



Application for Planning Permission

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Reference	PA/19/00559
Site	102-126 and 128 The Highway, London, E1W 2BX
Ward	St Katharine's and Wapping
Proposal	Demolition of existing petrol filling station (sui generis use class) and drive-through restaurant (A3 use class) and redevelopment of site to provide buildings ranging in height from 5-7 storeys, comprising 80 residential dwellings (C3 use class) and 574sqm (GIA) commercial floorspace (flexible A1/A2/A3/A4/B1/D1/D2 use classes) plus associated servicing, parking and refuse stores, amenity space and public realm enhancement. Refurbishment of existing public house (302sqm).
Summary Recommendation	Approve planning permission subject to conditions and a legal agreement.
Applicant	Marley Holdings Ltd
Architect / Agent	Stockwool / Lichfields
Case Officer	Rikki Weir
Key dates	<ul style="list-style-type: none">- Application registered as valid on 12/03/2019- Letters sent to neighbours on 21/03/2019- Reconsultation (amended plans and documents) on 22/05/2020

EXECUTIVE SUMMARY

The application site contains a petrol filling station and single storey ancillary retail structure, a single storey drive-thru restaurant and a 3 storey public house. The public house, The Old Rose, is located within the St George in the East Conservation Area, however the remainder of the site sits outside the conservation area.

The proposed development comprises the erection of a 7 storey building facing The Highway falling to 5 storeys adjacent to The Old Rose and along Chigwell Hill, which slopes down to the south. The proposal provides 80 residential units as well as 574sqm of flexible commercial space (A1/A2/A3/A4/B1/D1/D2 use classes) at ground floor facing The Highway and reuse of the public house (302sqm).

In land use terms, the loss of the drive-thru restaurant and petrol filling station are considered to be acceptable and would contribute to policy aims of reducing local car movements. The provision of new housing including a variety of unit typologies and 35% affordable housing at

70/30 tenure split (affordable rented/intermediate) with affordable rented provision at 50/50 (London Affordable Rent/Tower Hamlets Affordable Rent) is considered to be a significant public benefit. 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. The refurbishment and reuse of The Old Rose public house is considered to be a significant heritage benefit. The development is considered to preserve the character and appearance of the St George in the East Conservation Area, as well as preserving the setting or any features of special architectural or historic interest of nearby listed buildings, principally St George in the East Church (Grade I), Tobacco Dock (Grade I) and Pennington Street Warehouses (Grade II).

The proposal would impact upon the daylight and sunlight to some habitable rooms of 7-9 storey residential buildings (Chi Buildings and Orchid Apartments) on the north side of The Highway. The impacts have been quantified and carefully assessed and are considered to be acceptable on balance in this urban context.

The scheme would be car-free apart from the provision of Blue Badge accessible car parking spaces within the development. Adequate cycle parking for all uses is proposed. Transport implications are considered to be acceptable subject to conditions and legal obligations.

A strategy for minimising carbon emissions from the development is in compliance with policy requirements. Biodiversity enhancements are proposed which are considered sufficient to meet policy requirements, providing a net gain and enhanced urban greening.

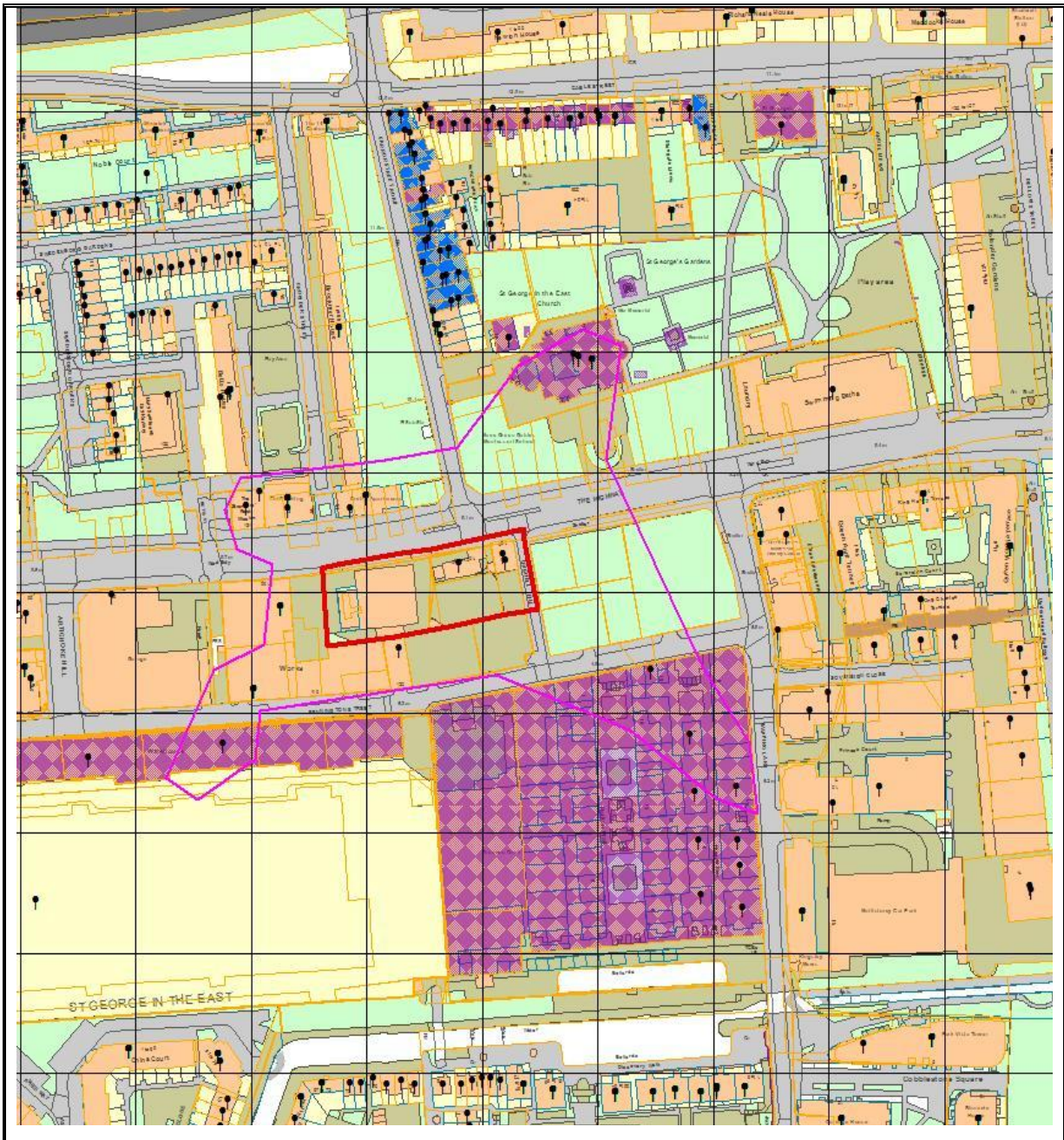
Officers consider that the proposal would constitute provision of a high quality, mixed use scheme and that this would contribute to the broader regeneration of the local area and provide a significant opportunity to enhance an underused site along The Highway.

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 obligations to local employment and training and carbon offsetting. Heads of Terms have been agreed and the officers recommendation is subject to a Section 106 legal agreement containing a number of financial and non-financial contributions that would provide further benefit to the community including an improved pedestrian crossing across The Highway towards Cannon Street Road.

This application has been assessed against the Council's approved planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (adopted 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, subject to conditions and supporting legal agreement.

SITE PLAN:



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

**Planning Applications Site Map
PA/19/00559**

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



London
Borough of
Tower
Hamlets

Scale : 50m grid squares

Date: 27

1. SITE AND SURROUNDINGS

- 1.1 The application site covers a land area of approximately 0.25ha and contains a petrol filling station to the west with associated single storey structures, a single storey drive-thru restaurant to the east along with a three storey public house which dates back to the early nineteenth century. The remainder of the site comprises of hardstanding areas for vehicular access/parking.
- 1.2 The site is bound; to the north by The Highway, a heavily trafficked arterial route; to the east by Chigwell Hill, a narrow, sloping cobbled road; to the south by a vacant site at 122-132 Pennington Street; and to the west by 100 The Highway, a two storey storage warehouse.

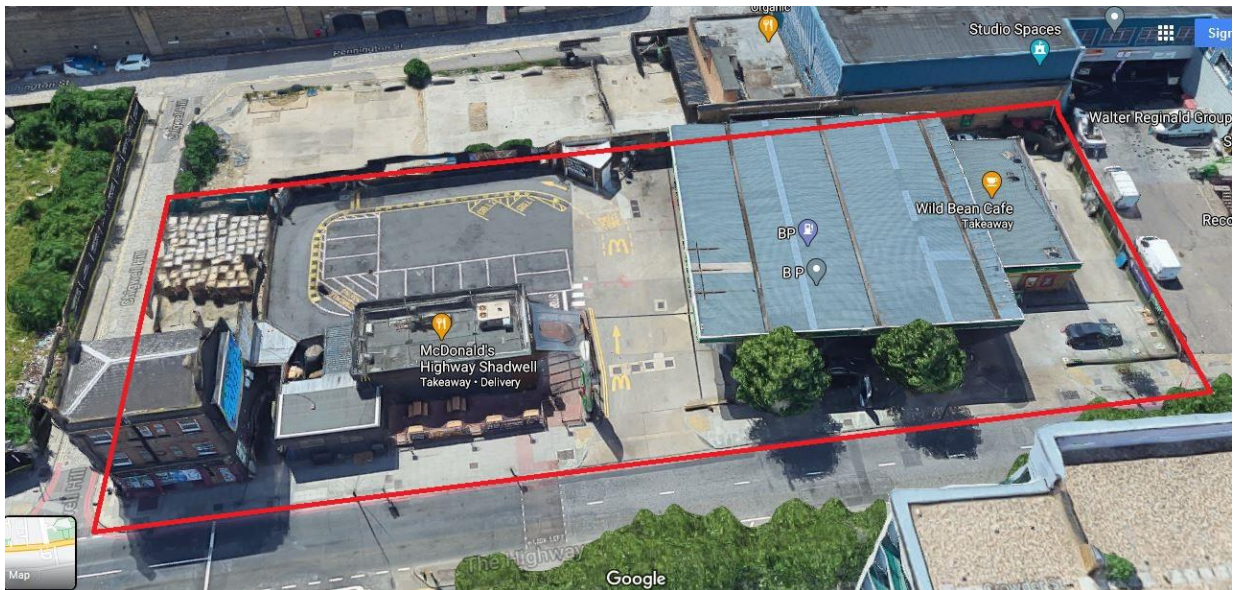


Figure 1: Bird's eye view of the site and surroundings from north (Google)

- 1.3 The existing site (shown in Figure 1 above) consists of approximately 134sqm retail space within the petrol station (A1 use class), 120sqm restaurant space (A3 use class) and 372sqm public house space (A4 use class) giving a total existing floorspace of 626sqm.
- 1.4 The Old Rose pub is located within the St George in the East Conservation Area which stretches to the north-west across The Highway. The remainder of the application site is not within the conservation area. The Grade I listed Church of St George in the East is to 60m to the north-east, the Grade I listed Tobacco Dock is 30m to the south, and the Grade II listed Pennington Street warehouses are 35m to the south-west.
- 1.5 In regards to Tower Hamlets Local Plan policy designations, the site is located within the City Fringe sub area, City Fringe Activity Area, Tier II Archaeological Priority Area (The Highway), Wapping Neighbourhood Planning Area, Green Grid Buffer Zone, and it is within an area of poor air quality (NO2 annual mean concentration greater than 60 ($\mu\text{g}/\text{m}^3$)). In regards to London Plan policy designations, the site is located within the City Fringe Opportunity Area.
- 1.6 In regards to nearby town centres, the Central Activities Zone and the Thomas More Neighbourhood Centre are approximately 460m to the south-west, the Wapping Lane Neighbourhood Centre is 430m to the south-east, and the Watney Market District Centre is 300m to the north-east. Shadwell Overground and DLR Station is 300m to the north-east and Wapping Overground Station is 550m to the south. The site has a Public Transport Accessibility Level (PTAL) of 5/4 which indicates a very good/good level of accessibility.



Figure 2: View of application site from the north-west on The Highway (Google)

- 1.7 The area has historically revolved around the docks with associated dock walls and buildings such as Tobacco Dock and Pennington Street warehouses still remaining. London Dock was the main dock in the local area until it was filled and became home to News International printworks. The land around London Dock was redeveloped in the 1980s with low and mid-rise housing. London Dock is currently undergoing redevelopment for housing led development.



Figure 3: View of application site from the north-east on The Highway (The Old Rose on the left) (Google)

2. PROPOSALS

- 2.1 Amended plans were received as part of the planning application process. The previous scheme consisted of predominantly 9 storey building on The Highway with setback 10 storey elements, which stepped down to 8 storeys on the corner with Chigwell Hill and The Old Rose public house. The originally submitted scheme consisted of 129 residential units and 930sqm flexible commercial floorspace.

Amended Scheme

- 2.2 The proposal involves the demolition of existing buildings and the construction of a new mixed-use building, providing 574sqm of flexible commercial space at ground floor and 80 self-contained residential units flats above. Public realm on The Highway and Chigwell Hill would be improved with increased footway and tree planting.
- 2.3 35% of the proposed flats would be affordable, with a tenure split of 70% affordable rented and 30% intermediate housing. The building would provide private amenity space in the form of balconies for all residential units. It would also provide approximately 210sqm of communal amenity space and 337sqm of child play space on-site. Residential units would be accessed via entrances on the The Highway and Chigwell Hill.
- 2.4 In terms of massing and design, the building would be 7 storeys on The Highway falling to 5 storeys adjacent to The Old Rose and 5 storeys sloping lower down Chigwell Hill. The elevations of the building are stepped and angled with balconies which sit entirely within the footprint of the buildings. Materials would be predominantly clay-facing brickwork of red and cream buff bricks..
- 2.5 A number of flexible commercial units would provide active facades onto The Highway as well as the refurbished public house. Cycle parking and waste storage for the residential units would be provided at ground floor level, accessed from the communal lobbies. Deliveries and Servicing for the commercial element of the scheme would take place on-site from a dedicated servicing area accessed from The Highway. The development would be 'car-free' with the exception of 8 accessible car parking bays located at ground floor level.

3. RELEVANT PLANNING HISTORY

Application Site:

- 3.1 PA/19/02374 – Replacement of existing single skin 159,060 litre underground fuel storage tanks with new 160,000 litre double skin underground fuel storage tanks to include interstitial leak monitoring. Permitted – 06/04/2020.
- 3.2 PA/11/00922 – Refurbishment of restaurant and patio area with alterations to elevations, including the installation of timber effect cladding to external walls, installation of a new canopy to west elevation and relocation of customer order display. Permitted – 10/06/2011.
- 3.3 PA/10/02526 – Erection of a fixed pergola to west elevation, installation of a glass balustrade and reconfiguration of patio area. Permitted – 04/01/2011.
- 3.4 PA/10/01334 – Refurbishment of restaurant and patio area, including changes to elevations and external walls and minor amendments to the existing parking layout. Permitted – 11/10/2010.

- 3.5 PA/09/00136 – Demolition of existing restaurant and erection of a new two storey restaurant and 'drive thru'. Permitted – 08/09/2009.
- 3.6 PA/01/01246 – Erection of a side extension to McDonalds drive-thru restaurant. Permitted – 27/11/2001.
- 3.7 WP/95/00073 – Erection of a single storey Drive Thru A3 hot food takeaway with ancillary storage, office, staff facilities and associated car parking. Permitted – 21/09/1995.
- 3.8 WP/88/00148 – Redevelopment comprising erection of new building for ground floor shop (Class A1 1987 use Classes Order) and business use (Class B1) and new petrol filling station and associated off-street car parking. Permitted – 08/12/1988.
- 3.9 WP/82/00133 – Alterations to existing building, erection of new steel canopy, 6 pump islands and the installation of a new underground storage tank. Permitted – 16/01/1983.
- 3.10 WP/82/00048 – Alterations to existing building, erection of a new steel canopy, 6 pump islands, installation of a new underground storage tank and associated services. Permitted – 02/08/1982.
- 3.11 PA/60/00910 – The erection of a petrol service station, workshops, showrooms and a caretakers flat. Permitted – 10/03/1961.
- 3.12 PA/51/01225 – The use of the vacant for the storage of tyres as shown on plan regd no. 12687. Refused – 09/01/1952.
- 3.13 PA/49/01662 – The use of the sites above for cooperage storage purposes. Permitted – 20/07/1949.

Pre-applications On-site

- 3.14 PF/18/00059 – Demolition of existing buildings to provide mixed use development comprising approx. 170 residential dwellings(C3), 1,400 sqm retail floor space (A1) with associated car parking and amenity space. Case closed – 05/04/2019.
- 3.15 PF/13/00135 – Proposal for mixed used scheme including 125 residential units, 244sqm leisure and 675sqm of commercial space. Case closed – 15/03/2017.

Neighbouring Sites:

134 to 140 Pennington Street & 130, 136 & 154 to 162 The Highway

- 3.16 PA/11/01278 – Redevelopment of the site to provide a 242 room hotel (class C1), 63 serviced apartments (sui-generis) and retail (class A1) building with publicly accessible courtyard together with provision of vehicular and pedestrian access. Permitted – 07/02/2012.

130-162 The Highway & Tobacco Dock

- 3.17 PA/99/00240 – Erection of a 7 storey building comprising a parking/loading/ servicing area at basement level plus 22 retail units at part lower ground/ground and first floor levels and a three star hotel occupying the rest of the building. No further action – 25/07/2000.
- 3.18 WP/96/00089 – Revised plans in respect to redevelopment of site by erection of a building comprising retail, multi-screen cinema, car park, leisure, storage and servicing with tunnel beneath Pennington Street to Tobacco Dock. Permitted – 27/03/1997.

Tobacco Dock

- 3.19 PA/97/00841 – Erection of a pedestrian bridge from Tobacco Dock to 132 Pennington Street and amendments to bridge already approved from 132 Pennington Street to site of 134 Pennington Street over Chigwell Hill. Permitted – 12/03/1998.
- 3.20 WP/94/00050 – Alterations and amendments to approved scheme T/93/141, for Factory shopping centre. Permitted – 20/04/1994.
- 3.21 WP/89/00234 – Erection and reconstruction of single storey warehouse buildings and use in conjunction with vaults beneath as retail, public toilets, management office, restaurant and plant; together with construction of multi-storey car park for 308 vehicles, refurbishment of tunnel under Wapping Lane and use for goods deliveries, erection of replica arch forming pedestrian access from separate vehicle and pedestrian means of access from tow path, formation of loading bay and separate vehicle and pedestrian means of access from Wapping Lane and Pennington Street, and landscaping of canal side; involving alterations and partial demolition of a listed building. Permitted – 21/05/1992.

122 – 132 Pennington Street

- 3.22 WP/96/00184 – Redevelopment by the erection of a building comprising 4585 sq. metres floorspace, for use as A1/A3/D2 (retail, restaurant, nightclub and leisure) with bridge link across Chigwell Hill. Permitted – 27/03/1997.
- 3.23 WP/94/00091 – Mixed development comprising of retail (A1), office (B1) and associated off-street parking (details as per previous expired approval TW/88/186) Permitted – 01/11/1994.
- 3.24 WP/88/00273 – Mixed development comprising retail (A1) offices(B1) & associated off street car parking - outline application. Permitted – 07/03/1989.

Unit 2, 110 Pennington Street

- 3.25 PA/99/00076 – Conversion of part (65%) of ground floor unit to wine bar/nightclub and new shop front. Permitted – 07/06/1999.

100 The Highway

- 3.26 WP/94/00109 – Erection of an additional storey to provide 23 self-contained flats. Appeal dismissed – 20/07/1995.

60 The Highway

- 3.27 PA/16/03549 – The demolition of the existing buildings and the construction of a building ranging from 7 to 16 storeys, comprising a replacement car showroom and vehicle servicing centre (sui generis) and associated parking, 152 residential units (Use Class C3) and amenity space. *Currently under consideration.*
- 3.28 PA/16/01049 – Demolition of existing buildings and construction of a new part 7/ part 8/ part 10/ part 11/ part 14 storey development to provide a replacement car showroom and servicing (use class sui generis) at ground and lower ground and 150 residential units (use class C3) on upper floors. Includes associated amenity space, cycle parking and refuse storage. No further action – 12/01/2017.
- 3.29 PA/15/00885 – Outline planning application for the demolition of existing buildings and the erection of a part 5, part 6, part 15 and part 19 storey building to include up to 230 residential units (Class C3), retail floorspace (Class A1), replacement car showroom (sui-generis) and associated parking, access and servicing arrangements (All matters reserved). Withdrawn – 27/04/2015.

4. PUBLICITY AND ENGAGEMENT

- 4.1 Upon validation of the application, the Council sent consultation letters to 173 nearby owners and occupiers on 21st March 2019. The application was advertised in the local press on 28th March 2019 and site notices were erected outside the site on 2nd April 2019. A total of 12 letters were received.
- 4.2 Following the receipt of amended plans and documents, further consultation was undertaken on 22nd May 2020 by way of neighbour letters. Full details of the representations received as part of the consultation exercises are detailed below.
- 4.3 A total of 12 letters of representation were received.
- 4.4 1 letter of support was received. Comments raised in support can be summarised as follows:
- Good to hear this hostile site will be redeveloped for much needed housing;
 - This underutilised part of the borough needs redeveloping;
 - Love that the proposal includes re-opening of the old pub and beer garden.
- 4.5 11 letters of objection to the proposal were received. Comments raised in objection can be summarised as follows:
- Scale and height of the building does not respect the existing local area, would harm the conservation area setting and the setting of heritage buildings in the area such as the Grade I listed Tobacco Dock and The Old Rose pub.;
 - Loss of the external beer garden of The Old Rose pub which is an integral part of the future viability of the public house especially with limited internal offering. No indication of where the kitchen ventilation and beer keg storage would be, intentionally undermining a future pub;
Officer's response: The pub would maintain the same floor area at basement, ground, first and second floor levels.
 - The Old Rose pub was once a vibrant pub and community hub until it was closed in 2011 and it is a heritage asset and one of the last remaining buildings on the Ratcliffe Highway and should be protected. A deed of easement should be added to ensure that future residents cannot complain about noise from the pub;
 - Conditions should be attached regarding internal /external alterations to the pub;
 - Addition of a mansard roof extension to the pub should be refused;
Officer's response: A mansard roof extension was not proposed as part of the full planning application; however this may have been shown in pre-application public consultation plans by the applicant.
 - Affordable homes are desperately needed along with a community centre, community café (accessible to local residents and those on low income), temporary supported housing for the homeless and space for social/psychiatric services;

Officer's response: Affordable housing has been proposed within the development. The site is not a Site Allocation where specific services are required by policy to be delivered. Flexible commercial uses are proposed which could potentially include community uses.

- Affordable housing and shared ownership proportion needs to be increased and managed strictly;
- Shared ownership homes should be sold back to the Housing Association and should not be rented out to non-family members;
- Private housing that is rented should have rent level controls. Planning contributions should only be spent on residents within 500m of the site;

Officer's response: Rent level controls for private housing do not fall under planning legislation.

- Removal of petrol station and restaurant detrimental to nearby elderly and disabled residents;
- Principle of redevelopment supported but assumptions on development parameters of the neighbouring Big Yellow site have not been arrived at through any discussion or engagement with Big Yellow;
- Future redevelopment potential of the neighbouring Big Yellow site should be taken into consideration and balconies to adjacent should be screened considering potential overlooking;

Officer's response: Balconies to adjacent to the neighbouring development have subsequently been screened.

- Height, scale and massing would result in a visually dominant and overpowering feature in the street scene and overdevelopment of the site;
- Scheme lacks articulation;
- Would result in increased sense of enclosure, mutual overlooking, loss of privacy, loss of outlook, loss of light which fails policy tests (particularly in terms of prejudicing the existing living conditions of occupiers) and BRE tests
- Tantamount to social cleansing of the ward;
- Lack of social and physical infrastructure in the locality. Any monies /funding as part of this scheme should be spent on amenities and facilities.
- Proposed commercial units shall be at sustainable rents so as not to lie vacant as empty units such as those opposite the site are a blight.

Officer's response: Rent controls for the commercial spaces are not within the remit of planning. The proposals were amended during the application process to reduce the

height, scale and massing, alter overall design and incorporate a pub garden. Other relevant planning issues are covered in section 7 of this report.

- 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 27th November 2018. This consultation is satisfactory and complements the obligatory statutory notification undertaken by the Council.
- 4.5 The scheme has been developed in conjunction with extensive pre-application discussions held with officers at LBTH since 2013.

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; All accessible car parking spaces to be made available to all tenures and retained and maintained for their approved use only for the life of the development; All cycle parking / storage facilities to be retained and maintained for their approved use only for the life of the development; Details of the 5% larger cycle spaces, long term commercial cycle parking and short term cycle parking for all uses is provided; A full Service Management Plan to be submitted prior to occupation; The applicant will be required to enter into a s278 agreement with the highway authority and produce and agreed schedule of highway works which the applicant will fund; A robust construction management plan will be required for this site due to its location.
- 5.2 Following concerns on an inset servicing bay on Chigwell Hill reducing footway width, amendments were received to remove this. Appropriate vehicle tracking for refuse lorries was also provided. Measurements were shown that accessible car parking would be accessible by wheelchair through internal ground floor corridors. Concerned that a supermarket could occupy the commercial space and then servicing could be inadequate for that use.

Officer's response: A condition would be added to limit the size of commercial units to be amalgamated without planning permission in order to assess proposals for a potential supermarket.

LBTH Housing:

- 5.2 The applicant is providing 80 residential units. This includes a 35% affordable housing offer per habitable room which equates to 26 affordable units. Concerned with lack of intermediate family units. However taking into consideration the higher provision of 2 bed 4 person units, on balance the scheme is considered to meet general aims in regards to proceeding as Fast Track Viability.

LBTH Occupational Therapy:

- 5.3 Affordable accessible units were assessed and acceptable subject to full details to be secured by condition, subject to approval.

LBTH Health Impact Assessment:

- 5.4 Following amendments to the Health Impact Assessment, providing more information on playspace and social/affordable housing, the submission is deemed to be acceptable.

LBTH Heritage and Design:

- 5.5 Concerned that the pavement on The Highway is not wide enough to provide a more relaxing pedestrian movement experience with stronger green screening along the pedestrian-hostile Highway. Further to amendments reducing the height, scale and bulk of the development and tweaks to design, no objection subject to conditions securing full details and samples of external materials.

LBTH Regeneration:

- 5.6 Public benefits of the scheme are the pub and housing. Implications on surrounding development sites and potential wider masterplan need to be considered. Urban block could benefit from a break to improve permeability. The scheme is in several green grid buffer zones – so the site will have to contribute financially to green grid improvements. Also worth noting that the Council's Registry Office is moving to St George's Town Hall – so there will be more footfall

LBTH Waste Policy and Development:

- 5.7 Following amended refuse, servicing and waste strategy, considered to be acceptable.

LBTH Environmental Health (Pollution/Air Quality):

- 5.8 No objection, subject to conditions securing; ongoing maintenance regime for MVHR system; Demolition/Construction Environmental Management & Logistics Plan; NRMM emission compliance; air quality standards for boilers; kitchen extract standards for commercial uses.

LBTH Environmental Health (Noise/Vibration):

- 5.9 The noise report needs more work to sufficiently deal with the noise issues from the two night clubs and the pub. Unsure that the use of glazing would solve all the possible noise issues that may affect the operation of the clubs and deal with the agent of change issues.
- 5.10 The report appears to concentrate on overall noise levels in the area but doesn't take account of the possible intermittent noises associated with music outbreak or large numbers of people congregating outside at an entertainment venue or the possible outbreak of music noise. The issue is exacerbated by the licensing issues at Studio Spaces and the use of both indoor and outdoor areas. These issues need to be further covered and explained as it appears that they were missed from the original report. However it is considered these issues can be resolved via conditions and S106 depending on the license situation of Studio Spaces.

Officer's response: The outdoor area used by Studio Spaces is a temporary use which does not benefit from planning consent. Further details are provided in the main body of this report. Conditions and S106 clauses would be secured subject to approval in order to protect the use of the night venues.

LBTH Environmental Health (Contaminated Land):

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

LBTH Biodiversity:

- 5.11 No objections subject to conditions securing full details of biodiversity mitigation and enhancement.
- 5.12 Following submission of a bat survey report, satisfied to proceed, subject to a condition securing a precautionary bat survey if works to the pub are not commenced by August 2021.

LBTH Arboriculture

- 5.13 Further to amendments received to type and location of trees, no objection.

LBTH Policy

- 5.14 Further to clarifications in regards to proposed A3, A4, D1 and D2 units, no objection.

LBTH Sustainable Urban Drainage

- 5.15 No objections subject to condition to secure a detailed drainage plan as outlined in the FRA and drainage statement restricting runoff up to 3.2 l/s.

LBTH Energy Efficiency:

- 5.16 No objection subject to a carbon off-setting contribution secured by S106 legal agreement to offset against the Council's zero carbon policy; conditions securing a zero carbon futureproofing statement; post construction energy note including 'as built' calculations; submission of a final BREEAM Certificate with 'Excellent' rating; Submission of final detailed specification of the PV array to demonstrate renewable energy generation on site has been maximised and PV integrated where compatible with proposed living roof.

LBTH Enterprise & Employment:

- 5.17 No objection subject to S106 legal agreement to secure financial contributions to support unemployed residents in construction phase and end-use phase, and non-financial contributions relating to procurement and apprenticeships.

External Consultees:

Thames Water:

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

Transport for London (TfL):

- 5.19 Following amendments and clarifications requested, subject to approval, conditions should be secured in regards to Delivery & Servicing Plan (DSP), Construction Management and Logistics Plan, Travel Plans and S278 agreement.
- 5.20 Cycle parking clarifications required on exact location of spaces. £250-300k contribution to be secured to improve pedestrian crossing outside the site.

Officer's response: A condition would be added to secure full details of all long and short stay residential and commercial cycle parking spaces. £250k contribution to be secured by S106 legal agreement, subject to approval.

Metropolitan Police (Designing Out Crime):

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

Historic England

- 5.22 Further to amendments, reducing height, scale, bulk and massing, no further comments.

Historic England (Greater London Archaeological Advisory Service):

- 5.23 Further to amendments removing the basement level, pre-determination works no longer required. Pre-commencement conditions required for written schemes of investigation and details of foundation design and archaeological field investigation subject to approval.

Greater London Authority (GLA):

- 5.24 Principle of development: Residential-led mixed use development supported in the City Fringe Opportunity Area. No adverse impact on nearby town centres from out-of-centre commercial floorspace. Re-provision of the pub strongly supported subject to details of above-pub dwellings.
- 5.25 Housing: 35.1% affordable housing proposed. Grant funding must be investigated before the proposal can be considered under the Fast Track Route. Further detail on the affordable rent levels and the intermediate rent product and income thresholds should be provided.
- 5.26 Urban design: A density management plan should be provided and the design of the affordable units must be revised to ensure parity in quality with private units. The applicant has not fully addressed the Agent of Change principle and should carry out a further noise assessment to assess the need for acoustic protection for the restored pub and surrounding noise generating uses.
- 5.27 Heritage: Less than substantial harm caused to the setting of the Grade I listed Church of St George in the East if London Dock development not completed. The harm is offset by the public benefits of housing and a restored historic pub.
- 5.28 Transport: Further information required on accident analysis, cycle parking numbers, disabled parking and electric vehicle charging points. The commercial cycle parking, Construction Logistics Plan and Delivery and Servicing Plan should be secured by condition. Highways works should be secured by S278 agreement and a full Travel Plan should be secured in the S106 agreement (paragraph 50-56).
- 5.29 Further information on inclusive design, energy, air quality, water, and urban greening is required.

Officer's response: Further to amendments to the development, reducing the height to under 30m, GLA have confirmed that the application is no longer to be treated as a referable application.

London Fire Brigade

- 5.30 No comments received.

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:

- London Plan (2016)
- Tower Hamlets Local Plan 2031 (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, unit mix)

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

Transport – LP5.17; LP6.9, LP6.10, LP6.13; TH S.TR1, TH D.MW3TH D.TR2, TH D.TR3,
TH D.TR4
(sustainable transport, highway safety and capacity, car and cycle parking, servicing,
waste)

Environment – LP 5.2, LP 5.3, LP 5.18, LP 7.14, LP 7.15, LP 7.19; 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, SI 7
(car and cycle parking, servicing, waste)

Environment – G1, G5, G6, G7, SI 1, SI 2, SI 3, SI 4, SI 13
(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)
- National Design Guide (2019)
- LBTH, Draft High Density Living SPD (2020)
- LBTH, Draft Planning Obligations SPD (2020)
- LBTH, Development Viability SPD (2017)
- LBTH, Planning Obligations SPD (2016)
- LBTH, St George in the East Conservation Area Character Appraisal and Management Guidelines (2009)
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)
- GLA, Culture and Night-time Economy SPG (2017)
- GLA, Affordable Housing and Viability SPG (2017)
- GLA, Housing SPG (2016)
- GLA, City Fringe Opportunity Area Planning Framework (2015)
- GLA, Character and Context (2014)
- 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. Design
- iv. Heritage
- v. Neighbouring Amenity
- vi. Night-time Economy
- vii. Transport and Servicing
- viii. Environment
- ix. Infrastructure Impact
- x. Planning Benefits
- xi. Equalities and Human Rights

LAND USE

7.1 The existing site consists of a petrol filling station with ancillary retail unit (BP), a drive-through restaurant (McDonalds) and The Old Rose public house. The proposal involves the loss of the petrol filling station and drive-thru restaurant.

Loss of Petrol Filling Station

- 7.2 A petrol station appears to have been on the site since the early 1960s. Petrol stations fall under sui generis use class and their loss is not resisted by planning policy. The thrust of Development Plan policies seek to reduce reliance on car travel in London. For the reasons above, the loss of the petrol filling station is considered to be acceptable in principle.

Loss of Drive-through Restaurant

- 7.3 A drive-through restaurant (A3 use class) appears to have been on the site since the mid-1990s. The proposed ground floor commercial uses are flexible and are therefore open to the inclusion of a restaurant. As above, Development Plan policies seek to reduce reliance on car travel in London. In light of the above, the loss of the drive-through restaurant is considered to be acceptable in principle.

Proposed Housing

- 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 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. In light of the above, the proposed new housing would be supported in principle, subject to compliance with all other policy considerations.

Proposed Flexible Commercial Space

- 7.7 The proposal involves the provision of 587sqm commercial space (flexible A1/A2/A3/A4/B1/D1/D2 use classes) consisting of 4 ground floor units adjacent to the pub. This proposed space would help to replace the ancillary retail space (134sqm) within the petrol station and the drive-thru restaurant (120sqm). Policy D.TC3 states that new retail development will be subject to a sequential test where it would be outside of town centres.
- 7.8 Policy D.TC5 states that A3/A4 units are supported within the Tower Hamlets Activity Area. In regards to potential office (B1 use class) space, policy D.EMP2 states that new employment space will be supported within the Tower Hamlets Activity Area and accessible locations along major transport routes. Furthermore it is considered that the B1 space would contribute to integrated placemaking and have a reasonable prospect of occupancy.
- 7.9 In regards to potential A2 financial and professional services uses, policy D.TC4 states that outside of town centres these can be supported where they would be local in scale and with a reasonable prospect of being occupied. In regards to potential D2 use class entertainment venues, policy D.TC5 states that these can be supported within Tower Hamlets Activity Areas. In regards to potential D1 community uses, policy S.CF1 states that outside of town centres these must be easily accessible and with local up-to-date need demonstrated.

- 7.10 A sequential test has been provided within the Retail Impact Assessment to demonstrate that other sites have been considered. The assessment states that there is a specific market and locational need for the commercial floorspace to be provided within the application site. It goes on to detail that the facilities proposed can only be located at application site as they are intended to serve the new residents of the proposed development and the local catchment area. The analysis of potential alternative sites demonstrates that there are no available, suitable and viable sites that can accommodate the proposed commercial element of the development. As a result, the application site is the most sequentially preferable site to accommodate the proposed development.
- 7.11 Overall, policy S.TC1 states that within Tower Hamlets Activity Areas, a mix of uses which make a positive contribution to health and well-being are supported. In light of the above, the proposed ground floor commercial units are acceptable in principle and would result in an uplift of commercial space, which would also be flexible. LBTH Policy are satisfied with the approach taken overall. Each of the commercial units would be less than 200sqm and retail uses on the site would be acceptable subject to a condition restricting amalgamation of units so that no retail unit would be larger than 200sqm without planning consent.

Changes to Use Classes Order

- 7.12 On 21 July 2020 the Government announced a number of changes to the planning system which came into force on 1 September 2020. Of note to the application proposals, the introduction of Statutory Instrument no. 757 would see changes to the Town and Country Planning (Use Classes Order) and the creation of three new use classes, Class E, Class F1 and Class F2.
- 7.13 The new 'E' use class effectively amalgamates a number of previously disparate use classes into this new use. In the context of the application proposal, the previously existing A1, A2, A3, B1, D1 and D2 would fall within the E class. A4 would fall within the Sui Generis category.
- 7.14 Statutory Instrument no. 757 does however stipulate transition arrangements for planning applications submitted prior to the 1st September 2020, such as the application proposal. These transition arrangements state that such applications should be determined with reference to the Use Classes as existing prior to 1st September 2020. It is on this basis that officers have considered the application proposals with reference to the Use Classes Order as existing, even though the application is to be determined after 1st September 2020, at a point when the new statutory instrument has come into effect.
- 7.15 Nevertheless, whilst the application proposals should be assessed and determined in accordance with the transitional arrangements (as per the following analysis), in officers' view the new legislation still amounts to a relevant material consideration. That is, it is relevant to note the legislative context against which the proposals would be considered in the event that they were re-submitted after 1st September 2020. However, whilst material, officers would afford them very limited weight in the determination of the application given the transitional arrangements in place while further noting that Statutory Instrument No. 757 is subject to legal challenge.
- 7.16 It is noted that the new E class would give a high level of flexibility as to the proposed uses and operation of the site. This degree of flexibility may be desirable for the site, taking into consideration its location outside of a town centre, introducing new non-car-based commercial units to this busy arterial route.

Retention of Public House

- 7.17 It is understood that The Old Rose public house was closed in 2011. Records indicate that there has been a public house on the site since the early 19th century. The proposal involves the retention and refurbishment of the public house building and bringing it back into use as a drinking establishment. Public house use class currently falls under A4 (drinking establishment) for this application, however under recent use class amendments it would fall under Sui Generis use class, which would offer greater protection, ensuring that there would no longer be change of use permitted development rights.
- 7.18 Ancillary space is still available within the retained basement of the pub, with the main pub area at ground floor, restaurant space proposed at first floor and ancillary landlord accommodation at second floor level. The scheme has also been amended to include a pub garden to the rear. Historically there appears to have been a larger area to the rear but this seems to have also been used as a car park and storage. In principle the retained and refurbished public house is supported by policy D.CF4.

HOUSING

Unit Mix

- 7.18 Policy 3.8 of the London Plan states that new residential development should offer genuine housing choice, in particular a range of housing size and type. 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:

Unit Size	Total Units	Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %			
Studio	4	0	41.2%	25%	0	22.2%	10%	4	25.9%	30%
1 Bed	19	7			2			10		
2 Bed	39	3	17.7%	30%	7	77.8%	40%	29	53.7%	50%
3 Bed	16	5	29.4%	30%	0	0%	45%	11	20.4%	20%
4 Bed	2	2	11.8%	15%	0			0		
Total	80	17	100%	100%	9	100%	100%	54	100%	100%

Figure 4: Housing unit mix

- 7.20 As per Figure 4 above, there is broad compliance with the desired policy unit mix for market tenured units, however there are inconsistencies within the proposed affordable rent and intermediate tenured units when referenced against policy guidance. There is slight under provision of family rented units within the affordable tenure. There are no 3/4-bed units within the intermediate tenure with a policy requirement of 45% however there is an overprovision of 2-bed 4-person units which would provide the same occupancy as 3-bed 4-person units. It is accepted that family sized intermediate units would not meet affordability criteria in this case.

Affordable Housing

- 7.21 The scheme proposes 35% (by habitable room) affordable housing comprising 26 out of 80 units with a 70% affordable rented / 30% intermediate tenure split. 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.
- 7.22 Taking into account the generally acceptable housing unit mix as above, it is considered that the proposed affordable housing provision would generally meet the Council's aspirations and that the application can follow the 'fast track' route whereby a Financial Viability Assessment need not be submitted, as also agreed by LBTH Housing and LBTH Development Viability.

Quality of Residential Accommodation

Internal Space

- 7.23 Policy D.H3 of the Local Plan requires that new dwellings meet up-to-date space and accessibility standards prescribed within the London Plan with particular regard for minimum internal space standards for unit types, minimum floor to ceiling heights and the provision of 10% wheelchair accessible and adaptable housing. The policy also highlights the requirement that affordable housing should not be of a distinguishable difference in quality.
- 7.24 The 80 residential units would be located at mezzanine level and above within the Chigwell Hill building, and from first floor and above within The Highway building. All proposed units would meet or exceed minimum internal floor space standards in regards to floor area and floor-to-ceiling heights.
- 7.25 8 units (10%) would be Part M 4(3) wheelchair adaptable or accessible in accordance with Policy D.H3. 6 of these units would be affordable rented, which is welcomed. 6 of the wheelchair adaptable/accessible unit would be located at podium (first floor) level, with 1 each at second and third floor level. The remaining 72 units would comply with Part M 4(2) of the Building Regulations. Full details of wheelchair accessible and adaptable units would be secured by condition, subject to approval.
- 7.26 Market and Affordable units would be accessed from The Highway (core A and core B) as well as Chigwell Hill (core C). The Chigwell Hill building would only contain affordable rented units however there are also affordable and intermediate units within The Highway building. All units would be able to access via each entrance allowing a mixed and balanced community. Cores A and B would be provided with one lift and core C would have two lifts. Each core would also have access to its own refuse and cycle stores around building entrances. 3 units would have their front entrance facing the podium courtyard which would help to activate this central space.
- 7.27 In regards to outlook, 61% of residential units would benefit from dual aspect outlook. Importantly, none of the proposed single aspect units would be solely north-facing over The Highway. 73% of the affordable units would benefit from dual aspect outlook. The distance between windows on rear wings would be 18m which would not result in unacceptable overlooking. There would be some oblique overlooking possible across corners from rear wings to The Highway building however there would not be direct overlooking and screening is proposed to balcony areas.
- 7.28 Taking into consideration surrounding noise, the application site is located adjacent to a busy arterial vehicular highway and would also experience potential noise impacts from existing night venues to the south. The applicant has proposed mechanical ventilation as well as enhanced glazing in order to protect against surrounding noise sources. LBTH Noise Team

have assessed the submitted Noise Impact Assessment and are content that conditions can be applied, subject to approval in order to protect the amenity of future occupiers.

Internal Daylight and Sunlight

- 7.29 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.
- 7.30 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 receive 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
- 7.31 The applicant has provided a Daylight, Sunlight and Overshadowing Assessment (DSOA), undertaken by Lichfields. This has been reviewed by Delva Patman Redler on behalf of the Council.
- 7.32 The DSOA provides results for the new habitable rooms to be created within the proposed development. Results have been provided for VSC daylight, NSL daylight and ADF. The DSOA shows that 96% of the habitable rooms in the scheme would comply with the recommended minimum levels for ADF with many of those rooms that do not meet the standard falling only marginally falling below. Taking into consideration the possibility of the previously consented Pennington Street Hotel being built out across Chigwell Hill, 190 of the 242 rooms would still meet the recommended minimum levels of ADF, although that increases to 233 out of 242 rooms if the living room/kitchen/diner rooms are assessed against a standard of 1.5% ADF which the Council's consultant considers appropriate.
- 7.33 The worst affected rooms would be living room/kitchen/dining rooms (LKD) located close to the internal corners of the courtyard and with the kitchens at the rear of these rooms. 1 triple aspect outlook 3-bedroom affordable unit at ground floor would have an LKD as above. A dual aspect 2-bedroom intermediate unit at second floor level would also have an LKD as above. These large multiple use rooms result in lower overall ADF values, however it is likely the ADF to the living room area alone would be noticeably better. Separation of the living room area from the kitchen would likely result in kitchens which would not need to be assessed as habitable rooms. The results are also exacerbated by the windows to these rooms being set back behind recessed balconies, limiting sky visibility both from overhead and to the side.
- 7.34 The annual probable sunlight hours results would not be compliant with the BRE recommended minimum levels. APSH analysis shows that 32% of the rooms tested, regardless of orientation, will comply with BRE guidance. Of the south facing rooms, the analysis shows 43% of the 111 rooms tested will see full compliance with the guidance. The Council's daylight and sunlight consultant (Delva Patman Redler) agrees with the DSOA analysis in that it would be difficult to achieve better levels of sunlight for a building of this site density and shape with recessed balconies as external amenity space to living rooms.
- 7.35 The podium courtyard spaces have been assessed in regards to access to potential overshadowing and 96.2% of these spaces would receive sun on the ground for 2 hours, which would comply with BRE guidance which states a guideline of 50% for 2 hours.

Amenity Space & Child Play Space

- 7.36 In relation to communal amenity space, 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 80 residential units, this equates to a minimum provision requirement of 120sqm across the development. Policy D.H3 requires major developments to provide a minimum of 10sqm of high quality play space for each child, calculated using the LBTH 'child yield' calculator. The proposal would provide communal amenity and play spaces at podium level and at the fourth floor roof level of the Chigwell Hill building with a total combined area of 493sqm (plan show in Appendix 2).
- 7.39 The development would generate a child yield of 34 total children, which requires a minimum 337sqm of play space according to the Tower Hamlets calculator. The play space would be located within the podium courtyard (267sqm) and at fourth floor level (70sqm) of the Chigwell Hill building, which could be accessed directly from all cores and tenures. 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 ensure this. Excluding circulation spaces, approximately 337sqm child play space would be provided, which would satisfy the policy requirement.
- 7.40 Communal amenity space would be located within the podium courtyard (150sqm) and at fourth floor level of the Chigwell Hill building (60sqm). Excluding circulation spaces, approximately 210sqm would be provided which would be in excess of the policy requirement of 120sqm. Furthermore, 170sqm supplementary indoor communal space would be provided at podium level – the detailed use of this space would be subject to condition.
- 7.41 Indicative landscape drawings have been provided showing 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. Full details of play equipment specifications, landscaping and layout would be secured by condition, subject to approval.

Conclusion

- 7.42 Overall it is considered that the proposed development would provide a high standard of residential accommodation in compliance with the Development Plan.

HERITAGE AND DESIGN

- 7.43 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. Policy S.DH3 requires that the significance of heritage assets are preserved in any development scheme.
- 7.44 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.
- 7.45 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. Policy 7.8 states that

development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Height, Scale and Massing

- 7.56 The application proposes the construction of a 7 storey (25.4m to 25.9m height from street level on The Highway) main building on The Highway. The height would stagger down to 5 storeys (20.9m height from street level on The Highway; 17.8m height from street level on Chigwell Hill) towards the 3 storey refurbished public house at the corner with Chigwell Hill. The scheme has significantly reduced from the originally submitted part 8, part 9 and part 10 storey proposal. The amended scheme is considered to be much more appropriate for the relationship with the retained pub at the corner within the conservation area and for the setting of the Grade I listed St George-in-the-East Church, identified as a local landmark where setting and views of which should be protected. The introduction of a 'gap' space as a garden area at the rear of the pub on Chigwell Hill also helps to mitigate the massing impact on the existing low-rise pub building.
- 7.56 Figure 5 below shows surrounding existing massing. Chi Buildings and Orchid Apartments to the north of The Highway rise from 7 storeys to 9 storeys at their highest however their massing is broken up in the middle by a through-route and that development is not as wide as the application proposal. To the east is currently a large, empty plot of land at 134 to 140 Pennington Street & 130, 136 & 154 to 162 The Highway. There is an old consent on the land for a 4 to 8 storey hotel building which appears not to have been implemented but should be taken into consideration for indicative local heights.



Figure 5: Proposed massing in existing local context

- 7.57 As per Figure 5 above, there is an undeveloped plot of land to the south at 122-132 Pennington Street. This land has various expired consents relating to Tobacco Dock redevelopment. Currently it is referred to as 'Site 5' and is used as an outdoor drinking area. To the south-west and west is an L-shaped mixed use (various uses such as offices, light industrial, storage, photographic studios and nightclub) building which is 2 storeys on The Highway and 3 storeys at Pennington Street.
- 7.58 As Figure 6 below, consented massing of the London Dock development can be seen to the south-west, comprising towers of up to 25 storeys (shown on Figure 6 below). To the east can

be seen the hotel development consented on The Highway. It is unclear whether the consent has been implemented however the approved massing is a material consideration.



Figure 6: Proposed massing in consented local context

- 7.59 The height, scale and massing of the development is considered to be proportionate to the existing and emerging context of the surrounding area and would not be out of place in its setting.

Layout

- 7.60 In regards to ground floor layout and visual treatments, the development would contain predominantly active commercial frontages along with residential and servicing entrances to the north towards The Highway. There would be a residential entrance to Chigwell Hill along with some pub/pub garden facing and servicing frontage providing additional active frontage to this narrow under-surveilled route.
- 7.56 The proposal would involve a much improved public realm facing The Highway with the introduction of a continuous, new paved surface and provision of 8 trees in this location. The footway available would also be extended by way of a colonnade towards the active frontages which would be overhung by the development. Although it would be preferred for the building not to overhang in order to allow a more generous and open public realm towards The Highway, this is considered to be acceptable taking into consideration the main building line would still be set behind the pub along with the acceptable height, scale and massing as mentioned above.
- 7.57 The massing of the proposed development would follow an E-shaped form to allow landscaped courtyards for communal amenity and play space behind The Highway frontage building, whilst also respecting potential future neighbouring development potential to the south.



Figure 7: The Highway front elevation (originally submitted scheme in red outline)

Materials and Appearance

- 7.58 The main facing materials proposed are clay-facing brickwork of red and cream buff bricks. The elevation design and fenestration is considered to be rational, applying a symmetric approach of five main 7 storey 'bays' strengthened by the varied heights of parapets and the difference between set-backs and set-forwards. The vertical recessed gap between the seven-storey bay and the five story 'transitional volume' is appreciated.
- 7.59 The GRC coping and bandings, and the deep reveals of window openings / column elements/ horizontal sub-division elements, are welcomed. However, its success relies on the depth of the brickwork reveal around the columns or vertical elements, sub-divisions, and windows. 1:20 sections are required to demonstrate the details of both brickwork and GRC's 'robustness' and 'depth', opening reveals, brick coursing detail, plinth element, balcony, balustrade, soffit, parapet, entrances/ external doors and gates. PPC aluminium window systems and metal balustrades are also proposed.
- 7.60 The Old Rose public house is not a listed or locally listed building and so the internal fittings are not protected. However the external refurbishment has been confirmed and full details of external details and materials would be secured by condition, subject to approval.
- 7.61 Full details and samples of external materials would be secured by condition, subject to approval. Overall the materials and overall appearance of the building are considered to be consistent with guidance within the Development Plan.

Landscaping

- 7.62 Figure 8 below shows indicative landscaping within the podium and public realm. Preliminary landscape drawings for the podium (located at first floor level) and roof garden have been submitted to support the application and feature elements within the development as well as within the proposed public realm areas. Hard landscaping features include planters, pergolas, sporting/gym equipment, lounge and bench structures, play equipment, decked and turfed areas spread across the building's shared amenity areas and roof. Hard landscaping within the public realm areas to the north and west of the site includes high quality paving materials.
- 7.63 Areas of plantings with a mix of native trees and plants are proposed across the development and within the public realm. In regards to policy G5 of the Draft London Plan, the scheme would achieve an Urban Greening Factor score of 0.4 which would meet the policy aim for a predominantly residential development, ensuring a good level of urban greening within the

site. The submitted landscaping document makes mention of areas of artificial grass and greening however these would not be acceptable – natural greenery would be secured by condition, subject to approval.



Figure 8: Indicative landscaping within podium and public realm

7.64 Overall, the landscaping approach is supported and would ensure a high quality design response that would create attractive areas of public open space. Full details of landscaping, greening and play space would be secured by condition, subject to approval.

Density

7.65 The proposal would have; 240 habitable rooms; 80 units; be based in an Urban setting; benefit from a public transport accessibility (PTAL) range of 4-6; be on a site area of 0.29 hectares. The proposal would therefore have 3 hr/u and so the appropriate density ranges specified by policy 3.4 would be 200-700 hr/ha and 70-250 u/ha.

Policy 3.4 appropriate hr/ha	Proposal hr/ha	Proposal hr/ha (taking into account commercial)
200–700 hr/ha	827 hr/ha	960 hr/ha
Policy 3.4 appropriate u/ha	Proposal u/ha	Proposal u/ha (taking into account commercial)
70–260 u/ha	276 u/ha	320 u/ha

Figure 9: Density of proposed development

7.66 In accordance with the Mayor of London's Housing SPG, for calculating the density of vertically mixed use schemes, (i.e. where housing is on top of non-residential uses), the SPG states that it may be appropriate for the size of the site to be reduced by an amount that is equivalent to the proportion of total floorspace allocated to non-residential uses (both below and above ground, measured as GIA) before calculating residential density in the normal way. Accordingly the total floorspace for all uses is 6,608sqm, comprising 829sqm commercial floorspace and 5,779sqm residential floorspace. The proportion of commercial floorspace is therefore 12.5%. The appropriate site area to be calculated (reduced by 12.5%) would therefore be 0.25ha. The appeal scheme residential densities, taking into consideration commercial floorspace would therefore be 320 u/ha and 960 hr/ha, which are further away from the ranges specified as Figure 9 above shows.

7.67 Paragraph 1.3.51 of the Housing SPG states that in appropriate circumstances it may be acceptable for a particular scheme to exceed the ranges in the density matrix. To be supported, the Housing SPG states that schemes that would exceed the ranges in the matrix must be of a high design quality and should be tested against the following considerations:

- a. *The factors outlined in Policy 3.4 including local context and character, public transport capacity and the design principles set out in Chapter 7 of the London Plan;*
- b. *the location of a site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;*
- c. *the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and, in particular, accord with the housing quality standards set out in Part 2 of this SPG;*
- d. *scheme's overall contribution to local 'place making', including where appropriate the need for 'place shielding';*
- e. *depending on their particular characteristics, the potential for large sites to define their own setting and accommodate higher densities;*
- f. *the residential mix and dwelling types proposed in a scheme, taking into account factors such as children's play space provision, school capacity and location;*
- g. *the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and*
- h. *whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development (eg. town centres, opportunity areas, intensification areas, surplus industrial land, and other large sites).*

7.68 It is noted that the proposal exceeds the recommended residential density from policy 3.4 and whilst these figures are not to be applied mechanically, it is important to be mindful of the need to be alert to the symptoms of overdevelopment flowing from high residential density. Taking into consideration the points above, it is considered that the exceedance of the density guidelines in this instance is not considered to warrant a reason for refusal, based on: the acceptable height, scale and massing in its local context; very good public transport

accessibility of the site; high quality of residential accommodation proposed; allowances of massing for neighbouring development potential; acceptable housing provision including policy compliant affordable housing; acceptable waste and cycle parking facilities proposed.

- 7.69 Further to the above, it is also a material consideration that the density matrix guidelines have been removed from the Draft London Plan in terms of the mechanistic calculations in favour of a more qualitative approach.

Heritage

- 7.70 Development Plan policies require proposals affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Policy S.DH3 requires development to protect and enhance the borough's conservation areas including their setting.

The Old Rose

- 7.71 The Old Rose public house is located within the St George in the East Conservation Area. Figure 9 shows the relationship between the proposed new buildings and the pub. The new buildings would step down to 5 storeys on The Highway to take account of The Old Rose. On Chigwell Hill, the pub garden setting is reintroduced. The pub previously had a pub garden shared with its own car park. The pub garden allows a gap and breathing space with the 5 storey block on Chigwell Hill.

- 7.72 The development proposes to refurbish the public house, which is considered to be a significant public benefit. It is understood that the pub has been closed since 2011 but a pub has been on the site since the early 19th century. Overall it is considered that there would be less than substantial harm caused by the larger build new development in such close proximity; however it is considered that the wide range of public benefits (identified in Heritage conclusion) of the development including bringing the pub back to use would outweigh any possible harm..



Figure 9: Relationship with The Old Rose from Cannon Street Road (originally submitted scheme in outline)

Grade I listed St George in the East

- 7.73 In regards to the Grade I listed Church of St George in the East, 60m to the north-west, the relationship with the proposed development is shown in Figure 10. The proposal would be

viewable in conjunction with the listed church from the church gardens however it would appear to be sufficiently subservient in this view.



Figure 10: Proposed view in relation to Church of St George in the East (without consented neighbouring massing to the east)

Grade I listed Tobacco Dock/Grade II listed Pennington Street Warehouses

7.74 In regards to the Grade I listed Tobacco Dock is 30m to the south and the Grade II listed Pennington Street warehouses, 35m to the south-west due to the current arrangement of underutilised and derelict land around the site, limited views of Tobacco Dock are available from The Highway across the petrol station forecourt. Any development on the site would be anticipated to remove these unexpected and limited views. There is also an undeveloped site behind the application site in-between with Tobacco Dock which would be likely to remove these views if it ever becomes developed.

7.75 Overall it is considered that the proposal would preserve surrounding listed buildings, their settings or any features of special architectural or historic interest which they possess in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conservation Area

7.76 In regards to its affect on the conservation area generally, the most significant impacts would be on The Old Rose public house and the Church of St George in the East, as already described above. Apart from The Old Rose, the remainder of the conservation area is located across The Highway to the north with ample separation.

7.77 It is considered that there would be less than substantial harm to the public house and the setting of the conservation area generally. Paragraph 196 of the NPPF states that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

- 7.78 It is considered that public benefits of the scheme such as, regeneration of the site, policy compliant affordable housing provision, enhanced public realm, construction phase jobs, new flexible commercial space, end-user employment, and refurbishment and reopening of the public house would outweigh the less than substantial harm identified to any heritage assets. Overall it is considered that the proposed development would preserve the character and appearance of the conservation area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

- 7.79 Further to the above, policy S.DH3 states that “any harm to the significance of a heritage asset must be justified having regard to the public benefits of the proposal.” The public benefits of the development (listed in the Planning Benefits section) are considered to be significant and to outweigh harm to the significance of heritage assets.

NEIGHBOURING RESIDENTIAL AMENITY

- 7.80 There are 2 residential buildings which may be affected by the proposed development. Chi Building and Orchid Apartments are both located across The Highway to the north.

Outlook, Sense of Enclosure and Overlooking

- 7.81 In regards to impacts on outlook, sense of enclosure and mutual overlooking, the proposed development would be located over 18m away from Chi Building and Orchid Apartments. These 9 storey residential buildings are located 22m to the north and north-west of the application site. 18m is considered by policy D.H8 to be an acceptable distance between facing habitable room windows therefore overlooking is not considered to be an issue for the development.
- 7.82 Although the proposal would have some impact on outlook and sense of enclosure, based on the application site being 22m away, separation distance is considered to be adequate. Furthermore it is considered that the low rise massing of the application site is not typical of such a dense, inner city location, evidenced by the heights of the residential buildings across The Highway. With such an accessible location within the City Fringe Opportunity Area, such low rise development would not be expected to be maintained in future development plans.

Daylight, Sunlight and Overshadowing

- 7.83 Policy D.DH8 seeks to ensure that development must not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development and must not result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. Supporting text of the policy states that a daylight and sunlight assessment, following the most recent version of the Building Research Establishment (BRE) handbook ‘Site Layout Planning for Daylight and Sunlight’ (2011) (‘BRE handbook’)

Daylight and Sunlight

- 7.84 Chi Building and Orchid Apartments have been tested in relation to daylight, sunlight and overshadowing impacts and the results recorded in the submitted Daylight, Sunlight and Overshadowing Assessment (DSOA) conducted by Lichfields. This report have been independently reviewed on behalf of the Council by Delva Patman Redler.
- 7.85 The BRE handbook provides guidance on daylight and sunlight matters. It is important to note, however, that this document is a guide whose stated aim *‘is to help rather than constrain the*

designer. The BRE handbook states that for calculating daylight to neighbouring properties affected by a proposed development, vertical sky component (VSC) and daylight distribution (NSL – no sky line) assessments are to be undertaken.

- 7.86 VSC is a daylight measure that represents the amount of visible sky that can be seen from the mid-point of a window, from over and around an obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky, and, therefore, represents the amount of daylight available for that particular window; however it does not take into account the number or sizes of windows to a room, room dimensions or the properties of the window itself.
- 7.87 The BRE handbook suggests that a window should retain at 27% VSC or retain at least 80% of the pre-development VSC value to ensure sufficient daylight is still reaching windows. The 27% VSC value is a target applied for all building typologies and urban environments.
- 7.88 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 impact; 0-20% loss against existing
 - Minor adverse impact; 20-30% loss against existing
 - Moderate adverse impact; 30-40% loss against existing
 - Major adverse impact; Above 40% reduction
- 7.89 No-sky line (NSL) is a separate daylight measure assessing the distribution of diffuse daylight within a room, otherwise known as daylight distribution (DD). 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 however they can also be estimated. The NSL simply follows the division between those parts of a room that can receive some direct skylight from those that cannot. Where large parts of the working plane lie beyond the NSL, the internal natural lighting conditions will be poor regardless of the VSC value, and where there is significant movement in the position of the NSL contour following a development, the impact on internal amenity can be significant.
- 7.90 When comparing the NSL for existing buildings against that proposed following development, BRE guidelines state that if the NSL moves so that the area of the existing room which receives direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit.
- 7.91 Average daylight factor (ADF) is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. A small room with a large window will be better illuminated by daylight compared to a large room with a small window, and the ADF measure accounts for this. ADF is most appropriately used to assess daylight levels for proposed residential units
- 7.92 BRE guidelines confirm that the acceptable minimum ADF target value depends on the room use. That is 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Notwithstanding this, it could be considered that, in practice, the principal use of rooms designed as a 'living room/kitchen/dining room' is as a living room. Accordingly, it would be reasonable to apply a target of 1.5% to such rooms.
- 7.93 The BRE handbook states that for calculating sunlight to neighbouring properties affected by a proposed development, annual probable sunlight hours (APSH) is a measure of direct sunlight

that a given window may expect over a year period. The BRE handbook recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. The BRE handbook recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

Assessment

- 7.94 There are 2 residential properties around the site identified by the DSOA which could be impacted in regards to daylight and sunlight, by the proposed development.
- 7.95 A 3D computer model of the proposals and surrounding properties has been produced, and the assessment has been aided by online research and onsite observations. The model includes window locations and internal configurations. Assumptions have been made regarding the internal layouts of the rooms where plans were not available, as access was not requested to adjoining properties. It is noted that when an assessment has been based on estimations and assumptions, a tolerance should be applied as there is potential for inaccuracies to occur. Window maps have been also been supplied by the applicant which allows cross reference of the locations with the results for the Vertical Sky Component and Annual Probable Sunlight Hours tests.
- 7.96 The technical analysis within the applicant's report demonstrates that in relation to VSC daylight, windows within 2 neighbouring residential properties overlooking the site (shown on Figure 11 below) have been analysed:
- Chi Building
 - Orchid Apartments



Figure 11: Chi Building and Orchid Apartments (in blue) in relation to the proposed development (in green)

Chi Building

- 7.99 Chi Building is located approximately 22m to the north-west of the application site across The Highway. Chi Building has commercial use at ground level and residential units above rising to 9 storeys. Figure 12 below shows the general compliance with BRE guidelines for daylight and sunlight impacts.
- 7.100 In regards to impacts on daylight, results show that 39 of the 52 windows assessed would meet the BRE standard for reduction in VSC daylight. 12 of these would experience a major adverse impact and 4 would experience a moderate adverse impact. For NSL daylight, 38 of the 40 rooms would meet the BRE standard.
- 7.101 It is considered that the results for this building are affected by their own architectural design, where the worst affected rooms are set behind and beneath recessed balconies. It is therefore relevant that whilst there are moderate and major losses to VSC daylight, the NSL daylight results show that the windows will still have a good outlook. It should also be understood that a residential building should not significantly rely on daylight and sunlight from neighbouring sites, especially brownfield sites in Opportunity Areas, in order to deliver adequate quality of accommodation.
- 7.102 An alternative assessment with VSC tested on the face of the elevation, negating recessed balconies, does show a notable improvement in results does illustrates that having windows recessed does itself limit the daylight received. However, even if all windows were on the face of the elevation without recessed balconies, the scheme would not be fully compliant with the BRE recommended standards for VSC daylight.
- 7.103 The Council's consultant has reviewed the DSOA findings and considers that the impact on daylight to the Chi Building would be minor to moderate adverse on balance.

- 7.104 In regards to impacts on sunlight, results show that 33 of the 44 windows assessed would meet the BRE recommended reduction level. Where more noticeable reductions occur this, as with daylight impacts, these are exacerbated by the windows being behind recessed balconies, and where existing sunlight levels are already low as a result. The Council's consultant has reviewed the DSOA findings and considers that the impact on sunlight to the Chi Building would be minor to moderate adverse on balance.
- 7.105 Additional information providing detailed floor plans and analysis of the first, second and third floor levels has been provided. W6 and W7 at first, second and third floor levels would suffer major or moderate impacts to VSC. W6 at these three floors serves a single bedroom which would also fail BRE NSL guidelines. It should be taken into consideration that floor plans confirm that these 3-bedroom units benefit from dual aspect outlook and that W6 and W7 are self-hindered by overhanging balconies, and that they would contain a bedroom which would not be impacted by the development, along with the generally compliant NSL figures, it is considered that the retained amenity for worst impacted units within Chi Building would be acceptable.
- 7.106 Officers requested that a cumulative assessment was undertaken to show impacts on neighbouring residential units if the Pennington Street Hotel was also built out. The results do not show any significant additional impacts on neighbouring residential units if both developments were to be built out.
- 7.107 The submitted assessment demonstrates that the proposed development would adversely impact the daylighting and sunlighting conditions within this building and would result in some failures in BRE compliance. Taking into consideration the low-rise massing of the site has a significant bearing on Chi Building, the daylight and sunlight levels enjoyed by these properties are considered unusual for a City Fringe location which, coupled with their proximity to the carriageway and self-hampering effect of their architectural features, makes them potentially sensitive to any meaningful increase in massing at the site.
- 7.108 The proposed development is noticeably lower in height than Chi Building. Furthermore taking into consideration that there would be no significant impacts on outlook, sense of enclosure and overlooking, overall it is considered that the retained amenity for Chi Building would be acceptable on balance and that impacts on daylight and sunlight would not warrant refusal.

Address	VSC compliance	DD compliance	APSH compliance
Chi Building	39/52	38/40	33/44
Orchid Apartments	49/72	30/47	39/48
TOTALS	88/124 (71%)	68/87 (78%)	72/92 (78%)

Figure 12: Daylight and sunlight compliance of neighbouring residential blocks

Orchid Apartments

- 7.99 Orchid Apartments is located approximately 22m to the north of the application site, directly across The Highway. Orchid Apartments has commercial use at ground level and residential units above rising to 9 storeys. Figure 12 above shows the general compliance with BRE guidelines for daylight and sunlight impacts.
- 7.100 In regards to impacts on daylight, results show that 49 of the 72 windows would not meet the recommended BRE standard for VSC daylight. Of these 7 would experience a moderate adverse impact and 12 would experience a major adverse impact. 30 of the 47 rooms would meet the BRE standard for NSL daylight with 3 of these experiencing a moderate adverse impact and 12 experiencing a major adverse impact.

- 7.101 As with Chi Building, the fact that windows are set back by recessed balconies is considered to exacerbate the impact of the development but in this case there are also notable major impacts to daylight distribution to rooms not affected by balconies that are directly opposite the proposed development. The alternative assessment with VSC calculated on the face of the elevation, negating recessed balconies, does show improvements as would be expected but still does not show full compliance with the recommended BRE standards.
- 7.102 The Council's consultant has reviewed the DSOA findings and considers that the impact on daylight would be major adverse to one flat on each of the first and second floors facing the proposed development, and moderate adverse for the other flats assessed on first, second and third floors on balance. As with Chi Buildings, the impacts need to be understood in the context that a residential building should not significantly rely on daylight and sunlight from neighbouring sites, especially brownfield sites in Opportunity Areas, in order to deliver adequate quality of accommodation.
- 7.103 In regards to impacts on sunlight, results show that 39 of the 48 windows assessed would meet the BRE recommended reduction level. The impact is therefore considered to be negligible.
- 7.104 Additional information providing detailed floor plans and analysis of the first, second and third floor levels has been provided. Although the majority of windows facing the development for the six flats on these three floor levels would suffer major, moderate and minor adverse VSC, NSL and sunlight failures, floor plans indicate that these units benefit from either dual or triple aspect outlook and they all also contain habitable rooms which do not face and would not be impacted by the development. Furthermore floor plans confirm that some of the impacted windows are self-hindered by overhanging balconies.
- 7.105 Officers requested that a cumulative assessment was undertaken to show impacts on neighbouring residential units if the Pennington Street Hotel was also built out. The results do not show any significant additional impacts on neighbouring residential units if both developments were to be built out.
- 7.106 The submitted assessment demonstrates that the proposed development would adversely impact the daylighting and sunlighting conditions within this building and would result in some failures in BRE compliance. Taking into consideration the low-rise massing of the site has a significant bearing on Chi Building, the daylight and sunlight levels enjoyed by these properties are considered unusual for a City Fringe location which, coupled with their proximity to the carriageway and self-hampering effect of their architectural features, makes them potentially sensitive to any meaningful increase in massing at the site.
- 7.107 The proposed development is noticeably lower in height than Orchid Apartments. Furthermore taking into consideration that there would be no significant impacts on outlook, sense of enclosure and overlooking, overall it is considered that the retained amenity for Chi Building would be acceptable on balance and that impacts on daylight and sunlight would not warrant refusal.

Overshadowing

- 7.108 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 March. Outdoor amenity space for Orchid Apartments at the corner of The Highway and Cannon Street Road has been identified. Sun on the ground would reduce from 92% to 91% coverage for this public amenity space, which would be a negligible impact. Church gardens for St George in the East across Cannon Street Road have also been assessed and there would be no impact on this public amenity space. Overall the proposed development would not have significant overshadowing impacts on neighbouring amenity areas.

Conclusions on Daylight, Sunlight and Overshadowing

- 7.109 Policy D.DH8 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. 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 currently only has low scaled structures and neighbouring sites, 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.
- 7.110 It is also noted from the submitted assessment that contributing factors including existing balconies 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.
- 7.111 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.

Impact on Potential Neighbouring Development Sites

- 7.124 The application site currently has vacant, undeveloped plots of land to the east and south. To the west and south-west is a low rise, mixed use warehouse building (Big Yellow Self-Storage) which has been subject to pre-application discussions in recent years. The layout of the proposed development has sought to respond to neighbouring development potential in not having windows within close proximity to boundaries to the west or south. Balconies with sides open to the west have also been provided with screening. The E-shaped massing and plot coverage also allows spacing and the ability to join to potential neighbouring development.
- 7.125 Within the DSOA, analysis of potential daylight and sunlight to sites to the west, east and south has been conducted. Diagrams have been provided which appear to show notional development massing of neighbouring sites and how adequate daylight and sunlight could still be achieved with careful design. The vacant site across Chigwell Hill gained consent for a hotel redevelopment (Pennington Street Hotel) although it is unclear if this is still extant. In the case that it is extant, the commercial use would not rely upon daylight and sunlight in the way that residential accommodation does. In any case, 48 of the 52 rooms facing the proposed development would meet the ADF standard. Overall it is not considered that the development would unduly hinder neighbouring development potential.

Noise and Vibration

- 7.126 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 to neighbours.

Construction Impacts

- 7.127 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

- 7.128 Overall, it is considered that the proposed development would not result in an unacceptable adverse impact on the surrounding area in terms of amenity impacts. Overall there would be compliance with policy D.DH8 which seeks to protect the amenity of existing buildings and their occupants.

NIGHT-TIME ECONOMY

- 7.129 The proposed development is located in close proximity to a number of night-time drinking and music venues. Figure 12 below shows the location of night-time venues in relation to the application site. Policy D12 'Agent of Change' of the Draft London Plan places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on proposed new noise-sensitive development, so that established noise and other nuisance generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 7.130 Development proposals should manage noise and other potential nuisances by ensuring good design mitigates and minimises existing and potential nuisances; exploring mitigation measures early in the design stage, with necessary and appropriate provisions, including ongoing and future management of mitigation measures secured through planning obligations; and separating new noise sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, and insulation and other acoustic design measures.
- 7.131 Policy D.ES9 of the Local Plan states that where new noise-sensitive land uses are proposed in proximity to existing noise-generating uses, development is required to robustly demonstrate how conflict with existing uses will be avoided, through mitigation measures.



Figure 12: Application site (red line) with consented night-time venues (green starred) and venues operating without permission (red starred)

Local Venues

- 7.132 Studio Spaces/Club E1 at Unit 2, 110 Pennington Street is a 1,600 capacity night club. Planning consent for a nightclub in this location was granted in 1999 (PA/99/00076). This venue hosts regular club nights and live music events. This venue is located directly to the south and south-west of the application site. Previously this venue made use of outdoor space to the east of the application site fronting The Highway for break out, queuing and toilet facilities although it is understood that this was only a temporary, informal arrangement. The venue raises possible conflicts to the development in regards to the flow of guests moving to the venue, along with queuing and break out, on Pennington Street. Ground-borne noise transmission is also a potential issue.
- 7.133 To the south of the application site sits a vacant, undeveloped plot of land at 122-132 Pennington Street which also takes the corner with Chigwell Hill. Since the Covid-19 lockdown restrictions came into force, Club E1 has not been able to operate at Unit 2, 110 Pennington Street. In summer 2020, Club E1 started to use the neighbouring undeveloped land as an outdoors events space for food and drink with a capacity of 350 for seated guests known as Site 5. Site 5 has been operating without the benefit of planning consent although current Covid-19 planning legislation stipulates that temporary uses can operate for 56 days per year. It is unclear if the outdoor venue will continue to operate in the winter months. The venue has operated under temporary licensing and is in the process of applying for future licensing. As this venue is temporary and operating without the benefit of planning consent, it is not considered to fall under Agent of Change protection.
- 7.134 Tobacco Dock is a large, multi-purpose venue located to the south-east of the corner of Chigwell Hill and Pennington Street. This venue hosts a diverse range of events such as trade fairs, conferences, exhibitions, and large scale music events and club nights, with a maximum capacity of 10,000. It is not expected that noise would break out from the venue to the

application site, however on events days it would be expected that guests would flow down Chigwell Hill and Pennington Street around the application site, which would be a concern.

- 7.135 The Skylight Bar is a drinking establishment located on the roof (fifth floor) of Tobacco Dock car park to the south of the application site, located across Pennington Street. It is not expected that noise from the venue would be perceptible from the application site, however there would be a flow of guests towards the venue. This venue is currently operating without the benefit of planning consent, although a planning application has recently been lodged for its regularisation. The venue benefits from approved licensing.
- 7.136 Further to the night-time venues located outside of the application site, The Old Rose public house is proposed to be refurbished and reopened within the proposed development. The public house would be in close proximity to proposed residential units. The proposed pub garden to the rear would also be overlooked by some windows from affordable housing units within the Chigwell Hill building. LBTH Noise consider that it would be appropriate to condition the pub garden not to be used after 9pm, which would allow the amenity of neighbours to be maintained.

Summary

- 7.124 Within the Noise Impact Assessment and following further discussions and a site visit within Studio Spaces, the applicant has proposed mitigation via building design such as enhanced glazing and mechanical ventilation for all residential windows. This would allow all residential windows to be closed to achieve adequate internal noise levels. Details of overheating mitigation would also need to be secured via condition, subject to approval in order to ensure that adequate internal conditions could be achieved if windows were to be closed.
- 7.125 The applicant has agreed to Deeds of Easements for The Old Rose, Studio Spaces and Tobacco Dock in order to ensure that they are able to operate without being under threat by complaints for their normal operations. LBTH Noise have assessed the noise mitigation measures and consider that further work needs to be done to ensure the best ways of protecting the amenity of future occupants alongside ensuring continued operation the night venues. LBTH Noise consider that this can be achieved through conditions and S106 legal clauses.

TRANSPORT AND SERVICING

- 7.126 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

- 7.127 The applicant has committed to a 'car free' development with the exception of 8 accessible (blue badge) bays internally on the ground floor accessed from Chigwell Hill. The 'car free' nature of the proposal is considered acceptable given very good/good public transport accessibility of the site (PTAL 4/5). The provision of the development as 'car free' would need to be secured through a legal agreement. 1 accessible car parking bay is also proposed for the commercial uses.
- 7.128 All 8 of the proposed disabled accessible or adaptable residential units (6 affordable rent units and 2 market units) would be provided with an accessible car parking space. 6 disabled parking spaces are therefore provided for the affordable rent units and 2 spaces for the market units. Overall 10% of residential units have been provided with an accessible car parking

space, which is in excess of the minimum 3% provision in order to comply with Draft London Plan policy T5.

- 7.129 The accessible car parking bays and electric charging points would be secured by condition, subject to approval.

Servicing and Deliveries

- 7.130 The proposed servicing and delivery arrangements would be accessed from The Highway, 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. TfL is satisfied with the principle of the servicing strategy.

- 7.131 The applicant would need to enter into a S278 legal agreement with TfL to deliver the servicing access off The Highway. This would need to include a Road Safety Audit. The detailed design of the servicing access as a safe servicing access would need to be secured as a pre-commencement condition, subject to approval.

Public Realm

- 7.132 Trees are proposed to front the development on The Highway along with renewed pavements surrounding the site. 7 semi-mature Acer Columnar trees have been approved by TfL on The Highway. The detailed approval and delivery of the enhanced public realm including trees will need to be secured by S278 legal agreement with TfL.

Cycle Parking

- 7.133 The proposed long stay cycle parking spaces for both the residential (147 spaces) and commercial (11 spaces) units would be located on the ground floor of the building. Residential long stay cycle parking would be split into storage areas at ground floor from each of the 3 cores. Josta cycle parking is predominantly in proposed however 5% would be Sheffield accessible. Short-stay residential and commercial spaces (10 Sheffield stands) would be located externally within the public realm.

- 7.134 Cycle parking numbers are considered to satisfy Draft London Plan standards. Full details of long stay and short stay residential and commercial cycle parking would be secured by condition, subject to approval.

Trip Generation and Highways Safety

- 7.135 The submitted Transport Assessment has considered the total trip generation for both the residential and commercial portion of the development. TfL have requested a £250,000 contribution in order to upgrade the existing pedestrian crossing directly outside the site on The Highway junction with Cannon Street Road. This contribution is considered to be necessary to make the development acceptable, taking into account the increase in pedestrians generated by the proposals. The contribution has been accepted by the applicant and would be secured by S106 legal agreement, subject to approval. The upgraded pedestrian crossing on this harsh urban corridor is considered to be a significant public benefit.

Travel Planning

7.136 A full Residential and Commercial Travel Plan would need to be secured by condition, subject to approval.

Demolition and Construction Traffic

7.137 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

7.138 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.

7.139 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).

7.140 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.

7.141 The submitted Energy Statement (XCO₂ – July 2020) sets out the proposals to reduce energy demand through energy efficiency measures and renewable energy technologies (including 11.25kWp Photovoltaic array and Air Source Heat Pumps) and deliver the following CO₂ emissions:

- Baseline – 113 tonnes CO₂ per annum
- Proposed Scheme – 58.1 tonnes CO₂ per annum

7.142 The total on-site site wide CO₂ emission reduction is anticipated to be 48.6% against the building regulation baseline utilising the SAP10 carbon factors.

7.143 The proposals are for a 55 tonnes/CO₂ reduction in on-site emissions and would result in a carbon offsetting contribution of £165,585 to offset the remaining 58.1 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 new SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

7.144 The financial contribution would be included as a planning obligation in the related Section 106 legal agreement, subject to approval.

Sustainability

7.145 Policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'excellent' rating'. The submitted Sustainability Statement (XCO2 – February 2019) identifies the scheme will achieve BREEAM Excellent. This is supported and would be secured via condition, subject to approval.

Summary and Securing the Proposals

7.146 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions. The proposals meet the Local Plan target for anticipated on-site carbon emission reductions, however in order to support the scheme the residual CO2 emissions should be offset through a carbon offsetting contribution of £165,585 to deliver a policy compliant net zero carbon development.

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

7.148 It is recommended that the proposals are secured through appropriate conditions and planning contributions to deliver:

- S106 - Carbon Offsetting contribution of £165,585 to offset all the residual emissions
- Submission of final detailed specification of the PV array to demonstrate renewable energy generation on site has been maximised and PV integrated where compatible with proposed living roof
- Submission of post construction energy assessment including 'as built' calculations to demonstrate the reduction in CO2 emissions have been delivered on-site (Reason: Local Plan Policy D.ES7 requires all schemes to achieve net zero carbon with a minimum 45% reduction in CO2 emissions on site)
- Submission of Final BREEAM Final Certificates within 3 months of completion to demonstrate an Excellent rating has been delivered (Reason: Local Plan Policy D.ES7 requires all schemes to achieve BREEAM Excellent)
- Prior to commencement of development, a Zero Carbon Futureproofing statement shall be submitted to and approved in writing by the Local Planning Authority, setting out:
 - Proposals for 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.

Air Quality

7.149 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.

7.150 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

- 7.151 Development Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.152 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of waste management plan by condition, the proposal would be acceptable.

Biodiversity

- 7.153 Development Plan policies seek to safeguard and provide for net gains for biodiversity. The application site consists entirely of existing buildings and hard surfaces, with just a bit of ruderal vegetation. The existing pub building was found to have moderate potential for bat roosts. This does not rule out the possibility of high-value roosts, especially as survey of the loft void was not possible. The Preliminary Ecological Appraisal (PEA) recommends two emergence/re-entry surveys should be undertaken of the pub building during May to August inclusive. This is in line with best practice guidance. Following a bat survey no bat roosts were found to be present, and there would be no significant impacts on biodiversity, subject to a precautionary bat survey to be undertaken if works have not begun on the pub by August 2021.
- 7.154 Policy D.ES3 requires developments to deliver net gains for biodiversity in line with the Local Biodiversity Action Plan (LBAP), as well as elements of a living building such as green roofs. The proposals include biodiverse green roofs. The hedge and shrub planting palette includes a range of nectar-rich shrubs and perennials, which would contribute to a LBAP target to increase forage for bees and other pollinators. The PEA recommends nest boxes for house sparrows and house martins. These, as well as bat boxes and nest boxes for swifts, would all be appropriate at this site and would contribute to LBAP targets. They could be built into the fabric of the new buildings (apart from the house martin boxes) or attached to the buildings after construction.
- 7.155 Biodiversity enhancements should be secured through a condition, subject to approval, to provide biodiverse roofs, landscaping to include a good diversity of nectar-rich plants to provide food for bumblebees and other pollinators for as much of the year as possible, trees, bat boxes and nest boxes for appropriate bird species, including house sparrow, and vertical planting. The agreed measures shall be implemented in full prior to the occupation of the development hereby approved.
- 7.156 Draft London Plan policy G5 states that predominantly residential developments should meet the 0.4 Urban Greening Factor score which assesses all surfaces in regards to the quality and proportion of greening proposed. The proposal would provide an UGF score of 0.4 in line with draft policy, important in this location taking into consideration the harsh urban environment and poor surrounding air quality.

Arboriculture

- 7.157 The proposal involves removal of 3 trees within the public realm on The Highway frontage. It is considered that the proposed replanting of 7 semi-mature street trees would mitigate the loss. These would provide a net gain of 4 trees, increase overall canopy cover and provide an immediate increase in CAVAT value. Further to this a hardy tree species has been chosen

with a dense, fastigate canopy which will require minimal ongoing pruning. This would help improve pollution mitigation along The Highway.

- 7.158 TfL have reviewed the public realm tree provision and are satisfied with the species proposed. TfL are concerned with the exact location and provision of proposed trees prior to the Stage 1 Road Safety Audit being undertaken should highway safety issues be raised through the Audit. Full details of the location and position of trees within the public realm, internal courtyard and pub garden would be secured by section 278 legal agreement, subject to approval.

Flood Risk & Drainage

- 7.159 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.
- 7.160 The application is supported subject to a pre-commencement condition to ensure flood risk is not increased consisting of a detailed drainage plan as outlined in the FRA and drainage statement restricting runoff up to 3.2 l/s and should be submitted to the LPA before commencement of superstructure works should planning permission be granted. Thames Water have also requested a piling method statement as a condition, as well as informatives to be added, subject to approval.

Land Contamination

- 7.161 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

- 7.162 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,135,793.16 and Mayor of London CIL of approximately £267,389.83. It is important to note that these figures are approximate. The final figures will be determined if approval for the application is granted.
- 7.163 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.
- 7.164 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus payment. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver.
- 7.165 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £250,000 towards upgrading the pedestrian crossing at The Highway/Cannon Street Road junction
 - £165,585 towards carbon off-setting

- £38,312.00 towards construction phase employment skills training
- £5,906.00 towards end-user phase employment skills training

PLANNING BENEFITS

7.166 The scheme would provide significant public benefits such as:

- 80 residential units
- 26 affordable residential units (35% by habitable room)
- Flexible commercial units with active frontages
- Refurbishment and reuse of public house
- New and enhanced public realm along The Highway and Chigwell Hill
- Upgraded pedestrian crossing at The Highway/Cannon Street Road junction
- Reduction in vehicular trip generation to the site
- Employment and skills training programme during construction.
- CIL contributions
- Significant construction spend in the local economy
- Significant additional visitor spend into the local economy each year.
- Business rate receipts each year for the commercial units.

8. HUMAN RIGHTS AND EQUALITIES

- 8.1 The proposal does not raise any unique human rights or equalities implications. Public objections have been received in regards to the loss of McDonalds restaurant having a negative impact on low income households and the elderly, however there is no policy protection which protects against this loss. 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 or adaptable and a total of 8 accessible 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
- £250,000 towards upgrading pedestrian crossing at The Highway/Cannon Street Road junction
 - £165,585 carbon offsetting obligation
 - £38,312 towards construction phase employment skills training
 - £5,906 towards end-user phase employment skills training

9.3 Non-Financial Obligations

- Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 2 construction phase apprenticeships

b. Transport

- Car Free Agreement
- Provision of 8 accessible car parking bays
- Residential and Workplace Travel Plans
- Highways improvement works (S278 legal agreement including Road Safety Audit)

c. Housing

- 35% affordable housing provision

d. Night-time Economy

- Deed of easement (The Old Rose, Studio Spaces, Tobacco Dock)

e. Code of Construction

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:
4. Vegetation removal time periods
5. Tree protection
6. Gas boiler and CHP emissions
7. Commercial units opening hours
8. Public house garden opening hours
9. Public house use and garden protection
10. Commercial unit size restriction
11. No new plant, water tanks, air units
12. No roller shutters
13. No new plumbing, pipes, ductwork
14. Unobstructed glazing to ground floor frontages
15. Play and communal amenity space completion
16. Energy and efficiency standards and PV panel details
17. On-site accessible car parking details

Pre-Commencement

18. Construction environmental management and logistics plan
19. Piling method statement
20. Noise mitigation for residential units
21. Mechanical ventilation for residential units
22. Zero carbon future proofing details.
23. Air quality emission standards for boilers & CHP
24. Land contamination

25. Archaeological written scheme of investigation including details of archaeological field evaluation and foundation design
26. Precautionary bat emergence survey
27. Dust and emissions management plan

Pre-Superstructure Works

28. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting
29. Details of external facing materials and architectural detailing
30. Details of internal communal amenity space
31. Water efficiency for residential units
32. Accessible and adaptable residential unit details
33. Inclusive play and communal space access management plan
34. Cycle parking details
35. Tree planting
36. Shopfront and residential entrance details
37. Highway improvement works
38. SUDS
39. Secure by Design standards
40. Biodiversity mitigation and enhancements
41. Overheating strategy
42. Commercial units extraction details
43. Aerial/satellite details and revocation of PD rights

Pre-occupation

44. Car-free agreement
45. Accessible and adaptable residential unit marketing strategy
46. Deliveries, servicing and site waste management plan
47. Secure by Design accreditation
48. BREEAM Certificate 'Excellent'
49. Residential units post-completion noise verification
50. Plant post-installation noise verification
51. Street lighting integration feasibility

Informatives

1. Groundwater risk management permit
2. Designing out crime advice

Appendix 1 – List of drawings and documents

Drawings:

- 3433_PL(20)01 Rev A
- 3433_PL(20)02 Rev A
- 3433_PL(20)03 Rev A
- 3433_PL(20)100 Rev D
- 3433_PL(20)101 Rev E
- 3433_PL(20)102 Rev M
- 3433_PL(20)103 Rev J
- 3433_PL(20)104 Rev H
- 3433_PL(20)105 Rev F
- 3433_PL(20)106 Rev E
- 3433_PL(20)107 Rev E
- 3433_PL(20)108 Rev E
- 3433_PL(20)112 Rev D
- 3433_PL(20)602 Rev A
- 3433_PL(20)603 Rev A
- 3433_PL(20)402 Rev B

Documents:

- Design & Access Statement – Stockwool (October 2019)
- Planning Statement (including Affordable Housing Statement and draft S106 Heads of Terms) – Lichfields;
- Air Quality Assessment – NRG Consulting (October 2019)
- Energy Statement – XCO2 (October 2019)
- Drainage Strategy Report – Stilwell Partnership
- Heritage Impact Assessment – Lichfields
- Desk Based Archaeological Assessment – CgMs
- Biodiversity Survey & Report – RSK Group Limited
- Car Park Management Plan – Stilwell Partnership
- Travel Plan – Stilwell Partnership
- Landscape Design Statement – Standerwick Land Design (October 2019)
- Flood Risk Assessment – Stilwell Partnership
- Construction Logistics Framework – Stilwell Partnership
- Tree Survey/Arboricultural Report – Sharon Hosegood Associates
- Phase One Environmental Assessment and Groundwater Monitoring Report – Subadra
- Statement of Community Involvement – Your Shout
- Retail Assessment – Lichfields
- Economic Impact Assessment – Lichfields
- Sustainability Statement – XCO2 (October 2019)
- Townscape and Visual Impact Assessment – Lichfields
- Service and Waste Management Plan – Stilwell Partnership
- Transport Assessment – Stilwell Partnership
- Daylight, Sunlight and Overshadowing Assessment – Lichfields (October 2019)
- Noise Impact Assessment – Noise Solutions

Appendix 2 – Selected Plans and Elevations

Existing Site Plan:



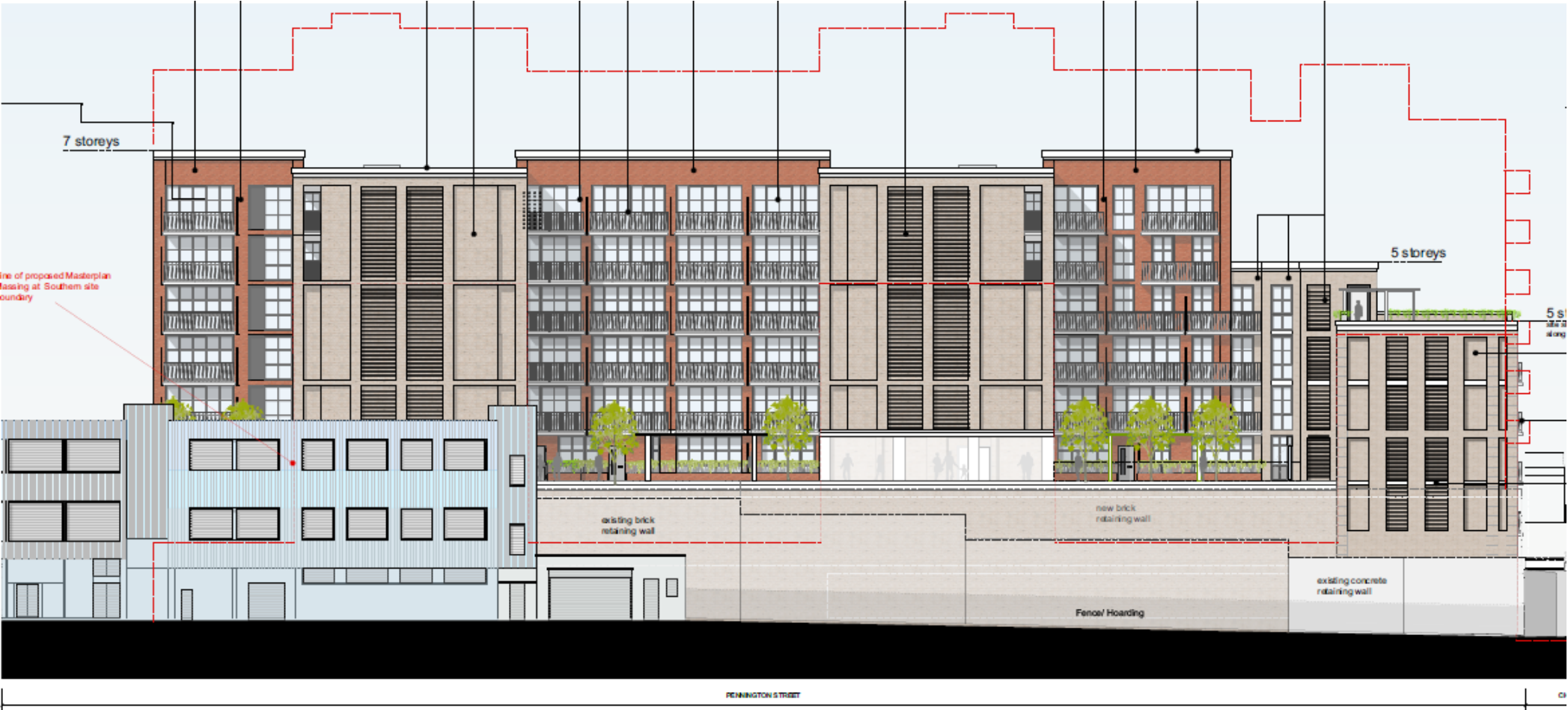
Proposed Ground Floor Plan:



Proposed North Elevation:



Proposed South Elevation:



Proposed West Elevation:



Proposed East Elevation



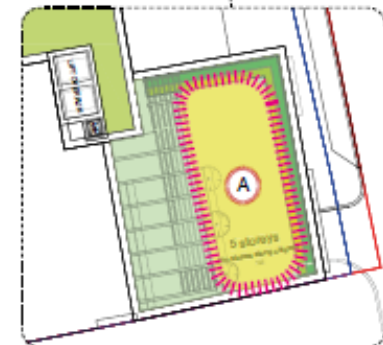
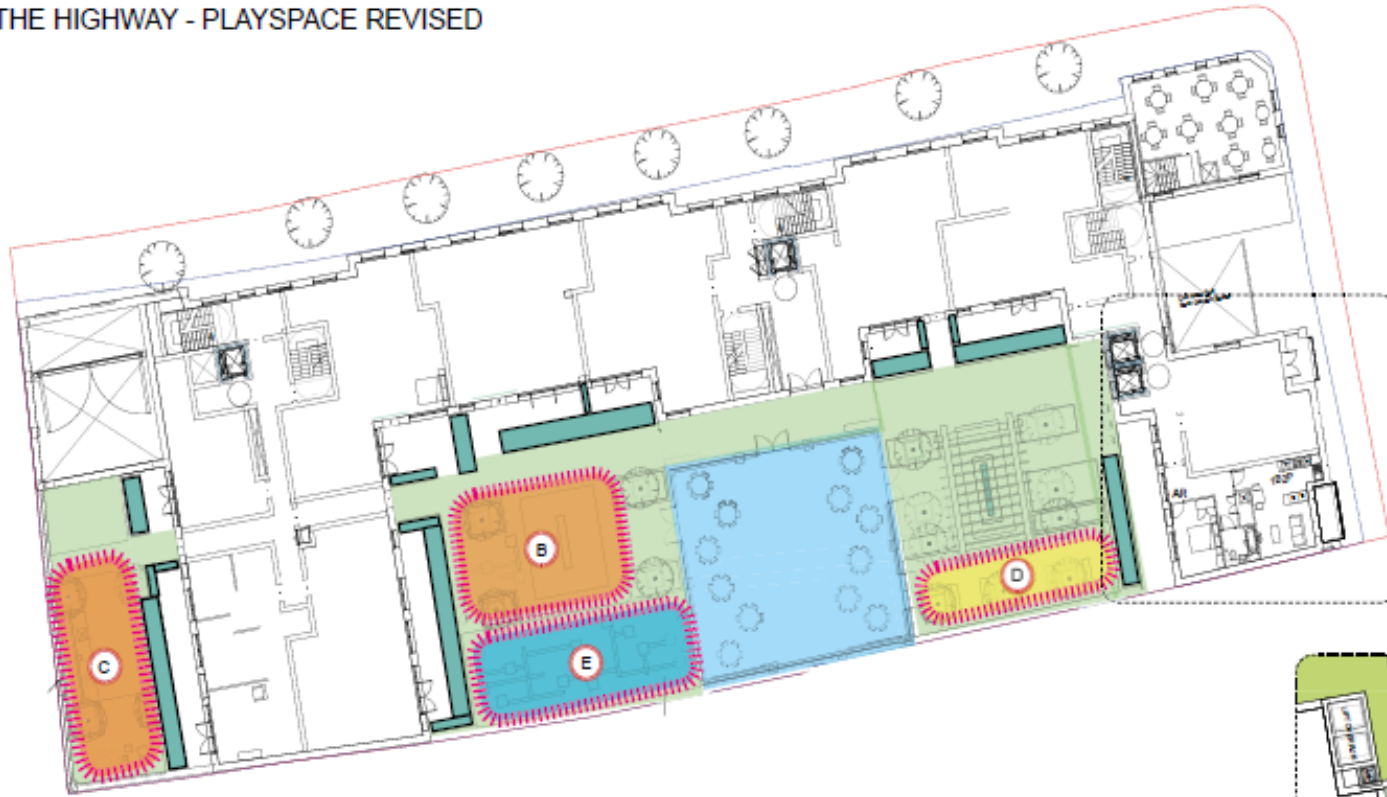
CROWDER ST

THE HIGHWAY




THE SITE / 802-88 THE HIGHWAY

Proposed Podium and Fifth Floor Play and Communal Space


THE HIGHWAY - PLAYSACE REVISED





EXTERNAL PLAYSACE IN PODIUM COURTYARDS & ON 5TH FLOOR TERRACE

-  0 - 4 YEAR OLDS = 131M2
-  5 - 11 YEAR OLDS = 107M2
-  12+ YEAR OLDS = 99M2
- TOTAL = 337

-  A 0-4 YEARS OLD = 70M2
-  B 5-11 YEARS OLD = 49M2
-  C 5-11 YEARS OLD = 62M2
-  D 0-4 YEARS OLD = 61M2
-  E 12+ YEARS OLD = 99M2

 COMMUNAL AMENITY SPACE EXCLUDING PLAY. 494M2

 INDOOR RESIDENTIAL AMENITY LOUNGE. BY PRE-ARRANGEMENT THIS AREA CAN BE HIRED BY RESIDENTS FOR FUNCTIONS, PARTIES AND CONFERENCES. 169M2

 DEFENSIBLE PLANTING FOR PRIVACY

ROOF PLAN EXTRACT



Photograph from North-West:



Photograph from Cannon Street Road Junction:



Photograph of Chigwell Hill looking South:



Photograph from Corner of Pennington Street and Chigwell Hill
(Looking over "Site 5"):

