provide a Youth Centre, which would be accessible to both the school and the wider community. This Youth Centre is now referred to as 'Spotlight – Poplar HARCA'. Spotlight opened in Langdon Park in 2014, providing community facilities for local young people living within the local setting. Additionally, it is noted that Poplar Harca's Spotlight operates across 7 separate locations within Tower Hamlets, with nearby sites at Burcham Street Community Centre and Brownfield Cabin.
- 7.6 The above planning history relevant to both the application site and the local area evidence that the former community use of the site has since been re-provided within the local area and thus meets the tests set out in policy D.CF2 above.

#### Abandonment of application site's lawful use and public land status

- 7.7 Despite formerly housing Langdon Park Community Centre, the application site is currently regarded as having no lawful use and is also not considered to be 'public land' (as defined within the London Plan 2021).

Its former community use (Class F2) has been determined by officers to have been abandoned in accordance with the testing criteria, as established in the case of *The Trustees of Castell-y-Mynach Estate V Tadd-Ely [1985]*

- 7.8 The above case established criteria for assessing whether a use had been. These are:

1. The physical condition of the buildings;
2. The period of non-use;
3. Whether there has been any other use; and
4. The owner's intentions\*

\*In the case of *Hughes V SSETR & South Holland DC [2000]* the Court of Appeal held on the authority of *Hartley*, the test of the owner's intentions should be objective and not subjective. In this regard the test was the view to be taken be "a reasonable man with knowledge of all the relevant circumstance"

- 7.9 Officers have considered all of the above criteria and determine that by way of the current standing of the application site; its period of non-use, which dates back to 2011 when the site was formally closed; the lack of use (in any form) of the site in that period of time; and the Owners of the Land's intentions to redevelop the site to provide a residential development (as documented within Section 3 Relevant Planning History); that the site's lawful use has been abandoned and is no longer deemed to be purposed for Use Class F2 or to be regarded as being Public Sector Land either.

The application site had former use as a Community Centre which has been re-provided elsewhere within the Community, and the site now currently is a brownfield site which does not have a formal land use. The application site is suitable for development, there would be no loss of a community facility in this instance and accords with Policy D.CF2 of the Tower Hamlets Local Plan 2031 (2020).

### iii Housing

- 7.10 Tower Hamlets Local Plan Policy S.H1 outlines the need for the borough to secure delivery of at least 58,965 new homes across the borough between 2016 and 2031. Additionally, it is noted that Policy H1 of the London Plan (2020) specifies that Tower Hamlets is expected to secure a net increase of 34,730 new homes between 2019/20 – 2028/29.
- 7.11 London Plan Policy H1, states that in order to achieve the above targets, boroughs should optimise the potential for housing delivery on all suitable brownfield sites through their Development Plans and planning decisions. Section 2a of the policy specifies that sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre are considered appropriate sites for housing delivery. The application site is noted to both achieve a PTAL rating of 4 and be within 800m Langdon Park DLR station, and thus considered an appropriate site for housing.
- 7.12 The proposed residential use of the site is appropriate. The above considerations are important in determining the quantum of affordable housing contributions expected for the site; however, the proposed use of the site is acceptable and would help to achieve the boroughs housing targets as outlined under policy S.H1 of the Local Plan (2020) and policy HC1 of the London Plan (2021).

#### Housing Mix

- 7.13 Policy S.DH1 of the Local Plan stipulates that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through the provision of mixed unit sizes and tenures which meet local need, and which are inclusive of varied housing products. All housing must be well-designed and take appropriate account of cumulative development.
- 7.14 The table below details the overall proposed mix of the scheme:

Tenure	Studio	1-bed	2-bed	3-bed	4-bed	Total
<b>Market</b>	2	27	18	2	0	<b>49</b>
<b>Affordable</b>	0	1	4	5	1	<b>11</b>
<b>Intermediate</b>	0	1	2	2	0	<b>5</b>
<b>Total</b>	2	29	24	14	1	<b>65</b>

## Affordable Housing

- 7.15 Policy H4 of the London Plan sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. Specific measures to achieve this aim include the requirement to deliver 50 per cent affordable housing on public sector land on each site.
- 7.16 Policy H5 of the London Plan outlines the threshold approach toward affordable housing schemes greater than 10 units. The policy sets the threshold level of affordable housing at 35% or 50% for public sector land. Applications not meeting the threshold are not eligible for the Fast Track Route and are subject to viability testing with early and late stage reviews secured by way of a legal agreement subsequent to consent
- 7.17 The application site was once a public sector land belonging to London Borough of Tower Hamlets in 2008. In 2013 the application site was transferred to a private company where it has been in private ownership since. The GLA Affordable Housing and Viability SPG (2017) refers to public sector land as “land that is owned or in use by a public sector organisation, or a company ownership and on which housing development is proposed”. It further goes on to state that “one of the intentions of this definition is to ensure that the higher threshold cannot be avoided through the transfer of land to a separate company or organisation or through disposal of the land, which would undermine the objectives of the higher threshold for public land. However, where sites were disposed of and either have been redeveloped or were subject to a change of use prior to the publication of the Affordable Housing Viability SPG, the 35% affordable threshold should apply”.
- 7.18 As explained in earlier section of the report, the site had laid dormant for some 10-11 years with no activity on the site. The community use has been extinguished and there is no lawful use, ie. longer deemed to be in Use Class F2. It is therefore a change of use has taken place prior to the publication of the London Mayor’s SPG for the purpose of applying the affordable housing threshold, and in this case 35% threshold applies. It should also be noted that various legal opinions have been sought to clarify this issue.
- 7.19 Local Plan policy D.H2 sets the requirements of affordable housing provision with developments in the Borough, in terms of quantum, standard and provision. Development within the Borough is required to provide 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units within this offering.
- 7.20 Section 3 of policy D.H2 states that development is required to provide a mix of unit sizes (including larger family homes) in accordance with local housing need, outlined in the table below:

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

- 7.21 The application seeks to provide the following contributions towards affordable housing on the site, across both intermediate (shared ownership) and affordable rented units:

Tenure	Studio	1-bed	2-bed	3-bed	4-bed	Total
<b>Affordable Rent</b>	0	1	4	5	1	11
	0 HR	2 HR	16 HR	25 HR	6 HR	49 HR
<b>Intermediate</b>	0	1	2	2	0	5
	0 HR	2 HR	7 HR	9 HR	0 HR	18 HR
<b>Total</b>	<b>0</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>1</b>	<b>16</b>
						<b>67 HR</b>

7.22 Of the total 65 units within the scheme, 16 are affordable, with an overall affordable housing contribution of 36% by habitable room at a tenure split of 73:27 (69:31 based on no. of units) in favour of affordable rent.

7.23 The table below compares the affordable housing schedule within the scheme against the preferred mix within Local Plan policy D.H2.

Tenure	1-bed	2-bed	3-bed	4-bed	Total
<b>Affordable Rent</b>	1 (9.09%)	4 (36.36%)	5 (45.45%)	1 (9.09%)	<b>11</b>
	-15.91%	+6.6%	+15.45%	-5.91%	
<b>Intermediate</b>	1 (20%)	2 (40%)	2 (40%)		<b>5</b>
	+5%	✓	-5%		

7.24 Due to the volume of units being proposed, it is not feasible for the scheme to comply completely with the preferred housing mix as outlined in policy D.H2 of the Local Plan. The slight deviation from policy in respect to the provision of intermediate units is therefore considered negligible. Officers consider the proposed housing mix for affordable rented units to be on balance acceptable, having taken into consideration the overprovision of larger family sized units.

#### Wheelchair Accessible Housing

7.25 Policy D7 of the London Plan and policy D.H3 of the Local Plan require that 10% of all new housing is designed to meet housing standard M4(3) for wheelchair accessibility, with the remainder of dwellings built to be accessible and adaptable dwellings in line with housing standard M4(2). Of this total 7 wheelchair accessible housing provided, 2 units would be provided as affordable rented units; 4 units would be provided within the shared ownership; and the remaining unit is for private sale.

- 7.26 Tower Hamlets currently faces an acute need for affordable rented, wheelchair accessible, larger family sized housing. The proposals will provide a single 4 bed (5 bedspace) wheelchair accessible unit which is welcomed by the borough's Occupational Therapists.
- 7.27 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Two disabled car parking spaces will be provided on Byron Street and secured as part of a S106 agreement, subject to consent being granted.

#### Quality of Residential Accommodation:

- 7.28 GLA's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is *"fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime"*. The considerations of the aforementioned SPG are further reiterated in Policy D6 of the London Plan which necessitates that housing development achieves the standards specified in relation to the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.29 Policy D.H3 of the Tower Hamlets Local Plan requires that all new residential units must meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The policy also highlights the requirement that affordable housing must not be of a distinguishable difference in quality.
- 7.30 All of the proposed units meet the London Plan Space Standards with a number that exceeds the minimum space standards. All units have appropriate floor to ceiling heights in line with 2.5m standard outlined within policy D6. No floor would have more than 8 units per core, again in accordance with the SPG.
- 7.31 Of the 65 units proposed, 57 are dual aspect. Two of said single aspect units are inclusive of obscured glazing on their north elevation in order to preserve the experienced amenity of future occupants of the site and those living at 159a St. Leonard's Road. Officers consider that whilst these particular residential units (C.06 and C.07) are not technically dual aspect in nature, that the inclusion of obscure glazed windows units will still be beneficial to the experienced standard of accommodation within. Officers have assessed all remaining single aspect units and consider that the standard of accommodation as presented is acceptable, having arisen from a design-led approach in accordance with policy D3 and D6 of the London Plan.
- 7.32 With regard to the affordable housing, all of the units meet the London Plan standard and are indistinguishable in both access and arrangement to that of the market housing.
- 7.33 As confirmed by Environmental Health Officers, the new residential units will not be subjected to unacceptable noise and air quality conditions. Conditions will be placed on consent to ensure that that new accommodation is constructed to appropriate British Standards with regard to acoustic insulation, while a further submission with regards to an air quality assessment submission will be conditioned on consent.

#### *Daylight, Sunlight & Overshadowing*

- 7.34 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).



- 7.35 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.
- 7.36 The applicant has submitted a Daylight and Sunlight Assessment of the scheme undertaken by Point 2 Surveyors. An amended assessment was submitted in September 2022 following alterations to the proposals. The assessment has been independently reviewed on the behalf of the Council.
- 7.37 It is noted that the assessment of the development's internal layout was reliant upon the first submitted report, dated December 2021. The independent review carried out on behalf of the Council was reliant upon the initial report also. The applicant team was subsequently asked to confirm whether the change in layouts would have a material effect on the daylight levels and compliance rates as report in December 2021. All points are considered below.

*Internal Daylight Study (report dated December 2021)*

- 7.38 A total of 190 rooms were analysed, of which 73 were main living rooms (i.e. living rooms, studios, Living Kitchen Diners (LKD), Kitchen Diners (KD) or dining rooms), one was a separate kitchen and 116 were bedrooms. Of those 190 rooms assessed, 154 (81.1%) achieved their respective ADF target values.
- 7.39 The independent assessment carried out on the behalf of the council asserts that the development will provide a very good level of adherence to daylight guidelines for a dense housing development. It is noted that of those units which experience poorer daylight results, the majority are either those on lower floor levels facing higher levels of obstruction; or units which are inclusive of windows that are located beneath recessed balconies.
- 7.40 In addition, where a room does fall below the guidelines, other rooms within the unit generally meet or exceed their recommended target value.
- 7.41 Whilst it is noted that amendments to the proposals were inclusive of slight alterations to the internal layout of the site, the applicant team have provided information to indicate that the changes are minor and would not have any significant change to the overall level of compliance. Detail of the changes to the internal layout of the scheme and why it is considered that this would not materially alter the overall compliance of the development are detailed below.

*Changes to the ground floor*

- 7.42 The LKD of Unit B.01, located in the south-western corner of the scheme has been moved and split into a separate living room and kitchen. It is accepted that the kitchen may fall below guidance levels; however, it is considered that the living room would achieve an ADF in excess of 1.5%.
- 7.43 Core C was previously inclusive of 3x 3bed units. The floor plan now comprises of 2x 1bed units, 1x 2bed unit, and 1x3 bed unit. Previously, of the 13 rooms assessed, 9 achieved compliance. Changes to the layout, inclusive of the removal of a winter garden now means that of the 11 rooms proposed, 9 would satisfy BRE guidance.

*Changes to the first floor*

- 7.44 It is not considered that any design changes to the scheme would materially affect the conclusions as presented.

### *Changes to second and third floor*

7.45 The LKDs in Units A.08 and A.10 have been split into separate living rooms and kitchens. It is however considered that all rooms would achieve ADF targets in accordance with BRE guidelines.

### *Changes to the fourth floor*

7.46 The internal layouts of the units located at the fourth-floor level of Core B, are the same as those previously designed for floor five, which has since been removed. It is noted that 6 of the 7 rooms assessed at fifth floor level adhered to BRE guidance. In considering the current iteration of the proposals it is noted that due to the reduced floor height, an additional living room would likely fall below its ADF target.

7.47 On the basis of the above considerations, it is considered that of the 150 of 185 rooms would be compliant with BRE guidance and achieve their target ADF values. The overall compliance of the scheme would remain at 81.1%, as a result of their being comparatively fewer rooms.

7.48 Taking into account the size and urban setting of the proposed development, the proposed daylight results are considered to a good level of adherence to BRE guidance.

### *Overshadowing/Amenity Spaces*

7.49 The overshadowing results demonstrate that on 21 March 21 the rooftop amenity space of Core C would fully comply with the recommended 2 hours of sun to 50% of its area. However, the ground floor level courtyard falls below this achieving just 8.7%. Officers do however note these figures are representative of the proposals prior to the reduction in height and massing, which is inclusive of the removal of the developments fifth floor. Thus, it is reasonable to consider that this figure will have increased in favour of the development.

7.50 Whilst it is accepted that the ground floor courtyard falls below BRE guidance on March 21<sup>st</sup>, additional testing for the same assessment on April 21<sup>st</sup> demonstrates that 44.4% of the area would see the 2 hours of sunlight and by June the 21<sup>st</sup> the proposals would be fully compliant. This improvement will likely be compounded by the amendments discussed above in regard to the reduced height of the development.

7.51 With consideration for the above, and that the proposed units would also benefit from private amenity spaces in the form of balconies and gardens, it is considered the provisions of sunlight to the communal amenity spaces are acceptable in nature.

### Communal Amenity Space & Play Space

7.52 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies, they should have a minimum width of 1500mm. The proposals provide amenity space, in the form of balconies, terraces and garden areas that would comply with the above quantitative standards.

7.53 Part 5c and d of policy D.H3 requires communal amenity space and child play space for all developments with ten or more units. The communal amenity requirement for this development is 105sqm. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.

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

<b>Age Group</b>	<b>Number Of Children</b>	<b>Area Required (sqm)</b>
Years 0-4	10	96
Years 5-11	8	77
Years 12-18	7	70
<b>Total</b>	<b>24</b>	<b>243</b>

7.55 As detailed above the development is predicted to yield 24 children and therefore 243sqm of child play space is required, split across three different age groups set out in the GLA’s Play and Informal Recreation SPG (2012).

7.56 In total, the development provides 123.7sqm of communal amenity space, plus 116.5sqm of child play space. The communal amenity space is split between the ground floor level central courtyard and the roof terraces situated atop Core C. This represents an overprovision of communal amenity space 18.7sqm.

7.57 The proposals seek to provide 116.50sqm of 0-4 year old play space on site, within the centralised ground floor communal courtyard. It is considered that this is the most appropriate location for the provision of play space as it is accessible to all residents and will benefit from an improved sense of safety as a result of passive surveillance. The provision of 0-4 year old play space represents an overprovision of play space 20sqm. Officers propose to apply condition to secure full details of all play space and landscaping.

7.58 It is noted that the proposals are unable to provide the remaining 147sqm of child play space for older children on site. Whilst this is regrettable, it considered on balance to be acceptable, taking into account the overall provision of high quality communal and private amenity space, and the sites relative proximity to Langdon Park.

7.59 To offset the above shortfall in respect to the quantum of child play space for children aged between 5-11 and 12-18, officers will secure a cash in lieu payment via a S106 agreement, subject to consent being granted.

**iii Design & Heritage**

7.60 Local Plan (2020) policy S.DH1 stipulates that development is required to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different special scales, including the character of the local setting to which it is set. Development must be of an appropriate scale, height, mass, bulk and form in its site context. Policy D.DH2, goes on to state that development is also required to positively contribute to the public realm. Furthermore, as outlined under policy S.DH3 of the Local Plan (2020), proposals must preserve, or where appropriate, enhance the borough’s designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough’s 24 places.

- 7.61 Policy S.DH3 of the Local Plan (2020) and policy HC1 of the London Plan (2021) require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 7.62 The NPPF paras. 190 and 194 require local authorities to identify and assess the significance of heritage assets that may be affected by a proposals including development affecting the setting of a heritage asset. Any harm to, loss of the significance of the heritage asset including from development within its setting requires clear and convincing justification.
- 7.63 The immediate context of the site is characterised by a loose urban grain and low scale of development including more recent forms of development, which sit comfortably within their historic context. Development on this site should therefore reinforce this nature of development.
- 7.64 The residential buildings located on the northern side of Bright Street are primarily between 2-3 storeys in height. To the east of these properties on the east side of St Leonards Road lies the 3-storey tall St Michael and All Angels Church which is inclusive of a church spire which extends upwards to height of approximately 35.8m tall. Immediately to the north/east of the site lays Nos. 159a-167 St. Leonards Road which vary between 2-3 storeys in height. To the south of the site, on the opposing side of Byron Street there exists buildings between 4 and 5 storeys in height.
- 7.65 Langdon Park School is situated to the east of the proposals, with block B situated immediately adjacent to the site. It is noted that that this 3 storey tall building stands to a maximum height of 14.6m; however, the school's dominant building is located further to the west of the site and comprises of four storeys with copper domed turrets and formed part of the original London Board School built in 1907.
- 7.66 The site is located to the south of Langdon Park. Although not a historic park, Langdon Park makes a valuable contribution to the low-rise, open suburban character of the area. Additionally, it is noted that the park is inclusive of a Borough Designated View, which looks south from the park towards Balfour Tower with Canary Wharf in the backdrop. Thus, the proposals must be considered in relation to any impacts that it may have in relation to how Langdon Park may be experienced.



Figure 3. CGI visualisation of proposals, viewed from junction of St. Leonard’s Road and Byron Street.

### Heritage and Conservation

7.67 A large portion of site is located within the Langdon Park Conservation Area, with the southern section being largely bound by the conservation area also. The site is also located in close proximity to several listed buildings within the Conservation Area. These are the Grade II listed St Michael and All Angels Church, which is prominent within the area and features in views along St Leonards Road going both north and south, the spire acts as a landmark here. To the south of Langdon Park, adjacent to the site along St Leonards Road are a series of locally listed terraces designed in the late Georgian style. Opposite the site to the east is the locally listed St Leonard’s Public House, these three listed buildings frame the junction between St. Leonards Road and Spey Street, with views north along St. Leonards Road being terminated by the listed church building. Long views of Balfour Tower, particularly from Langdon Park also need to be considered.

Non-designated heritage assets within the conservation area include the early 20<sup>th</sup> century school building to the west of the site.

7.68 A comprehensive site and context analysis, including the historic context, has been undertaken with a clear rationale for the design of the proposal having been presented. This demonstrates the principles identified under paragraph 40 of the National Design Guide as well as Policy S.DH1 of the Local Plan which says that development should respect and respond to its context, townscape, character and distinctiveness.

7.69 The proposals although contemporary in nature are sensitive to the historic character of the local area, having arisen from a design-led approach which has sought to appropriately incorporate characteristic features of the local setting into the development. Considerations have been properly incorporated into the design process to ensure that the proposals compliment the local setting, rather than try to replicate the design of local buildings and otherwise create a pastiche.



7.70 Overall, the proposals are not considered to pose harm to the Langdon Park Conservation Area, or towards the listed buildings which lay within its immediate vicinity. Additionally, although it is noted that the proposals will be visible in locally designated views south from the park towards Balfron Tower and Canary Wharf, it is not considered that this unduly harms the experienced vista.

### Layout

7.71 The ground floor layout of the development prioritises entrance to the site from Bright Street. Core A can be accessed directly from the street; whilst access to the internal courtyard which leads to the main entrances to Cores B and C, is done so via an access gate at the north of the site. The proposals are inclusive of secondary entrance doors to both Cores B and C via Byron Street also.

7.72 Concern was raised by officers in response to early iterations of the proposals, specifically relating to the site's layout and integration within the local setting. Of particular concern was how the building 'turns its back' onto the surrounding streetscape and lacked design detailing which would promote legibility across the site.

7.73 Paragraph 69 of the National Design Guide emphasise the importance of 'the relationship between building fronts and backs, with successful streets characterised by buildings facing the street to provide interest, overlooking and active frontages at ground level'. Thus, it was suggested that all primary entrances be relocated to the surrounding streets.

7.74 Whilst it was not possible to relocate all of the primary entrances to the surrounding streetscape, amendments to the scheme have been successful in improving the proposals legibility and integration with the local setting. Design changes to the entrance of Core A, inclusive of increased glazing at entrance level to promote passive natural surveillance, and amendments to the design of entrance doors to promote a noticeable design hierarchy across the site, have been welcomed by officers.

7.75 Furthermore, changes to the secondary entrances to Cores B and C from Byron Street are also considered to have successfully improved the site's relationship with the local setting. Additionally, the incorporation of appropriate materials and design details have helped to define a clear sense of legibility across the site, which will enable occupants and visitors to locate primary entrances to the individual cores with ease.

7.76 Officers consider the proposed layout and hierarchy of entrance points to be appropriate for the site. The primary entrance point from Bright Street provides direct access to Langdon Park and Langdon Park DLR station also. Additionally, officers note that the south of the site has been designed to allow for vehicular access and thus there is rationale in the hierarchical approach in regard to pedestrian access to and from the site.

7.77 The relationship between the development and Byron Street, is on balance considered acceptable. Although it is noted that Byron Street has in effect been treated as a back entrance towards the site, it will still benefit from passive surveillance and active use, arising from the use of the ground floor rear gardens of Core's B and C, and the south facing balconies which populate the building's southern elevation.

### Townscape, Massing and Heights

7.78 The context of the local setting is of low scale and a loose grain. The Langdon Park Conservation Area Appraisal states that this portion of the conservation area is predominantly 2-3 storeys in height. The site is enclosed by the locally listed terraces to the north and east, Langdon Park school

to the west and Byron Street to the south. Given the constrained nature of the site it is important that scale and massing is informed by the context.

7.79 The proposals have undergone several rounds of revision from their first inception, to ensure that the intensification of the site does not result in overdevelopment. The overall height, massing and layout of the proposals have been reworked so that they may be considered appropriate. The height of the proposals has been reduced so that it remains subservient to that of the early 20<sup>th</sup> century school building to the west of the site, which is a defining feature within the local setting. The height of the proposal's steps down in scale as it traverses to Cores A and C. This is particularly impactful when considering the design of Core C, as it is integral in ensuring that the proposals may be considered sensitive to the setting of the locally listed buildings of St. Leonard's Road.



Figure 4. CGI visualisation of eastward views from Dewberry Street towards the proposals, showcasing reduction of height and massing as development nears Nos. 159a-167 St. Leonard's Road.



Figure 5. CGI visualisation of the proposals in relation to Nos 159a-167 St. Leonards Road.

- 7.80 The relationship between the proposals and that of Nos. 159a-167 St. Leonard's Road is a particularly sensitive one, not least because of the row of houses is of inclusive of five locally listed buildings. The massing, particularly of Core C, at the junction of Byron Street and St. Leonard's Road has been designed so that it is steps back in height and depth as one moves north from the junction towards the row of existing houses.
- 7.81 The proposals are noted to include variance in the height and massing of each of its cores. The floor print of the site is also inclusive of irregular building lines. This particular feature of the proposal's design is considered to successfully break up the overall bulk and mass of the site, to create an interesting building form which does not appear excessive or blocky in character. The articulation of the site's height and mass is particularly impactful when viewed from both Byron Street and St. Leonard's Road.
- 7.82 Verified views have been submitted as part of the application. They are successful in demonstrating that the proposals would not be overly dominant in the background of the locally listed terraces on St Leonards Road. Views from within Langdon Park also confirm that the buildings will not project the ambient roof scape looking towards Balfour Tower. It has therefore been demonstrated that the proposal is of an appropriate scale, height, mass, bulk and form in its site and context in line with 1.a of Policy S.DH1 of the Local Plan.





Figure 6. CGI visualisation of proposals when viewed from southward views from Langdon Park, looking towards Balfron Tower and Canary Wharf.

### Appearance & Materials

- 7.83 The application site sits within a number of slightly varying contexts within the Conservation Area. The contextual complexities of the site have resulted in a building which presents a varied character across the three separate cores, whilst maintaining a continuous architectural language which successfully ensures that the proposals do not appear as disjointed and are complimentary to the local setting in which they are set.
- 7.84 The Bright Street frontage of Core A has been designed to respond to the adjacent school and Langdon Park. The infill to Bright Street respects the parapet height of the neighbouring school building, with the elevation composition and the proportions of the fenestration being influenced by this context also.
- 7.85 The buildings adjacent to the locally listed terraces on St. Leonard's Road are of a lower scale and reflect horizontal detailing of the terraces in a contemporary design. The corner to St. Leonards and Byron Street reflects the proportions of the pub opposite and the strong emphasis to ground floor that the building has.
- 7.86 Along Byron Street the elevation has been subdivided into town houses to help break up the elevation and reflect the proportions of the building's opposite. At the corner adjacent to the school the building eaves height has been reduced to reflect that of the school which allows for the introduction of dormers which acts as a cue taken from the school.
- 7.87 The predominate materials palette consisting of; dark green bond glazed, and soldier course glazed brickwork/tiling; pale red/pink running bond brickwork and soldier course brickwork; pre-cast concrete; pale red/pink standing seam aluminium is considered to be in keeping with the character of the conservation area. The use of dark green glazed brickwork and tiling, sensitively compliments characteristic features of the nearby locally listed St. Leonard's Arms Public House and Nos. 5-11 Byron Street, as can be seen in Figure 7, below. Additionally, the proposed inclusion of pale red/pink brickwork is considered sensitive to the prevailing character of the local setting. Officers will however apply condition to secure information regarding material detailing, entrances points, and window reveals, in order to ensure that same high standards of design are maintained

throughout the construction phase of the development process, in accordance with policy S.DH1 of the Local Plan.



Figure 7. CGI visualisation looking north from St. Leonard's Road, towards the proposals.

### Landscaping & Public Realm

7.88 The proposals are considered successful in their approach to the landscaping of thresholds fronting the surrounding streetscape. The proposed landscaping measures provide opportunities for passive surveillance to occur, whilst also maintaining a sense of privacy for future residents. Furthermore, it is noted that the inclusion of street facing private balconies further promotes opportunities for natural surveillance to occur and which also provide points of visual interest which are successful in dispersing the building's sense of bulk on its southern elevation,

7.89 The proposed massing, layout and landscaping of the proposals have been carefully considered in the design of the proposals. The inclusion of appropriate building materials, which are both sensitive to the characteristics of the local setting, and which are successful in providing clear visual cues, which further promote a clear sense of legibility across the site is also welcomed by officers. The proposals further seek to introduce plantings and trees across the development to create visual relief which is in keeping with the village like character of the southern section of the Langdon Park Conservation Area and which allows for a range of activities to take place the site. The proposals are thus, regarded as being successful in the creation of a development which positively contributes to the public realm, in accordance with policy D.DH2 of the Local Plan.



**iv Neighbouring Amenity**

7.90 Policy D.DH8 of the Local Plan (2020) stipulates that development is required to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. Policy D3 of the London Plan (2021) requires that site capacity is optimised through a design-led approach, which seeks to deliver appropriate outlook, privacy and experienced amenity for future occupants of the site.

Daylight and Sunlight

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

7.92 An initial daylight/sunlight assessment was submitted in support of the proposals, prior to amendments which affected the overall height and massing of the proposals. Subsequently, an amended assessment was submitted in September 2022.

7.93 This submitted daylight/sunlight assessment has been independently reviewed by Delva Patman Redler who consider that whilst significance criteria are more appropriate for an environmental impact assessment, the guidelines are nonetheless helpful in understanding the significance of the effects of the development.

7.94 To assist in the understanding of the magnitude of the impacts arising from the proposals, the independent review provided by Delva Patman Redler uses the terms ‘negligible’, ‘low’, ‘medium’ and ‘high’ for magnitude of impact, based on the categorisation set out in the table below:

Impact satisfies the BRE guidelines	Impact does not satisfy the BRE guidelines		
	0.79 to 0.70 times former value i.e. <b>21% to 30%</b> loss	0.69 to 0.60 times former value i.e. <b>31% to 40%</b> loss	<0.60 times former value i.e. <b>more than 40%</b> loss
<b>Negligible</b> impact	<b>Low</b> magnitude impact	<b>Medium</b> magnitude impact	<b>High</b> magnitude impact

7.95 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 exhibit a reduction beyond 20% of the former volume.

7.96 Sunlight is assessed through the calculation of annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter for each window within 90 degrees of due south (i.e. those windows which receive sunlight).

The daylight and sunlight impacts of the development has been assessed in the report prepared by Point 2 Surveyors. This report has been independently reviewed on the behalf of the Council. The results of which are discussed below. The report identified 5 neighbouring residential properties

surrounding the site that are likely to experience a material reduction in daylight and sunlight from the proposed development. These are:

- 11 Byron Street
- 145 St. Leonards Road
- 159a St. Leonards Road
- 159 St Leonards Road
- 161 St Leonards Road



Figure 8. 3D computer generated aerial visualisation of the proposals.

### ***11 Byron Street – (located south of the application site)***

- 7.97 6 of the 10 habitable windows assessed will experience a reduction beyond BRE guidelines in VSC terms. Of the 6 rooms which would fall below guidelines, 4 would experience a medium magnitude adverse impact, with the other 2 windows experiencing low level adverse impact.
- 7.98 Despite the proportional reductions discussed, each of the 6 windows achieves an absolute VSC of at least 19.5%, which is considered to be high for an urban location.
- 7.99 Of the 5 rooms assessed, 3 experience a material reduction in NSL, as outlined below:
- R1/20 experienced a loss of 47.1%
  - R1/21 experienced a loss of 33.8%
  - R1/23 experienced a loss of 21.2%
- 7.100 The magnitude of loss is considered to be low to this property. The proposals are generally considered acceptable for the urban setting in which they are set.

**145 St. Leonard's Road – (located south of the application site)**

- 7.101 11 of the 25 windows assessed experience a reduction beyond BRE guidelines in VSC terms. The proportional reduction each of the 9 windows is listed below. 3 of those windows would experience a medium magnitude adverse impact, with the remaining 8 windows experiencing low levels magnitude adverse impact.
- 7.102 Despite the proportional reductions, as outlined above, each of the 11 windows achieves an absolute VSC of at least 19.9%, which is considered to be high for an urban location.
- 7.103 3 of the 17 rooms assessed will experience a material reduction in NSL as detailed below:
- R6/10 experienced a loss of 63.0%
  - R5/11 experienced a loss of 37.5%
  - R4/12 experienced a loss of 29.1%
- 7.104 The magnitude of loss is considered to be low to this property. The proposals are generally considered acceptable for the urban setting in which they are set.

**159a St. Leonard's Road – (located immediately north of the application site)**

- 7.105 Of the 9 windows assessed, 7 experience a reduction beyond the BRE guidelines in VSC terms. 6 of those windows would experience a high level of impact, with the remaining window only experiencing low levels of harm.
- 7.106 Only 1 out of the 4 rooms assessed would experience a material reduction in NSL. The affected room R1/31 would experience a reduction of 24.2%.
- 7.107 In assessing the severity of impacts proposed toward 159a St. Leonard's Road, it is important to note that characteristics of the property do already heighten its vulnerability to any potential reduction in levels of daylight reaching the building. No. 159a is inclusive of x7 south facing windows, located upon a side elevation of the building.
- 7.108 Officers consider that the orientation and design of No. 159a, would likely prejudice opportunities for any development at the application site. For this reason, the proposed harm is not considered to be indicative of problem arising from overdevelopment, poor design or excessive bulk and mass. Furthermore, it is noted that upon taking consideration of the above, the independent assessment of the daylight/sunlight is clear in its assertion that the magnitude of impacts may be described as negligible.

**159 St. Leonard's Road – (located north/northeast of the application site)**

- 7.109 1 of the 8 windows assessed will experience a reduction beyond BRE guidelines in VSC terms. The impact towards the affected window is considered low, equating to a reduction of 21.35% of VSC, and retains an absolute value of 26.9%.
- 7.110 All windows considered for sunlight comfortably meet the BRE guidance. Overall, the impacts towards 159 St. Leonard's Road are considered negligible.

**161 St. Leonard's Road – (located north/northeast of the application site)**

- 7.111 Of the 8 windows assessed, 2 will experience a reduction beyond BRE guidelines in VSC terms. The impact towards the affected windows is considered low, equating to reductions of 21.2% and 23.98% VSC.

7.112 All windows considered for sunlight comfortably adhere to the BRE guidance. The magnitude of the proposed impact is considered low to this property.

#### Neighbouring Overshadowing

7.113 Section 3.3 of the BRE guidelines describes the method of assessment of the availability of sunlight within garden/amenity spaces. This relates to the proportion of shading on March 21<sup>st</sup>.

7.114 The BRE criteria for gardens or amenity areas are as follows, *'It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least two hours of sunlight on 21 March. If as a result of a new development an existing garden or amenity space does not meet the above, and the area which can receive two hours of sunlight is less than 0.8 times its former value, then the loss of amenity is likely to be noticeable'*.

7.115 The Daylight/Sunlight Assessment produced by Point 2 Surveyors has considered the overshadowing effects that the proposed development will have on the rear gardens of Nos. 159a-167 St. Leonards Road, which are situated to the north/east of the site.

7.116 The assessment states that the overall impacts of the proposal will be small, and with the exception of the reduction to 163 St. Leonard's Road, in full accordance with BRE guidance. This statement has been reiterated by the independent review carried on behalf of the Council.

7.117 In the existing situation, 27.7% of the total area of the rear garden of 163 St. Leonard's Road, experiences at least 2 hours of direct sunlight on March 21<sup>st</sup> each year. This will be reduced to 18.4% if the proposals are approved. This equates to a proportional reduction of 34%, which is in excess of the 20% reduction, as outlined within BRE guidance.

7.118 Whilst the reduction is greater than BRE guidance allows for and would therefore likely result in a noticeable difference for the occupants of 163 St. Leonard's Road, officers do not consider that this change would warrant a refusal of permission. Officers acknowledge that the existing area which experiences at least 2 hours of sunlight is rather small in size, and thus any change is likely to result in significant proportional changes.

7.119 The proposals, if permitted, would result in increased volumes of each properties garden areas which experience at least 2 hours of direct sunlight on June 21<sup>st</sup> each year. This minor enhancement would arise as a result of the demolition of existing buildings which border the rear gardens of the row of properties. In assessing the proposals suitability, officer must exercise an act of balance between the pros and cons of development. Although the harm to the rear garden of No. 163 will be noticeable the change is not considered to be unacceptably harmful. Furthermore, officers consider that every garden, including that of No. 163 will receive greater volumes of direct sunlight on June 21<sup>st</sup> each year, at a time in which residents or more likely to enjoy their gardens. Thus, with all factors taken account for, officers consider the proposals to be acceptable.

#### Neighbouring Privacy:

7.120 In terms of overlooking, the most sensitive closest residential buildings to the site are Nos.159a-167 St. Leonards Road. Due to the site's 'L' shaped building configuration, the proposals allow northward and eastward views from the site, towards the aforementioned properties and their rear gardens.

### **159-167 St. Leonard's Road**

- 7.121 The proposals would result in a degree of increased overlooking to rear of Nos. 159-167 St. Leonard's Road when compared to the existing situation. However, it is not considered that this would unduly compromise the sense of privacy of the occupants of the aforementioned properties. The separation distances between the balconies and windows of Cores A and B, and the rear facing windows of St. Leonard's Road, are more than 18m; the distance at which intervisibility is acceptable to most people.
- 7.122 Although the separation distances between the balconies and windows of Cores A and B, and the rear garden areas of St. Leonard's Road are comparatively smaller, the proposals are not considered unneighbourly in their design and are again not considered to result in undue harm to the experienced amenity of local residents.

### **159a St. Leonards Road**

- 7.123 The separation distances between Core C and 159a St. Leonard's Road is approximately 4.4m. The proposals have incorporated a number of measures into the design of Core C, to mitigate the proposals resulting in undue harm to sense of privacy experienced by occupants of both buildings.
- 7.124 At ground floor level, Units C.02 and C.03 have been designed to incorporate privacy screens, to minimise opportunities for overlooking to occur between the proposed residential units and 159a St. Leonard's Road. Additionally, the proposals are inclusive of the planting of x3 trees into the north west corner of Unit C.02's private amenity space, which will measure no more than 5m in height, in order to provide visual relief and a natural barrier between the two sites.
- 7.125 Further measures are proposed to be incorporated into the northern elevation of Core C, designed to preserve the privacy of future occupants of the site and the existing occupants of 159a St. Leonard's Road. From first to third floor level, all north facing windows will be obscure glazed, and all balconies will be inclusive of privacy screenings. Additionally, it is noted that the third-floor level communal amenity terrace will also be inclusive of privacy screens in order to mitigate opportunities for overlooking to occur to the adjacent 159a St. Leonards Road, or to the private amenity spaces associated with Units C.02 and C.03, at ground floor level.

### **Nos. 5-7 and 11 Byron Street**

- 7.126 The proposals will sit to the north of Nos. 5-7 and 11 Byron Street. The separation distance between the nearest southward facing window of Core C and the north elevation of Nos. 5-7 Byron Street will be approximately 14.77m. This is considered acceptable and would not promote unacceptable levels of overlooking between both the two sites, or materially alter the sense of privacy experienced by existing and future residents alike.

### **Langdon Park School**

- 7.127 The western elevation of the application site lays adjacent to Langdon Park School. The north-eastern corner of the Langdon Park School site is inclusive of 3 storey tall building of contemporary character and design. This building is inclusive of several east facing windows, which would be distanced at approximately 4.5m from the west elevation of Core A.
- 7.128 To mitigate any opportunities for overlooking to occur between the two sites, residential units A.01, A.08, and A.10, located on the first, second, and third floors, respectively, will be inclusive of obscure glazed window units on those areas of the site which would otherwise be vulnerable

to overlooking. This is considered to be an appropriate design decision, which will not adversely impact upon the overall standard of accommodation being provided.

- 7.129 The rear, west facing gardens of Units A.01, A.02, A.03, A.04, A.05, and B.01 all border the Langdon Park School site. The proposals seek to retain the boundary fencing between the two sites, which comprises of a 1.8m tall vertical slat timber closeboard fence. This is considered appropriate to maintain the privacy of future occupants of the proposed residential units. Additionally, it is noted that the proposals will seek to maintain the existing 2m wide school easement to allow for maintenance access.

### Summary

- 7.130 Officers have outlined any potential adverse impacts on neighbours and are satisfied that these are not significant to warrant refusal, taking into consideration the public benefits of the scheme such as the provision of new housing and public realm. For the reasons above, the proposed development would be acceptable in terms of its impact on neighbouring amenity and would comply with policy D.DH8 of the Local Plan.

### Noise and Vibration

- 7.131 LBTH Environmental Health Officers have reviewed the accompanying acoustic report and consider the report to be satisfactory. Conditions as recommended to require full details of each buildings sound insulation and ventilation strategy prior to commencement and for new fixed buildings services plant and equipment to be designed to at least 10db below the lowest existing background noise.

### Construction Impacts

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

## **v Transport**

- 7.134 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

- 7.135 In terms of the ground layout of the development as a whole, the proposals have applied a hierarchical approach to pedestrian and cycle access via Bright Street. It is considered that this is the most appropriate direction in which to approach the site when traveling via either means, as it provides more direct access to Langdon Park and Langdon Park DLR station.
- 7.136 The south of the site which fronts Byron Street has been prioritised for vehicular access, although it is noted that there do exist two secondary access routes to Cores B and C. This is considered an appropriate decision as it separates pedestrians and cyclists from vehicular transport and thus promotes road safety around the site.

### Deliveries and servicing

- 7.137 The servicing strategy has been developed in order to minimise impact on the local highway network and has been subject to discussions with LBTH and reflect existing delivery and servicing movements that occur.
- 7.138 It is proposed that as per the existing lawful use of the site, servicing will take place from both Bright Street and Byron Street. As demonstrated on ACE Drawing 2102110-003 servicing vehicles can turn using the proposed vehicle crossover providing access to the two disabled parking spaces and service the site from Byron Street. This represents a comparative improvement on the existing situation, as it is understood that vehicles typically reverse into Byron Street from St Leonard's Road.
- 7.139 The arrangement along Bright Street is largely unchanged from the existing situation, with vehicles able to make use of the existing turning head at the western end of Bright Street. A drop kerb and break in parking is proposed on Bright Street to facilitate the movement of bins from the store to a waiting refuse vehicle.

### Car Parking

- 7.140 The development would be 'car free' with the exception of two disabled car parking spaces provided to the south of the site on Byron Street. This is in line with policy D.TR3 of the Local Plan (2020). The provision of blue badge parking spaces and 'car free/permit free' will be secured via S106 legal agreement.
- 7.141 London Plan policy TG.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this to increase by an additional 7% as needs require it. The development is car free with the exception of two accessible blue badge spaces, which represents a 3% provision in accordance with the London Plan. Officers propose to apply condition subject to consent, requiring that a parking management plan be submitted which indicates how the additional 7% blue badge parking will be located, should demand rise in future. Furthermore, a commuted sum of £15,000 would also be secured through the s106 for the necessary highways works to be carried out in an event that a blue badge space(s) are required on street by the residents of this development.
- 7.142 The proposals are inclusive of 1 electric charging point and 2 passive spots which will be enabled to scheme to accommodate future demand, subject to need. It is proposed that the inclusion of charging points be secured via S106 legal agreement.

### Cycle Parking and Facilities

- 7.143 The proposals provide 114 long stay cycle parking spaces in the form of three separate cycle stores, split across the site. The proposals are inclusive of an internal cycle store purposed for the residents of Core A, an additional internal cycle store purposed for the residents of Cores B and C, and a final external cycle store which has been designed to accommodate larger cycles. The proposals are inclusive of 12 short stay cycle parking spaces also.
- 7.144 The provision of cycle parking is compliant with the minimum standards set out in the Local Plan and the London Plan.
- 7.145 Final details of cycle parking ensuring this meets London Cycle Design Standards (LCDS) would be secured by condition. Additionally, it is proposed that condition be applied securing details of a management plan specifically relating to the management of the external cycle store. The



management plan will be designed to ensure that the provisions of parking suited to larger cycles/adapted cycles are allocated to residents with specified needs and that a proportion of said provisions of parking are also provided on first come first served basis, to ensure that suitable parking is made available for visitors of the site also. Overall, the proposed cycle storage is considered to be acceptable subject to the submission of the details secured by condition

## **vi Environment**

### Energy & Environmental Sustainability

- 7.146 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies set out in Chapter 9 (Sustainable Infrastructure) of the London Plan 2021 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon emissions.
- 7.147 Policy S12 of the London Plan (2021) 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);
  - Use renewable energy (be green); and
  - Monitor, verify and report on energy performance (be seen).
- 7.148 Policy D.ES7 of the Local Plan includes the requirement for residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide emissions with the remainder to be offset with cash payment in lieu.
- 7.149 The CO<sub>2</sub> emission reduction is anticipated to be 71% against the building regulation baseline which is compliant with policy requirements. The proposals are for a 50.12 tonnes/CO<sub>2</sub> reduction in on-site emissions and would result in a carbon offsetting contribution of £55,642, to offset the remaining 19.52 tonnes CO<sub>2</sub> and achieve net zero carbon. It is recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate that the anticipated savings have been delivered on-site. This calculation has been based on the SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.
- 7.150 Subject to appropriate conditions securing the energy proposals and the CO<sub>2</sub> emission reduction shortfall being met through carbon offsetting contribution, the proposals are in accordance with adopted policies for CO<sub>2</sub> emission reductions.

### Air Quality

- 7.151 Policy D.ES2 of the Local Plan (2020) and policy SI 1 of the London Plan (2021) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.152 The application is accompanied by an Air Quality Assessment which seeks to demonstrate compliance with Development Plan policies. Environmental Health Officers consider the balance the assessment to be acceptable.

- 7.153 The air quality office requests that conditions and an informative which requirement environmental details of construction phase and construction dust control.

### Waste

- 7.154 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.155 The LBTH Waste Team have reviewed the proposal and subject to securing the details of bin storage size and servicing arrangement by condition, the proposals are considered acceptable. The provision of a dropped kerb to allow for water collection will be secured through a legal agreement.

### Biodiversity

- 7.156 Policy D.ES3 of the Local Plan (2020) and policy G6 of the London Plan (2021) seek to safeguard and where possible enhance biodiversity value and contribution towards the Local Biodiversity Action Plan (LBAP).
- 7.157 The application site currently consists of a number of vacant buildings which are showing signs of dereliction. An ecological assessment and further investigation of the site has found that the site has low potential for bat roosts. It is proposed that condition be applied to ensure that a bat emergence/entrance survey is completed prior to the demolition of any buildings or tree works on site. Additionally, it is noted that the site is suited to nesting birds and also a single fox den and thus officers will propose additional condition to ensure that development does not cause otherwise unacceptable harm to the above species.
- 7.158 The proposals are inclusive of up lighting across the site at ground floor level. Biodiversity Officers have raised concern that this may be disruptive to foraging bats and other wildlife. Whilst these concerns have been considered, officers have taken a balanced view that the improvements that would arise to the sense of safety and legibility of occupants of the site outweighs this harm. Additionally, it is noted that the green roofs and rooftop amenity space are not inclusive of such lighting, and thus it is considered that the rooftop green link being provided would not be unduly impacted.
- 7.159 The application site lies between Langdon Park and Jolly's Green, two open spaces that have seen biodiversity enhancements in recent years. The loss of existing trees, shrubs and other vegetation would be a minor adverse impact upon biodiversity, easily mitigated through the landscaping strategy. The proposed tree planting includes three native species, which will contribute to a LBAP objective, along with other tree species that provide nectar for pollinating insects and berries for birds. The proposed amenity planting at ground and podium level will benefit biodiversity if there is a good proportion and diversity of nectar-rich perennials and shrubs among the grasses
- 7.160 Other biodiversity enhancements which would be appropriate here include the installation of bat boxes and nest boxes for birds such as house sparrow, house martin and swift. These would contribute to targets in the Local Biodiversity Action Plan. Full details of biodiversity enhancements will be secured through condition.
- 7.161 The application is inclusive of Tree Survey Impact Assessment which has been produced by Keen Consultants. The report provides detail in regard to the location, species, size, health and proportional value of all of the trees situated on site. It is noted that two diminutive trees will be lost from St. Leonard's Road, however this is considered on balance, to be acceptable. A further

five trees, inclusive of small collection of low value trees and cherry trees will be removed from the site's internal courtyard area. None of these trees are noted to be of good specimen and are thus not worthy of retention. The proposals are thus considered to comply with policy G7 of the London Plan (2021).

### **Infrastructure Impact**

- 7.162 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £269,200 and Mayor of London CIL of approximately £323,040. It is important to note that these figures are approximate. This will likely change given indexation is linked to the date planning permission is granted.
- 7.163 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
- 7.164 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £20,428,68 towards construction phase employment skills training
  - £55,642 toward carbon emission off-setting.
  - £25,000 Off site Play space
  - £15,000 commuted sum towards blue badge parking bays on street
  -

### **Human Rights & Equalities**

- 7.165 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.
- 7.166 The proposed new residential accommodation meets inclusive design standards and 7 of the new homes will be wheelchair accessible. Of this total, 2 units are affordable rented units and 4 units will be shared ownership. These standards would benefit future residents, including disabled people. The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.
- 7.67 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **8. RECOMMENDATION**

- 8.1 The proposals are considered to comply with the policies of Development Plan and thus conditional planning permission is GRANTED subject to the prior completion of a legal agreement to secure the following planning obligations.

### **8.2 Financial Obligations**

- £20,428,68 towards construction phase employment skills training
- £55,642 toward carbon emission off-setting.
- £25,000 Off site Play space
- £15,000 commuted sum towards blue badge parking bays on street
- £6,500 Development Coordination Fee

- Monitoring fee

### 8.3 Non Financial Obligations

- 36% affordable housing by habitable room (16 units)
- 11 affordable rent units
- 5 Intermediate units
- Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- 20% of goods and services and construction phase workforce to be secured locally
- Car and Permit Free
- S278 Scheme of Highway Works
- Compliance with Considerate Contractors Scheme

### 8.4 Planning Conditions

#### Compliance

1. 3 Years Deadline for Commencement of Development.
2. Development in Accordance with Approved Plans.
3. Restrictions on Demolition and Construction Activities:
  - a. All works in accordance with Tower Hamlets Code of Construction Practice
  - b. Standard hours of construction and demolition
  - c. Air quality standards for construction machinery
  - d. Ground-borne vibration limits
  - e. Noise pollution limits.
4. Noise from Plant
5. No Plant on Roof
6. Fire Strategy
7. Tree Protection
8. Nesting Birds

#### Pre-Commencement

9. Piling
10. Construction Environmental Management Plan and Construction Logistics Plan.
11. Air Quality – Construction/Demolition Site Dust Control
12. Air Quality – Construction Plant and Machinery (NRMM)
13. Contaminated Land
14. Bat Protection
15. Zero Carbon Futureproofing

#### Pre- Superstructure Works

16. Materials
17. Details of Landscaping including Hard and Soft Landscaping, Maintenance Plan, Lighting, Boundary Treatment and any Street or Play Furniture.
18. Water Efficiency
19. Biodiversity Mitigation and Enhancements
20. SUDS.
21. Secure by Design Standards.
22. Cycle Parking

23. Communal Amenity Space and Children's Play Space

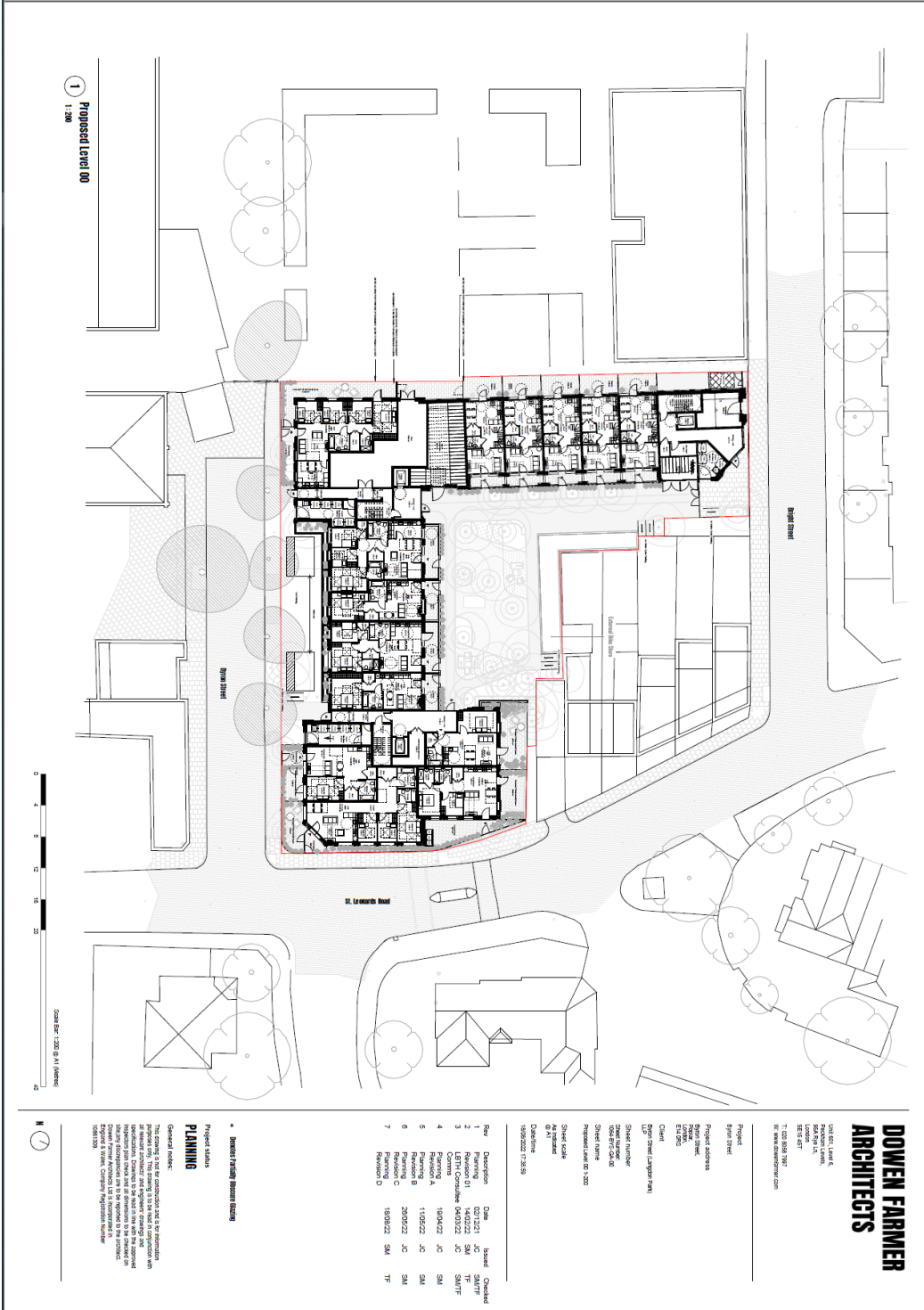
Pre-Occupation

- 24. Inclusive Access
- 25. Accessible Car Parking, EVCP and Parking Management Plan.
- 26. Delivery, Servicing and Waste Management Plan.
- 27. Refuse Strategy
- 28. Energy and Efficiency Standards.
- 29. Noise Verification Report for New Residential Units and Outdoor Amenities

-

# Appendix Plans and Elevations

## Figure 1 – Proposed ground floor plans



### DOWN FARMER ARCHITECTS

Unit 101, Levens  
Proposed Levens,  
London, UK  
SE25 6BT  
Tel: 020 8261 9997  
Tel: 020 8261 9997  
www.downfarmer.com

**Project**  
Type: Retail  
Project Address:  
Proposed Levens,  
London, UK  
SE25 6BT  
Client:  
Dorset Street (Levens) Ltd

**Sheet number**  
1024-FG-04-00  
**Sheet name**  
Proposed Level 00 F-02  
**Sheet scale**  
As detailed  
**Drawings**  
16/09/2022 17:38:18

Rev	Description	Date	By	Checked
1	Revision 01	03/12/21	JC	SM/TF
2	Revision 01	14/02/22	SM	TF
3	Comments	04/03/22	JC	SM/TF
4	Planning A	18/04/22	JC	SM
5	Planning B	11/05/22	JC	SM
6	Revision B	28/06/22	JC	SM
7	Revision C	18/09/22	SM	TF
	Revision D			

#### • Impact Planning Assessment

#### Planning Status

**General notes:**  
This drawing is to be used in conjunction with the Impact Planning Assessment Report and the Planning Application Form. It is not to be used for any other purpose without the prior written consent of Down Farmer Architects Ltd. It is the responsibility of the client to ensure that all relevant planning and building regulations are followed. Down Farmer Architects Ltd is not responsible for any errors or omissions in this drawing.



Figure 2 – Proposed first floor plans



**DOWEN FARMER  
ARCHITECTS**

Unit 011, Level 0  
 504 St. Lawrence St.  
 St. John's, NL  
 A1B 1X6  
 T: 709.593.3937  
 W: WWW.DOWENFARMER.COM

**Project**  
 Project name  
 Project address  
 Project client  
 Project start  
 Project end

**Client**  
 Client name  
 Client address  
 Client phone  
 Client email

**Sheet number**  
 Sheet title  
 Sheet scale  
 Sheet date  
 Sheet author  
 Sheet checker  
 Sheet reviewer

**Revisions**

Rev	Description	Date	Issued	Checked
1	Planning	02/13/21	JC	SM/TF
2	Comments	04/13/22	JC	SM/TF
3	Planning A	10/04/22	JC	SM
4	Planning B	11/09/22	JC	SM
5	Revision B	20/05/22	JC	SM
6	Revision C			

**PLANNING**

**General notes:**

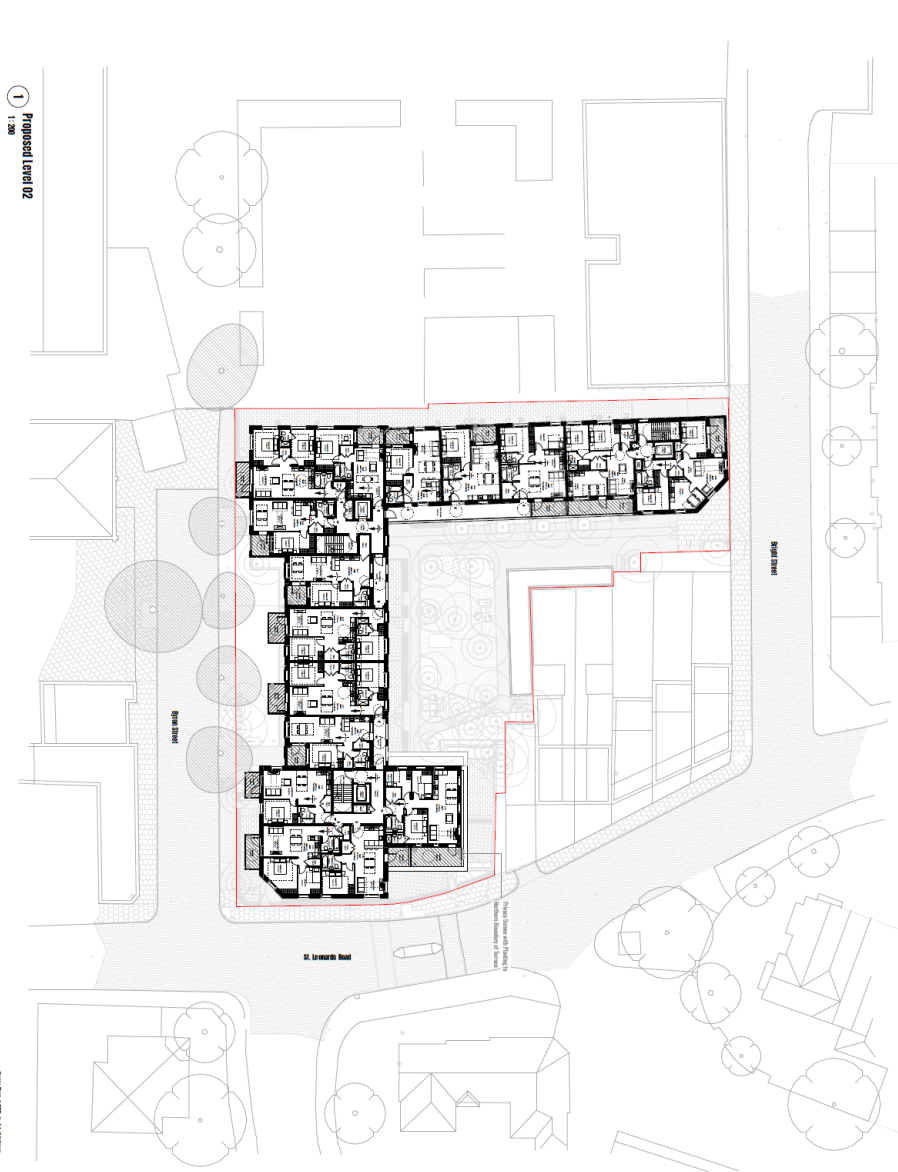
- Indicated in red: proposed changes
- Indicated in blue: existing conditions

**Project status**

This drawing is not for construction and is for information only. It is subject to change without notice. It is not to be used for any other purpose. Changes to the work in this drawing are the responsibility of the client. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any delays or cancellations of the project. The architect is not responsible for any costs or expenses incurred by the client. The architect is not responsible for any damages or liabilities of any kind. The architect is not responsible for any claims or lawsuits of any kind. The architect is not responsible for any other matters of any kind.



Figure 3 – Proposed second floor plans



UNIT 001, LEVEL 0,  
3500 WEST LAKESHORE  
DRIVE, SUITE 200  
EVANSTON, ILL 60201  
TEL: 708.369.1363  
WWW.BENTLEYFRANK.COM

Project:  
Evanston Street  
Evanston Street  
Bentley Frank  
Evanston  
Evanston

Client:  
Evanston Street (Landscape Plan)  
Owner:  
Evanston Street  
10040-11-04-01  
Evanston Street  
Evanston Street

2014-12-15  
BY: [Signature]  
DATE: 12/15/14

CHANGES

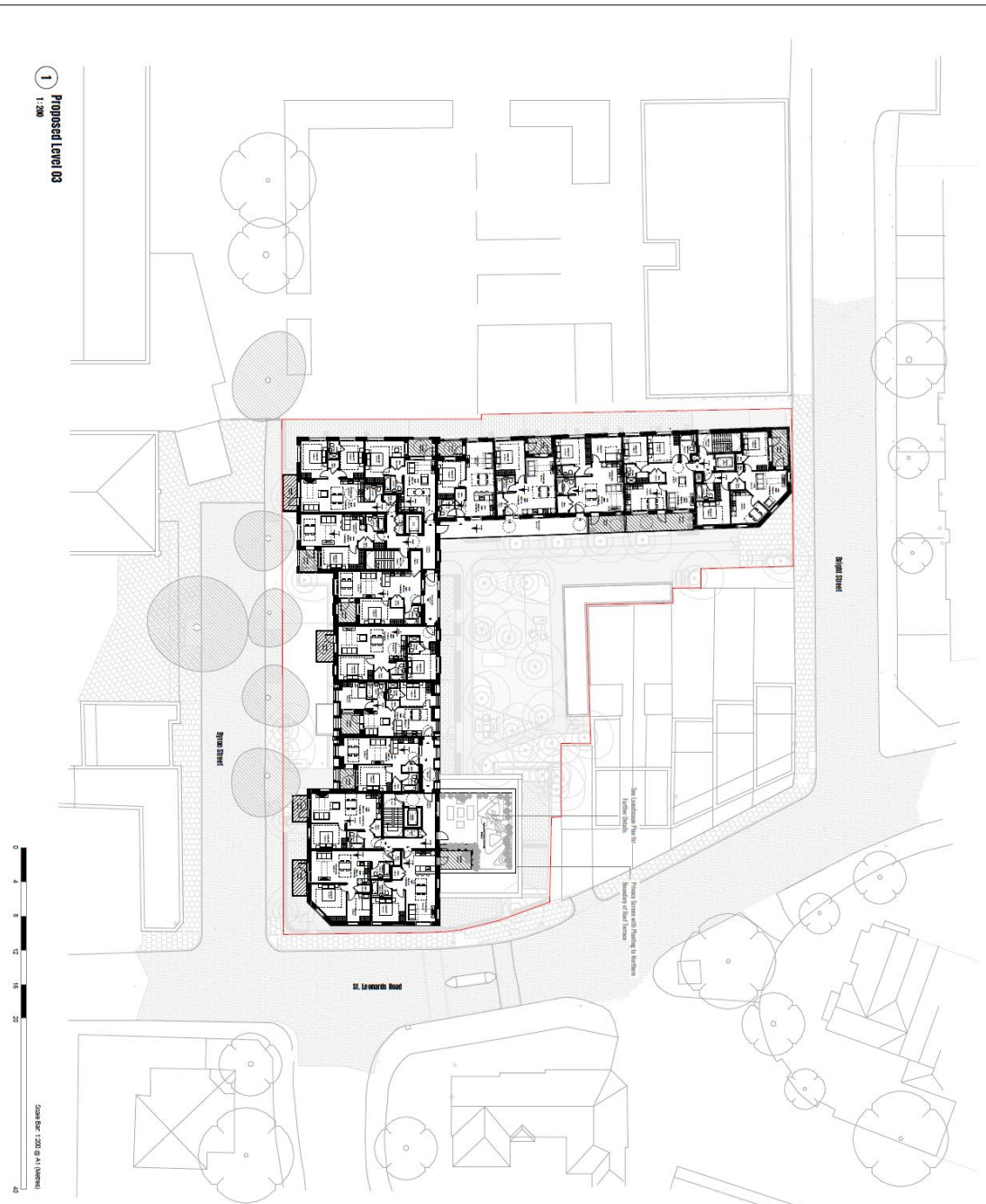
Rev	Description	Date	Issued	Checked
1	IFP	11/13/14	JC	SM
2	LETH Corrections	09/24/14	JC	SM
3	Comments	10/06/14	JC	SM
4	Revision A	11/05/14	JC	SM
5	Revision B	2014/12/15	JC	SM

- BENTLEY FRANK ARCHITECTS
- 350 WEST LAKESHORE DRIVE, SUITE 200
- EVANSTON, ILLINOIS 60201
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### PLANNING

**Disclaimer:** Bentley Frank Architects is not responsible for the accuracy of the information presented on this plan. The user of this plan is responsible for the accuracy of the information presented on this plan. Bentley Frank Architects is not responsible for the accuracy of the information presented on this plan. Bentley Frank Architects is not responsible for the accuracy of the information presented on this plan.

Figure 4 – Proposed third floor plans



1  
Proposed Level 03  
1:200

Scale Bar: 1:200 @ A1 (Vertical)  
0 5 10 15 20

**DOWN FARMER ARCHITECTS**

Unit 601, Level 6  
Museum Centre,  
London  
E1 6BT  
Tel: 020 7993 7979  
Fax: 020 7993 7978  
www.downfarmer.com

**Project**  
Egton Street  
Project address  
Egton Street  
London  
E1 6BT  
Client  
Egton Street (Langston Park)  
Sheet number  
206/017-CA-03  
Sheet name  
Proposed Level 03 1:200  
Sheet scale  
As indicated  
As A1  
Contract  
206/017-CA-03

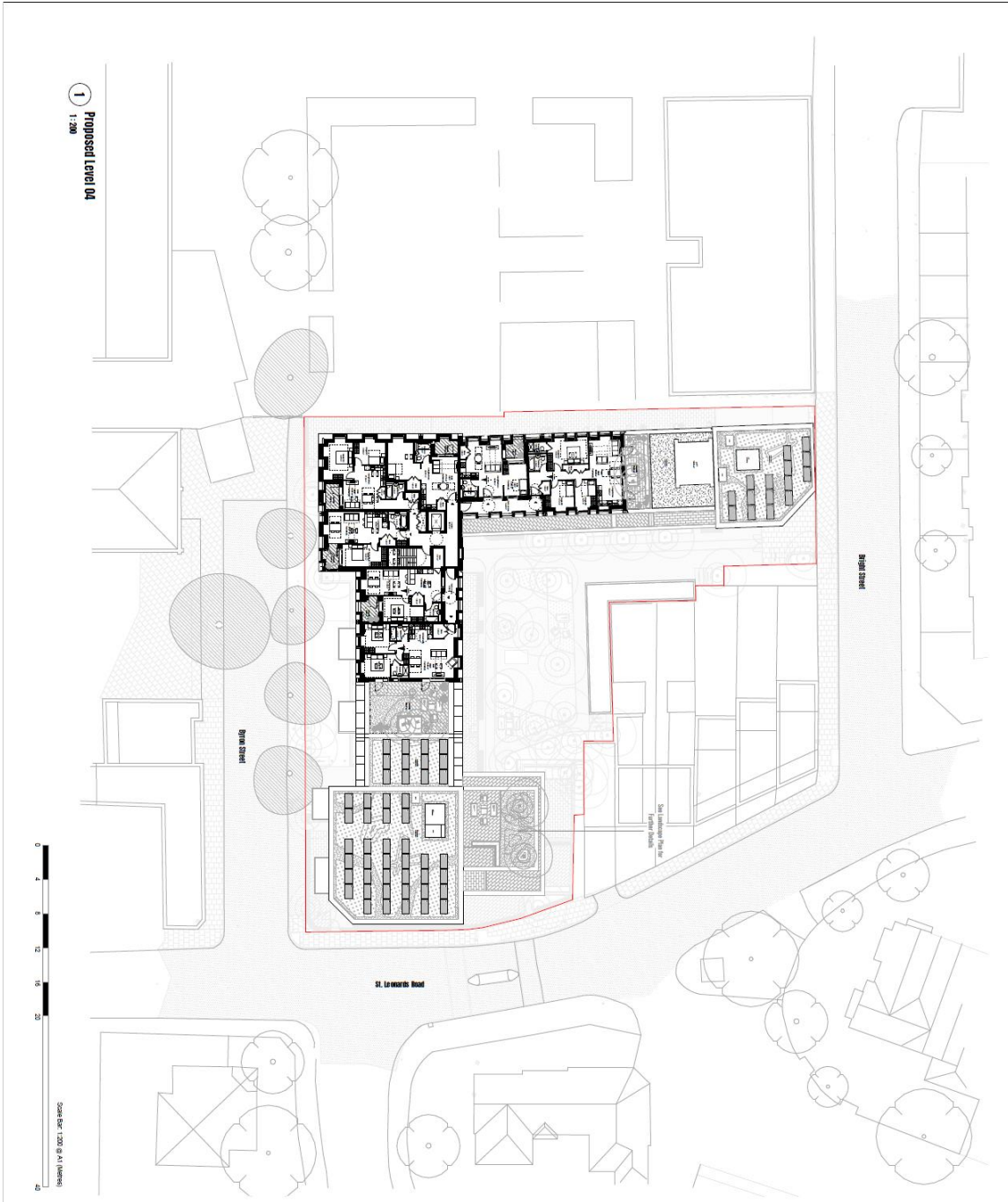
Rev	Description	Date	Issued	Checked
1	Purging	02/12/11	JC	SM/TF
2	Client Comments	04/02/12	JC	SM/TF
3	Purging	10/04/12	JC	SM
4	Revision A	11/05/12	JC	SM
5	Revision B	20/05/12	JC	SM
	Revision C		JC	SM

- Design: Schedule, Materials, Section
  - Project status: To be agreed
- PLANNING**

**General notes:**  
This drawing is not for construction and is for information only. It is not to be used for any other purpose without the prior written consent of the architect. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any errors or omissions in any other drawings or documents prepared by others. The architect is not responsible for any errors or omissions in any other drawings or documents prepared by others. The architect is not responsible for any errors or omissions in any other drawings or documents prepared by others.



**Figure 5 – Proposed fourth floor plans**



1 Proposed Level 04  
1:200

Scale bar: 1:200 @ A4 (Metric)  
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

Unit 101, Level 4  
Preston Tower  
604 King St.  
SE 10 45T  
T: 604.808.7917  
W: www.competent.com

**Project**  
Type: School  
Project Address  
604 King St.  
SE 10 45T  
City: Vancouver  
Client  
UBC (School Langara Park)

Sheet number  
020-07-04-04  
Sheet name  
Proposed Level 04 1:200  
Sheet scale  
As indicated  
Date:  
16/03/2023 17:51:53

Rev	Description	Date	Issued	Checked
1	Planning	02/12/21	JC	SM/TF
2	LEDR Consultative	04/02/22	JC	SM/TF
3	Planning	18/04/22	JC	SM
4	Revision A	11/05/22	JC	SM
5	Revision B	20/05/22	JC	SM
	Revision C			SM

**Project status**  
**PLANNING**

**General notes:**  
The drawings and construction shall be prepared in accordance with the requirements of the British Columbia Building Code and the requirements of the relevant authority and engineer's drawings and specifications. The drawings and specifications shall be prepared and approved by the engineer and the architect. The drawings and specifications shall be prepared and approved by the engineer and the architect. The drawings and specifications shall be prepared and approved by the engineer and the architect.



Figure 6 – Proposed fifth floor plans

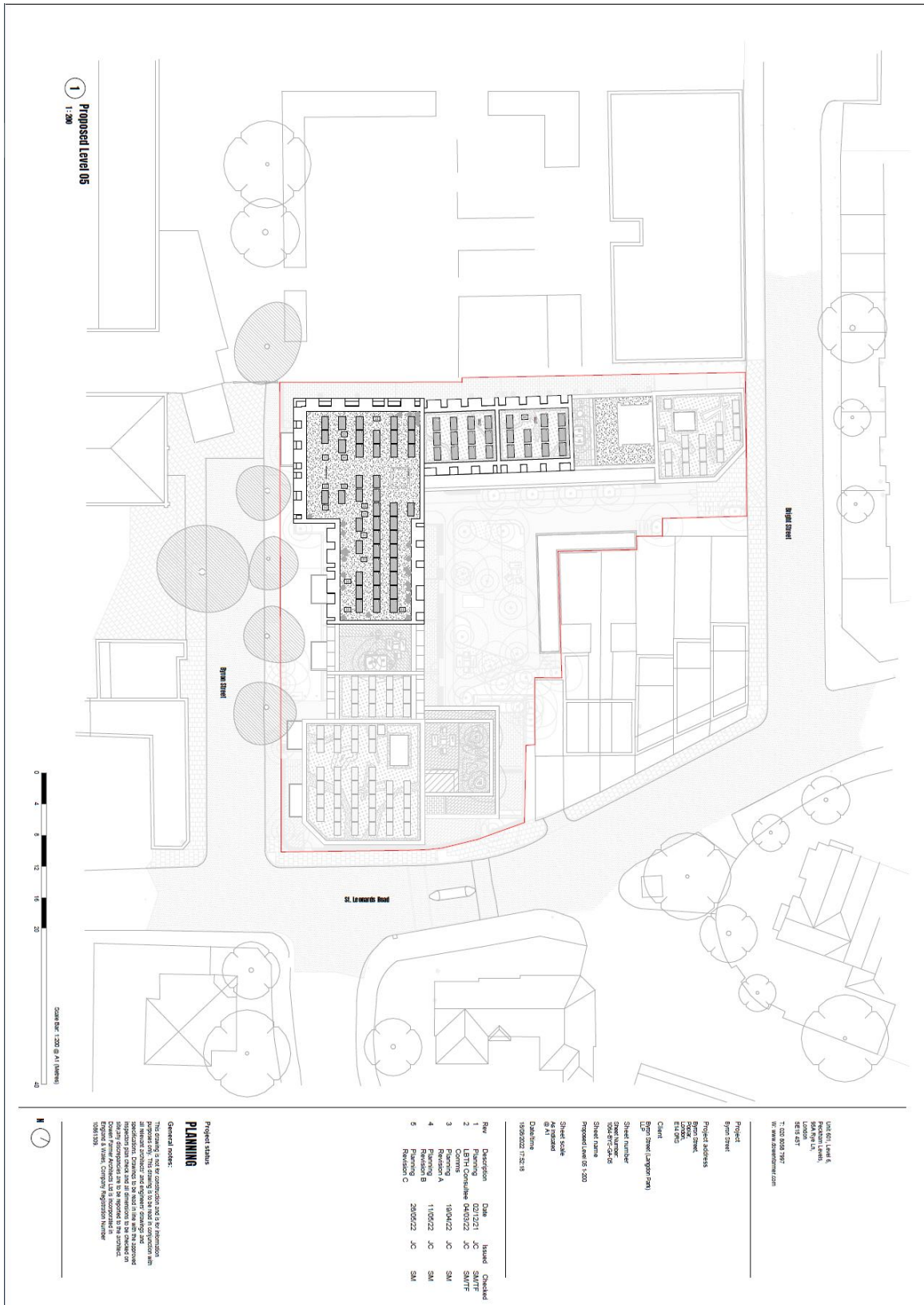
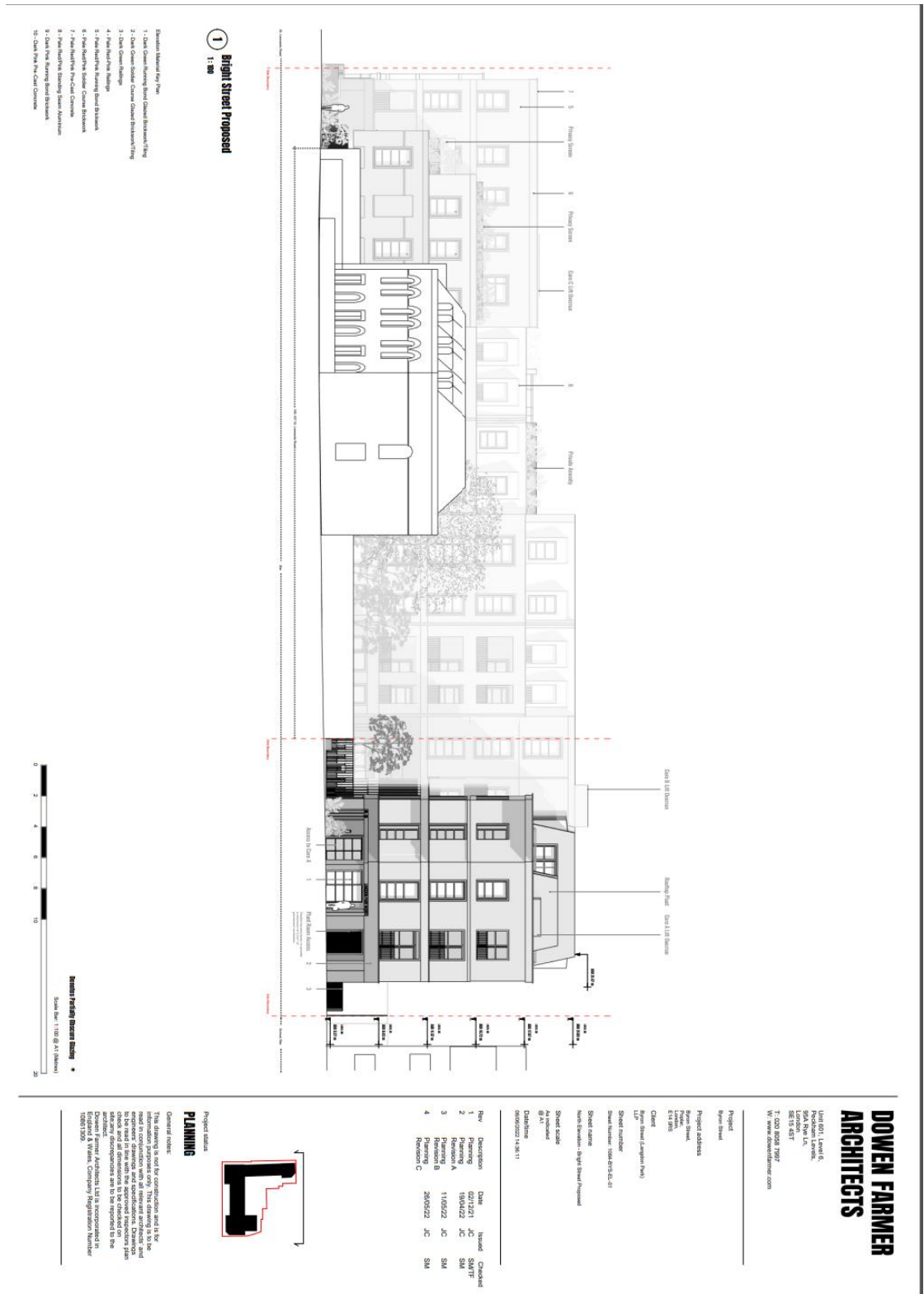




Figure 7. proposed elevations Bright Street



**DOWEN FARMER ARCHITECTS**

1000 10th Street, Suite 100  
504 N. 1st St., Suite 100  
Seattle, WA 98101  
Tel: 206.461.1111  
www.dowenfarmer.com

**Project Information**

Project Name: Bright Street Proposed

Project Address: 1000 10th Street, Suite 100, Seattle, WA 98101

Client: Bright Street Proposed

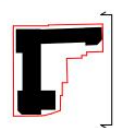
Scale: 1:80

Sheet Number: 001-010-010

Sheet Title: Bright Street Proposed

Revision History:

Rev	Description	Date	Author	Checked
1	Planning	02/11/21	JC	SM/T
2	Permitting	10/04/22	JC	SM
3	Revision A	11/05/22	JC	SM
4	Revision B	20/05/22	JC	SM
	Revision C			



**PLANNING**

This drawing is not for construction and is for informational purposes only. It is intended to provide a visual representation of the proposed building and its relationship to the surrounding context. It is not intended to be used for any other purpose. All dimensions and details are subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The architect is not responsible for any errors or omissions in this drawing. The architect's liability is limited to the professional services provided. The architect's registration number is 100017900.

Figure 8. Proposed elevations Byron Street



**DOWEN FARMER ARCHITECTS**

Unit 001, Level 6  
 20A Park Ln., Suite  
 501, Parkville, VIC  
 3065  
 T: (03) 9398 7997  
 W: www.dowenfarmer.com

**Project**

Byron Street  
 Project address  
 Byron Street  
 Parkville  
 VIC 3065

**Client**

1777 Street (Anglo Bank)  
 Sheet number: 1048-015-03

**Sheet name: Byron Street Proposed**

**Sheet scale**

As marked  
 Date: 08/07/2017 11:38:55

Rev	Description	Date	Issued	Checked
1	Planning	02/12/17	JC	SM/T
2	Revision A	18/04/22	JC	SM
3	Revision B	11/05/22	JC	SM
4	Revision C	20/05/22	JC	SM



**PLANNING**

This drawing is not for construction and is for informational purposes only. It is intended to provide a visual representation of the proposed development and its location within the site. It is not to be used for any other purpose without the prior written consent of the architect. The architect does not warrant the accuracy of the information provided in this drawing and does not accept any liability for any loss or damage arising from its use. The architect's services are limited to the preparation of this drawing and do not include any other services. The architect's fee is based on the scope of work defined in the contract. The architect's office is located at Unit 001, Level 6, 20A Park Ln., Suite 501, Parkville, VIC 3065. The architect's telephone number is (03) 9398 7997. The architect's website is www.dowenfarmer.com.





Figure 10. Proposed elevations St. Leonard's Street



**DOWEN FARMER ARCHITECTS**

Unit 2011, Level 6,  
55-61 Ryde Lane,  
Sydney NSW  
Australia  
 T: 02 9552 3922  
W: www.dowenfarmer.com

**Project**  
 Project Name: St. Leonard's Street  
 Project Address: St. Leonard's Street, Sydney NSW  
 E: J. D. 1000

**Client**  
 Project Name: St. Leonard's Street  
 Project Address: St. Leonard's Street, Sydney NSW  
 E: J. D. 1000

**Design team**  
 Project Name: St. Leonard's Street  
 Project Address: St. Leonard's Street, Sydney NSW  
 E: J. D. 1000

**Other scales**  
 1:100  
 1:50  
 1:20  
 1:10  
 1:5  
 1:2  
 1:1

Rev	Description	Date	Issued	Checked
1	Preparation	02/12/21	JC	SM/TJ
2	Revision A	19/04/22	JC	SM
3	Revision B	11/05/22	JC	SM
4	Revision C	26/05/22	JC	SM



**PLANNING**

**General notes:**  
 This drawing is not for construction and is for information only. The drawing is to be used in conjunction with the architectural contract and specifications. Dimensions and annotations are to be checked on site. All dimensions are to be rounded to the nearest millimetre. All dimensions are to be rounded to the nearest millimetre. All dimensions are to be rounded to the nearest millimetre.

(Drawings):

1064-BYS-LP-01 (Revision 2A)

1064-BYS-EX-01 (Revision 2A)

1064-BYS-EX-02 (Revision 2A)

1064-BYS-XX-17 (Revision 3C)

1064-BYS-EX-03 (Revision 2A)

1064-BYS-EC-05 (Revision 2A)

1064-BYS-EX-06 (Revision 2A)

1064-BYS-EX-04 (Revision 2A)

1064-BYS-EX-07 (Revision 2A)

1064-BYS-EX-08 (Revision 2A)

1064-BYS-EX-09 (Revision 2A)

1064-BYS-GA-00 (Revision 6C)

1064-BYS-GA-00A (Revision 6C)

1064-BYS-GA-00B (Revision 6C)

1064-BYS-GA-01 (Revision 5C)

1064-BYS-GA-01A (Revision 4C)

1064-BYS-GA-01B (Revision 4C)

1064-BYS-GA-02 (Revision 5C)

1064-BYS-GA-02A (Revision 4C)

1064-BYS-GA-02B (Revision 4C)

1064-BYS-GA-03 (Revision 6)

1064-BYS-GA-03A (Revision 4C)

1064-BYS-GA-03B (Revision 4C)

1064-BYS-GA-04 (Revision 5C)

1064-BYS-GA-04A (Revision 4C)

1064-BYS-GA-04B (Revision 6)

1064-BYS-GA-05 (Revision 5C)

1064-BYS-GA-05A (Revision 4C)

1064-BYS-GA-05B (Revision 4C)

1064-BYS-EL-05 (Revision 5)

1064-BYS-EL-06 (Revision 5)

1064-BYS-EL-07 (Revision 5)

1064-BYS-EL-01 (Revision 4C)

1064-BYS-EL-03 (Revision 4C)

1064-BYS-EL-04 (Revision 5)

1064-BYS-EL-02 (Revision 4C)

1064-BYS-SC-01 (Revision 3C)

1064-BYS-SC-02 (Revision 3C)

1064-BYS-SC-03 (Revision 3C)

1064-BYS-SC-04 (Revision 3C)

1064-BYS-XX-01 (Revision 3C)

1064-BYS-XX-02 (Revision 3C)  
1064-BYS-XX-03 (Revision 3C)  
1064-BYS-XX-04 (Revision 3C)  
1064-BYS-XX-05 (Revision 3C)

1064-BYS-GA-B01 (Revision 2C)  
1064-BYS-GA-B13 (Revision 2C)  
1064-BYS-GA-B14 (Revision 2C)

*(Other supporting documents):*

Air Quality Impact Assessment (Ardent)  
Byron Street Residential Development Health Impact Assessment (RPS)  
Byron Street, Landscape Strategy – September 2022  
Flood Risk Assessment & Drainage Strategy (Ardent)  
Geotech Assessment (Jomas)  
Land at Byron Street, Langdon Park: Daylight & Sunlight Report, December 2021  
Land at Byron Street, Langdon Park: Daylight & Sunlight Report, September 2022  
Life Cycle Carbon Assessment  
Noise Assessment (Ardent)  
Overheating Assessment (Ardent)  
Outline Construction Logistics Plan (Ardent)  
Transport Assessment (Ardent)