



DEVELOPMENT COMMITTEE

[8th October 2020]

Report of the Corporate Director of Place

Classification: Unrestricted

Application for Planning Permission

[click here for case file](#)

| | |
|------------------|---|
| Reference | PA/20/00123 |
| Site | 13-15 Dod Street, London |
| Ward | Mile End |
| Proposal | Demolition of the existing office and job centre building. Erection of building of up to 8 storeys comprising 86 residential units (Use Class C3) with basement car parking, associated hard and soft landscaping and infrastructure works. |

Summary Recommendation Grant planning permission with conditions and planning obligations.

Applicant Telereal Investment Properties Limited

Architect/agent Collado Collins Architects/ Montague Evans

Case Officer Victoria Coelho

Key dates

- Application registered as valid on 17/01/2020
- Public consultation finished on 23/03/2020
- Affordable housing offer revised on 19/08/2020

EXECUTIVE SUMMARY

The proposed development comprises the erection of a residential building of two blocks, six storeys fronting Dod Street and 8 storey fronting the Limehouse Cut linked by a four storey block. The development would provide 86 residential units.

The existing building on site provides office accommodation associated with a Job Centre, the loss of which has been justified on the basis that the current office accommodation is unsuitable for continued employment use, and the benefits of the provision of residential accommodation in this location outweigh the benefits of continued employment use.

The scheme provides 29% affordable housing by habitable room, including a variety of unit typologies across both tenures. The accommodation is considered to be of a high standard, providing good floor to ceiling heights, internal spaces and private and communal amenity space. There are no northern single aspect units, and the units which are single aspect will benefit from views across the Limehouse Cut.

The height, massing and design are considered to appropriately respond to the local context. The building is considered to deliver high quality design which would positively contribute to the area, whilst preserving the character and appearance of the adjoining Limehouse Cut Conservation Area. The demolition of the existing, unattractive building and erection of a building of a greater quality will enhance the setting of the attractive warehouse buildings adjacent to the site. In addition, the scheme enhances the public realm and provides an enhanced and generous access to the Limehouse Cut.

The development would not have an unduly detrimental impact on the character and appearance of the Limehouse Cut (including the conservation area, flood risk and water quality or biodiversity subject to the securing of floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath, improvements to local signage and way finding through conditions and a legal agreement. The improvements to the pedestrian access to the Limehouse Cut are a significant benefit.

In terms of daylight and sunlight, the proposal does not result in any unacceptably significant material reductions to sunlight and daylight levels in reference of the BRE Guidance to existing properties, and provides good daylight and sunlight within the development.

Car and cycle parking and servicing are considered to be acceptable and submission of a Travel Plan and Servicing and Delivery Plan would be secured by conditions.

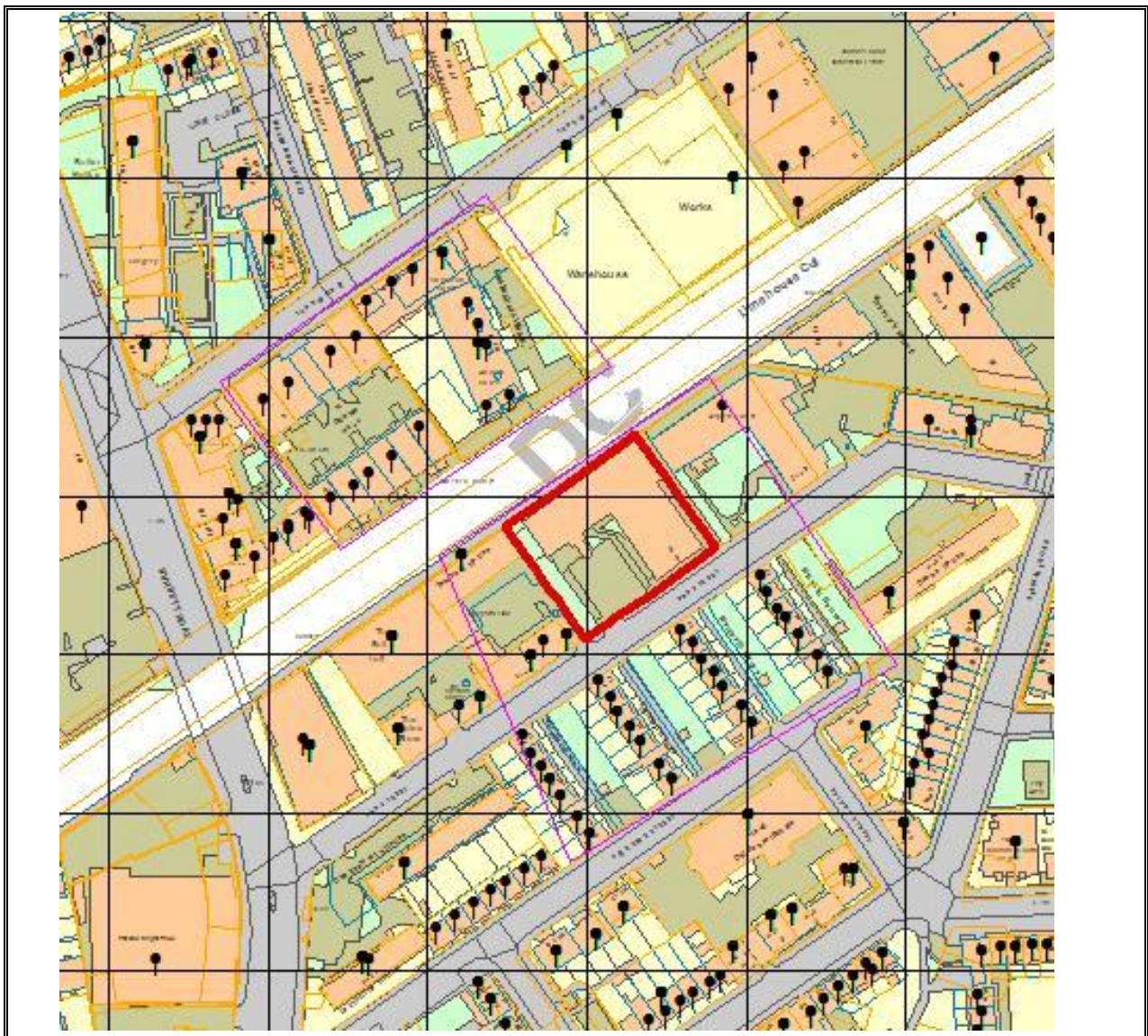
A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements. A carbon off setting contribution will be secured via a legal agreement.

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








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.

SITE PLAN



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|--|---|---|
| <ul style="list-style-type: none">  Planning Application Site Bound  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings | <p>Planning Applications Site Map PA/19/01760</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were</p> |  <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p> |
| | <p>Scale : 50m grid squares</p> | |

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises the Job Centre and commercial office building (Use Class B1) to the north side of Dod Street, bound to the north by the Limehouse Cut.
- 1.2 The site comprises two buildings, a single storey (double height) Job Centre building fronting Dod Street and a three storey office building adjacent to the Cut. It is understood that the Department for Work Pensions intend to vacate the site and relocate their services within the Borough.
- 1.3 The site is bound on three sides by the Limehouse Cut Conservation Area although does not form part of the designation. To the east of the site is a low rise later living home and to the west a number of attractive Victorian warehouse buildings.
- 1.4 The site is within the designations of; CIL Residential Zone 2; Flood Risk Zone 2 The site is adjacent to the Limehouse Cut which is designated as Metropolitan Open Land, a Site of Importance for Nature Conservation, part of the Limehouse Cut Conservation Area and as a main River. The flood defence associated with the Cut, runs along the northern boundary of the site.



Figure 1 Ariel view of the site.



Figure 2. Map of Conservation Area. Site in blue.

2. PROPOSAL

- 2.1 The proposals comprise the demolition of the existing building, and the erection of a residential development comprising 86 residential units. The building would be of two blocks, with a four storey link. The blocks would be of 6 storeys fronting Dod Street and 8 storeys fronting the Limehouse Cut. A landscaped courtyard will be provided within the site between the two blocks, as well as an improved pedestrian link from Dod Street to the Limehouse Cut and wider public realm improvements. The existing building benefits from a basement, which is to be retained.
- 2.2 The scheme will provide 23 affordable homes which represents a 29% affordable housing contribution by habitable room.

3. RELEVANT PLANNING HISTORY

3.1 PA/19/01935 – Prior Approval Granted 01/11/2019

Application for Prior Approval under Part 3 Class O of the Town and Country Planning (General Permitted Development Order) 2015 for the change of use from Offices (Use Class B1a) to 35 residential units (Use Class C3).

4. PUBLICITY AND ENGAGEMENT

4.1 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since mid 2019.

4.2 As detailed in the submitted Statement of Community Involvement (SCI), the applicant has engaged with neighbouring occupiers and stakeholders. Along side public exhibitions, the applicant has engaged directly with Aspen Court Care Home. The approach to community consultation is outlined in the SCI whereby letters were issued to residential properties, as well as a freephone telephone enquiry line and postal feedback.

4.3 Neighbouring owner/occupiers were notified by post, in total 135 letters were sent. Additional neighbour letters were sent on 24/02/2020 after comments were raised advising that properties within Burdett Wharf had not received notification of the application.

4.4 3 site notices were displayed in the immediate vicinity of the site on 29/01/2020 and a press advert published on 30/01/2020.

4.5 A total of 10 representations were received, from residents living in Ancora House, Coalmakers Wharf (Thomas Road), Chaldron Court (Thomas Road), Menteth House (Dod Street), Paisley Court (Dod Street) and Aspen Court Care Home. Objections have also been received from the Burdett Wharf Tenants and Residents Association.

4.6 In summary, the following issues were raised:

- The height of the development is not appropriate in terms of the Limehouse Cut Conservation Area. The development should not exceed 5 storeys which is the height of the neighbouring building.
- Amenity impacts on nearby residential developments, including loss of light as a result of the height of the development. In addition, the views that existing surrounding occupiers benefit from will be obscured.
- Amenity impacts on the adjoining later living home (Aspen Court Care Home) including insufficient separating distance between residential windows and amenity spaces, direct overlooking into the amenity spaces.
- The development does not provide enough separation from the canal or sufficient biodiversity improvements.
- Additional residential units will result in road traffic congestions and result in overpopulation which could not be supported by the existing infrastructure.
- Construction impacts, including disruption to residents from road/pavement blockage, restriction of the canal path during works, construction vehicles, parking pressures and noise.
- The development would lead to an increase in anti-social behaviour, which there is not the capacity to police, through creation of shadowed spaces.

- Electric Vehicle Chargers should be provided for all parking spaces to future proof the development.

4.7 It is noted that one comment received is generally in favour of increasing housing provision in London and that the redesign of the building from pre-application to reduce the height is well-received in terms of mitigating daylight and sunlight impacts.

4.8 A number of the responses received suggested that the scheme should provide further high quality landscaped public amenity space, services for existing residents such as cafes, health centres, sports facilities and a new footbridge across the canal.

5. CONSULTATION RESPONSES

EXTERNAL CONSULTEES

Canal and Rivers Trust

5.1 The Canal and Rivers Trust requested an assessment of the impact of the development on daylight and sunlight reaching the Limehouse Cut Canal, including it's towpath before they were able to provide a substantive response.

5.2 Officers requested the above from the applicant. This information was provided and the Canal and Rivers Trust reconsulted.

5.3 In response, the Canal and Rivers Trust require conditions and developers contributions to address the impact of the development on the character and appearance of the Limehouse Cut (including the Conservation Area), flood risk and water quality, biodiversity, construction and use of the Limehouse Cut as a sustainable transport route.

5.4 The contributions required include floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath and improvements to local signage and way finding.

5.5 Officers recommend the requests are secured by conditions and a S106 legal agreement.

Crime Prevention Design Advisor

5.6 A condition is recommended to require the development to achieve a Certificate of Compliance to a Secured by Design Scheme.

5.7 Officers recommend a condition to secure the above.

5.8 Environment Agency

5.9 The Environment Agency raised objection to the proposals as submitted on the following grounds:

- Encroachment; the building sits more than 1m riverward of the existing building which would restrict essential maintenance and emergency access to the flood defences.
- The proposals would have a structural dependence on the flood defence which is not acceptable.
- The applicant has failed to demonstrate the flood defence has a residual life equal or greater than that of the development.
- The applicant has failed to include details of how and when the flood defences are going to be raised to the TE2100 levels of 6.1m AOD to ensure that they will continue to protect the proposed development from flooding.

- A lack of information has been submitted on the proposed drainage strategy.

5.10 In response to the objections raised, the applicant has engaged with the Environment Agency to resolve their concerns. The basement level of the development has been set back from the flood defence to maintain the building line as existing, with the upper floors cantilevered over the flood defence whilst maintaining structural independence.

5.11 In terms of access and maintenance the Environment Agency are satisfied that with the provision of a setback at basement level, and the provision of double access doors within the basement that in the case of emergency, access could be provided to the flood defence for maintenance and repair.

5.12 With regards to the raising of the flood defence and its residual life, the applicant has submitted further information to demonstrate how the defence will be raised to the required levels and has made a commitment to carry out the required works.

5.13 Following reconsultation with the Environment Agency, they raise no objection to the proposals subject to conditions.

Historic England (Archaeology)

5.14 It is advised that the development could cause harm to archaeological remain and field evaluation is needed to determine appropriate mitigation. A two stage archaeological condition could provide an acceptable safeguard.

5.15 Officers recommend a condition to secure the submission of a written scheme of investigation prior to an demolition and if heritage assets of archaeological interest are identified, the submission of a further written scheme of investigation.

Port of London Authority

5.16 The Port of London Authority raise no in principle objection to the development. It is requested that a Construction Logistics Plan and Delivery Servicing Plan are secured by condition which shoe consideration of the use of nearby waterways, and should maximise water transport for bulk materials during demolition and construction phases.

Officers recommend a condition to secure details of the above.

Thames Water

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

5.18 Officers recommend a condition to secure details of the above.

Transport for London

5.19 The proposals to widen and improve the quality of the public footpath from Dod Street to the Limehouse Cut are welcomed.

5.20 The development is largely car-free with the exception of 9No. Blue Badge Spaces within the basement. This is within the London Plan standards. The quantum of long and short stay cycle parking complies with the London Plan policies. Further information is required in regards to the exact dimensions of the cycle parking spaces. The access arrangements for long-stay cycle parking require sharing access with blue badge and delivery vehicles and appear convoluted requiring navigation of more than two sets of doors to access the internal lift and external exit. Long stay cycle parking arrangements should therefore be reconsidered.

- 5.21 A delivery and servicing plan and construction logistics plan should be secured prior to commencement of works on site.
- 5.22 A travel plan should be secured by condition to support sustainable and active travel.
- 5.23 Officers recommend a condition to secure further cycle parking details, a delivery and servicing plan and construction logistics plan and a travel plan.

INTERNAL CONSULTEES

LBTH Air Quality

- 5.24 The air quality assessment should contain an air quality neutral assessment, at the moment it doesn't. Major developments must demonstrate neutrality according to the relevant approved methodology published by the Mayor which supports the London Plan 'Air Quality Neutral Planning Support Update: GLA 80371' (2014) (or any more recent guidance)
- 5.25 There is no objection to the application subject to receiving an updated AQ report which includes an acceptable air quality neutral assessment. Construction plant and machinery and dust control measures should be secured via condition.
- 5.26 Officer recommend that an air quality neutral assessment is secured by condition, as well as construction plant and machinery and dust control details.

LBTH Biodiversity

- 5.27 Biodiversity requested, in addition to the desk based ecology assessment submitted, a proper preliminary ecological assessment including an assessment of the potential for the existing building to support bat roosts, before the application is determined. This was due to the sites location adjacent to the Limehouse Cut, which is known to be used by commuting and foraging bats.
- 5.28 The ecological assessment found negligible potential for bat roosts in the existing buildings. The application site is immediately adjacent to the Limehouse Cut. The canals in the borough are known to be used by foraging and commuting bats. Any significant increase in light spill onto the canal could have adverse impacts on bats, but no external lighting is proposed along the edge of the site nearest the canal. The loss of existing vegetation will be a very minor adverse impact on biodiversity.
- 5.29 Officers recommend that details of further biodiversity enhancements are secured via condition.

LBTH Employment and Enterprise

- 5.30 Proposed employment/enterprise contributions at construction phase:
The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The Economic Development Service will support the developer in achieving this target through providing suitable candidates through the Workpath Job Brokerage Service.

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 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 £31,372 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 provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.

Proposed employment/enterprise contributions at end-use phase:

There is no end use obligations

LBTH Energy Efficiency/Sustainability

- 5.31 The submitted Energy Statement (Cudd Bentley – December 2019) sets out the proposals to reduce energy demand through energy efficiency measures and renewable energy technologies (including 29.24kWp Photovoltaic array and Air Source Heat Pumps) and deliver the following CO2 emissions:

Baseline – 88.21 tonnes CO2 per annum

Proposed Scheme – 40.30 tonnes CO2 per annum

The total on-site site wide CO2 emission reduction is anticipated to be 54.31% against the building regulation baseline utilising SAP 10 carbon factors.

The proposals are for a 47.90 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £114,855 to offset the remaining 40.30 tonnes CO2 and achieve net zero carbon. It is recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate 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.

Officers recommend a condition to require the submission of a post construction energy assessment. A carbon offsetting payment will be secured through the S106 legal agreement.

LBTH Environmental Health (Contaminated Land)

- 5.32 Contaminated officers raise no objection, subject to standard conditions.
- 5.33 The recommended conditions will be imposed on consent.

LBTH Environmental Health (Noise)

- 5.34 The acoustic report that has been submitted is satisfactory. A condition is recommended to require the submission of sound insulation and ventilation strategy prior to commencement of the development and a compliance condition to ensure that any services, plant or equipment are a level at least 10 dB below the lowest representative existing background noise level.

5.35

LBTH Housing

- 5.36 LBTH Housing initially commented on the application and stated that the applicant is proposing 86 residential units and 16 affordable housing units which equates to 21% by habitable room. All affordable units (ref. Financial Viability Appraisal (FVA) and Planning Statement para 5.49) are proposed as intermediate shared ownership housing. We understand the applicant has submitted a FVA and we await the assessment outcome from

our (LBTH) viability team to ensure that the quantum of affordable housing proposed on this site is reasonably maximised.

Affordable rented

- 5.37 There are no affordable rented units within this scheme. The policy requirement is 1B (25%), 2B (30%), 3B (30%) and 4B (15%). We will await the outcome of the FVA.

Intermediate

- 5.38 The applicant is proposing 16 intermediate shared ownership units. The breakdown of the proposed unit mix is 1B2P 5no (31%), 2B4P 9no (56%) and 3B5P 2no (13%). The policy requirement is 1B (15%), 2B (40%), 3B+ (45%). We will await the outcome of the FVA.

Market

- 5.39 With regard to the market housing mix the applicant is providing 1B 37no (53%), 2B 33no (47%) and 3B+ 0no. The applicant does not meet policy which is 1B (30%), 2B (50%) and 3B+ (20%).

Wheelchair units

- 5.40 The policy requirement for wheelchair housing is 10%. The development is proposing 86 units and 10% of this total is 8.6. As outlined in the FVA the applicant is providing 8 wheelchair accessible units.
- 5.41 Please can the applicant provide:
- Tenure type floorplans
 - Wheelchair unit schedule and for each unit to clearly show the tenure type and is it is fully accessible as per Part M4(3)
- 5.42 We're unable to support this application and will await feedback of the FVA assessment. We need to understand the reason regarding the lack of affordable rented units and the unbalanced unit mix proposed across all tenures.

LBTH Transportation & Highways

Car Parking

- 5.43 Further details are required for the proposed car park including dimensions of bays and width/gradient of access ramp, how it will be managed and how servicing vehicles will access for deliveries. A condition will be required ensuring that all parking associated with this development will be restricted for the use of Blue badge holders who are resident within the development.

Servicing

- 5.44 Further details required in terms of servicing and how delivered will be able to take place from the basement.

Cycle Parking

- 5.45 The proposed cycle parking numbers marginally exceeds the minimum standards. The application proposes 5 Sheffield stands (for up to 10 cycles), whilst this is welcomed, LBTH

Highways would wish to see a greater provision to ensure that adapted / larger cycles can be accommodated. This is in order to promote inclusivity.

- 5.46 Detailed, scale drawings are required showing all of the cycle storage types and locking mechanisms. Detailed information of the cycling strategy is required, this will need to include (but not limited to):
- What is the access route to the residential core(s) from the cycle stores?
 - What is the access arrangement to the cycle stores - from the public highway? Including door widths, corridor widths, lift dimensions, etc...
- 5.47 All cycle parking provision must adhere to the London Design Guide Standards.

Highway Issues and Other

- 5.48 The crossover as shown on both the existing and proposed plans is incorrect. It shows that there is a shared access with the neighbouring property on the west of the site.
- 5.49 Additionally, the existing crossover would need to be reduced in width if the only vehicle access is to the basement. This will form part of a S278 agreement along with other potential works.
- 5.50 As this is proposed to be a car free development we request that a CPZ permit free agreement is secured via S106 (or other legal means as determined by the case officer).
- 5.51 A full and robust Construction Management Plan is required to be secured via condition. This will need to be submitted to LBTH prior to commencement of ANY works but once a Principal Contractor has been appointed. All phases of demolition and construction will need to be considered and detailed.
- 5.52 A framework Serving strategy is required now and a full Site Management Plan will be required as a condition.

LBTH Waste

Bin Stores

- 5.53 The bin store is required to be designed in accordance with the latest British Standard BS5906 and Waste management in buildings – Code of practice and Building Regulations 2000, Part H6.
- 5.54 Ensuring the bin store is large enough to store all containers with at least 150mm distance between each container and that the width of the door is large enough with catches or stays. The bin store must also be step free.

Waste Capacity

- 5.55 The applicant is required to provide details of the waste capacity required for this proposed development per each waste stream.

Waste Collection Service

- 5.57 The applicant is required to provide information where the waste collections vehicle will park to load and unload this proposed development. Currently there are residential bays outside this proposed development.

Dropped Kerb

- 5.58 The applicant is required to provide dropped kerb minimum 1.2 meters wide at the locations of where the waste collection vehicles will service the waste in the case where there are stepped surfaces or no existing dropped kerb.

Internal Storage

- 5.59 All residential units are required to be provided with internal waste storage preferably within the kitchen units with the following capacity:

Refuse – 40 litres

Recycling – 40 litres

Food waste – 23 litres

- 5.60 Waste Policy and Development requires the above point to be addressed before we can be supportive of the application.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Local Plan 2031

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

6.4

Housing - (*standard of accommodation, amenity, playspace*)

- Local Plan policies – S.H1, D.H2, D.H3
- London Plan policies – LP3.3-9, LP3.10-13, LP3.14-15

Land Use - (*residential, loss of office*)

- Local Plan policies - S.SG1, D.EMP3
- London Plan policies – LP3.14, LP4.2

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

- Local Plan policies - S.DH1, D.H2, S.DH3, D.DH4, D.DH6
- London Plan policies – LP7.1 - 7.8

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

- Local Plan policies - D.DH8
- London Plan policies – LP7.6, LP 7.14, LP7.15

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

- Local Plan policies - S.TR1, D.TR2, D.TR3 D.TR4
- London Plan policies – LP 6.1, LP6.3, LP6.5- LP6.13

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

- Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES7, D.ES2, D.ES9, D.ES3, D.ES4, D.ES5, D.ES7, D.ES8
- London Plan policies – LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21,

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LP Draft New London Plan (2018)
- Historic England Heritage Supplementary Guidance (Various)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2016)
- Limehouse Cut Conservation Area Character Appraisal and Management Guidelines (2011)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

7.1 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29.

Redevelopment of existing employment floorspace

7.2 The existing site comprises a B1 use, and as such is defined as an employment use. Local Plan Policy D.EMP3 resist the loss of active and viable employment floor space. The site is not within a designated employment location and as such part 2 of the policy is relevant.

7.3 The policy states that development should not result in the loss of viable employment floorspace except where active marketing over a continuous period of 24 months has been provided, or where it has been demonstrated that the site is genuinely unsuitable for continued employment use due to its condition, reasonable options for restoring the site to employment use are unviable and the benefits of the alternative use would outweigh the benefits of employment use.

7.4 The office buildings on site are currently occupied by the Job Centre Plus and the Department for Work and Pensions. The current occupiers are due to vacate the site and relocate their services to Mansell Street, E1. The applicant has not provided any marketing evidence however a report has been undertaken to evaluate the existing condition of the office accommodation. The report concludes that in its current state, the office accommodation is unsuitable compromised office space, and this is further compounded by its location within a predominately residential area, and by comparison to other office accommodation within the borough, the low levels of public transport accessibility.

7.5 The conclusion of the report submitted demonstrates that the existing building is not desirable or viable for continued employment use, consistent with the requirements of policy D.EMP3. The benefits of the alternative use of the site for housing, and given the site is not located within an employment location, outweighs the loss of the office floorspace in this instance. The loss of the office use is acceptable in this instance, and complies with the relevant policies as mentioned.

Housing

- 7.6 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29.

Housing Mix

- 7.7 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. Policy D.H2, as detailed in the above section, also seeks to secure a mixture of small and large housing and Policy D.H3. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017).
- 7.8 The table below details the overall proposed mix of the scheme:

| Tenure | 1-bed (2 hab room) | 2-bed (3-hab room) | 3-bed (4 hab room) | 4-bed | Total |
|---------------------|-----------------------|-----------------------|-----------------------|-------|-----------|
| Market | 33 | 30 | 0 | 0 | 63 |
| Affordable | 5 | 9 | 2 | 0 | 16 |
| Intermediate | 4 | 3 | 0 | 0 | 7 |
| Total | 42 (48.84%) | 42 (48.84%) | 12(13.95%) | 0 | 86 |

Affordable Housing

- 7.9 The London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and provides that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period which can be expressed in absolute terms or as a percentage.
- 7.10 Draft New London Plan Policy H6 outlines the threshold approach to affordable housing for housing schemes greater than 10 units. The policy sets the threshold level of affordable housing at 35%. Applications not meeting the 35% threshold are not eligible for the Fast Track Route, and will be viability tested with early and late stage reviews secured by way of legal agreement subsequent to consent.
- 7.11 Council Local Plan Policy D.H2 sets the requirements of affordable housing provision within developments in the Borough, in terms of quantum, standard and provision. Development within the Borough is required to provide 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units within this offering.
- 7.12 The application provides the following contribution towards affordable housing on the site, across both intermediate (shared ownership) and affordable rented products:

| Tenure | 1-bed (2 hab room) | 2-bed (3 hab room) | 3-bed (4 hab room) | Total |
|------------------------|--------------------|--------------------|--------------------|------------------|
| Affordable Rent | 5 (10hr) | 9 (27hr) | 2 (8hr) | 16 (45hr) |

| | | | | |
|---------------------|----------|-----------|----------|---------------|
| Intermediate | 4 (8hr) | 3 (9hr) | 0 | 7 (17) |
| Total | 9 | 12 | 2 | 23 |

- 7.13 Of the total 86 units within the scheme, 23 are affordable, with an overall affordable housing contribution of 29% by habitable room at a tenure split of 73:27 in favour of affordable rent. The scheme falls short of the overall contribution required to meet the policy test of 35% of Policy D.H2 while falling marginally short in the tenure split of 70:30 as outlined within the same policy. In addition, the scheme falls short of draft New London Plan policy H6 also requiring 35% affordable housing. As such, the scheme requires the undertaking of a Financial Viability Appraisal on submission to meet both policy tests.
- 7.14 In considering the affordable housing mix, the applicant has submitted financial viability appraisals of the scheme in line with the above London and Local Plan policies due to its non-compliant provision of 29% affordable housing and failure to deliver a policy compliant mix.
- 7.15 The submitted Financial Viability Appraisal (FVA) prepared by Montagu Evans, and independently reviewed by BNP Paribas post-submission, concluded that the affordable housing provision of 19% together with a surplus of £0.29m for payment in-lieu was the viable position for the proposed development. However, the affordable housing proposal did not include any affordable rented units which was of concern. Officers did not support the proposed affordable housing provision of this level which is significantly lower than the required minimum of 35% and was considered not to have maximised the affordable housing on site.
- 7.16 In response, the applicant has taken a commercial decision to increase their affordable housing provision from 21% by hab room to 29% by hab room. In addition, the number of affordable rented units proposed has increased from 0, to 16. Given the viability constraints, officers consider that the proposed affordable housing is the maximum reasonable level the development can provide. Furthermore, an early stage viability review will be secured to ensure t that should there be any uplift in value, the maximum reasonable amount of affordable housing provision can be secured.
- 7.17 Part 3 of D.H2 sets out the expected housing mix within the three residential tenures expected within large scale developments, as detailed below. This policy seeks to ensure a mixture of small and large housing types, including family homes, based on the Council's most up to date Strategic Housing Market Assessment (2017).

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

Figure 3 : Housing mix targets (Policy D.H2)

7.18 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 |
|------------------------|---------|---------|---------|--------|-----------|
| Affordable Rent | 5 (30%) | 9 (56%) | 2 (12%) | 0 (0%) | 16 |
| | +5% | +26% | -18% | -15% | |
| Intermediate | 4 (57%) | 3 (42%) | 0 (0%) | | 7 |
| | -42% | +2% | -45% | | |

7.19 The development does not represent a compliant housing mix across both tenures. Within the affordable rented product, there has been a considerable overprovision 2 bedrooms units, with an under provision of larger family sized units. In contrast, the intermediate product significantly under provides on 1 bedroom units, and no family sized units are provided in this tenure. It is however noted that the revised affordable housing offer represents a 73:27 ratio skewed towards affordable rented units, considerably closer to the policy split of 70:30 outlined in Policy D.H2 when compared with the initial offer supported by the FVA that proposed no affordable rented units. Furthermore, the prioritisation of larger family units, including a wheelchair unit in the affordable rented tenure is particularly favourable.

Wheelchair Accessible Housing

7.20 Policy 3.8 of the London Plan and Policy D.H3 require that 10% of all new housing is designed to meet housing standard M4(3) for wheelchair accessibility, with the remainder of dwelling built to be accessible and adaptable dwellings in line with housing standard M4(2). 9 wheelchair accessible homes are proposed which amounts to approximately 10% of the total units. Of this total, 3 are delivered within the affordable housing and the remaining 6 are within the market units.

7.21 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Nine secure disabled accessible car parking spaces would be provided within the existing basement which is accessed from Dod Street.

Quality of Residential Accommodation

7.22 GLA's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is "*fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime*". The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.

7.23 Policy D.H3 of the Tower Hamlets Local Plan require that all new residential units must meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The policy also highlights the requirement that affordable housing not be of a distinguishable difference in quality.

- 7.24 All of the proposed units meet the London Plan Space Standards with a number exceeding the minimum requirements. All units have appropriate floor-to-ceiling heights in line with the 2.5m standard outlined within the GLA's Housing SPG. No floor would have more than 8 units per core, again in accordance with the SPG.
- 7.25 With regard to the affordable housing, all of the units meet the London Plan standards and is indistinguishable in both access and arrangement to that of the market housing.
- 7.26 As confirmed by Environmental Health Officers, the new residential units will not be subjected to unacceptable noise or air quality conditions. Conditions will be placed on consent to ensure that new accommodation is constructed to appropriate British Standards with regard to acoustic insulation, while a further submission with regards to an air quality assessment submission will be conditioned on consent.

Daylight, Sunlight & Overshadowing

- 7.27 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).
- 7.28 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.
- 7.29 The applicant has submitted a Daylight and Sunlight Assessment of the scheme, undertaken by Consil, in support of the application. The Assessment has been independently reviewed on behalf of the Council.

Daylight

- 7.30 Of the proposed 222 rooms assessed, 184 (83%) will meet the recommended BRE guidelines for average daylight factor (ADF). All 132 bedrooms within the scheme would meet the 1% target value. 3 of the 4 (75%) living rooms tested would meet the 1.5% target value. 2 of the 4 (50%) kitchens and 47 of the 82 (57%) LKDs tested would meet the 2% target value. If we take the lower target value of 1.5% for LKDs, 64 (78%) would comply.
- 7.31 Where the recommended ADF target values are not met, the rooms are commonly located behind recessed balconies or have overhanging balconies above, both of which hinder the access of light. This is particularly true of room R7 on the first floor and room R6 on the second floor, both LKDs, which have the lowest ADF values at 0.38% and 0.53% respectively.
- 7.32
- 7.33 In addition, where a room does fall below the guidelines, other rooms within the unit generally meet or exceed their recommended target value.
- 7.34 On balance, the daylight results to the proposed units to be in line with a proposed scheme of this size and in an urban location such as this.

Sunlight

- 7.35 The report submitted by the applicant has tested all windows for sunlight, regardless of orientation. Of the 222 rooms that have been tested, 83 (37%) will comply with the BRE

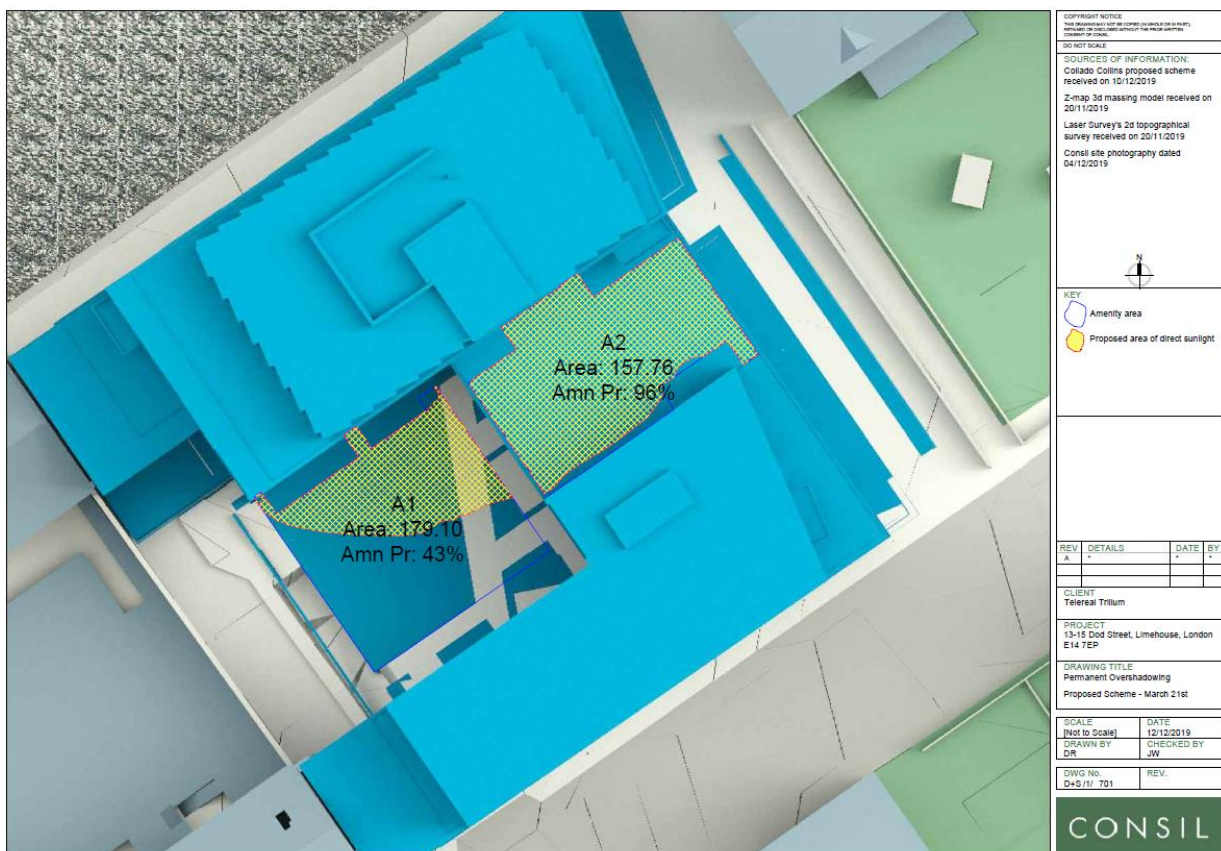
guidelines for APSH and 102 (46%) will receive the recommended 5% during the winter months. All 4 living rooms would meet the guidelines.

7.36 Of the 139 rooms that do not comply for APSH, 80 are bedrooms, 57 are living/kitchen/diners and 2 are kitchen/diners. The rooms that do not meet the guidelines have windows that are typically northeast or north-west facing and/or are set behind recessed balconies. This means that rooms will receive little or no sunlight in some cases, however the transgressions are balanced against the quality of the private amenity space that it provided. Where rooms do face 90° of due south the sunlight results are generally good.

7.37 On balance, taking in to account the amenity space provision, the sunlight levels received by the residential units are acceptable and would provide a reasonable standard of accommodation in this regard.

7.38 *Overshadowing/Amenity Spaces*

7.39 The overshadowing results demonstrate that on 21 March amenity area A2 would fully comply with the recommended 2 hours of sun to 50% of its area. Amenity area A1 falls below at 43%. The below image shows the location of the amenity spaces, with area A1 located at ground floor level within the central courtyard and A2 located on the roof of the four storey link,



7.40 Consil have carried out an additional overshadowing assessment on 21 June to demonstrate the maximum sunlight achievable in summer.

7.41 This demonstrates that both amenity areas would receive 2 hours of sun to 100% of their area. On balance, and considering the proposed units also benefit from private amenity in the form of balconies, it is considered that the sunlight to the proposed communal amenity spaces to be acceptable.

Communal Amenity Space & Play Space

7.42 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 proposal provides private amenity space, in the form of balconies and terraces to all of the flats would comply with the above quantitative standards.

7.43 Part 5c and d of D.H3 requires communal amenity space and child play space for all developments with ten or more units. The communal amenity space requirement for this development is 126sqm. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.

7.44 The development proposes a total quantum of 399sqm of communal amenity space and child play space combined in the form of a landscaped areas with a courtyard in the centre of the site between the two residential blocks and a roof terrace to the link building. The quantum of the provision would comply with the minimum requirement.

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

| Age Group | Quantity | Area Required (sqm) |
|---------------|--------------------|---------------------|
| Years 0 – 4 | 10 | 100 |
| Years 5 – 11 | 7 | 70 |
| Years 12 – 18 | 4 | 40 |
| Total | 21 children | 210sqm |

7.46 As detailed above the development is predicted to yield 20 children and therefore 210sqm of child play space is required, split across the different age groups set out in the GLA’s Play and Informal Recreation SPG (2012).

7.47 In total, the development provides 399sqm of communal landscapes areas, in which the required play space will be accommodated. It is envisaged that the play provision would be provided on the central courtyard and as such it is recommended that full details of the play spaces are secured via condition.

7.48 It is also noted that the site is within 75m of Bartlett Park, and 800m of Mile End Park, which provide an additional off-site provision of play space for those in the 12+ age range.



Figure 4 : Ariel view including communal amenity space

Design & Heritage

- 7.49 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.50 Policy S.DH3 of the Local Plan (2020), policy 7.8 of the London Plan (2016) and policy HC1 of the New Draft London Plan (2019) require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 7.51 The site is located at the north of Dod Street, and is immediately adjacent to the Limehouse Cut Conservation area on its other three sides. Limehouse Cut is immediately adjacent to the north. There is a pedestrian link to the east of the site between Dod Street and Limehouse Cut. To the west is a fine three-and-half-storey high-ceiling brick warehouse.
- 7.52 The buildings along Dod Street are predominantly three to six storeys high, with two six-storey blocks at both ends of the street, stepping down to three- or four-storey buildings immediately adjacent to the site. The existing buildings opposite Dod Street have flank or poorly defined frontage. Therefore, it is supported that development on this site should reinstate street frontage and reinforce street activity.

Heritage and Conservation

- 7.53 Although not within a Conservation Area, the site is bound on three sides by the Limehouse Cut Conservation Area. Due regard is given to the relationship between the proposed

development and the setting of the Conservation Area given the Conservation Area boundary runs along the north, east and west boundaries.

- 7.54 Of particular note is the widening and improvement of the pedestrian link which forms part of the Conservation Area. The Conservation Area Appraisal notes that 'where new development is proposed, proper consideration should be given to the opportunities to frame the waterspace, central to the character of the Conservation Area, and optimise views of it. This element of the scheme will enhance the character and appearance of then Conservation Area'.

Layout

- 7.55 The ground floor layout provides one main entrance lobby facing Dod Street and another entrance facing the widened publicly accessible pedestrian link at the east side, which is fully supported.
- 7.56 The Design and Conservation Officer raises concerns with regards to the two ground floor units facing Dod Street which are considered to be overly exposed as no defensible space is provided. This is due to reasons driven by the continuity of building lines along the streetscape and the relationship with the adjacent buildings.
- 7.57 It is recommended that details are secured via condition regarding how the boundary treatment is provided to mitigate the privacy issues for the ground floor windows facing Dod Street and for the private amenity arranged along the widened public pedestrian link.

Townscape, Massing and Heights

- 7.58 The scheme proposes a c-shaped layout with a communal courtyard and a significant set back from the eastern boundary to provide a more generous and inviting pedestrian pathway linking Dod Street and Limehouse Cut. It has two taller volumes, facing Dod Street and Limehouse Cut respectively, which are connected by additional lower volumes which provides a coherent height to the immediately adjacent warehouse to the east.
- 7.59 On the canal side, there are two towers (of nine storeys and eleven storeys respectively) at the junction of the canal and the main road, Burdett Road. On the same side (south) of the canal adjacent to the development site, the buildings are predominantly two to four storeys stepping up to a seven storey building at the corner turning which leads to Stainsby Road. On the north side of the canal, the building heights are varied, from four-storeys to new developments featuring a seven-storey flank facade with an additional set-back floor on top.
- 7.60 The proposed massing and heights of 8 storeys to the Limehouse Cut and 6 storeys to Dod Street are considered to be appropriate for the site context. While the proposed heights of the two taller volumes are slightly more prominent than the adjacent rooflines of the streetscape, they are justified as a prominent corner by providing a generous and inviting pedestrian link from Dod Street to the canal side. To Dod Street the scheme relates well to the immediately adjacent warehouse, to provide a coherent roofline, which strengthens the harmonious streetscape, and also respects the hierarchy of stepped down building heights.



Figure 5 : Ariel view

Appearance & Materials

- 7.61 The proposed elevation design applies an approach that incorporates a grid frame with a recessed infill of brickwork, in addition to the arch features facing Dod Street. The concept of which is supported by the Design and Conservation Officer in principle. The special featuring of arches to the Dod Street elevation that respond to the adjacent warehouse is welcomed.
- 7.62 Full details regarding the composition, proportion and sub-division of the grid, infill brickwork, arch and opening elements, will be conditioned, in order to clarify their relationships in terms of architectural articulations and visual effects, including 'robustness' or 'depth', recess, window reveal, sub-division, gap and change of materials.
- 7.63 In order to ensure that the top floor set back level does not appear crude and industrial, full details of the proposed materials, including details of the design features including the metal cladding and 'wave' will be secured via condition.



Figure 6 – Dod Street approach (East)

Landscaping & Public Realm

- 7.64 As reference above, the proposals include significant improvements to the existing pedestrian link between Dod Street and the Limehouse Cut. The building line of the proposed development is set back from the existing building line and boundary with the link to provide a greater area of space which in turn opens up the pathway. The below images demonstrate how views to and from the Limehouse Cut will be improved.
- 7.65 Full details of hard and soft landscaping within the development will be secured by condition, as well as a number of improvements to the Limehouse Cut including signage and wayfinding for pedestrians to further ensure that the development contributes to the character and appearance of the Limehouse Cut Conservation Area.



Figure 7 – Dod Street to Limehouse Cut Pedestrian Link (Dod Street)



Figure 8 – Dod Street to Limehouse Cut Pedestrian Link (Limehouse Cut)

Archaeology

7.66 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. Although the site does not lie within an Archaeological Priority

Area but virtue of the size of the scheme it has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

- 7.67 GLAAS have identified that remains of eighteenth and nineteenth century industry that developed along the Limehouse Cut may be preserved at the site. Early mapping shows that the area was occupied by rope walkers and later a cabinet makers. The underlying geology of Kempton Park Gravels and Langley Silts has a high potential for early prehistoric remains.
- 7.68 GLASS consider that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. It is concluded that given the nature of the development, and that the basement is existing, and the constraints of the site, a condition could provide an acceptable safeguard.
- 7.69 A condition is recommended to secure firstly, evaluation to clarify the nature and extent of surviving remains, following by, if necessary, a full investigation.

Neighbour Amenity

- 7.70 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions through policy D.DH8 of the Tower Hamlets Local Plan.

Daylight and Sunlight

- 7.71 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011)
- 7.72 The submitted daylight/sunlight assessment does not set significance criteria against the assessment results. The assessment has been independently reviewed by Delva Patman Redler who consider that whilst significance criteria are more appropriate for an environmental statement, the following significance criteria should be used against the results in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.
- 7.73 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.74 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 Consil. This report has been independently reviewed on behalf of the Council. The results of which are discussed below. The report identified 6 neighbouring residential properties surrounding the site that are likely to experience a material reduction in daylight and sunlight from the proposed development. These are: Aspen Court

- Minchin House
- Menteach House
- Trendell House
- Paisley Court & Ripon Court
- Ancora House & Chaldron Court



Figure Surrounding building tested by Consil

Trendell House

- 7.75 Of the 24 windows assessment for VSC, 23 comply with BRE Guidelines. The window that falls below the recommended target value serves a ground floor bedroom window on the flank elevation facing the site. This window experiences a 23% reduction from the existing figure, a minor adverse impact.
- 7.76 For NSL, all rooms in Trendell House fully comply with the guidelines. Overall, the impact on this property is negligible.

Paisley Court and Ripon Court

- 7.77 Of the 61 windows assessed for VSC, 59 comply with the BRE guidelines. The 1 window that falls below at Paisley Court serves a room alongside 2 other windows. The BRE guide suggest taking a mean VSC figure in this instance, which equates to a reduction of 15.6% from the existing figure, which meets the guidelines.
- 7.78 The 1 window in Ripon Court that falls below the guidelines already experiences a low existing VSC figure of 2.37% so any reduction from the would be exaggerated. The actual reduction of 1.38% VSC is not considered to be material.

- 7.79 The NSL for these buildings results in 37 of the 39 rooms tested would comply with BRE guidelines. The 2 rooms that fall below are located within Paisley Court and experiences a 23% and 27% reduction from the existing figures, which is a minor adverse impact.
- 7.80 Overall, the impacts on Paisley and Ripon Court are minor adverse.
- 7.81 *Ancora House and Chaldron Court*
- 7.82 Of the 125 windows assessed for VSC, 116 comply with the BRE guidelines. Of the 9 windows that fall below, 7 would experience minor adverse impacts, 1 would experience a moderate adverse impact and 1 would experience a major adverse impact.
- 7.83 For NSL, all rooms tested would fully comply with the guidelines. Overall, the impact on Ancora House and Chaldron Court are minor adverse.

Neighbouring Sunlight

- 7.84 The windows that face 90 degrees of due south within all neighbouring properties have been assessed for sunlight. The results demonstrate that all windows will meet the recommended BRE guidelines for Annual Probable Sunlight Hours (APSH). The impact of the proposed scheme in sunlight terms is therefore negligible.

Neighbouring Overshadowing

- 7.85 An overshadowing analysis for the neighbouring amenity spaces within Aspen Court, Ancora House and Chaldron Court have been undertaken.
- 7.86 The results demonstrate that all amenity areas considered will receive the recommended 2 hours of sunlight to at least 50% of their area when the development is complete. The impact on shadowing is therefore considered to be negligible.

7.87 Privacy and Overlooking

- 7.88 In terms of overlooking, the most sensitive closest residential building to the site is the adjoining later living home (Aspen Court Care Home) which lies to the east of the site. The application site and Aspen Court are separated by the pedestrian link between Dod Street and the Limehouse Cut, the proposed scheme would see a separating distance of 10m.
- 7.89 The adjoining Aspen Court is an L-shaped building with courtyard that occupies the western corner adjacent to the pedestrian route. The courtyard is recreational space for the residents. The proposed building would flank this courtyard with residential windows up to fourth floor level, as well as with the roof terrace proposed to link building.
- 7.90 The proposals would result in a degree of increased overlooking to the adjoining site compared to the existing situation. However, by virtue of the separating distance between the two, this would not result in an unduly detrimental impact on amenity. It is recommended that details of privacy screening to the roof terrace are secured by condition, to mitigate against any perceived sense of overlooking when the terrace is in use.
- 7.91 With regards to the residential buildings to the west of the site, no residential windows are proposed on the boundary ground to fourth floor level, at fifth floor and above a sufficient set back is provided to reduce potential overlooking. Again, it is recommended that details of privacy screening to the outdoor amenity space, namely a fourth floor level and above are secured via condition.

Summary

- 7.92 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 enhanced 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.

Noise & Vibration

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

Construction Impacts

- 7.94 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.

Transport

- 7.95 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

- 7.96 The proposals utilise the existing sites basement which has ramp access from Dod Street. Vehicles and Cycle will access the basement via the ramp where the car and cycle parking is located.
- 7.97 In terms of pedestrians, the ground floor layout provides one main entrance lobby facing Dod Street and another entrance facing the widened pedestrian link at the east side. The widening of the pedestrian link is welcomed in terms of pedestrian movement.

Deliveries & Servicing

- 7.98 The delivery and servicing strategy for the scheme includes the provision of a commercial vehicle parking space in the basement, which is of a size which can accommodate vehicles (large vans) seen delivering to existing properties along Dod Street.
- 7.99 This space would be provided for delivery drivers on a booking system managed by the on-site facilities management team.
- 7.100 Officers recommend securing a full detailed delivering and servicing plan via condition.

Car Parking

- 7.101 The development would be 'car free' with the exception of nine disabled car parking spaces provided within the existing basement. This is in line with policy D.TR3 of the Local Plan (2020).
- 7.102 Draft New London Plan Policy T6.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this

to increase by an additional 7% as needs require it. The application provides 10% blue badge spaces in line with the 10% of wheelchair accessible units that are provided within the development, this is given that the existing basement offers car parking spaces which the applicant has utilised as part of the proposals.

7.103 The provision of 10% electric charging points to the accessible spaces would be required and secured by condition.

7.104 The development remains car free within the exception of blue badge space, which will be secured through S106 legal agreement to the consent.

Cycle Parking and Facilities

7.105 The proposals provide 162 long stay cycle parking spaces in the form of two separate cycle stores within the basement, including 10 spaces provided in Sheffield stands. The provision exceeds the minimum standards set out in the Local Plan and the London Plan which is welcomed.

7.106 Final details of cycle parking ensuring this meets London Cycle Design Standards (LCDS) would be secured by condition. Overall, the proposed cycle storage is considered to be acceptable subject to the submission of the details secured by condition

7.107 Travel Plan

7.108 In line with the recommendation of Transport for London, a Travel Plan will be secured via condition and monitored via S106 agreement.

Environment

Energy & Environmental Sustainability

7.109 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 2016 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

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

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

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

7.112 The CO₂ emission reduction is anticipated to be 54.31% against the building regulation baseline which is compliant with policy requirements. The proposals are for a 47.90 tonnes/CO₂ reduction in on-site emissions and would result in a carbon offsetting contribution of £114,855 to offset the remaining 40.30 tonnes CO₂ and achieve net zero carbon. It is

recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate 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.

- 7.113 Subject to appropriate Conditions securing the energy proposals and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals are in accordance with adopted policies for CO2 emission reductions.

Air Quality

- 7.114 Policy D.ES2 of the Local Plan (2020) and policy 7.14 of the London Plan (2016) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.115 The application is accompanied by an Air Quality Assessment which seeks to demonstrate compliance with Development Plan policies. Environmental Health Officers consider the balance of the assessment acceptable; however note that an air quality neutral assessment has not been made.
- 7.116 As such, the officer advises that a condition must be imposed on the consent requiring an addendum assessment which includes an air quality neutral assessment and also consider assessment of construction dust impacts.
- 7.117 The air quality officer also requests further conditions and an informative which require environmental details of construction phase and construction dust control.

Waste

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

Biodiversity

- 7.120 Policy D.ES3 of the Local Plan (2020) and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value and contribute towards the Local Biodiversity Action Plan (LBAP).
The application site consists largely of existing buildings and hard surfaces, with only small amounts of amenity grassland and ornamental shrubbery. The ecological assessment found negligible potential for bat roosts in the existing buildings. The application site is immediately adjacent to the Limehouse Cut. The canals in the borough are known to be used by foraging and commuting bats. Any significant increase in light spill onto the canal could have adverse impacts on bats, but no external lighting is proposed along the edge of the site nearest the canal. The loss of existing vegetation will be a very minor adverse impact on biodiversity.
- 7.121 Policy D.ES3 requires biodiversity gains from developments. The Design & Access Statement indicates green and brown roofs, as well as areas of ornamental planting on roof terraces. The green/brown roofs should be biodiverse roofs designed in accordance with best practice guidance published by Buglife, not sedum roofs which are of very limited biodiversity value. Ornamental planting would be of biodiversity value if it includes a good range of nectar-rich plants.

7.122 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.

Flood Risk & Drainage

7.123 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments. Policy D.OWS4 requires development adjacent to the borough's water spaces to demonstrate no loss or covering of the waterspace, no adverse impacts including biodiversity, amenity and character, enhancement of the ecological, biodiversity and aesthetic quality of the water space and it must provide suitable setbacks from the water space edges to mitigate flood risk and to allow riverside walkways and canal towpaths.

7.124 The existing building line of the site, is setback by 3m from the boundary wall between the site and the Limehouse Cut which is a formal Tidal Flood Defence. The proposed development at basement level would maintain this set back, with the upper storeys encroaching towards the line of the flood defence, although they would be structurally independent of it. The Environment Agency are satisfied, on the basis that the development is structurally independent of the flood defence, and double doors are provided within the basement to allow for access to the flood defence in emergency situations, that the development would continue to allow for adequate space for inspections, maintenance and repair.

7.125 In accordance with the Environmental Agencies TE2100 Plan, the flood defences will be to be raised by a level of 6.1mAOD to ensure that they will continue to protect the proposed development from flooding for the lifetime of the development. The flood risk assessment submitted demonstrates that it is feasible to raise the height of the flood defence to 5.6m AOD by 2065 and 6.1m AOD by 2100 as this falls within the lifetime of the development.

Land Contamination

7.126 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

7.127 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £815,400 and Mayor of London CIL of approximately £326,169. 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.

7.128 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.

7.129 Furthermore, a new homes bonus will be applied; however at present the figure has not been calculated.

7.130 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:

- £31,372.00 towards construction phase employment skills training
- £114,855 toward carbon emission off-setting.

Human Rights & Equalities

- 7.131 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.
- 7.132 The proposed new residential accommodation meets inclusive design standards and 9 of the new homes will be wheelchair accessible, 9 within the affordable tenures, and 9 disabled car parking spaces provided. 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.
- 7.133 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £31,372 towards end-user phase employment skills training
- b. £17,280 toward carbon emission off-setting
- c. £500 monitoring fee per heads of term

8.3 Non-financial obligations:

- a. Affordable housing (29% by habitable room)
 - 8 units at London Affordable Rent
 - 8 units at Tower Hamlets Living Rent
 - 7 units as Shared Ownership
 - Early Stage Review
 - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- b. Access to employment
 - 20% local procurement
 - 20% local labour in construction
- c. Transport matters:
 - Car Free development
 - Residential Travel Plan
 - S278 Agreement
 - public access through the pedestrian link from Dod Street to Limehouse Cut
- d. Compliance with Considerate Constructors Scheme

- 8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
- 8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:

Pre-commencement

4. Submission of piling method statement.
5. Submission of air quality neutral assessment.
6. Submission of Construction Environmental Management Plan and Construction Logistics Plan
7. Details of Land Contamination Remediation if found
8. Details of biodiversity enhancements including floating ecosystems in the Limehouse Cut, improvements to the Limehouse Cut towpath and improvements to local signage and way finding.
9. Details of external facing materials and architectural detailing.
10. Details of privacy screening to northern elevation at fourth floor level.
11. Submission of Communal Amenity and Play Management Plan
12. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting
13. Play space details
14. Details of cycle parking in the basement including access arrangements and signage.
15. Details of waste storage and management plan
16. Submission of Surface water - Drainage Strategy
17. Disabled Car parking
18. Electric vehicle charging points
19. Submission of Delivery, Servicing and Waste Management Plan
20. Inclusive Access
21. Plant and Machinery
22. Details of Water Efficiency Measures
23. Details of Insulation and Overheating
24. Submission of an archaeology written scheme of investigation.

Occupation

25. Submission of Secured by Design compliance certificate.
26. Submission of contamination verification report
27. Submission of post construction energy assessment.

Prior to completion

28. Wheelchair Unit Marketing

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Requirement for Environmental Permit

APPENDIX 1

Drawings

Existing - Site Location Plan E0-001 P2
Existing - Site Plan E1-001 P2
Existing - Demolition plan E1-100 P2
Existing - Context Section E2-100 P2
Existing - Context Elevation E3-100 P2

Proposed - Site Plan P1 -001 P2
Proposed - Block Basement plan P1 -099 P3
Proposed - Ground Floor Plan P1 - 100 P2
Proposed - First Floor Plan P1 - 101 P2
Proposed - Second and Third Floor Plan P1 - 102 P2
Proposed - Fourth Floor Plan P1 - 104 P2
Proposed - Fifth Floor Plan P1 - 105 P2
Proposed -Sixth Floor Plan P1 - 103 P2
Proposed - Seventh Floor Plan P1 - 103 P2
Proposed - Roof Plan P1 - 103 P2
Proposed - Detailed Basement Plan P1 - 199 P3
Proposed - Detailed Ground Floor Plan P1-200 P2
Proposed - Detailed First Floor Plan P1-201 P2
Proposed - Detailed Second Floor Plan P1-202 P2
Proposed - Detailed Third Floor Plan P1-203 P2
Proposed - Detailed Fourth Floor Plan P1-204 P2
Proposed - Detailed Fifth Floor Plan P1-205 P2
Proposed - Detailed Sixth Floor Plan P1-206 P2
Proposed - Detailed Seventh Floor Plan P1-207 P2

Proposed - Tenure Plan - Ground Floor P1-300 P1
Proposed - Tenure Plan - First Floor P1-301
Proposed - Tenure Plan - Second Floor P1-302
Proposed - Tenure Plan - Third Floor P1-303
Proposed - Tenure Plan - Fourth Floor P1-304
Proposed - Tenure Plan - Fifth Floor P1-305
Proposed - Tenure Plan - Sixth Floor P1-306
Proposed - Tenure Plan - Seventh Floor P1-307

Proposed - Context Section P2-100 P2
Proposed - Detailed Section AA P2-200 P3
Proposed -Detailed Section BB P2-200 P2
Proposed -Detailed Section BB P2-200 P2
Proposed -Context Elevations P3-100 P2
Proposed - Detailed Elevation - Dod Street P3-200 P2
Proposed - Detailed Elevation - Limehouse Cut P3-201 P2
Proposed - Detailed Elevation - Side Elevation P3-202 P2
Proposed Typical Flat Layouts P4-100 P2
Proposed M4(3) Flat Layouts P4-101 P2
Proposed M4(3) Flat Layouts P4-102 P2
Proposed Detailed basement plan with indicative dims P4-200 P2
Proposed Waste Strategy P4-300 P1

Submission documents

CONSIL Daylight and Sunlight Report December 2019
Collado Collins Design and Access Statement January 2020
RPS Heritage, Townscape & Visual Impact Assessment December 2019
Montagu Evans Planning Statement January 2020
Sharps Redmore Acoustic Report November 2020
REC Air Quality Assessment December 2019
Cudd Bentley Energy Statement December 2019
Cudd Bentley Mechanical, Electrical and Public Health Design December 2019
Scott White and Hookins Phase 1 Desktop and Utilities Study December 2019
BECG Statement of Community Involvement December 2019
Montagu Evans Financial Viability Assessment January 2020

Post Submission documents

Delva Patman Redler Review of Daylight and Sunlight Report March 2020
RPS Ecological Appraisal April 2020
RPS Framework Delivery And Servicing Management Plan June 2020
RPS Transport Technical Note June 2020
Scott White and Hookins Flood Risk Assessment July 2020
BNP Parabis Review of Viability Assessment February 2020
Montagu Evans Response to Viability Review March 2020
BNP Parabis Review of Viability Assessment March 2020
Montagu Evans Response to Viability Review June 2020
BNP Parabis Response to Viability Assessment July 2020

APPENDIX 2

Figure 1 – Proposed basement plan

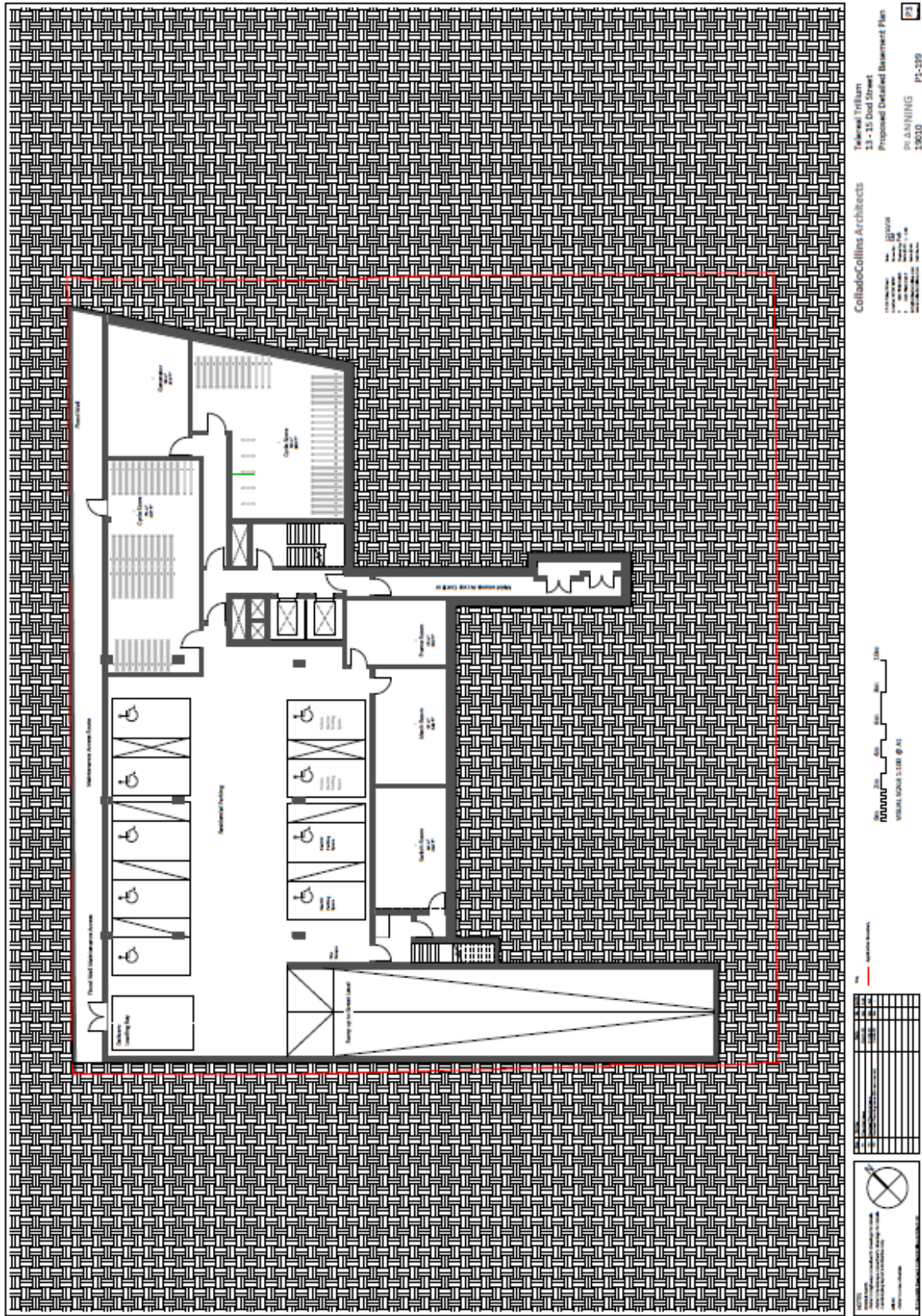


Figure 2 – Proposed Section A-A

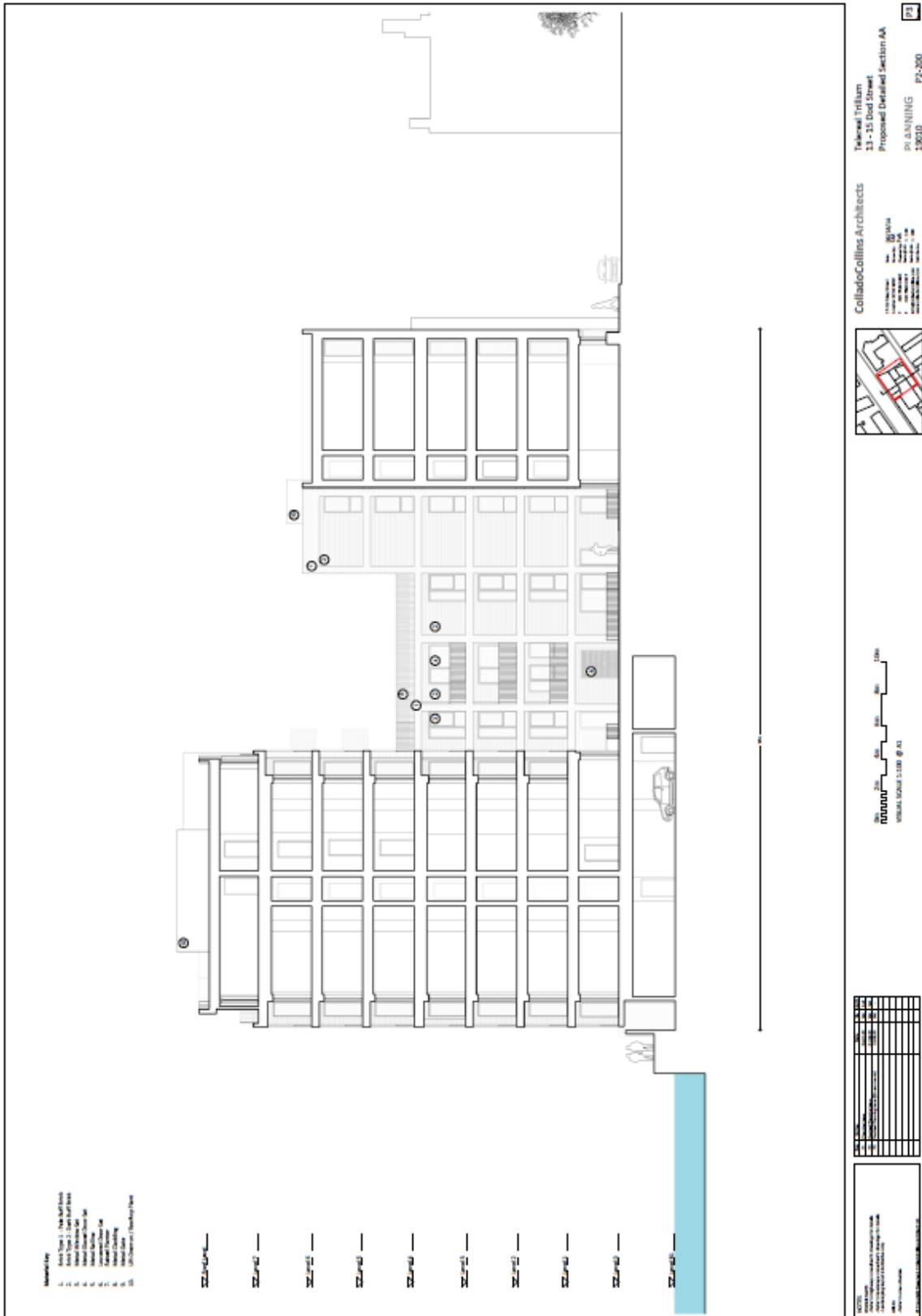


Figure 3 – Proposed Ground Floor Plan

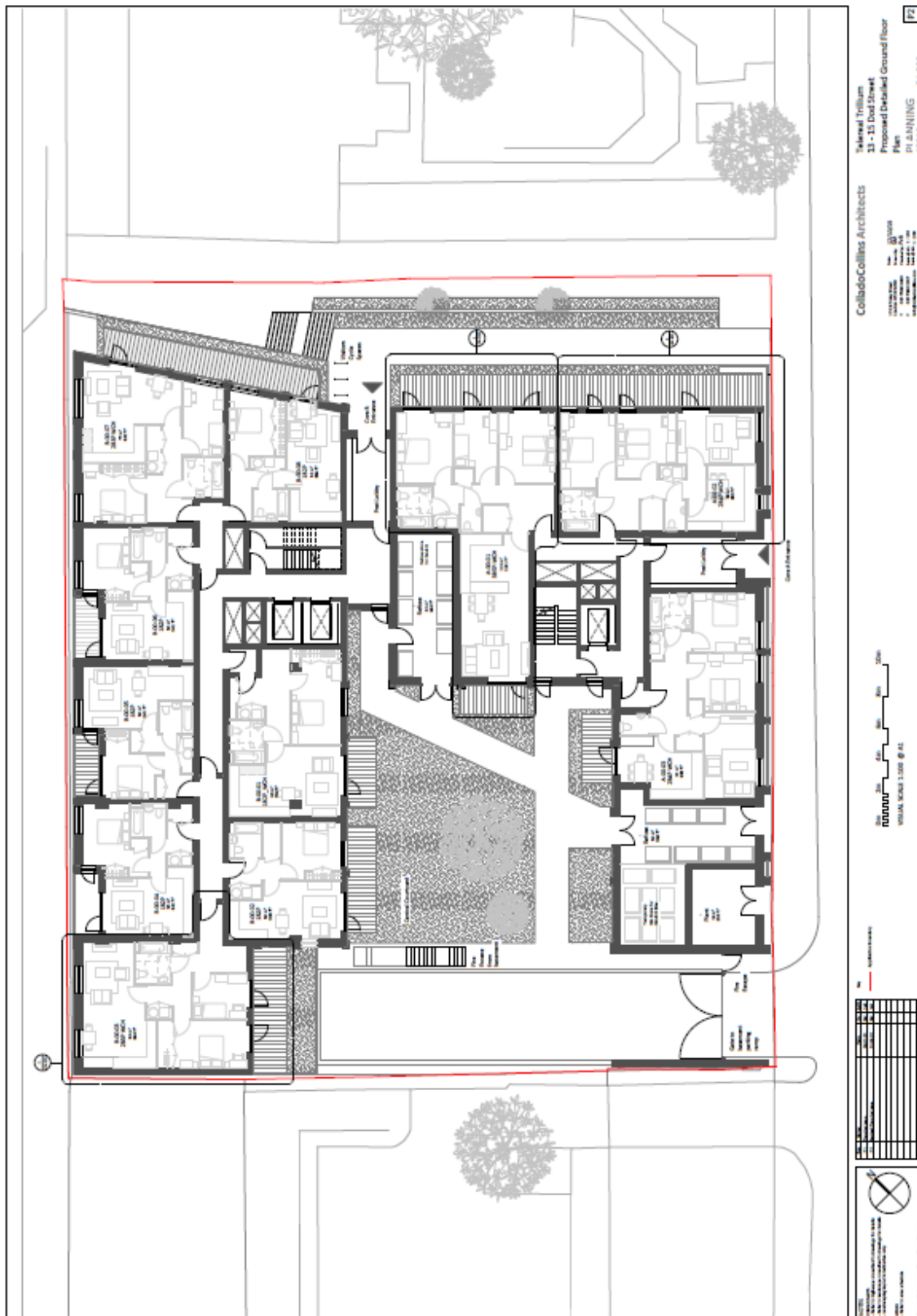


Figure 4 – Proposed 4th Floor Plan

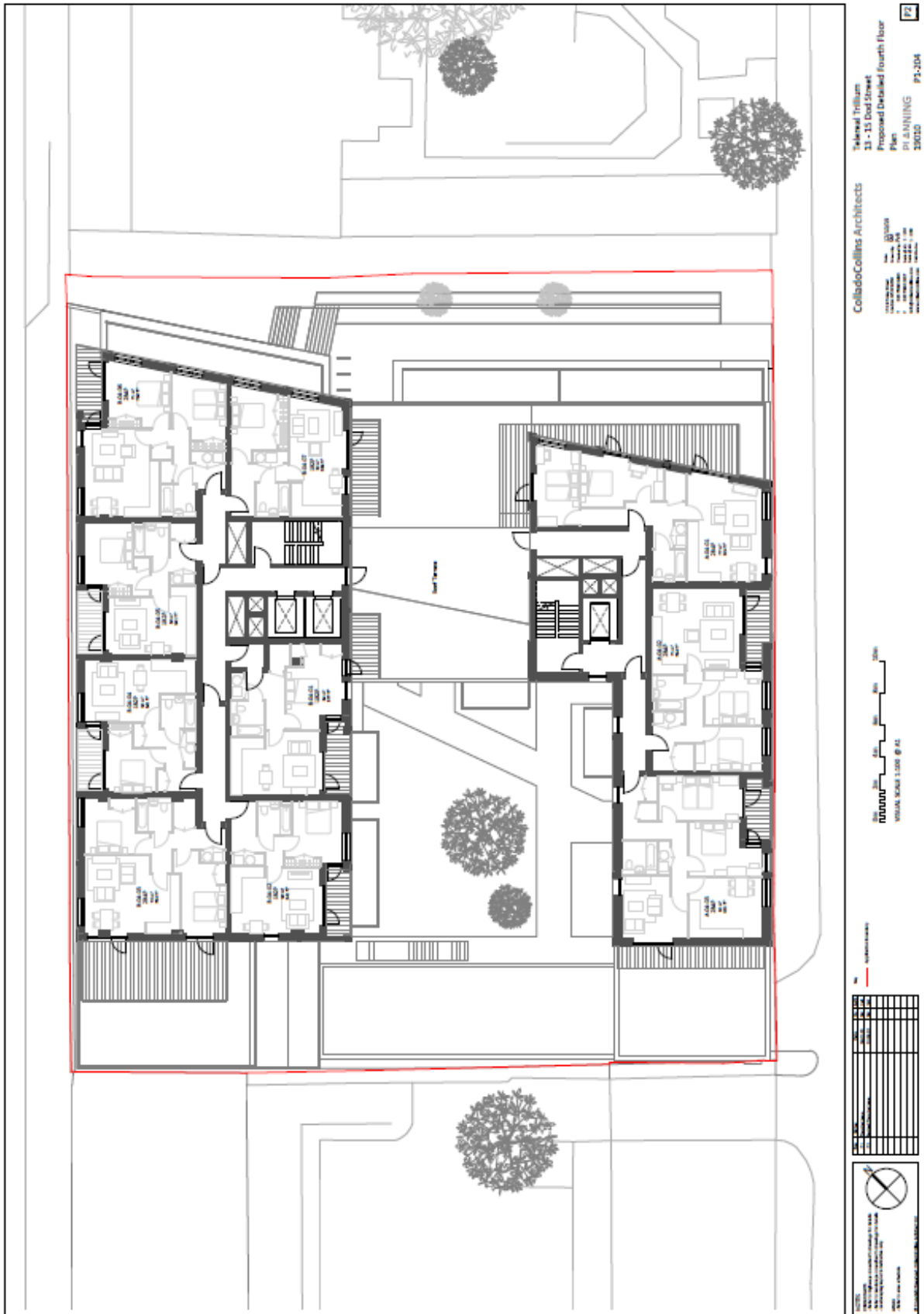


Figure 5 – Proposed Elevation (Dod Street)



