



Application for Planning Permission

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Reference	PA/19/02281
Site	Bow Exchange, 5 Yeo Street, London E3 3QP
Ward	Bromley South
Proposal	Demolition of the existing building and redevelopment of the site comprising the erection of 4 to 9 storey building to provide 2,471sqm of flexible B1c workspace at ground and mezzanine level and 92 residential units (Use Class C3) on the upper floors, together with landscaped public open space, communal amenity space, on-site child play space, waste storage, cycle parking and disabled car parking.
Summary Recommendation	Approve planning permission subject to conditions and a legal agreement.
Applicant	City and Suburban Homes Ltd
Architect	pH+ Architects & CMA Planning Ltd.
Case Officer	Matthew Wong
Key dates	<ul style="list-style-type: none">- Application registered as valid on 02/12/2019- Letters sent to neighbours on 06/12/2019

EXECUTIVE SUMMARY

The application site contains a 3 storey warehouse style building which was last used as mixed office, light industrial and storage space. The site adjoins the Limehouse Cut Conservation area, which includes the canal itself.

The proposed development comprises the erection of a 9 storey (plus mezzanine) building which would provide 92 residential units and 2,383 square metres of B1(c) creative workspace at ground and mezzanine levels.

In land use terms, the loss of an element of business floorspace is considered to be outweighed by the provision of a high quality, mixed use scheme which would contribute to the broader regeneration of the area and which provides a significant opportunity to enhance an underused site by providing public access to a new section of canal side walk.

The scheme would provide 10% affordable workspace and 35% affordable housing by habitable room, including a variety of unit typologies across both tenures. Residential dwellings would provide a good standard of internal accommodation and generous private and communal amenity space and child play space.

The height, massing and design of the proposed development would appropriately respond to the local context. The detailed architecture is considered to be of high quality and the development would preserve the special character of the Limehouse Cut conservation area.

The proposal would impact upon the daylight and sunlight to some habitable rooms on the north side of Yeo Street and at Caspian Wharf adjoining the site. The impacts have been quantified and carefully assessed. It is considered that the impacts are acceptable in this urban context.

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

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

The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, the development would provide a necessary and reasonable planning obligation to local employment and training.

Heads of Terms have been agreed and officers recommendation is subject to a Section 106 Agreement containing a number of financial and non-financial contributions that would provide further benefit to the community.

This application has been considered against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020) as well as the London Plan (2016), the National Planning Policy Framework and all other material considerations. Officers have also considered the application against the Draft London Plan (2019) as this carries substantial weight.

Officers recommend the proposed development be granted planning permission.

1. SITE AND SURROUNDINGS

- 1.1 The application site covers a land area of approximately 3000sqm and contains a 3 storey building with office and warehouse uses. The building is faced in brick and metal cladding. The remainder of the site comprises of hardstand areas for servicing and vehicular access/parking. Access to the site is gained through a single gated vehicular access off Yeo Street.
- 1.2 The site is bound to the north by Yeo Street and the recently constructed flats known as Saints Court and Tallow Court. To the south lies the Limehouse Cut Canal. To the west lie the warehouse buildings at Anchor Wharf and to the East, the recently constructed 'Caspian Wharf'. The heavily trafficked Violet Road is located further east.



Aerial view of the site and surroundings



View of the building from west of the site on Yeo Street

- 1.3 The existing building contains 13 vacant office (B1a), light industrial (B1c) and storage (B8) units, with a total floorspace of 3,445 sqm.
- 1.4 The site is not located within a conservation area, nor are there any locally or statutorily listed buildings within the vicinity. The site does however adjoin the Limehouse Cut Canal Conservation Area to the south, which includes the canal itself.
- 1.5 The site has no particular policy designations, although the Caspian Wharf Neighbourhood Shopping Parade on Violet Road lies some 50m to the west. Devons Road DLR Station and Langdon Park DLR Station are approx. 500m away from the site. Approximately 1km to the north-east of the site is the Bromley by Bow Underground Station which connects the site to the wider London public transport network. The site has a public Transport Accessibility (PTAL) rating of 3 which indicates a moderate level of accessibility.
- 1.6 The area around the Limehouse Cut historically contained to a number of active warehouse and industrial type uses. The area has seen substantial change in recent years, with many warehouse sites redeveloped to provide mixed use developments, with the predominant use being residential. The Caspian Wharf development immediately to the east of the site created a section of 'canal walkway', accessed from Violet Street.
- 1.7 In terms of building heights in the vicinity, the Caspian Wharf development is predominantly 5-6 storeys high with a tower element of 7 storeys. The flats opposite the site on Yeo Street are 7 storeys high.

2. PROPOSAL

- 2.1 The applicant proposes the demolition of the existing buildings and the construction of a new mixed-use building, providing 2471sqm of B1c workshop space at ground and mezzanine floors and 92 self-contained flats above. Public space would be provided in the form of a canal side walkway which would link with and continue the walkway at Caspian Walk. Traffic free public access would also be provided from Yeo Street to the canal side, in the form of a 'promenade' walkway to the west of the site.
- 2.2 A total of 10% of the proposed B1c workspace would be 'affordable workspace' and a total of 35% of the proposed flats would be affordable, with a tenure split of 71% affordable rented and 29% intermediate housing.
- 2.3 In terms of size and design, the building would have 3 stories above mezzanine level fronting the canal, stepping up a maximum height of 8 stories above mezzanine level on the north western corner of the site. The elevations of the building are stepped and angled with balconies which sit entirely within the footprint of the buildings. Materials would be predominantly brick with a dark metal cladding.
- 2.4 The B1c units would provide activated 'shopfront' facades onto Yeo Street, the promenade and the canal. The residential unit would be accessed via entrances on the promenade. Cycle parking and waste storage for the residential units would be provided at ground floor level, accessed from the communal lobbies.
- 2.5 Deliveries and Servicing for the commercial element of the scheme would take place on site, in a dedicated servicing area accessed, as existing, from Yeo Street. The development would be 'car-free' with the exception of 4 accessible parking bays.
- 2.6 The building would provide private amenity space in the form of balconies for all residential units. It would also provide 686sqm of communal amenity space and 484sqm of child play space on site.

3. RELEVANT PLANNING HISTORY

Application Site:

- 3.1 PF/18/00196 – Case closed Dec '19. Pre application for the demolition of the existing building and the erection of a new building to provide a mixed use residential and commercial development.
- 3.2 PA/11/00432 – Application refused on 27/04/2011 in relation to a lawful development certificate for existing use as education/training office and College premises (Unit 6).
- 3.3 PA/10/01369 – Planning Permission refused on 04/05/2011 for - Change of use of first floor from Class B1 offices to Class D1 educational facility (Unit 6).
- 3.4 PA/05/01226 – Planning Permission refused on 25/07/2006 for - Change of use from office (B1) to banqueting hall (D1) at first floor level (Units 2 and 3).
- 3.5 PA/05/00913 – Planning Permission granted on 23/05/2005 for - Construction of three storey building comprising new offices (B1 Use) with four car parking spaces at ground floor level.
- 3.6 PA/05/00910 – Planning Permission granted on 24/08/2005 for - Construction of single storey roof extension at 2nd floor level to accommodate new offices (B1 Use) (Units 2 and 3).

Neighbouring Sites:

- 3.7 Caspian Wharf: PA/05/01647 – Planning Permission granted on 03/05/2007 for - Redevelopment of site to provide buildings of between 4 & 9 storeys and of 13 storeys for mixed use purposes including 390 residential units, Class A1, A2, A3, B1 and D2 uses with associated car and cycle parking, roof terraces, landscaping, canalside walkway and servicing.
- 3.8 Watts Grove Depot: PA/14/02585 – Planning Permission granted on 24/12/2014 for - Complete redevelopment consisting of the demolition of all buildings and structures on the depot site and associated areas of hardstanding to provide 148 new homes (flats and houses) in buildings of varied heights ranging from three storeys to seven storeys (Use Class C3) together with new and upgraded vehicular access, new pedestrian accesses, open space, landscaping and associated works including relocation of existing telecommunications mast.

4. PUBLICITY AND ENGAGEMENT

- 4.1 Upon validation of the application, the Council sent consultation letters to 275 nearby owners and occupiers on 6th December 2019. A total of four letters were received.
- 4.2 One letter of support was received.
- 4.3 Three letters objecting to the proposal were received. The comments raised in the objections can be summarised as follows:
- Daylight/Sunlight and Overshadowing Impacts;
 - Lack of consultation and community engagement;
 - Visual Impacts caused by the proposed height of the development;
 - Amenity concerns including impacts on privacy, overlooking, sense of enclosure, noise
 - Possible anti-social behaviour towards the Limehouse Cut Canal;
 - The proposal presents an overdevelopment of the site;
 - Impacts during the construction phase of the development including heavy traffic and increased pollution.
 - The development would have an impact on the local amenities in the area.
- 4.4 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with local residents with regards to the scheme by way of letter, to properties within a pre-defined area and by way of a public 'consultation session' for local residents on 7th October 2019. This consultation is satisfactory and complements the obligatory statutory notification undertaken by the Council.
- 4.5 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since early 2018.

5. CONSULTATION RESPONSES

Internal consultees

LBTH Transportation and Highways:

- 5.1 No objection to the proposal subject to conditions to secure the provision of a car free agreement, a Parking Management Plan, cycle facilities, a Travel Plan, a S278 Agreement for highways improvements works and a Demolition and Construction Management Plan.

LBTH Affordable Housing:

- 5.2 The proposal meets Council's policy to provide 35% affordable housing with a tenure split of 71% affordable rented and 29% intermediate units. The Council's unit mix policy is broadly met and is supported.

LBTH Occupational Therapy:

- 5.3 No objections to the proposal.

LBTH Waste Policy and Development:

- 5.4 No objection in principle to the proposed waste storage and servicing strategy, subject to the submission of details.

LBTH Environmental Health (Odour/Pollution):

- 5.5 No objection subject to the submission of a Construction Environmental Management Plan (CEMP).

LBTH Environmental Health (Air Quality):

- 5.6 No objection, subject to the submission of details including an assessment of dust impacts during the construction phase.

LBTH Environmental Health (Noise/Vibration):

- 5.7 The submitted noise impact assessment highlights that the impact of the atmospheric plant noise emissions to neighbouring residential premises may give rise to adverse effects. No objection subject to the submission of details regarding mitigation and the submission of an additional pre-occupation noise assessment.

LBTH Environmental Health (Contaminated Land):

- 5.8 No objections to the proposal subject to conditions relating to the submission of investigation and risk assessments for the site.

LBTH Biodiversity:

- 5.9 No objections to the proposal. Conditions required in relation to the provision of a minimum 3 bat boxes, the submission of a bat roost survey, vegetation clearance, biodiversity mitigation and enhancement.

LBTH Energy Efficiency:

- 5.10 Energy officers advise that a carbon off-setting contribution of £325,080 will be required to be tied to the legal agreement to offset against the Council's 0% carbon policy. An updated energy statement, post construction energy note including 'as built' calculations and the submission of a final BREEAM Certificate shall be submitted.

LBTH Enterprise & Employment:

- 5.11 Section 106 Agreement to include obligations relating to construction and end-use phase provisions and financial contributions.

External Consultees:

Environment Agency:

- 5.12 No objection to the proposal subject to conditions requiring the submission and implementation of a flood defence strategy.

Canal and River Trust:

- 5.13 No objection to the proposal subject to conditions in relation to landscaping detail, drainage strategy, lighting and a Construction Environmental Management Plan (CEMP).

Thames Water:

- 5.14 No objections to the proposal subject to conditions requiring the submission of a Piling Method Statement and informatives.

TFL – Land Use Planning:

- 5.15 The proposed cycle parking provision meets minimum standards contained within the Draft London Plan. However the proposed provision of one cycle store area within over 150 bicycles should be split to maximise security and convenience. The development should be car-free and the proposed creation of a canal side walk is welcomed and should be secured by the Council.
- 5.16 Conditions should be included on permission requiring the submission of a Parking Management Plan, Delivery & Servicing Plan (DSP), Construction Management and Logistics Plan and the securing of a Work Place and Residential Travel Plan by Section 106 Agreement.

Metropolitan Police (Designing Out Crime):

- 5.17 No objections to the proposal. Conditions required in relation to the Secure by Design compliance and standards.

Historic England (GLAAS):

- 5.18 No objections to the proposal subject to conditions relating to the submission of a Written Scheme of Investigation to identify any potential heritage assets of archaeological interest.

Port of London Authority:

- 5.19 No objections to the proposal.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

Development Plan

- 6.1 Planning decisions must be taken in accordance with relevant policies in the Development Plan, unless there are material considerations which indicate otherwise.

The Development Plan comprises:

- The London Plan (March 2016)
- Tower Hamlets Local Plan 2031 (January 2020)

- 6.2 The key Development Plan policies relevant to the proposal are:

Land Use – LP3.3, LP3.8, LP3.9; TH S.H1, TH D.H7
(housing)

Design – LP7.1, LP7.2, LP7.3, LP7.4, LP7.5, LP7.6; TH S.DH1, TH D.DH2
(layout, townscape, appearance, public realm, safety)

Heritage – LP7.8; TH S.DH3, TH D.DH4
(historic environment)

Housing – LP3.5; TH S.H1, TH D.H2, TH D.H3, TH D.H7
(housing quality)

Amenity – LP7.6; TH D.DH8
(privacy, outlook, daylight and sunlight, noise, construction impacts)

Transport – LP6.9, LP6.10, LP6.13; TH S.TR1, TH D.TR2, TH D.TR3, TH D.TR4
(sustainable transport, highway safety and capacity, car and cycle parking, servicing)

Waste – LP5.17; TH D.MW3
(waste capacity and collection)

Environment – LP5.2, LP5.3, LP5.18, LP7.14, LP7.15, LP7.19; TH S.ES1, TH D.ES2, TH D.ES3, TH D.ES5, TH D.ES7, TH D.ES8, TH D.ES9
(air quality, biodiversity, contaminated land, energy efficiency and sustainability, sustainable drainage)

6.3 The new London Plan is currently in draft form. The weight carried by most emerging policies is substantial. Some policies are subject to Secretary of State Directions made on 13/03/2020 and these policies have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.

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

Land Use – H1, H4, H16 (previously H18), E3
(housing, affordable workspace)

Design – D3, D4, D5, D8, D11
(layout, scale, public realm, safety)

Heritage – HC1
(historic environment)

Housing – H6, D6
(housing quality)

Transport – T5, T6, T6.1, T7
(car and cycle parking, servicing)

Environment
(air quality, biodiversity, energy efficiency and sustainability, sustainable drainage)

Other policies and Guidance

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2020)
- LBTH Planning Obligations SPD (2016)
- Limehouse Cut Canal Conservation Area Character Appraisal and Management Guidelines (2007)
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)

7. PLANNING ASSESSMENT

The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Quality & Standard of Accommodation
- iv. Design
- v. Heritage
- vi. Neighbouring Amenity
- vii. Transport and Servicing
- viii. Environment
- ix. Infrastructure Impact
- x. Planning Benefits
- xi. Equalities and Human Rights

Land Use

- 7.1 London Plan Policy 4.1 promotes the continued development of a strong, sustainable and diverse economy across London.
- 7.2 Policy D.EMP3 states that proposals involving the loss of employment land outside of designated employment areas – such as this site - will be considered on a site by site basis. Specifically, the acceptability of such a proposal will be subject to the submission of either 2 years of marketing evidence, or the submission of information which indicates that the site is unsuitable for its continued employment use due to its condition, or that the benefits of alternative use would outweigh the benefits of employment use.
- 7.3 Policy D.EMP2 states that, for major commercial and mixed-use development schemes, a minimum 10% of new employment floorspace should be provided as affordable workspace.
- 7.4 London Plan Policy 3.3 seeks to ensure the pressing need for more homes in London is recognised by increasing the supply of housing. Policy 3.8 seeks to ensure that new

developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

- 7.5 Draft London Plan Policy H1 sets out objectives to increase the supply of housing and sets out ten year targets to be achieved and in particular sets out a target of 66,000 new homes for London each year for at least 20 years.
- 7.6 Local Plan policy S.H1 seeks to achieve the housing target of 3,931 new homes per year across the borough. This is proposed to be achieved by ensuring that development does not undermine the supply of self- contained housing – in particularly family homes. Development is expected to contribute towards the creation of mixed and balanced communities.
- 7.7 Turning first to the matter of the business use of the site - the existing building contains 13 separate units which equates to 3,445sqm of business floorspace. The building has been vacant for some time. The following is a breakdown of the last uses on the site :

<u>Use:</u>	<u>Floor Area:</u>
B1(A) Office	987 square metres
B1(C) Light Industrial	985 square metres
B8 Storage	1,473 square metres
<u>Total:</u>	<u>3,445 square metres</u>

- 7.8 The proposed development would contain 2471sqm of B1c (light industrial) floorspace. There would, as such, be a net loss of 974 sqm of business floor space on the site.
- 7.9 The net loss of business floor space must be carefully considered against the suite of policies discussed above. The LPA must have sufficient cause to accept such a loss, both through an examination of the submitted documents and an assessment of the other planning benefits of the scheme.
- 7.10 The application was accompanied by a commercial viability assessment report prepared by Strettons. The report advises that the demand for B1a office uses in this location is very limited – the focus of such demand being in traditional and established office areas.
- 7.11 In addition, the report states that the building on the site is tired, suffers with a lack of inclusive access and provides a poor standard of accommodation which does not meet the needs of contemporary commercial clients.
- 7.12 The report concludes that to reprovide the full quantum of accommodation currently on the site would not be effective, nor viable.
- 7.13 The proposed B1c units, on the contrary, would provide spacious floorplates with flexible accommodation to adapt to, and be suitable for, small and medium sized enterprises. The units would provide inclusive access for users, with an on site wheelchair parking space. Deliveries and servicing would be take place on site. The arrangement of the space would also provide activated street frontages, to the great benefit of the appearance of the building and the provision of passive surveillance.
- 7.14 In addition, the scheme would secure 10% of the floorspace as affordable B1c floorspace, to encourage and meet the needs of local businesses and start- ups. This accommodation

would be secured at an affordable tenancy rate for at least 10 years. This is a key benefit of the scheme that would otherwise not be delivered to the local area if not for the proposed development.

- 7.15 In terms of the alternative, mixed use, there is strong policy support for the proposed residential led nature of the scheme. The development would contribute to the Council's extensive housing objectives which are given great weight, given the targets set by the Mayor of London in the Housing SPG (2016). It should be noted here the whilst historically the land around the Limehouse Cut was industrially important, the area has evolved over time with the changing economic landscape and now comprises mainly of mixed use developments, which make optimal use of the available land.
- 7.16 The application proposes to deliver a scheme that is policy compliant in relation to the provision 35% affordable housing and would provide attractive, newly created public areas. The proposed provision of 92 residential units is well supported by policy at a London and Local level.
- 7.17 Overall, the quality of the new business accommodation and the benefits of the alternative, mixed use, are considered to outweigh the reduction in quantum of business space on the site. The proposal is acceptable in land use terms.

Housing Mix

- 7.18 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. LBTH Policy D.DH2 seeks to secure a mixture of small and large housing. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).
- 7.19 The table below details the mix of unit sizes proposed, as they apply to the market, affordable and intermediate tenured residential units:

<u>Unit Type</u>	<u>Desired Market Mix</u>	<u>Proposed Market Mix</u>	<u>Desired Affordable Rent</u>	<u>Proposed Affordable Rent</u>	<u>Desired Intermediate Mix</u>	<u>Proposed Intermediate Mix</u>
1 bed	30%	21 (33%)	25%	5 (25%)	15%	2 (25%)
2 bed	50%	31 (48%)	30%	2 (10%)	40%	3 (37.5%)
3 bed	20%	12 (19%)	30%	8 (40%)	45%	3 (37.5%)
4 bed			15%	5 (25%)		

- 7.20 As per the above table, there is broad compliance with the policy desired unit mix for market tenured units, however there are inconsistencies within the proposed affordable rent and intermediate tenured units when referenced against policy guidance.
- 7.21 For proposed affordable rented units, there would be an under provision of 2 bed units with an overprovision of 3 and 4 bed units. For intermediate units, there would be an overprovision of 1 bed units with slight under provision for 2 and 3 bed+ units.
- 7.22 Whilst the proposed unit mix for affordable rent and intermediate residential units would not strictly meet policy guidance, there would be an overall above standard provision of larger, family sized units (3 bed+), particularly within the affordable rented offer. Family sized units are in high demand and there is an identified need within the Borough. The non-compliances

reflected in the overall unit mix offer would therefore be acceptable. Council's Housing Team have reviewed the proposal and confirmed that the proposed unit mix across each tenure would be appropriate and have supported the development.

Affordable Housing

- 7.23 The Mayors strategic target is for 50% of all new homes to be genuinely affordable. To contribute towards this aim, policy H4 requires that major housing developments provide affordable housing, using the 'threshold' approach.
- 7.24 The threshold approach sets a benchmark level of affordable housing to be provided on residential development – at 35% of the total housing provision. Where developments meet this threshold and where additionally the offer is consistent with a 70% affordable rented / 30% intermediate tenure split, the application can follow the 'fast track' route and a Viability Assessment need not be submitted. If the above criteria are not met, the application must follow the 'viability tested' route, and submit a Viability Assessment for scrutiny.
- 7.25 It should be noted that, in addition to the 35% target set for the majority of housing schemes, in recognition of the potentially significant difference in residential land values compared to industrial land values, the Mayor expects that residential proposals on industrial land deliver 50% affordable housing, where there would be a net loss of industrial capacity. The proposal under consideration here would not result in a net loss of industrial floorspace or floorspace capacity.
- 7.26 The application would provide 35% affordable housing, with a 71% affordable rented/ 29% intermediate, split. The 1% divergence in relation to the tenure split is not considered material in this instance and the scheme is eligible for the 'fast track' route. To ensure the applicant intends to fully build out the permission, the requirement for an early stage review will be triggered if an agreed level of progress on implementation is not made within 2 years of the permission being issued.
- 7.27 In regards to affordable rented units, a 50/50 product split would be provided between the London Affordable Rent and the Tower Hamlets Living Rent products, in line with the Council's Local Plan. This would ensure an appropriate provision is made to support the need for housing amongst local residents with various options made available as part of the development.

Standard of Residential Accommodation

- 7.28 GLA's Housing SPG aims to ensure that housing is "*fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime*". The document provides advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.29 Policy D.H3 of the Tower Hamlets Local Plan requires that new dwellings meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The policy also highlights the requirement that affordable housing not be of a distinguishable difference in quality.
- 7.30 The 92 residential units would be located at first floor and above. Each unit would meet or exceed minimum space standards and all units would have outdoor private amenity areas in compliance with relevant standards.
- 7.31 10 units (10.8%) would be wheelchair adaptable, in accordance with Part M 4(3) of the Building Regulations. Eight of these units would be made available for residents of the 3 bed,

5 person affordable rented units, which addresses demand and need. The remaining 82 units (89%) would be accessible and adaptable units in accordance with Part M 4(2) of the Building Regulations.

- 7.32 The Market core and Affordable cores would be accessed from the western 'promenade', via separate entrances. The cores would provide separate access to bin and cycle stores on the ground floor of the building. Each core would be provided with two lifts, ensuring adequate ability to access units located above.
- 7.33 Most floors contain both market and affordable units. Gates would be provided at relevant points on each floor to restrict access between cores. The gates would still allow emergency access and an escape route to the nearest stair core.
- 7.34 Whilst it is acknowledged that policy guides developments to provide mixed and balanced communities, the split arrangement would ensure that the management of the affordable rented units is effective. It would ensure that service charge remains at an affordable rate. This advice has been provided by numerous registered providers and is the predominant approach for major residential schemes within the Borough.
- 7.35 The 'Standards for new Homes' document (2017) was produced jointly by the Housing Forum and Tower Hamlets council. It sets standards for the design and finish of affordable new homes – in relation to internal and external communal areas, the internals of the flats themselves and the appearance of the exterior of the building. The developer will commit to implement the development in accordance with the guidance in that document, to ensure a consistency of quality and durability of finish to affordable and market elements of the scheme alike, to ensure the development is 'tenure blind'.
- 7.36 Units would be dual aspect as a minimum, with secondary windows facing inwards, towards the centre of the building. This would allow passive surveillance inwards towards the communal amenity spaces and decked areas.
- 7.37 Separate kitchen and living areas would be provided for all 3 bed and 4 bed affordable rented units. This has been provided on the advice from Council's Housing and Occupational Therapy Teams. This is based on feedback from existing tenants where the separately provided rooms would provide greater levels of liveability and usability.

Communal Amenity Areas & Child Play Space

- 7.38 In a built up area like London, safe communal areas and stimulating play facilities are essential for a person's well-being.
- 7.39 In relation to communal amenity space, Local Plan Policy D.H3 requires the provision of a minimum 50sqm for the first 10 units of a development and a further 1sqm for every additional unit. With the proposed 92 residential units, this equates to a minimum provision requirement of 132 square metres across the development.
- 7.40 The proposal would provide 3 communal amenity spaces, with a total combined area of 686sqm. These areas would be in the following locations :
- 4th floor – 216sqm 'explorers play'
 - 6th floor – 242sqm 'dwell and belvedere'
 - 8th floor – 234sqm 'exercise area'
- 7.41 As per the above table, the overall provision of 686sqm of communal amenity space would significantly exceed minimum policy requirements. The design of the building has allowed for the overprovision of communal amenity areas and the approach is welcomed.

- 7.42 Local Plan Policy D.H3 requires major developments to provide a minimum of 10sqm of high quality play space for each child, calculated using the anticipated 'child yield' calculator.
- 7.43 The market tenured units would generate a child yield of 11 total children, which requires a minimum 110sqm of play space. The affordable and intermediate tenured units would generate a child yield of 35, which requires a minimum 350sqm of play space, split across the different age groups, as set out in the GLA's Play and Informal Recreation SPG (2012).
- 7.44 The proposal would provide play space in the following 2 locations:
- 1st floor – 456sqm
 - 7th floor – 120sqm
- 7.45 Residents from both the market and affordable/intermediate tenured units would have shared access to all play and amenity spaces within the development. A condition would be applied to the development to allow this to occur.
- 7.46 Indicative landscape drawings have been provided which provides preliminary detail on the layout of communal and child play space areas. The spaces would be well overlooked with a good level of passive surveillance. Whilst the quantum of space provided is welcomed, few details have been submitted with regards to the play equipment specifications, boundary treatment and demonstration that the design of the space meets Play England's design principles. These elements will be secured by condition on consent.
- 7.47 It is noted that some off-site play facilities would provide additional facilities for future residents. Furze Green and Langdon park, within 400m of the development, would provide informal recreation areas, sufficiently extensive green spaces and more formal play.

Daylight and Sunlight for the new residential dwelling

- 7.48 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.49 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March
- 7.50 The applicant has provided a Daylight / Sunlight assessment, undertaken by Robinsons surveyors.
- 7.51 In relation to daylight, the ADF was used, which is a measure of the amount of daylight in an interior and is dependent on the room and window dimensions, the reflectance of the interior surfaces and the type of glass, together with any obstructions outside.
- 7.52 The submitted results indicate that 98% of habitable rooms would meet or exceed the relevant ADF value. Each of the 7 shortfalls would occur to bedrooms which the BRE guidance

advises have lesser requirement for daylight than main living spaces. Overall, the proposed accommodation would provide good access to daylight for the future residents.

- 7.53 In relation to sunlight, the BRE guidance uses the Annual Probable Sunlight hours (APSH) that windows facing within 90 degrees of due south should receive. Windows that aren't within the aforementioned parameters are not assessed in relation to sunlight. The guidance recommends that relevant windows should receive at least 25% of the total available sunlight, including at least 5% during winter periods.
- 7.54 The submitted results demonstrate that 71% of rooms would meet or exceed the annual and winter sunlight hours target. Given the developments urban setting, this level of compliance would, overall, provide residents with good access to sunlight.
- 7.55 It is noted that at the time of writing this report, the Anchor Wharf site has yet to apply for planning permission and has not been included in the testing. It is considered that the impacts of any forthcoming Anchor Wharf development will be addressed within that application and as it does not presently have consented or a fixed building envelope, it would not be necessary for the submitted report to consider it.

Design

Planning Policy

- 7.56 The Development Plan policies requires that schemes of high quality design that reflects local context and character and provides attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.57 Chapter 7 of the London Plan sets out a range of policies seeking to ensure high quality living spaces. More specifically, policy 7.6 of the London Plan sets out that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. The highest quality materials and design should be incorporated.
- 7.58 Chapter 3 of the Draft London Plan similarly sets out policies and guidance on delivering London's growth through the designing of buildings.
- 7.59 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Developments should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.60 Policy D.DH2 of the Local Plan (2020) requires development to contribute to improving and enhancing connectivity, permeability and legibility across the borough. Developments should optimise active frontages towards public streets and spaces, provide clear definition of building frontage and massing and allow connection and continuity of pedestrian desire lines at a human scale.
- 7.61 Policy S.DH3 requires that the significance of heritage assets are preserved in any development scheme.

Height, Scale and Massing

- 7.62 The application proposes the construction of a building comprising of a ground and mezzanine floor and between 3 and 8 stories above. The proposal would include landscaped public open space areas, the provision of a public passage to the west of the development, communal amenity space and on-site child play space.
- 7.63 The massing of the proposed development would follow a 'C' shaped form to match and would provide reference to the existing building on site. The shaped massing would also assist in

allowing a terraced, stepped design whereby the mass is brought away from the western, northern and southern ends progressively as the building height increases.

- 7.64 Areas of communal amenity space and child play space would be conveniently placed on the terraced setbacks, allowing the visual form to be broken up and would provide visual relief.



Figure 4 – CGI Visual of Proposed Development from the South-East of the Site.

- 7.65 The Caspian Wharf development immediately to the east rises from 5 stories adjacent to the subject site, to a maximum of 9 storeys on the northern side of Yeo Street, at its intersection with Violet Road. Saints Court and Tallow Court opposite the site, reach a maximum height of 7 storeys. Buildings to the east of Violet Road rise to 14 stories.
- 7.66 Whilst the maximum 9 storey plus mezzanine form would reach a height taller than immediately surrounding buildings, building heights on this section of Yeo Road do vary and there is no strict consistency to building height in the vicinity. In addition, the maximum height of the proposed building is reached only at the sites north western end. The stepped approach to the facades and the angled form of the balconies provide interest and variation in height along the Yeo Road frontage. The building would be 6 stories high above mezzanine level adjoining Caspian Wharf, to more readily reflect the height of this adjoining building. Given the surrounding context and the stepped design approach, it is considered that the size and height of the building is in keeping with the form, rhythm and character of the Yeo Road street scene.
- 7.67 The massing and scale of the development is considered to be proportionate to the context of the surrounding area and would not be out of place in its setting.

Appearance and Layout

- 7.68 In regards to the ground floor layout and visual treatments, the development would contain active frontages to the north towards Yeo Street, to the west towards the newly created public passage and to the south towards the Limehouse Cut.
- 7.69 The building would be setback from Yeo Street to match the existing building line of the eastern adjoining Caspian Wharf development. This would ensure a consistent built form across Yeo Street and would ensure the building would not be visually oppressive to the streetscape.
- 7.70 The opening up of a new north-south link between Yeo Street and the Canal would be a positive addition to the local area and would respond appropriately to the significance of the Canal. This would be further enhanced with a 7 metre building setback from the Canal which would provide an additional public realm area. Both proposed public realm areas would be secured through a Section 106 Agreement.



Figure 5 – North-South Pedestrian/Cycle Link

Materials

- 7.71 The suite of materials used throughout the building include dark tone face brickwork which would be used as the predominant base material along each elevation. From the third storey and above, the building would comprise angled balconies with dark tone steel balustrades and red zinc cladding.

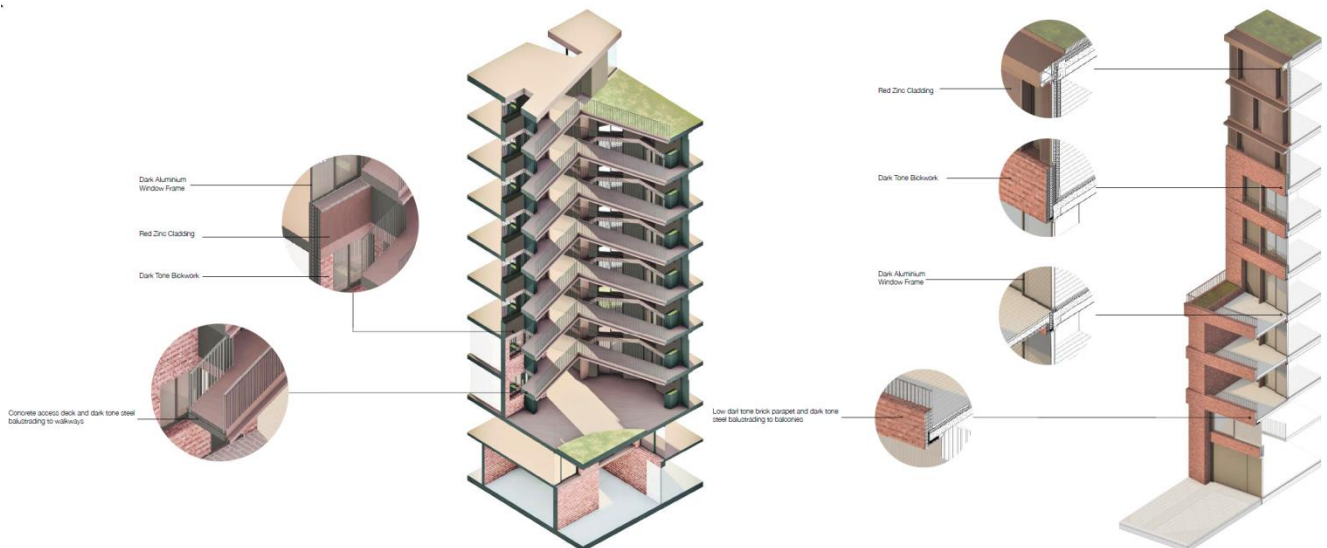


Figure 6 – Proposed Materials and Finishes

- 7.72 Towards the west and south (Limehouse Cut), recessed and angled balconies would be utilised behind the brick base. Upper levels of the building would include both red zinc cladding and anodized aluminium panels. Unit windows would be framed with a dark aluminium material whilst balcony treatments would comprise dark tone brick parapets with dark tone steel balustrades.
- 7.73 The suite of proposed materials would appropriately provide reference to the past industrial use of the site and surrounding area whilst still being of high quality. The materials and overall appearance of the building would be consistent with guidance within the Development Plan.

Landscaping

- 7.74 Preliminary landscape drawings have been submitted to support the application and feature elements within the development as well as within the proposed public realm areas.
- 7.75 Hard landscaping features include sporting/gym equipment, lounge and bench structures, planters, play equipment, bbqs, decked and turfed areas spread across the building's shared amenity areas and roof. Hard landscaping within the public realm areas to the west and south of the site include high quality paving materials and seating.
- 7.76 Large areas of plantings with a mix of native trees and plants are proposed across the development. The soft landscaping strategy would be in keeping with the Council's Biodiversity Strategy.
- 7.77 The submitted approach is supported and would ensure a high quality design response that would create attractive areas of public open space. The further development of the finalised landscaped design will be required as part of further planning conditions.

Conclusion

- 7.78 In terms of overall design, the development is well considered, appropriately detailed and would allow a building of suitable mass and scale for the site's location.
- 7.79 Whilst being higher than immediately surrounding developments, the additional height would be concentrated to the western side of the site and would step down to the south and east. The overall design of the building with communal amenity and child play space terraces and permeable design would provide sufficient visual relief.

- 7.80 The provision of three active frontages is consistent with policy guidance to make use of areas open and visible to the public and would add visual interest from Yeo Street and from the Limehouse Cut.
- 7.81 The suite of materials and the contemporary design ensure there is suitable reference to the past history of the surrounding area, whilst also ensuring a high quality, modern design approach. The design of the building effectively meets Development Plan policy considerations and would make a positive contribution in the surrounds.

Heritage

- 7.82 Development Plan policies require development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Local Plan Policy S.DH3 requires development to protect and enhance the borough’s conservation areas including their setting.
- 7.83 Whilst the site is not located within a conservation area nor does it include any locally or statutorily listed building within its curtilage, the site is bounded by the Limehouse Cut Conservation Area to its immediate south.

Surrounding Conservation Areas

- 7.84 As previously raised, the Limehouse Cut Conservation Area’s location to the immediate south of the subject site requires the development to protect and enhance the setting if this area.



Figure 7 – Limehouse Cut Conservation Area

- 7.85 The Conservation area covers the length of the Canal with development polices and guidance contained within the Limehouse Cut Conservation Area Character Appraisal and Management Guidelines. This document seeks to ensure a positive relationship between the buildings adjacent to the canal. The guidelines also seek to ensure the height and location of new buildings are carefully considered and highlights the importance of increased access to and from the canal.

- 7.86 The appearance of the building on its southern, canal side is an important consideration. The building will be highly visible from the canal itself and from the south bank and tow path, which form part of the conservation area. The building would step down to 3 stories above mezzanine level on its southern elevation, with generous set backs from the canal edge. The building would confirm to the building line on this elevation and views of it would be enhanced with the development in place, through the introduction of public landscaped space. Views of the building from both the east and west of the site from the canal and its south bank would preserve the special character of the conservation area.
- 7.87 The proposed development would be setback approximately 7 metres from the Canal and seeks to create a pedestrian and cycle link from Yeo Street through to the Canal to the west of the site.
- 7.88 To open up canal-side opportunities and ensure a positive visual relationship with the canal, the southern façade of the building at ground level would be occupied with a commercial unit with an active frontage. Preliminary landscaping detail has been submitted which shows a combination of both hard and soft landscaping treatments which would further enhance this setting. The development's numerous interactive relationships with the Canal will ensure active use of this area.
- 7.89 The mass of the 6th, 7th and 8th storey above mezzanine level is also minimal with generous recesses and setbacks from the lower levels of the building. The tapering and recessed building form would ensure than acceptable visual impact on the Canal and its setting.
- 7.90 The site does not accommodate any statutory listed buildings, but there are a number situated within the local area; however the application is not considered to affect their setting given the context of the surrounding development area and the overall height and scale of the proposed building being general in line with surrounding structures.

Conclusion

- 7.91 The proposed development would not harm the character or appearance of the Limehouse Cut Canal Conservation area and would enhance the overall setting of the area. One of the key features of the proposed development is its physical and visual connection with the Limehouse Cut. The design approach pursued as part of the development is well considered and effectively responds to the significance of the conservation area. The proposal would increase waterfront activity and would ensure a positive relationship.

Neighbouring Residential Amenity

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

Daylight and Sunlight

- 7.92 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.93 A number of residential properties surround the site. These properties have been tested in relation to Daylight, Sunlight and overshadowing impacts and the results recorded in the submitted Daylight Sunlight Report conducted by Robinsons. This report has been independently reviewed on behalf of the Council by Delva Patman Radler.
- 7.94 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be

assumed. These tests measure whether buildings maintain most of the daylight they currently receive.

- 7.95 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. VSC is a metric that determines the amount of light falling on a particular point, in this case, on the centre point of the window. The calculations for VSC do not take into account window size, room dimensions or the properties of the window itself.
- 7.96 The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. NSL assesses where daylight falls within the room at the working plane (850mm above floor level in houses), Daylight distribution assessment is only recommended by the BRE Report where room layouts are known.
- 7.97 The technical analysis within the applicant's report demonstrates that 15 residential properties were assessed. These properties include David Hewitt House, Saints Court, Tallow Court, 1-82 Caspian Wharf, 10-17 Balladier Walk, 83 Barchester Street, Watts Grove. A summary of results for each assessed property will be contained below in this report.



Figure 8 – Subject Site and Surrounding Developments

- 7.98 There is no definitive categorisation for impacts that exceed BRE guidelines, however the following significance criteria banding was used when summarising the overall daylight and sunlight effects to the surrounding buildings;
- Negligible; 0-20% loss against existing
 - Minor adverse; 20-30% loss against existing

- Moderate adverse; 30-40% loss against existing
- Major adverse; >40% loss against existing

David Hewitt House

- 7.99 The David Hewitt House Development is located on the western side of Watts Grove, to the west of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.100 The submitted assessment demonstrates that the proposed development would not negatively impact the daylighting and sunlighting conditions within this building and would be BRE compliant in relation to relevant tests.

Saints Court

- 7.101 The Saints Court Development is a seven storey block of units located on the northern side of Yeo Street, to the north-west of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.102 The submitted results show that 90 out of 106 (84.9%) windows would be compliant with VSC targets. Of the 16 windows where there would be a VSC reduction of greater than 20%, 13 would be within the 20-30% range in regards to VSC loss against existing conditions meaning a minor adverse impact on these windows. 1 window would suffer a loss between 30-40% meaning a moderate adverse impact on this window. 2 windows would suffer a loss greater than 40%, meaning a major adverse impact on these windows.
- 7.103 All relevant rooms within the Saints Court Development would be compliant with NSL and APSH targets.

Tallow Court

- 7.104 The Tallow Court Development 7 storey block of flats and is located on the northern side of Yeo Street, to the north of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.105 Of the 71 rooms assessed for VSC, 45 (63%) would not meet the BRE guidelines. Of those that fall below, 6 would experience a minor adverse impact, 14 would experience a moderate adverse impact and 25 would experience a major adverse impact. There would be 36 shortfalls in regards to the daylight distribution (NSL) to 71 existing rooms. 4 of the shortfalls would be minor adverse, 5 would be moderate adverse, whilst 25 would be major adverse. The additional 'without balconies' assessment however does show an overall improvement in results. The BRE guide notes that in such cases, the presence the balcony rather than the size of the obstruction may be the main factor in the relative loss of light.
- 7.106 The submitted APSH results demonstrate that 13 rooms would fall below the guidelines. There would be 6 transgressions in annual sunlight and 9 transgressions in winter sunlight. 2 bedrooms would experience transgressions in both annual and winter sunlight. Where the sunlight criteria is not met the rooms are served by either balconies or are located on the recessed façade hinders the access of sunlight.
- 7.107 The impacts of the proposed development on daylight conditions to Tallow Court are considered to be major adverse, whilst impact on sunlight conditions would be minor adverse.

Hudson House

- 7.108 The Hudson House Development is located on the northern side of Yeo Street, to the north-east of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.109 Of the 61 rooms assessed for VSC, 11 (18%) would not meet the BRE guidelines. Of those that fall below, 5 would experience a minor adverse impact, 5 would experience a moderate adverse impact and 1 would experience a major adverse impact. The additional 'without balconies' assessment shows an overall improvement to the results and a reduction to 5 rooms not meeting the BRE guidelines for VSC. This demonstrates that the existence of balconies to the Hudson House development is a contributing factor to the loss of daylight and would exacerbate the proposed development's impacts.
- 7.110 In regards to NSL results, 59 out of 61 rooms (96%) tested would receive adequate daylight distribution in line with BRE guidance. 1 room would have a minor adverse reduction whilst 1 room would have a moderate adverse reduction in daylight distribution.
- 7.111 The submitted APSH results demonstrate that 8 rooms would fall below the BRE guidance. There would be 3 transgressions in annual sunlight and 8 transgressions in winter sunlight. 3 rooms would experience transgressions in both annual and winter sunlight. Of the 8 rooms, 7 are located on the first floor and 1 on the second floor.
- 7.112 The overall impact of the proposed development on daylight and sunlight conditions to Hudson House is considered to be minor to moderate adverse.

Caspian Wharf

- 7.113 The Caspian Wharf Development is located on the northern side of Yeo Street, to the east of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.
- 7.114 Of the 76 rooms assessed for VSC, 17 (22%) would not meet the BRE guidelines. Of those that fall below, 15 would experience a minor adverse impact, 1 would experience a moderate adverse impact and 1 would experience a major adverse impact. The additional 'without balconies' assessment shows an overall improvement to the results and a reduction to 4 rooms that would not meet the BRE guidelines for VSC. This demonstrates that the existing balconies are a contributing factor to the loss of daylight.
- 7.115 In regards to NSL results, 9 rooms (12%) would not meet the BRE guidelines. Of those that fall below, 2 would experience a minor adverse impact, 4 would experience a moderate adverse impact and 3 would experience a major adverse impact.
- 7.116 The submitted APSH results demonstrate that all relevant rooms would meet the BRE recommended annual APSH whilst just one bedroom would experience a transgression in winter sunlight.
- 7.117 The overall impact of the proposed development on daylight and sunlight conditions to Caspian Wharf is considered to be minor adverse.

10 11 Balladier Walk

- 7.118 The residential properties at 10 & 11 Balladier Walk are located on the south side of the Limehouse Cut, to the south of the Proposed Development. The applicant's Daylight and Sunlight report states that the internal arrangements have been based on reasonable assumptions as the applicant has not been able to source precise layout information. The

assumed layouts have been reviewed by the Council's consultant who is satisfied that the layouts are reasonable.

7.119 The submitted results demonstrate that both properties would fully comply with the BRE guidelines in relation to BSC and APSH.

7.120 There would however be 9 shortfalls in regards to the daylight distribution (NSL) to existing rooms. 3 of the shortfalls would be minor adverse, 4 would be moderate adverse whilst 2 would be major adverse.

12-17 Ballardier Walk

7.121 The residential properties at 12-17 Ballardier Walk are located adjacent to 10 & 11 Ballardier Walk to the south side of the Limehouse Cut. The applicant's Daylight and Sunlight report states that the internal arrangements have been based on reasonable assumptions as the applicant has not been able to source precise layout information. The assumed layouts have been reviewed by the Council's consultant who is satisfied that the layouts are reasonable.

7.122 The submitted assessment demonstrates that the proposed development would have only a minor impact the daylighting and sunlighting conditions within this building and would be predominantly BRE compliant in relation to relevant tests.

83 Barchester Street

7.123 The 83 Barchester Street Development is currently under construction and is a residential development located to the south of the Proposed Development, facing north over the Limehouse Cut. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.

7.124 47 out of 51 (92%) windows tested would comply with VSC targets whilst there would be 2 windows which would not comply. 3 of the windows would be of minor adverse impact whilst 1 of the windows would incur a moderate adverse impact.

7.125 All relevant rooms within the 83 Barchester Street Development would be compliant with NSL and only minor discrepancies with APSH targets.

Watts Grove

7.126 The Watts Grove Development is located on the southern side of Yeo Street, to the west of the Proposed Development. Layout plans for the approved scheme obtained from the Council's Public Planning Register have been used and incorporated into the submitted model.

7.127 32 out of 36 (88%) windows tested would comply with VSC targets whilst there would be 4 windows which would not comply. 3 of the windows would be of minor adverse impact whilst 1 of the windows would incur a moderate adverse impact.

7.128 All relevant rooms within the Watts Grove Development would be compliant with NSL targets. There would be only minor discrepancies with APSH Targets.

Overshadowing

7.129 In relation to the potential overshadowing of gardens and open spaces, BRE guidance sets out that the centre of an existing area should receive at least two hours of sunlight on the 21st. The proposed development would not have significant overshadowing impacts on neighbouring amenity areas.

- 7.130 A transient shadow study has been undertaken to assess the impact to neighbouring amenity spaces. With the exception of amenity spaces at Hudson House, the results demonstrate that amenity spaces on neighbouring developments would be adequately sunlit for at least 2 hours a day on the 21st of March and would meet BRE Guidance.
- 7.131 The results demonstrate however that the amenity spaces located at Hudson House would not retain a minimum of two hours sunlight and there would be a reduction specifically between 11am to 3pm. This impact would be moderate adverse.

Conclusions on Daylight, Sunlight and Overshadowing

- 7.132 In summary, the results in relation to daylight, sunlight and overshadowing demonstrate that the majority of the surrounding properties will not be adversely affected by the proposed development. There are however a number of habitable rooms within residential dwellings, particularly at Tallow Court that will experience noticeable reductions in the daylight and sunlight levels as specified in detail above. Additionally, there would be moderate adverse impact to the existing amenity spaces located at Hudson House.
- 7.133 Having regard to this, it is noted that Part 1(d) of Policy D.DH8 of The Tower Hamlets Local Plan 2031 (Managing Growth and Sharing the Benefits) requires that new developments should not result in an unacceptable material deterioration of the daylighting conditions of surrounding development including habitable rooms of residential dwellings.
- 7.134 In assessing the proposals against the above policy context, the existing site conditions and location of the proposals are also of relevance. In this regard it should be noted that the application site is developed with a low scaled building and neighbouring sites are developed up to, or in close proximity to the site boundary, with a number of windows orientated towards or receiving daylight from the application site. It is therefore considered that any substantial above ground development on the application site would result in daylight and sunlight implications to surrounding properties.
- 7.135 It is also noted from the submitted assessment that contributing factors including existing balconies and the proximity of windows located on site boundaries plays a significant role in the impacts of the proposed development on surrounding properties. It is also acknowledged that daylight and sunlight levels for buildings within an urban context are more likely to incur shortfalls.
- 7.136 Further to the above, it is noted that planning policies promote optimisation of underutilised sites and a variety of land uses. When taken in the context of the transgressions from BRE guidance, the wider benefits of the proposed development and the existing site conditions, it is considered that the proposed development would not result in an unacceptable impact on daylighting or sunlighting conditions to surrounding properties.

Overlooking

- 7.137 Local Plan policy D.DH8 promotes a distance of 18 metres between windows of habitable rooms to ensure sufficient privacy and no unreasonable loss of amenity from overlooking between habitable rooms of adjacent residential properties and private amenity areas.
- 7.138 Habitable room windows within the development have been designed to ensure compliance with this policy. To the south, residential units would overlook the Canal and beyond the canal, there would be sufficient separation distances to ensure minimal overlooking impacts.
- 7.139 To the north, there would be sufficient distances provided between the buildings windows and those across Yeo street.

- 7.140 For units to be located along the eastern boundary of the site, there would be no habitable room windows facing east with the exception of the Units R28 and R42 to be located in the south-eastern corner of the second and third floors of the building. These windows however would be translucent, ensuring only obscured views facing this direction.
- 7.141 To the west towards the neighbouring Anchor Wharf development, there is the potential for overlooking impacts if a future development proposal were to be submitted and developed. To safeguard against this, habitable room windows facing west would be setback a minimum of 9 metres from the western boundary. This setback would ensure any future development opportunity on the Anchor Wharf would not be impacted by the proposal and sufficient distances can be provided.
- 7.142 Internal overlooking would be effectively managed. Internal north and south facing residential units would contain windows facing inwards towards the courtyard. There would however be a minimum 19 metre distance between the windows which would ensure minimum standards would be met.
- 7.143 The separation distances internally and with adjacent buildings are considered sufficient to limit the potential for unacceptable levels of overlooking and would not unacceptably impact on neighbouring privacy.

Noise and Vibration

- 7.144 The application is supported by a Noise Assessment. The report demonstrates that the scheme has been designed so that it appropriately responds to the immediate application site context. Subject to conditions requiring plant noise emissions to be below the Council's noise criterion, the completed proposed development would not give rise to significant effects in respect of operational noise and vibration.

Construction Impacts

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

Summary

- 7.146 Overall, the proposed development would not have an unacceptable adverse impact on the surrounding area in terms of daylight or sunlight conditions. The potential for overlooking has been addressed and sufficient distances and measures have been incorporated into the development. Overall there would be compliance with policy D.DH8 which seeks to protect the amenity of existing buildings and their occupants.

Transport

- 7.147 Development Plan policies promote sustainable modes of travel and seek to limit car parking and car use to essential user needs. These policies also seek to secure safe and appropriate servicing arrangements to ensure developments are managed effectively and efficiently.

Car Parking

- 7.148 The applicant has committed to a 'car free' development with the exception of four blue badge bays. The 'car free' nature of the proposal is considered acceptable given the site's access to

surrounding public transport networks and is supported. The provision of the development as 'car free' would need to be secured through a legal agreement. No visitor parking bays have been provided.

- 7.149 A total of 4 accessible 'blue badge' bays are proposed to be provided as part of the development and would be located to the north-east of the site, adjacent to the vehicular access.
- 7.150 3 of the accessible bays would be allocated to the residential units whilst 1 accessible bay would be allocated to the commercial units. The provision of 3 accessible bays is compliant with London Policy which seeks to ensure the on-site provision of at least one designated accessible bay per dwelling for 3% of the dwellings. These bays must be made available at the outset of the development and the proposed scheme is acceptable in this regard.
- 7.151 Notwithstanding the provision of 3 accessible bays for the residential units, there is a requirement to demonstrate that there is future capacity for additional accessible bays either on the site or within the immediate surrounds. This is necessary to ensure that future occupants of the development who may have the need for such bays will be provided with one.
- 7.152 The provision of further accessible bays within the site has been shown to not be possible, however there are opportunities for on-street accessible bays. A drawing has been submitted which demonstrates 6 accessible bays along Yeo Street that could be made available if the demand or need arose.
- 7.153 To further safeguard the ongoing use and further provision of accessible bays, a Parking Management Plan will need to be submitted and will be included as a condition requirement. Heads of Terms have also been agreed which will require the financial contribution of £5000 per accessible bay, which would be returned after three years if no future occupant within the residential units has a requirement for use of an on-street accessible bay. These terms will be included within a Section 106 Agreement.
- 7.154 In relation to the provision of 3 accessible bays for the residential units, rather than being allocated to specific units, these would be managed on a 'right to park' basis whereby bays would be allocated to occupants with the relevant. This arrangement would be managed by the building/on-site management team.

Servicing and Deliveries

- 7.155 The proposed servicing and delivery arrangements would be accessed from Yeo Street, to the north-east of the site. The service area would be located on the ground floor of the building and would cater for both the commercial and residential elements of the scheme. Submitted drawings and details demonstrate that relevant delivery, refuse and service vehicles would adequately manoeuvre in and out of the site.
- 7.156 There is no objection to the proposed arrangements subject to a condition requiring the submission of a Delivery, Servicing and Waste Management Plan

Cycle Parking

- 7.157 The proposed development would generate the following need for cycle parking to be provided in line with the up to date requirements of the Draft London Plan:
- Residential Use: 170 long stay spaces and 3 short stay spaces
 - Commercial Use: 10 long stay spaces and 3 short stay spaces

- 7.158 The proposed Cycle parking spaces for both the residential and commercial units would be located on the ground floor of the building.
- 7.159 Cycle parking spaces for the purpose of residential long stay purposes would be split into three storage areas and would be located adjacent to the two residential cores. Residential short-stay spaces would be located externally towards the western boundary of the building within the proposed new pedestrian and cycle link.
- 7.160 Commercial long stay and short stay spaces to service staff and visitors would be located adjacent to the plant room and would be accessible from Yeo Street.

Trip generation

- 7.161 The submitted Transport Assessment has considered the total trip generation for both the residential and commercial portion of the development.
- 7.162 The assessment concluded that the proposed development has the potential to generate approximately 51 two-way trips during a typical weekday (AM Peak times between 08:00 and 19:00). The majority of these trips would be made via the DLR/Underground/Train services (81%) whilst pedestrian/cycle transport would make up 17%.
- 7.163 For commercial units, the development has the potential to generate approximately 80 two-way trips during a typical weekday AM peak time (between 0800-0900) and approximately 74 during a typical weekday PM peak time (between 1700-1800). Similar to the residential trip generation, the large majority of trips would be made either via public transport options or by cycling/walking.
- 7.164 The submitted servicing trip generation results highlight that for both the residential and commercial elements of the development, a total of 4 servicing trips would be undertaken on a typical day during the AM Peak (0800-0900) and two trips during a typical day's PM peak (1700-1800).
- 7.165 There is no objection to the trip generation details submitted as part of the development and the site and surrounding infrastructure network would sustain the net increase in trips.

Travel Planning

- 7.166 The applicant has submitted a preliminary Travel Plan. No objections were raised to this element by the Council's highways officer. A full travel plan would need to be secured to enforce this.

Demolition and Construction Traffic

- 7.167 Should the application be approved, the impact on the road network from demolition and construction traffic would be controlled by way of conditions requiring the submission and approval of Demolition and Construction Management Plans. The Demolition and Construction Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Environment

Energy Efficiency

- 7.168 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and

providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2015 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

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

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean);
- Use Renewable Energy (Be Green); and
- Monitor and report (Be Seen).

7.170 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide on-site with the remaining regulated carbon dioxide emissions to 100% to be offset with cash payment in lieu.

7.171 The submitted Energy Statement (XCO2 – October 2019) sets out the applicant has sought to meet the CO2 emission reduction policy requirements through energy efficiency measures, passive design and use of efficient services (including Air Source Heat Pumps) and on-site renewable energy generating technology (36.1kWp - 190m2 PV array). The report notes that the following CO2 emissions using SAP 2012 carbon factors:

- Baseline – 234.8 tonnes CO2 per annum
- Proposed Scheme – 180.6 tonnes CO2 per annum

7.172 The total on-site site wide CO2 emission reduction is anticipated to be 23.1% against the building regulation (equivalent to 44.4% using SAP10). The SAP10 baseline and proposed scheme have not been provided so the carbon offsetting contribution is calculated on the available SAP 2012 data. This shows the proposals are for a 54.2 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £325,080 to offset the remaining 180.6 tonnes CO2 and achieve net zero carbon.

7.173 The financial contribution will be included as a planning obligation in the related Section 106 Agreement.

Sustainability

7.174 Policy D.ES7 requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. This policy requires all non-residential uses which form part of a development to achieve a BREEAM Excellent rating of 70%. The applicant has submitted a BREEAM Pre-Assessment which shows the scheme is designed to achieve a BREEAM Excellent Rating with a score of 73.07%.

7.175 The proposal for the scheme to achieve this BREEAM Excellent rating will be secured via condition.

Summary and Securing the Proposals

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

- Energy Statement Update to include how energy demand and carbon dioxide emissions post-construction will be monitored annually (for at least five years), proposals explaining how the site has been future-proofed to achieve zero-carbon on-site emissions by 2050 and an analysis of the expected cost to occupants associated with the proposed energy strategy.
- Submission of a post completion verification report including the as built calculations (SBEM) to demonstrate the reduction in CO₂ emissions have been delivered on-site.
- Submission of a Final BREEM Certificate to demonstrate an 'Excellent' rating has been delivered.

Air Quality

7.177 Development Plan policies require major developments to be accompanied by assessments which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.

7.178 The application is accompanied by an Air Quality Assessment. The assessment concludes that the air quality impact from the development will be below the national air quality objective levels. This has been reviewed by Council's Air Quality team and confirmed to be accurate. Conditions would be necessary to limit the impact on local air quality as a result of the construction phase of the development. This would be secured and monitored through a required Construction Management Plan.

Waste

7.179 Development Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.

7.180 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of bin storage size and servicing arrangements by condition, the proposal would be acceptable.

Biodiversity

7.181 Development Plan policies seek to safeguard and provide for net gains for biodiversity. The application site is immediately adjacent to the Limehouse Cut, part of a Site of Metropolitan Importance for Nature Conservation. The application site itself includes small areas of scrub and grassland, which provide some wildlife habitat.

7.182 The submitted Preliminary Ecological Assessment has identified a number of key findings, opportunities and improvements possible for the site. The site itself has not been identified as having existing significant biodiversity value, however its importance given its proximity to the Limehouse Cut is noted. Council's Biodiversity Officer has reviewed the proposal and is satisfied that subject to conditions, the proposal would be acceptable from a biodiversity standpoint.

- 7.183 Biodiversity landscape measures included within the proposal comprise a biodiverse green roof, native trees, dense climbers and nectar rich flowers which are welcomed and would contribute well to the Council's Biodiversity Action Plan objectives.
- 7.184 Further enhancements and net gains on the site would be possible through conditions which would require the provision of a bat roost survey, vegetation clearance, biodiversity mitigation and enhancement would be assessed at condition stage.

Flood Risk & Drainage

- 7.185 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage. The application site is located within Flood Zone 1. The application is supported by a Flood Risk Assessment and a Sustainable Urban Drainage Strategy.
- 7.186 The Environment Agency have reviewed the proposal and are satisfied with the associated flooding risk associated with the development subject to a condition requiring the further submission of survey and detailed design/results. Flooding risk is therefore considered to be acceptable and would be further assessed at condition stage.
- 7.187 The submitted documents demonstrate that there would be no increase in surface water runoff from the development with below ground attenuation storage to significantly reduce outflow against adopted rates and reduce the flood risk and burden on infrastructure. The site adjoins the Limehouse Cut Canal to the south where this would be the ideal location for overflow discharge. Further consultation with Canal and River Trust would be necessary at the detailed design stage. Flooding risk and the urban drainage impacts of the development are acceptable and would be secured via condition.

Land Contamination

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

Infrastructure Impact

- 7.189 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £150,030.52 and Mayor of London CIL of approximately £273,094.92. It is important to note that these figures are approximate. The final figures will be determined if approval for the application is granted.
- 7.190 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.
- 7.191 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £38,080.00 towards construction phase employment skills training
 - £121,663.89 towards end-user phase employment skills training

Planning Benefits

7.192 The scheme would provide significant public benefits including the provision of 92 residential units and 3 high quality B1(C) commercial units. Other notable benefits anticipated by the applicant include:

- An Employment and Skills Training programme during construction;
- A new north-south pedestrian and cycle link between Yeo Street and the Limehouse Cut;
- A new public realm area along the canal side;
- CIL contributions;
- Significant construction spend in the economy;
- Significant additional visitor spend into the local economy each year;
- Business rate receipts each year for the 3 commercial units;
- A carbon offsetting scheme which exceeds local targets to comply with the emerging 45% carbon emission reduction target in the new development plan.

8. Human Rights & Equalities

8.1 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.

8.2 The proposed provision of residential units meets inclusive design standards and over 10% of the new rooms would be wheelchair accessible and a total of 4 disabled car parking spaces provided. These standards would benefit future occupants, employees and visitors, including disabled people, elderly people and parents/carers with children.

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

9 RECOMMENDATION

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

9.2 Financial Obligations

- a. £38,080 towards construction phase employment skills training
- b. £121,683.89 towards end-user phase employment skills training
- c. £325,080 Carbon offsetting obligation

9.3 Non-Financial Obligations

a. Access to employment

- 20% local procurement
- 20% local labour in construction
- 2 end-user phase apprenticeships
- 3 construction phase apprenticeships

b. Transport

- Approval and implementation of Residential and Workplace Travel Plans
- Provision of 4 accessible bays
- Car Free Agreement

c. Housing

- 35% affordable housing provision

- d. Workspace
 - 10% affordable workspace
- e. Securing of the two public access areas

10. **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. Tree Removal Time Periods (Biodiversity)
5. External Lighting

Pre-commencement

6. Piling
7. Energy and efficiency standards
8. Air quality emission standards for boilers & CHP
9. Contaminated Land
10. Archaeological Written Scheme of Investigation
11. Bat Emergence Survey (Biodiversity)
12. Food Defence Strategy
13. Construction Environmental Management Plan and Construction Logistics Plan

Pre- Superstructure Works

14. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements
15. Play space details
16. Shopfront and Residential Entrance Details
17. Highway Improvement Works
18. SUDS
19. Secure By Design Standards
20. Details of external facing materials and architectural detailing
21. Biodiversity Mitigation and Enhancements
22. Details of cycle parking

Pre-occupation

23. Disabled Car Parking and Parking Management Plan
24. Delivery, Servicing and Waste Management Plan
25. Details of 10% Accessible Rooms
26. Secure by Design Accreditation
27. BREEAM Certificate
28. Noise Mitigation

Appendix 1 – List of drawings and documents

Drawings:

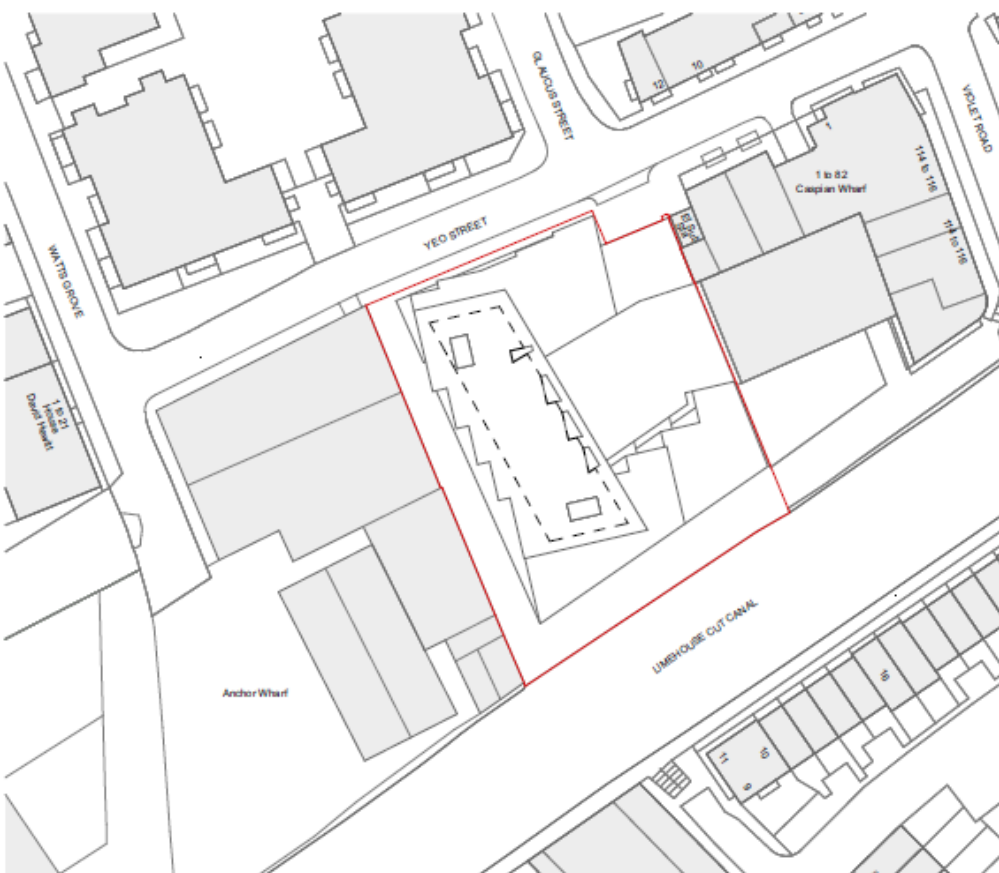
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Documents:

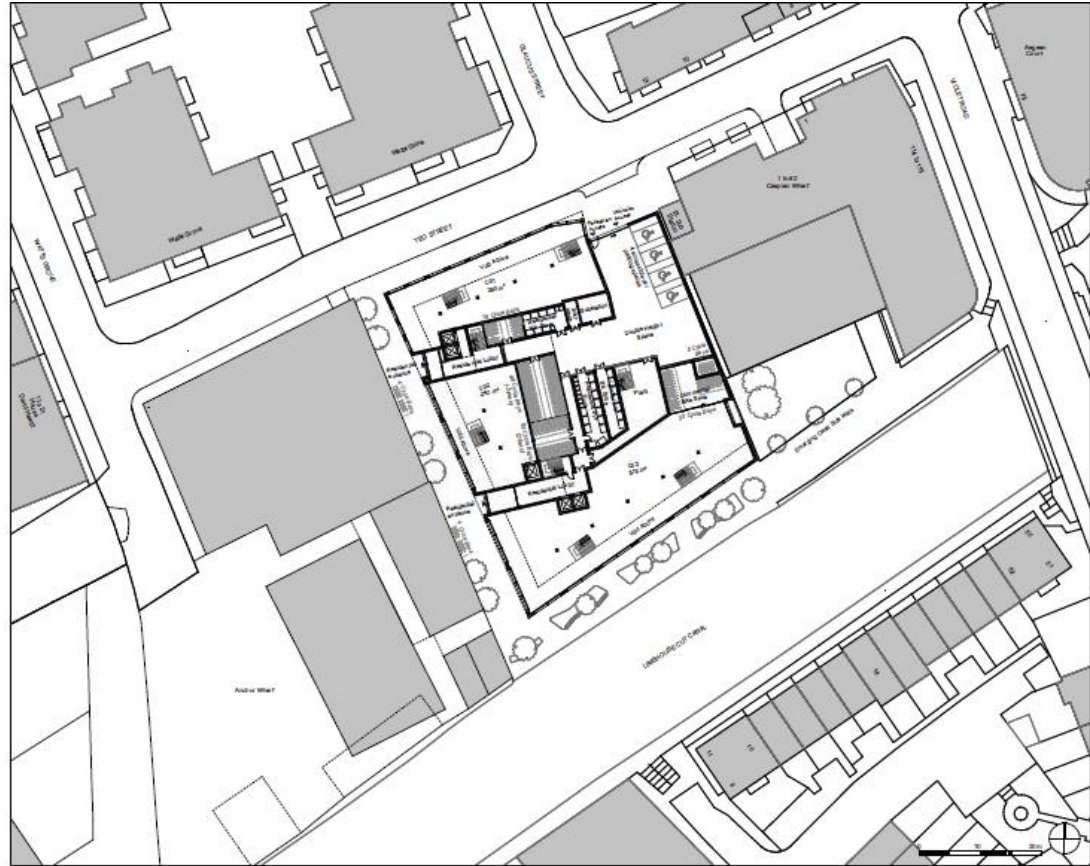
- Design & Access Statement – pH+ Architects (October 2019)
- Planning Statement – CMA Planning (October 2019)
- Air Quality Statement – XCO2 (October 2019)
- Energy Statement – XCO2 (October 2019)
- Foul Sewerage and Utilities Assessment – Chapmanbdsp (November 2019)
- Commercial Space Strategy – Belspiel (September 2019)
- Commercial Viability Assessment Report – Strettons (October 2019)
- Preliminary Risk Assessment and Appendices – Jomas Associates LTD (November 2018)
- Environmental Noise and Impact Assessment – XCO2 (October 2019)
- Interim Travel Plan – Transport Planning Practice (October 2019)
- Landscape Report – B:D Landscape Architects (October 2019)
- Outline Car Parking Management Plan – Transport Planning Practice (October 2019)
- Outline Delivery & Servicing Plan – Transport Planning Practice (October 2019)
- Preliminary Ecological Appraisal – MKA Ecology (October 2019)
- Preliminary Unexploded Ordnance (UXO) Threat Assessment (November 2018)
- Statement of Community Involvement – Thorncliffe (October 2019)
- Sustainability Statement – XCO2 (October 2019)
- Townscape, Visual Impact and Heritage Assessment – Peter Stewart Consultancy (October 2019)
- Waste Management Plan – Transport Planning Practice (October 2019)
- Transport Assessment – Transport Planning Practice (October 2019)
- Daylight & Sunlight Assessment – Robinsons Surveyors Limited (October 2019)
- Flood Risk Assessment and SUDS Strategy – XCO2 (October 2019)

Appendix 2 – Selected Plans and Elevations

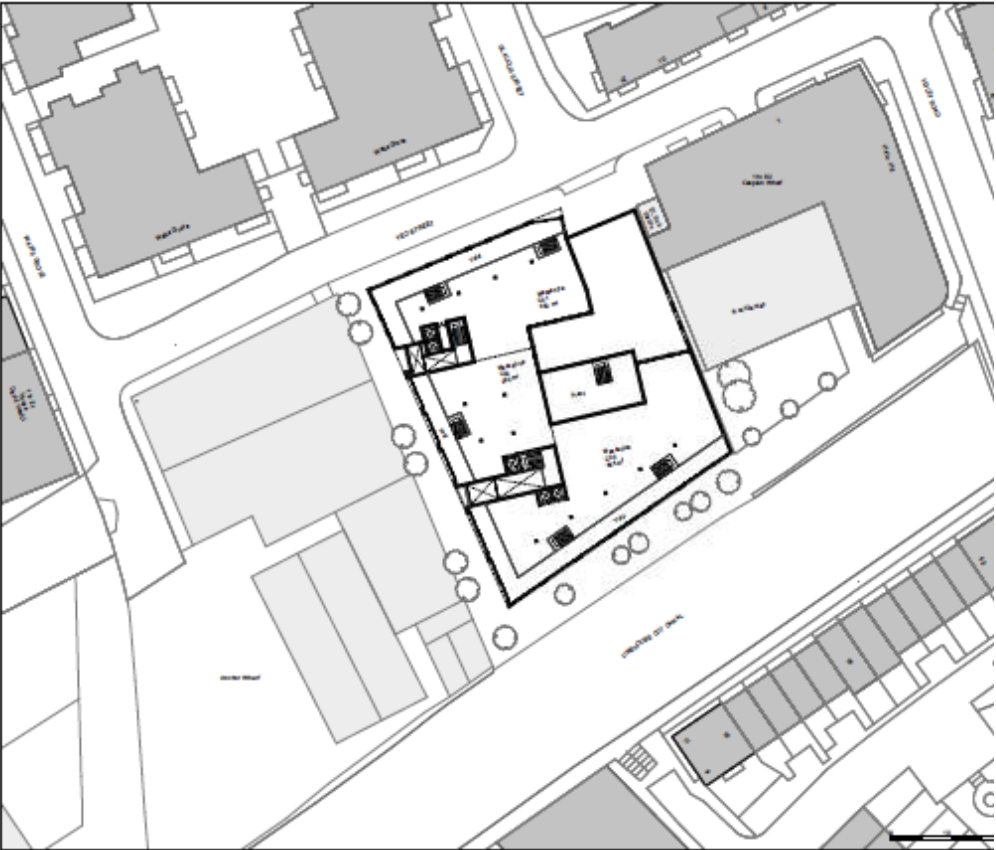
Site Location Plan:



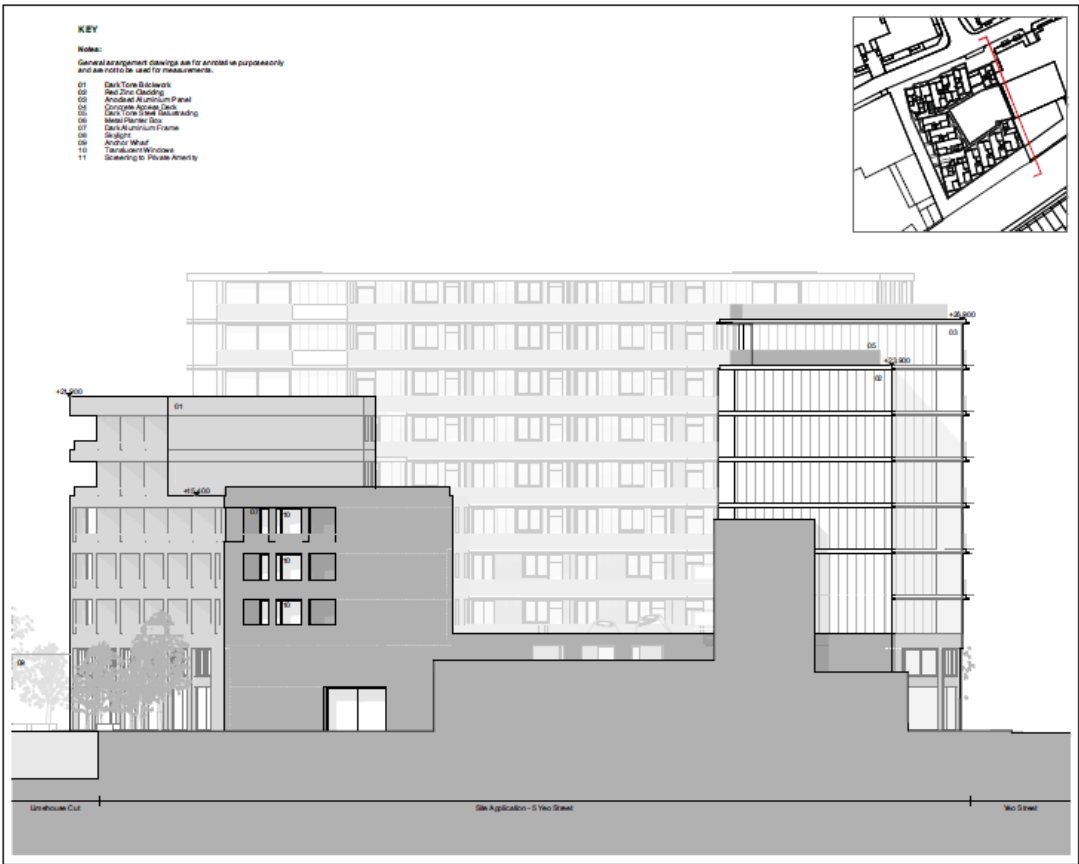
Ground Floor Plan:



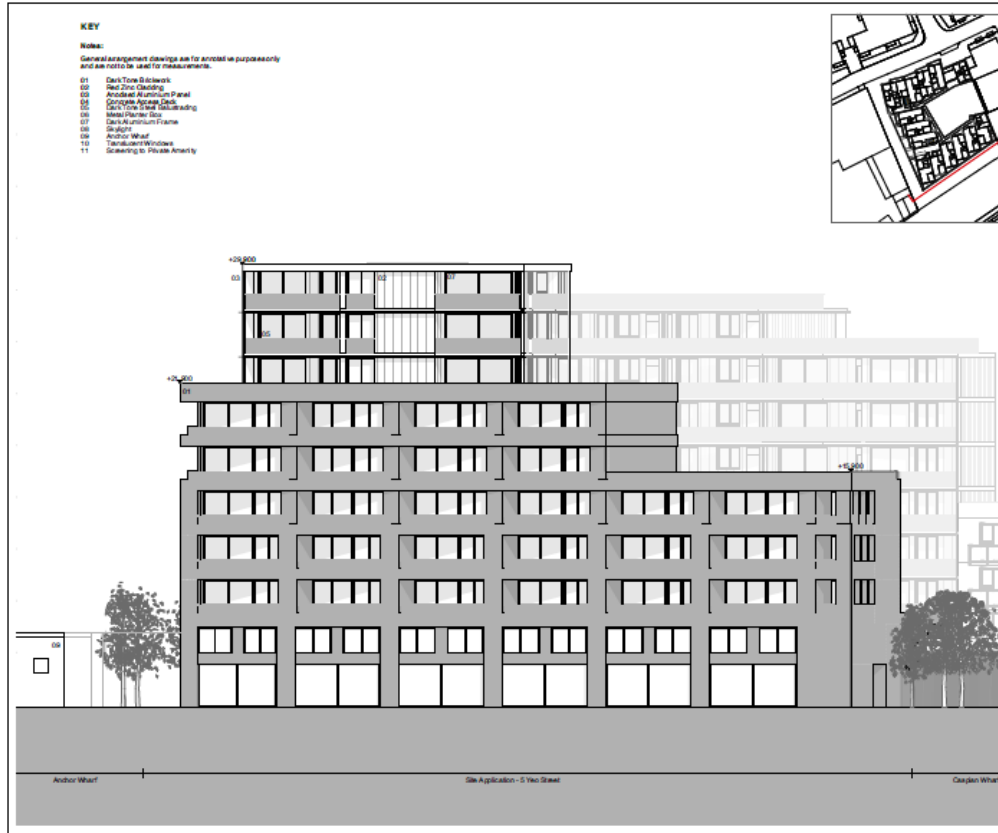
Mezzanine Level Floor Plan:



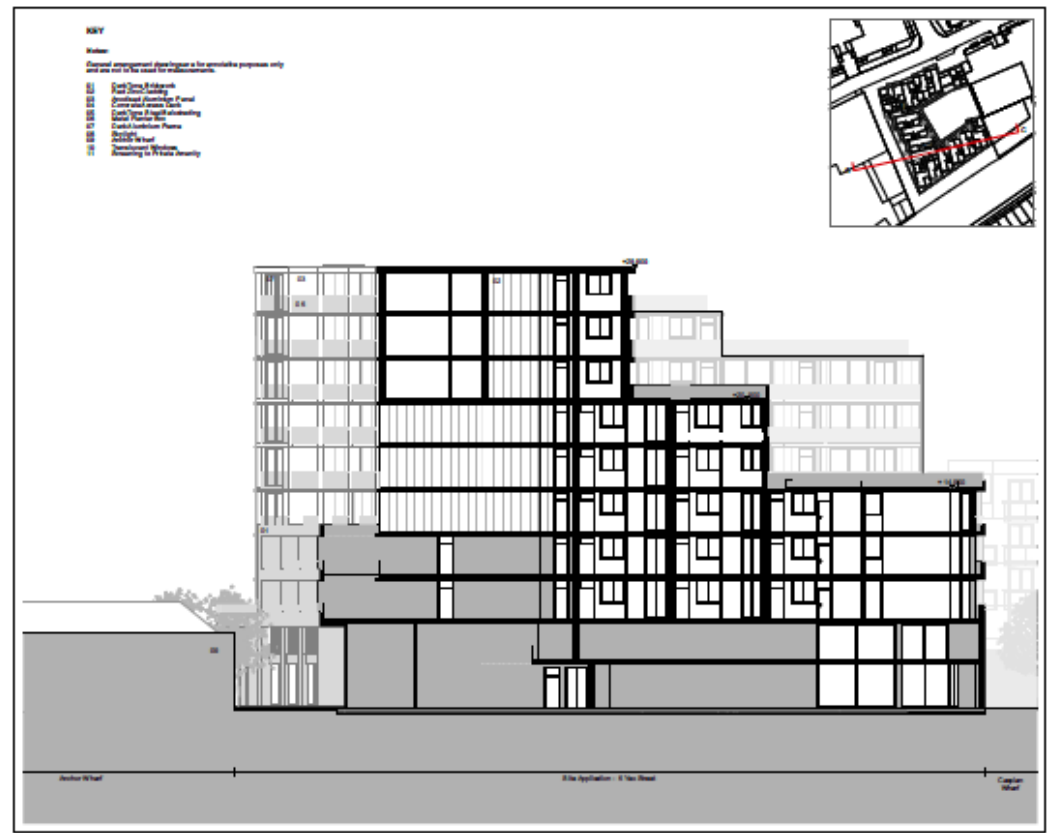
East Elevation:



South Elevation:



Section Plan:



Ground Floor Landscape Plan:



Roof Terraces Landscape Plan:



Preliminary Hard Landscaping Strategy

Hard Landscape Strategy

Illustrative Hard Landscape Plan



Preliminary Soft Landscaping Strategy

Soft Landscape Strategy

Illustrative Soft Landscape Plan

