



DEVELOPMENT COMMITTEE

10/12/2020

Report of the Corporate Director of Place

Classification: Unrestricted

Application for Planning Permission

[click here for case file](#)

Reference	PA/20/01124
Site	319-337 Petrol Station, Cambridge Heath Road, London, E2 9LH
Ward	St. Peters
Proposal	Demolition of existing petrol filling station and associated retail store and erection of a four to six-storey building (7,036m ² GEA) for a 157-bedroom hotel (6,458m ²) and ground floor/basement office use (578m ² GEA), together with ancillary landscaping, servicing and cycle parking.
Summary Recommendation	Grant Planning Permission subject to conditions and legal agreement
Applicant	Trevellyan Developments Ltd
Architect/agent	TP Bennett
Case Officer	Adam Garcia
Key dates	Application validated 09/06/2020 Public consultation finished on 30/11/2020

EXECUTIVE SUMMARY

In land use terms the proposed development is appropriate in this location and would not undermine the borough's supply of land for housing.

The proposed development would respond appropriately to the positive aspects of the local context, re-establishing the historic building line on Cambridge Heath Road and providing a visually interesting, well detailed and proportional addition to the street and local area. The scheme would enhance the setting of the Bethnal Green Gardens Conservation Area, and the setting of other heritage assets.

The proposal would provide cycle parking in line with policy, which is accessible, safe and secure. A service yard is provided to the rear of the site, accessed via Nant Street and would facilitate relevant servicing activities.

A strategy for minimising carbon dioxide emissions is in compliance with policy requirements. Biodiversity enhancements are also proposed with relevant conditions recommended to secure these benefits.

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

SITE PLAN



Crown copyright and database rights 2018 Ordnance Survey, London Borough of Tower Hamlets 100019288

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

Planning Applications Site Map PA/20/01124

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: 01 December
2020

1 SITE AND SURROUNDINGS

- 1.1 The application site is an active Petrol Filling Station (PFS) located on the west side of Cambridge Heath Road. The site is located at the junction with Old Ford Road, to the east. Immediately to the west of the site is the main line railway viaduct (equivalent to two-storeys plus overhead wires) with arches below in mixed-use. Beyond the railway viaduct, to the west, are residential properties.
- 1.2 To the south of the PFS is a 90-room hotel known as the 'East London Hotel'. Immediately adjacent and to the south of the East London Hotel is a mixed-use scheme by the Bethnal Green Mission Church. This development is a 6-storey building comprising church and community facilities, an ancillary "Vicarage" unit, and 14 open market units. Bethnal Green Gardens is beyond with Bethnal Green Underground approximately 140m to the south of application site.
- 1.3 Immediately opposite the application site, to the east, is the Victoria & Albert (V&A) Museum of Childhood. This is a mid-19th century Grade II* Listed building. The setting of the museum includes Bethnal Green Gardens, immediately to its south.
- 1.4 Immediately to the north of the application site is a three-storey building comprising a Public House called 'The Dundee Arms'. This is at the beginning of a terrace of properties of predominantly two and three stories in height.
- 1.5 To the north-east of the site around Old Ford Road are a number of buildings of note, including York Hall (Grade II Listed) a boxing and events venue, 'The Terrace', 1 to 5, and 17 to 21 (including St Margaret's House, Old Ford Road (both Grade II Listed)
- 1.6 The application site is on the border of (outside) the Bethnal Green Gardens Conservation area, which is located immediately to the east and south of the site. The site is not within a designated town or district retail centre.
- 1.7 The designated Bethnal Green district centre is approximately 140m to the south, the Roman Road west district centre is approximately 340m to the south-east.
- 1.8 The site has a public transport accessibility level (PTAL) of 6b (excellent). Numerous bus routes, and the Bethnal Green underground and main line stations are nearby.

2. PROPOSAL

- 2.1 The application proposes to demolish the existing PFS and associated retail store and construct a four to six storey building to provide a 157-bedroom hotel, a ground floor and basement office use together with ancillary landscaping, servicing and cycle parking.
- 2.2 The main entrance to the hotel will be on Nant Street with a secondary access from Cambridge Heath Road, and with service access via Nant Street on the south west corner of the site.
- 2.3 Much of the ground floor will comprise the hotel reception and associated lounge, together with a workspace area and ancillary cafe/restaurant. There will be a small number of rooms to the rear of the ground floor and at basement level, facing west. The basement also includes all hotel back-of-house operations, plus a small guest fitness room and cycle parking for guests and employees (accessed via a dedicated service lift).
- 2.4 All upper floors will comprise hotel guest rooms. The fifth floor will include a small guest terrace on the south west corner of the building. Plant areas are located on roofs at different levels.

- 2.5 The proposal includes an associated space to be used either as an office use. This is approached by an entrance at the northern end of the Cambridge Heath Road facade with the bulk of the space at basement level. There are generous openings at ground floor level to provide daylight to this basement space.

Figure 1: View looking south on Cambridge Heath Road



Figure 2: Proposed front elevation



3 RELEVANT PLANNING HISTORY

Application site

- 3.1 **PA/09/02512:** Display of two illuminated fascia signs, one illuminated fascia sign (on eastern elevation of shop), two non-illuminated poster signs and one illuminated pole sign. Permitted: 07/01/2010
- 3.2 **PA/09/01021:** Erection of a single storey extension to the north end of the petrol station shop, to provide storage and a customer toilet. Permitted: 10/08/2009

- 3.3 **PA/08/02252:** Alterations / upgrading of existing petrol filling station to provide new pump islands, extended canopy, underground fuel tanks, replacement car wash, parking and services. Permitted: 10/03/2009

Neighbouring sites

East London Hotel

- 3.4 **PA/14/01719:** Proposed minor material amendment to planning permission dated 19/12/12, ref: PA/12/00623. The amendments include an increase in the number of guest rooms from 80 to 90, alterations to the shape and size of the rooms, relocation of rooms, revision to the size and positioning of the windows, installation of additional staircases, increase in floor height, replacement of railings with 1.1m high glass balustrade and construction in two tone brickwork. Permitted: 01/10/2014

- 3.5 **PA/12/00263:** Demolition of existing 3 - storey building and re-development of site by construction of a new 5 - storey building with basement and lower ground floor levels to provide 80 bedroom hotel (Use Class C1) with associated rear servicing bay. Permitted: 19/12/2012

Bethnal Green Mission Church

- 3.6 **PA/14/03166:** Demolition of existing four storey building, comprising a church and ancillary uses. Erection of new six storey building and basement, comprising church & community facilities and other ancillary facilities, including one ancillary residential unit ('the Vicarage') along with 14 open market residential units. Permitted: 01/10/2015

V&A Museum of Childhood

- 3.7 **PA/04/00189 & PA/04/00190:** Demolition of the existing single-storey entrance front and temporary ramp. Excavation of a new basement in front of the building and construction above it of a new, larger entrance building. New accommodation would provide entrance area, gallery and toilets. Re-design of forecourt to provide ramped access. Permitted: 04/11/2004

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 15 planning notification letters were sent to nearby properties as detailed on the attached site plan.
- 4.2 A site notice was displayed around the application site on 18/06/2020.
- 4.3 A press notice was advertised on 18/06/2020.
- 4.4 The number of representations received in response to notification and publicity of the application is as follows:
- 4.5 28 letters of representation have been received

Objections

- 4.6 27 letters of objection highlighting the following material planning considerations:
- Land use – the loss of the petrol station is well-used and will inconvenience current users.
 - Land use – the application fails to meet policy D.TC6. The assessment of overconcentration within the planning application appears to demonstrate a high level of hotel rooms within the surrounding area however this is not reported clearly. In total,

Table A and B of Appendix 3 identify a total of 2,657 rooms within the local area. This is a significant provision and results in an overconcentration of hotels rooms in the area and means that it does not comply with criteria (b) of Policy D.TC6.

- Land use – the adopted London Plan identifies an annual housing target of 3,931 new homes. The draft London Plan identifies a change in the target to 3,511 homes a year. There has been an under delivery of housing in LBTH in recent years and this site is suitable for residential use. As such, a residential scheme should be pursued which includes family housing and affordable housing. This would be able to meet internal noise criterion and as such would be a viable land use component considering the adjacent existing businesses.
- Public consultation – the applicant’s consultation was not meaningful and did not provide sufficient time for members of the public to comment.
- Design and heritage – the new development is in a sensitive location in terms of heritage assets. The design fails to respond appropriately to this sensitive context and is poor quality. The new building is overbearing and will detract from the importance of the museum opposite.
- Agent of change – The proposals do not identify uses within the local area that will impact upon the amenity of hotel customers in terms of noise and disturbance. A further Noise Impact Assessment should be provided to ensure hotel residents would not be disturbed by lawful commercial activity. Conditions should be imposed requiring all the hotel windows are fixed shut/ designed so external noise is not transmitted into the hotel rooms.
- Agent of change – A condition should be imposed that ensures the windows remain closes to achieve the BS 8233 criterion noise levels in habitable rooms.
- Servicing - The proposed servicing will take place within the proposed service yard accessed via Nant Street. As only one service vehicle can access Nant Street and the service yard at any one time, this will affect existing operators who use this road for deliveries. Deliveries should therefore be coordinated with existing operators to ensure the existing operations are adversely affected. The applicant should prepare a delivery/servicing plan demonstrating that they have agreed the provisions of the plan with the existing operators. If the road is blocked by new servicing vehicles, then drivers servicing the existing businesses have no space to stop/deliver. This could result in the closure of existing businesses.
- Construction management – there are concerns that the construction of the hotel will harm the operation of existing businesses. Nant Street is too narrow for large lorries and for two vehicles to pass safely. If construction vehicles have to stop on this road then neighbouring business’s deliveries will not be able to access the road.
- Construction management – a fully detailed CMP should be secured by condition that accounts for the management of noise, vibration, dust/fumes, transport and lighting impacts).

Support

4.7 1 letter of support highlighting the following material planning considerations:

- The proposal would create a more attractive streetscape
- The proposals would improve/widen Nant Street making it safer for pedestrians.

- The proposal would result in jobs and attract visitors to the area.

5 CONSULTATION RESPONSES

INTERNAL CONSULTEES

LBTH Planning Policy

- 5.1 Comments are incorporated within the 'Land use' section of this report.

LBTH Health Impact Assessment Officer

- 5.2 The HIA identifies key design features supporting health and is more explicit on which features will be secured through design or to be secured through S106/planning obligations. As such, the HIA is acceptable.

LBTH Environmental Health – Contaminated Land

- 5.3 No objection subject to the following conditions being imposed:
1. A scheme identifying the extent of contamination
 2. Remediation strategy to be carried out prior to occupation
 3. A verification report to demonstrate effective implementation of the remediation strategy.

LBTH Environmental Health – Air Quality

- 5.4 No objection. The Air Quality Report provided is acceptable. The air quality neutral assessment for building emissions is satisfactory. The proposed site is in an area of high nitrogen dioxide level. The mitigation proposed for this is a bespoke mechanical ventilation system. It is recommended that ventilation intakes should be located where pollutant concentrations are predicted to be below the NO₂ objective level. It is noted that a kitchen extraction system is proposed as part of the development. Full details of the ventilation system have not been included and as such will be secured by an appropriate condition.

LBTH Environmental Health – Odour Control

- 5.5 As per the above Air Quality comments, a condition is recommended that would provide full details of the proposed ventilation system.

LBTH Environmental Health – Noise

- 5.6 There are no concerns regarding the efficiency of the building to provide a quiet and restful environment for guests. Similarly, the external roof terrace space provided, though adjacent to the railway will have the option of a glazed retractable roof. The report does not have details of the expected glazing, system for air circulation or the associated plant requires. No potentially sensitive noise receptors have been identified with the building directly opposite in Nant Street is a similar building with no opening windows or external areas to the north side. However, the Dundee Arms is at the same end of the site as the proposed 5th floor roof top plant.
- 5.7 The following conditions are recommended: Restrictions on demolition and construction activity/plant noise level to be lower than background noise level.

LBTH Biodiversity

- 5.8 No objections to the proposals subject to appropriate planning conditions

LBTH Place Shaping

- 5.9 Comments are incorporated within the 'Design' and 'Heritage' sections of this report.

LBTH Transportation and Highways

- 5.10 Comments are incorporated within the 'Transport and Servicing' section of this report.

LBTH Energy Efficiency/Sustainability

- 5.11 Comments are incorporate within the 'Environment' section of this report.

LBTH Sustainable Urban Drainage

- 5.12 No objections to the surface water drainage scheme as proposed and subject to relevant conditions.

EXTERNAL CONSULTEES

Transport for London – Land Use Planning

- 5.13 The site enjoys an excellent PTAL rating of 6, therefore it welcomes that no on-street parking would be provided for this site with an exception of one disabled bay on Nant Street.
- 5.14 With comparison to the site's existing PHF use, the proposed hotel would result in a lesser number of vehicular trips.
- 5.15 Due to lack of coach facility to be provided, TfL seeks that the Council impose restriction preventing the hotel from accepting coach parties.
- 5.16 The provision of pick up/ drop off bay on Cambridge Health Road is broadly supported; its final design should be subject to Road Safety Audit and be approved by the Council.
- 5.17 It is proposed that servicing will be undertaken from Nant Street, a Delivery & Servicing Plan for the site must be secured by condition and shall regulate and co-ordinate the use of the loading area, including that all vehicles must enter/ exit Nant Street in forward gear and the implementation of a booking system for the loading area.
- 5.18 It is proposed to provide 15 long stay and 5 short stay cycle parking for the proposal; the applicant shall confirm the proposed level of provision would confirm to the Intend to Publish London Plan cycle parking standards. Evidence shall also be provided to demonstrate that the cycle access design and facility will comply with the London Cycle Design Standards (LCDS); alongside with the provision of the shower and changing facilities for staff/ employees for the hotel and commercial units.
- 5.19 A construction logistics plan (CLP) shall be provided and be secured by condition. The Plan shall be produced fully in line with TfL's CLP guidance to regulate construction logistics activities, vehicles movements and safety. The applicant shall also commit to employ suppliers/ contractors whom have achieved Silver level membership grade of the Fleet Operator Recognition Scheme (FORS) to ensure high standards of operational safety and efficiency.
- 5.20 Network Rail must be consulted over the proposal's impact to the rail line in close vicinity of the site.
- 5.21 The Council shall secure appropriate improvements/ contribution toward local walking/ cycling/ public realm improvement from the proposal, in line with London Plan policy T2 'Healthy Streets'.

Metropolitan Police (Designing Out Crime Office)

- 5.22 A condition should be imposed to ensure that the development shall achieve a Certificate of Compliance to a Secured by Design scheme.

Historic England Inspector of Historic Buildings

- 5.23 On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.

Historic England Greater London Archaeological Advice Service

- 5.24 A condition is recommended that requires a Stage 1 Written Scheme of Investigation to be provided prior to demolition and development.

Thames Water

- 5.25 There will be sufficient foul and surface water capacity in our sewerage network to serve the development.

Network Rail

- 5.26 No objections subject to relevant informatives.

6 RELEVANT PLANNING POLICIES AND DOCUMENTS

Adopted policy

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 6.2 The NPPF (2019), which the Development Plan needs to be in accordance with, sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally prepared plans for housing and other development can be produced.
- 6.3 The purpose of the planning system is to contribute to the achievement of sustainable development which has the following three overarching objectives: economic, social and environmental.
- 6.4 The adopted Development Plan comprises:
- The London Plan (2016, LP) and
 - Tower Hamlets Local Plan 2031, "The Local Plan", (adopted January 2020)
- 6.5 The key adopted Development Plan policies relevant to the determination of this proposal are:
- Land Use - (*principle, residential, employment*)
- Local Plan policies – S.SG1, S.SG2, S.EMP1, D.EMP2, D.TC6
 - London Plan policies –LP2.9, LP4.1-4.5
- Design and Heritage - (*layout, townscape, massing, heights and appearance, materials, heritage*)
- Local Plan policies - S.DH1, D.DH2, S.DH3, D.DH4, D.DH6
 - London Plan policies – LP7.1 - 7.8

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

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

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

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

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

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

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- National Design Guidance (2019)
- GLA City Fringe Opportunity Area Planning Framework (2015)
- Historic England Heritage Supplementary Guidance (Various)
- LBTH Planning Obligations SPD (2016)
- Bethnal Green Gardens Conservation Area Appraisal and Management Guidelines (2009)

Emerging policy

6.7 The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan is considered significant as the document has been subject to Examination in Public (EiP), incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was made by the Mayor of London. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13/03/2020, these policies are considered to 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.

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

Land Use

- Draft New London Plan policies – GG1, GG5, SD1, D1, E1-E3, E10

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

- Draft New London Plan policies – D2-9,

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

- Draft New London Plan policies – D13.

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

- Draft New London Plan policies – T1, T2, T3, T4, T5, T6, T6.1, T6.4, T6.5, T7, T9

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

- Draft New London Plan policies – SI2, SI3, SI12, SI13, G6

7 PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design
- iii. Heritage
- iv. Neighbouring Amenity
- v. Transport and Servicing
- vi. Environment
- vii. Human Rights and Equalities

LAND USE

Changes to the Use Classes Order

7.2 On 21 July 2020 the Government announced a number of changes to the planning system which came into force on 1st 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.

7.3 The new 'E' use class effectively amalgamates a number of previously disparate use classes into this new use. In the context of the Application Proposals, the previously existing B1 and D2 would fall within the E class.

7.4 Statutory Instrument no. 757 does however stipulate transition arrangements for planning applications submitted prior to the 1st September 2020, such as the Application Proposals. These transition arrangements state that such applications should be determined with reference to the Use Classes as existing *prior* to 1st September. 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.

7.5 Nevertheless, whilst the Application Proposals should be assessed and determined in accordance with the transitional arrangements (as per the following analysis), the new legislation still amounts to a relevant material consideration. That is, it is relevant to note the legislative context against which the Application Proposals would be considered in the event that they were re-submitted after 1st September 2020. However, whilst material, officers would afford them limited weight in the determination of the Application Proposals given the transitional arrangements in place while further noting that Statutory Instrument No. 757 is subject to legal challenge.

7.6 It is noted that the new E class would not affect the main use proposed by this application which is a hotel. Hotel uses continue to fall under Use Class C1. The ground floor/basement office use would fall under Use Class E within the new order.

Spatial designations

7.7 In the Local Plan, the site is located within:

- City Fringe Sub-Area
- Green Grid Buffer Zones
- Archaeological Priority Area

Place vision

7.8 The site sits in the City Fringe Sub Area. Relevant aspects of the vision for this area are:

- Ensuring Whitechapel, Cambridge Heath, Shoreditch, Spitalfields and Aldgate will all have a more diverse mix of commercial, cultural, leisure, tourism and night-time activities. It will be a place for new affordable and flexible employment spaces.
- To protect and enhance the area's heritage assets and improve the historic character of the individual places.
- To improve and enhance legibility, permeability and connectivity within, to and from the area, whilst enhancing and improving green grid links.
- Strengthen the role and function of the area's distinctive and varied town centres to provide a choice of cultural, leisure and retail activities, and;
- Create new open spaces (including pocket parks and strategic open space) and improve links to existing publicly accessible open space.

Assessment

Loss of existing petrol filling station

7.9 The existing use of the site is sui generis involving the sale of fuel and related services. There is no policy protection for PFSs and as such there is no in principle objection to its loss. Policy D.EMP3 of the Local Plan resists the net loss of employment floorspace outside designated employment areas. The application proposal involves an uplift in employee numbers in both the hotel and the proposed office use. The Employment Density Guide (November 2015) suggests a mid-scale hotel would have 1 FTE member of staff per 3 beds – i.e. 52 for this 157-bed hotel and an office use 1 FTE/12m² (48 FTE). As such, the proposal would result in a total of between 58 and 100 FTE employees. The loss of the petrol filling station is therefore acceptable.

Proposed hotel use

7.10 The proposals seek to deliver 157 hotel bedrooms.

7.11 As noted in paragraph 7.7 the Site falls within City Fringe Sub-Area. The Local Plan's vision for this area notes that: "Whitechapel, Cambridge Heath, Shoreditch, Spitalfields and Aldgate will all have a more diverse mix of commercial, cultural, leisure, tourism and night-time activities."

7.12 Policy 4.5 of the London Plan (2016) supports London's visitor economy, seeking to achieve 40000 net additional hotel bedrooms by 2036 in appropriate locations including within opportunity areas where there is good public transport access to central London.

7.13 Policy E10 of the Intend to Publish London Plan sets wider aims to promote leisure development across London, noting a requirement for 58000 additional bedrooms by 2041.

7.14 Policy D.TC6 of the Local Plan states the following:

1. Development of visitor accommodation will be supported in locations within the Central Activities Zone, Canary Wharf Major Centre, Tower Hamlets Activity Areas and District Centres (as shown on the Policies Map) or along primary routes where adjacent to transport interchanges, providing:

- a. the size, scale and nature of the proposal is proportionate to its location
- b. it does not create an over-concentration of such accommodation, taking account of other proposals and unimplemented consents in the local area
- c. it does not compromise the supply of land for new homes (in accordance with our housing trajectory) or jobs and our ability to meet the borough's housing and employment targets, and
- d. the applicant can demonstrate adequate access and servicing arrangements appropriate to the scale, nature and location of the proposal.

7.15 The site is located on a major transport route and is approximately 150m north of Bethnal Green underground station and 400m south of Cambridge Heath Overground Station. The PTAL rating is 6b which is the highest level of public transport accessibility. As such, the principle of visitor accommodation is supported meeting policy test a.

7.16 A hotel supply and demand assessment has been submitted. The assessment notes that there is a concentration of visitor accommodation in the western edge of the borough but fewer as one travels further east. There are indeed several hotels within 500m of the application site providing some 644 beds in total. A study has also been undertaken of visitor accommodation in the development pipeline within the western part of the borough (up to 2km from the application site). This shows that there are 1596 hotel rooms within the development pipeline.

7.17 In assessing whether there would be an over-concentration of hotel accommodation, it is important to make clear that the Local Plan sets no upper limit on the number of hotels/rooms but states they should be of a 'size that reflects their surrounding built environment and reflects the function of the location within town centres or employment areas' (supporting text 11.44). The proposal would result in an additional 157-bedroom hotel. There are similar sized hotels in the immediate area such as the East London Hotel (161 rooms) and Travelodge Bethnal Green (131-rooms) in addition to a number of smaller hotels.

7.18 Based on the proposed size of the hotel, and the application site's location in what may be described as the civic centre of Bethnal Green, located opposite the Museum of Childhood, in very close proximity to both York Hall and St Margaret's Centre and Bethnal Green Gardens, the East End Hotel and the Bethnal Green Mission, means the hotel would not be out of character with its surrounding built environment. As such, the proposal is not considered to create an over-concentration of such accommodation meeting policy test b.

7.19 There have been a number of objections received that contend that the site would be more suited to accommodate a residential-led scheme and that the borough has failed to meet its housing targets over the past 3 years. Policy test c relates to the borough's supply of land for new homes as set out with the housing trajectory.

7.20 Policy S.H1 of the Local Plan states, in part 1(b) that the borough will secure the delivery of at least 58,965 new homes across the borough (equating to at least 3,931 new homes per year) between 2016 and 2031. This will be achieved through ensuring development does not undermine the supply of self-contained housing - in particular family homes. Supporting text 9.15 states that development for non-self-contained units will not be supported where it utilises land identified for self-contained housing through a current planning permission, or through the borough's development plan. It is recognised that other policies in this plan identify suitable

locations for other land uses. Developments of other land uses, where supported by policy and/or site allocations, are not considered to undermine the supply of self-contained units.

- 7.21 The site is not located within a site allocation, nor does it have a current planning permission for a residential development. As such, the proposals would not compromise the ability of the council to meet its housing targets, and complies with policy test c.
- 7.22 Servicing and access are dealt with in the 'Transport and servicing' section of this report. The assessment in this section demonstrates that policy test d is met.

Proposed office use

- 7.23 The scheme seeks to deliver an office use (578m² GEA) across ground and basement floor levels.
- 7.24 Policy D.EMP2 of the Local Plan states that, in part 2, outside of the locations cited in Part 1, new employment space will be directed to town centres and accessible locations along major transport routes. A major transport route is considered to include the borough's A roads, of which Cambridge Heath Road is one (A107). Furthermore, the site is located in an area of the highest transport accessibility, with a PTAL of 6b. As such, the proposed office use is acceptable.

DESIGN

- 7.25 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.

Height, scale and massing

- 7.26 The existing site is a petrol station. As such, its built form is low lying, when compared with the pair of buildings to the south (6 storeys in height) and the Dundee Arms Public House to the north (3 storeys). An opportunity is therefore presented to create a building of transitional height.
- 7.27 The proposed development is predominantly 6 storeys in height (in its southern portion) and then steps down to part 5, part 4 storeys where it meets the Dundee Arms to the north. The building is considered to respond well to building heights at both the southern and northern ends of the site and coherently repairs the gap which currently exists in the townscape street frontage. It is worth noting that the site was historically occupied by two-storey terraced properties prior to bomb damage in the Second World War.
- 7.28 It is considered that this transition responds well to its surrounds and does not appear overly dominant in the streetscene. The scale of the development suits its surroundings, is proportionate to the area's role and function.

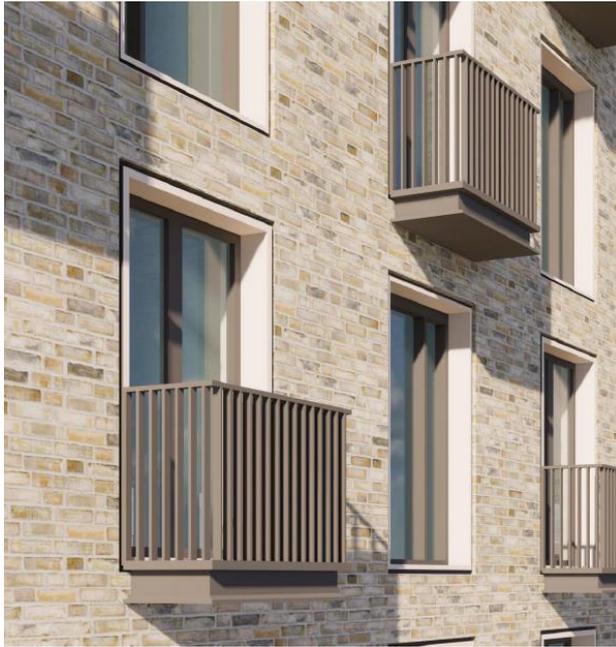
Figure 3: Aerial view



Appearance and materials

- 7.29 The application is accompanied with visual illustrations of the proposed development. The design provides a positive response to the immediate area and builds upon the positive features of this part of Cambridge Heath Road. The main visitor hotel entrance is accessed from Nant Street, activating the approach to the Paradise Row eateries to the rear. The footway is also widened to increase pedestrian comfort levels which shall be adopted as public highway.
- 7.30 The facade is expressed in three sections: the tallest to the south, with two narrower sections in the middle and to the north as the building steps down. Varying materials and the subtle differing fenestration break the façade down further. This design choice mediates between the larger block to the south (Bethnal Green Mission Church and East London Hotel) and the domestic rhythm of the street from the Dundee Arms Public House northwards.
- 7.31 The proposal is predominantly a brick building, reflecting the predominance of brick in the local townscape. This is complemented with stone at street level which provides a robust base. The use of a grey metal clad roof provides articulation above the parapet line to the Cambridge Heath Road elevations when viewed from street level, a contemporary take on the slate or pitched roofs and dormers throughout older properties nearby. The deep window reveals, recessed channels, Juliet and projecting balconies provide articulation and visual interest to the facades in addition to the green walls.

Figure 4: Facade detailing



- 7.32 Overall, the proposed development would make a positive contribution to the local character of the area, consistent with the context of the site and its surroundings and in accordance with policy objectives for high-quality design.

Safety and security

- 7.33 It is noted that Metropolitan Police raised no objections in principle but have requested further information to be secured via a condition requiring the development to complete Secure by Design certification prior to the commencement of superstructure works.

Inclusive design

- 7.34 The proposal includes 16 wheelchair accessible bedrooms (10%), in accordance with Policy 4.5 of the London Plan (2016) and E10 H(1) of the Intend to Publish London Plan.
- 7.35 The proposed development will provide 1 accessible car parking space. This is discussed in more detail within the 'Transportation and servicing' section of this report.
- 7.36 Overall, the proposal would result in a scheme that would be well connected to its surroundings and would provide hotel accommodation that can be used safely and easily and with dignity for all regardless of disability, age, gender, ethnicity or economic circumstances in accordance with policy.

Design conclusion

- 7.37 To conclude, the proposal would respond appropriately to the positive aspects of the local context, re-introduce the building line on Cambridge Heath Road, is visually interesting, well detailed, proportional and designs out opportunities for crime. As such, the proposal is compliant with the Development Plan in this regard.

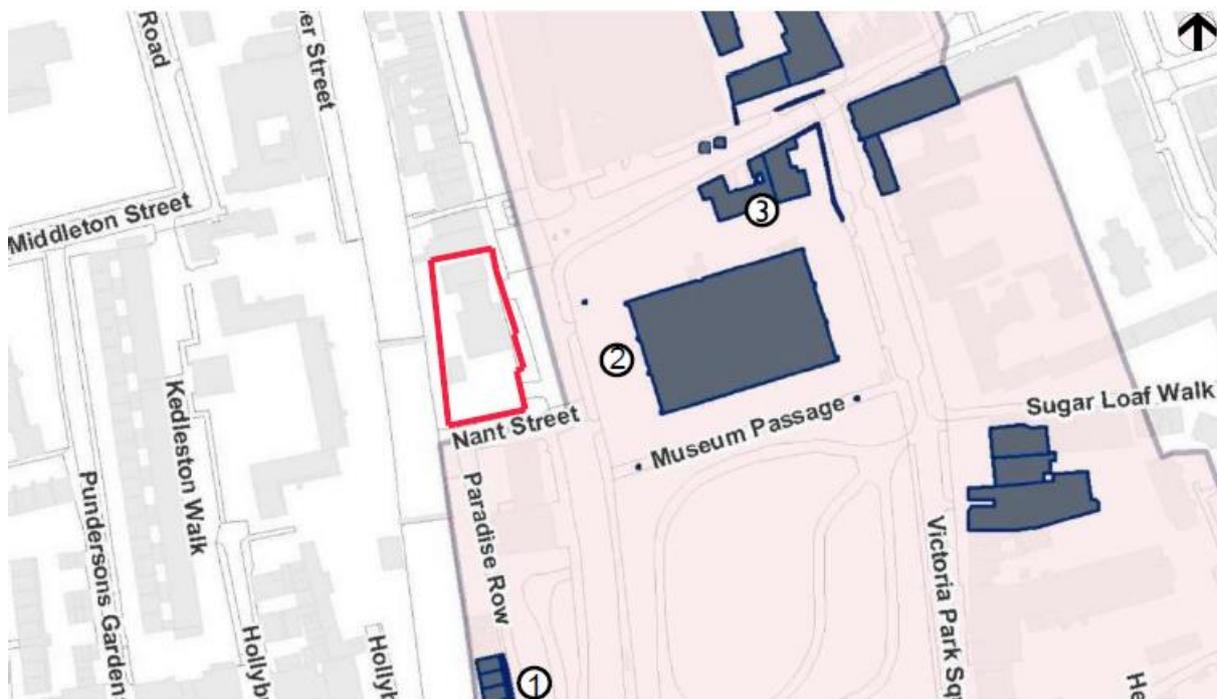
HERITAGE

- 7.38 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.

Heritage context

- 7.39 The designated heritage assets that are located around the site are set out on the below map.

Figure 5: Map of designated heritage assets



1. Paradise Row (Grade II)
2. V&A Museum of Childhood (Grade II*)
3. The Terrace (Grade II).

Designated heritage assets

Conservation Area

- 7.40 The Bethnal Green Gardens Conservation Area Character Appraisal and Management Guidelines (2009) describes the application site:

The petrol station at 319-329 is outside the Conservation Area boundary, but is mentioned here because this site is an essential part of the setting of the Grade II listed Bethnal Green Museum, being opposite it, and options for enhancing this site should be investigated.*

- 7.41 Taking the above into consideration, the existing site currently makes a negative contribution to the setting of the Conservation Area and the Grade II* listed museum. This is demonstrated in figure 6, below.

- 7.42 As described within the 'Design' section of this report, the building is considered to respond well to building heights at both the southern and northern ends of the site and effectively fills the gap which currently exists in the street frontage. The stepped height of the building and varying façade treatment splits the building into 3 masses, serving the breakdown its presence in the streetscene.
- 7.43 When viewed looking south down Cambridge Heath Road, with the application site on the right and the V&A Museum of Childhood on the left, the development would not interfere with the setting of the museum within the Conservation Area. This is because the development would serve to fill this gap which is currently occupied by the austere petrol station and its associated facilities. The building line would be reinstated and the height of the proposed building, responds sensitively to its neighbours at both its southern and northern ends means that it does not draw one's eye away from the setting of the museum and its grounds which maintain their prominence within the conservation area.

Figure 6: View of the application site looking south down Cambridge Heath Road



- 7.44 When viewed east from Old Ford Road, which is much narrower than Cambridge Heath Road and flanked with listed buildings either side, there is a clear line of sight to the application site. As one gets closer to Cambridge Heath Road the application site and the existing East London Hotel becomes evident within the wider backdrop of this view. The proposed development, with its subservient height, scale and massing, would complement the buildings in the foreground of this view.

Figure 7: View of the application site from Old Ford Road



- 7.45 When viewed from within Bethnal Green Gardens, there are very limited views of the existing site. The visibility of the proposed development is very similar to that of the East London Hotel and Bethnal Green Mission Church and as such would incur a minor impact.
- 7.46 When viewed looking north up Cambridge Heath Road, with the application site on the left and the V&A Museum of Childhood on the right, it is important to note that the East London Hotel and Bethnal Green Mission Church are within the Conservation Area and the application site is not. The proposed development would be no taller than these buildings and its massing and form allows for a natural addition to the streetscene. It is difficult to view the museum and the site together unless one is on the eastern side of the road. As with the view looking south, the proposals would not interfere with important views within the conservation area.

Figure 8: View looking north on Cambridge Heath Road



- 7.47 When viewed northwards on Paradise Row, which includes a terrace of listed houses and southern elevation of the Bethnal Green Mission Church that face onto Paradise Gardens, there is a gap at the end of Paradise Row with the site just visible. The proposed development would be clearly subservient to the massing of the Mission Church. The impact would be minor, and the framing of Paradise Gardens preserved, given the perspective of the view and distance of the proposed development.
- 7.48 The existing site, although sparse in its built form, does not contribute positively to one's appreciation of the adjacent Bethnal Green Gardens Conservation Area. Its status within the Bethnal Green Conservation Area Character Appraisal and Management Guidelines (2009) indicates that the site's relationship, specifically with the Grade II* listed V&A Museum of Childhood within the conservation area boundary, could be improved. The proposals would improve the relationship of this site by responding appropriately to positive aspects of the local context, re-introducing the building line on Cambridge Heath Road and through well detailed and considered design. Views from within the conservation area have been discussed above, and the impacts of the proposed development's presence within these views is overall considered to be positive. As such, the proposed development would enhance the character or appearance of the conservation area.

Listed buildings

V&A Museum of Childhood

- 7.49 As set out above, the museum sits in a garden setting and is surrounded by many mature trees. The important views of the museum with the application site in frame are seen north and south on Cambridge Heath Road.
- 7.50 The proposed development would see the removal of the PFS, its associated shop and ancillary equipment and re-introduction of the building line. The development would respond to neighbouring buildings in terms of height and massing and not draw one's attention away from the away from the setting of the museum and its grounds. The development would not negatively interfere with the setting of the museum, nor would it detract from its significance including any heritage significance derived from its setting.

The Terrace, Priory/Church, Old Ford Road and York Hall

- 7.51 There are a group of listed buildings and related structures within the northern part of the Conservation Area. As noted when assessing views within the Conservation Area, Old Ford Road is narrow when compared to Cambridge Heath Road. The setting of these buildings is impaired by the existing petrol station. The proposed development, with its well-considered design, height and massing would complement the buildings in the foreground of this view.

Paradise Row

- 7.52 The terraces in Paradise Row have a group value and their setting is predominantly defined by Paradise Gardens. The site would only be visible when looking north on Paradise Row however, as the proposed development would be set behind the Bethnal Green Mission Church, which faces into the open space, it is not considered that their setting or significance is compromised.

Other listed buildings

- 7.53 There are a number of other listed buildings and structures around the site. However, as there is no inter-visibility between these heritage assets and the application site there would be no changes resulting from the proposals.

Non-designated heritage assets

Locally listed buildings

- 7.54 The only locally listed building affected by the proposed development would be the Dundee Arms Public House, located directly adjacent to the site's northern boundary. The pub has an exposed flank wall facing into the application site.
- 7.55 The proposed development would cover the flank wall, which does not contribute to the historic value of the pub. Within this part of the proposal, the building is a storey higher. The Public House's setting is experienced in an urban context and is prominent when compared to the application site in its existing state. The difference in height would clearly affect the setting of the public house as it would result in an adjacent building of increased height. However, the proposal would see the removal of negative aspects of the site, namely the buildings and ancillary equipment associated with the Petrol Filling Station use which do not positively contribute to the Public House's existing setting.

- 7.56 The application proposals, which involve a stepped approach to the building's height mediates between the height of the Public House and the larger urban block of buildings to the south (Bethnal Green Mission Church and East London Hotel). This, combined with the attention paid to the handling of the facades would not adversely impact the setting of the building, allowing continued visibility of the chimney on the boundary and appreciation of the historic front façade. Overall, the proposed development is not considered to detract from the pub's historic value.

Archaeology

- 7.57 The site is located within an archaeological priority area. The Greater London Archaeological Advice Service have commented on the proposals, stating that the southern half of the site is unlikely to preserve remains as a result of the insertion and removal of underground fuel tanks in recent decades. Under the northern half however, where modern impact has been much less, there is potential for preservation of buried remains.
- 7.58 As such, GLAAS recommend that archaeological investigation of the northern half of the site would be appropriate in connection with any planning consent. This work would be with the aim of understanding and recording remains of the mapped buildings, uncovering any evidence of the origins of Bethnal Green and also offsetting the impact on any other, unexpected remains. This is recommended to be secured by condition.

Heritage conclusion

- 7.59 The proposed development would deliver a well-considered design that is appropriate in terms of mass, scale, form and architectural detailing. It would enhance the setting of the Bethnal Green Gardens Conservation Area, and the setting of other heritage assets.
- 7.60 The proposals therefore comply with policy 7.8 of the London Plan, HC1 of the Intend to Publish London Plan and policies S.DH3, D.DH4, and S.DH5 of the Local Plan, the relevant paragraphs of the NPPF (2019), and the statutory duties set out in The Planning (Listed Buildings and Conservation Areas) Act 1990.

NEIGHBOURING AMENITY

- 7.61 Development Plan policies seek to protect neighbouring amenity by safeguarding privacy and ensuring acceptable outlook. Development must also not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. The levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development must also be assessed.

Daylight and sunlight

Policy and guidance

- 7.62 Policy D.DH8 of the Local Plan requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.63 The nearest residential receptor to the site is the mixed use development, with residential on the upper floors at the Bethnal Green Mission Church and the post-war block of flats on the other side of the railway tracks at Hollybush Gardens (west). Both of these developments are

set at a sufficient distance and behind other built structures as to be considered unaffected by the application proposals in daylight, sunlight and overshadowing terms.

Overlooking and outlook

- 7.64 As the application is for a hotel, there is no policy requirement to ensure that such developments have windows with outlook akin to residential developments. However, the outlook of the majority of the new hotel rooms would be reasonable considering that many have good views across Cambridge Heath Road and Nant Street.
- 7.65 In terms of overlooking, the proposed development is designed so that windows are either facing over Cambridge Heath Road (eastern outlook), over the railway viaduct (western outlook) or south to the adjacent East London Hotel. As such, the proposals do not incur an unreasonable level of overlooking to any residential developments or other uses which may be deemed sensitive.
- 7.66 Overall, the outlook of neighbouring residential properties is maintained by the proposals and no unacceptable instances of overlooking would be incurred.

Sense of enclosure

- 7.67 The proposed development is orientated parallel to the street, and at the rear to the railway viaduct. In terms of height, the proposal would be no taller than the East London Hotel to the south. There are no habitable rooms (i.e. within residential properties) in close enough proximity to have their sense of enclosure unreasonably affected by the proposals.
- 7.68 Overall, the proposed development would cause limited impacts to sense of enclosure and would be acceptable.

Noise and vibration

Noise arising from the development

- 7.69 Council Environmental Health Officers have reviewed the submitted material. They have concluded that the completed development would not have any unacceptable impacts on neighbouring amenity from noise and vibration.
- 7.70 Nonetheless, officers have requested that a condition is added that limits the noise levels of fixed building services/plant equipment for the non-residential uses and for a compliance condition relating to restrictions on demolition and construction. These conditions will be attached to any forthcoming consent.

Agent of change

- 7.71 Policy D12 of the Intend to Publish London Plan places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses, on the 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.
- 7.72 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.

- 7.73 The proposal comprises a hotel and office use. The proposed uses are not considered to constitute a 'noise-sensitive development'. Noise sensitive development is not strictly defined by policy, as all applications should be taken on a case-by-case basis however, supporting text 3.12.2 to Policy D12 states that '*...where new developments are proposed close to existing noise generating uses, for example, applicants will need to design them in a more sensitive way to protect the new occupiers, such as residents, businesses, schools and religious institutions, from noise and other impacts*' and supporting text 14.69 to policy D.ES9 states that '*There have been a number of examples across London of longstanding entertainment venues closing or becoming at risk of closure due to a combination of factors, including noise complaints from new residents and venues being purchased for redevelopment (particularly for housing)*'.
- 7.74 The proposal is not considered to constitute noise sensitive development. This is because a hotel use, by its very nature, is not one that offers a level of permanence to its users akin to say, a residential development, school or workplace. Although the proposed balconies are calculated to exceed the upper guideline noise levels recommended for habitable rooms, these are not required by planning policy to make hotel rooms acceptable. As such, it is considered that the proposal is satisfactory in this regard.

Construction impacts

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

TRANSPORT AND SERVICING

- 7.76 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.

Cycle parking

- 7.77 The proposed cycle parking meets the minimum requirements of policy T5 of the Intend to Publish London Plan. The basement cycle store provides for access by non-standard cycles (via the service lift and widened lift lobby from Nant Street) for the hotel use. Additional visitor parking has been provided for the office use adjoining the TfL bike hire hub, along with a bike maintenance point. For the office use, a cycle store is provided at ground floor level, accessed from Cambridge Heath Road.

Car parking

- 7.78 The application proposes to be car-free which is acceptable for the use classes and location of the development. One accessible bay is proposed on Nant Street. The applicant accepts that this will not be available solely for the proposed use as it will be located on the public highway and as such would be available to all blue badge holders.
- 7.79 The LBTH Transportation and Highways team have reviewed the proposals and stated that, although it is preferred that a blue-badge space should be provide for each use, in consideration of the space constraints of the site this would not be possible in this instance. As such, the proposal is acceptable in these terms.

Servicing and deliveries

- 7.80 In terms of servicing for the hotel, it is proposed that a service yard is provided to the rear of the site, accessed via Nant Street. This location will require vehicles to reverse into the yard using the junction of Nant Street and Paradise Row. As this is a new access onto the highway, a Stage 1 Safety Audit has been submitted and accepted by highways officers.
- 7.81 In terms of servicing for the office, it is proposed that this will take place from Cambridge Heath Road. However, given the use, the frequency is likely to be very low at around 1 vehicle trip per day.
- 7.82 A draft Delivery and Servicing Plan (DSP) has been submitted however at this stage where the occupiers are unknown it is not considered appropriate to develop specific targets for the DSP at this stage. As such, highways officers recommend that a condition requiring a full DSP is provided prior to occupation of the development. Upon submission of a detailed DSP, the Transportation and Highways team will ensure that the plan shall avoid conflicts with other uses nearby. Once the site is operational and servicing and delivery surveys of the fully occupied development have taken place a series of targets can be set to provide a benchmark for the effectiveness of the plan.

Additional matters

- 7.83 In addition to the above, conditions are recommended to secure a Travel Plan, Demolition and Construction Management Plan and a S278 agreement providing an agreed scheme of highways works funded by the applicant.

Summary

- 7.84 Subject to the above conditions it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport, and will have no unacceptable impacts on the safety or capacity of the highways network, in accordance with policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies 6.1, 6.3, 6.8-6.13 of the London Plan (2016).

ENVIRONMENT

Energy and sustainability

- 7.85 At a national level, the National Planning Policy Framework (2019) 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.

Energy

- 7.86 In general, the energy strategy proposals follow the energy hierarchy. The scheme is proposing Air Source Heat Pumps (ASHP) and Photovoltaics (PV), electrical based systems that can take advantage of the decarbonised grid in the future.
- 7.87 It should be recognised that there is a greater focus on carbon emissions across the Borough following the LBTH Climate Emergency declaration in 2019. In April 2020 the Council adopted its net zero carbon plan. Carbon emissions and how development schemes are responding to the LBTH climate emergency are likely to be key considerations at strategic decisions making meetings moving forward. It is therefore essential that all development schemes play their part in delivering as close to zero carbon on-site to minimise future retrofit requirements and meet the on-site zero carbon requirements of the Climate Change Act 2008 (as amended).

- 7.88 Policy D.ES7 of the Local Plan requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions to 100%, to be off-set through a cash in lieu contribution. This is applicable to all developments. To note, we would seek a carbon offsetting figure of £95 per tonne for all residual emissions.
- 7.89 The submitted Energy Statement (Rev 03 – 29/05/20) sets out the proposals to reduce energy demand through energy efficiency measures and renewable energy technologies (including 32kWp Photovoltaic array and Air Source Heat Pumps) and deliver the following CO2 emissions:
- Baseline – 317 tonnes CO2 per annum
 - Proposed Scheme – 189 tonnes CO2 per annum
- 7.90 The total on-site site wide CO2 emission reduction is anticipated to be 59% against the building regulation baseline utilising the SAP10 carbon factors.
- 7.91 The proposals are for a 189 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £364,800 to offset the remaining 128 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.

Sustainability

- 7.92 Policy D.ES7 of the Local Plan states ‘*All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM ‘excellent’ rating*’. The submission documentation includes a BREEAM pre-assessment which demonstrates the scheme is currently designed to achieve a BREEAM Excellent rating with a score of 71%. This is supported and is recommended to be secured via Condition for the Final BREEAM certificate to be submitted post completion.

Summary and securing the proposals

- 7.93 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 £364,800 to deliver a policy compliant net zero carbon development.
- 7.94 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.
- 7.95 It is recommended that the proposals are secured through appropriate conditions and planning obligations to deliver:
- S106 - Carbon Offsetting contribution of £364,800 to offset all the residual emissions (Reason: Local Plan Policy D.ES7 requires all schemes to achieve net zero carbon with all residual emissions offset through a carbon offsetting contribution)
 - 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 Certificate to demonstrate an Excellent rated building has been delivered (Reason: Local Plan Policy D.ES7 requires all schemes >500m2 to achieve BREEAM Excellent)

7.96 In conclusion it is considered that the application would deliver sufficient carbon savings through both the energy hierarchy and via the financial obligations required to ensure the scheme meets the zero carbon targets for all development, as set by Policy S12 of the Intend to Publish London Plan, and policy D.ES7 of the Local Plan.

Air quality

7.97 Policy D.ES2 of the Local Plan and policy 7.14 of the London Plan (2016) require major developments to be accompanied by an assessment which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.

7.98 The Council's Environmental Health (Air Quality) team have reviewed the submitted Air Quality Assessment and concluded it is acceptable. The proposed site is located in an area of high nitrogen dioxide level. As such, the application proposes a bespoke mechanical ventilation system as mitigation.

7.99 Conditions are recommended that secure details of the ventilation system including where ventilation intakes are located to ensure pollutant concentrations are predicted to be below the NO2 objective level in addition to extraction details for kitchens.

7.100 Overall, the scheme would accord with policy D.ES2 of the Local Plan and policy 7.14 of the London Plan (2016).

Waste

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

7.102 Refuse storage is provided at the rear of the site and will have a direct opening onto the servicing yard for ease of collection. Details of the bin storage size and servicing arrangements are recommended to be secured by condition.

Biodiversity

7.103 Policy D.ES3 of the Local Plan and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value and contribute towards the Local Biodiversity Action Plan (LBAP).

7.104 The Council's Biodiversity Officer has reviewed the proposals. A 42sqm intensive biodiverse roof is proposed on the 3rd floor roof adjacent to the Dundee Arms Public House. The proposed biodiverse roof would contribute to LBAP targets as required by policy.

7.105 Two green walls are proposed. One is located on the façade adjacent to the Dundee Arms Public House (eastern elevation) and the other facing the East London Hotel (south facing). Rainwater harvesting is proposed for irrigation purposes.

7.106 The above biodiversity enhancements will be secured by condition prior to the commencement of above ground works.

Flood risk and drainage

- 7.107 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.108 The Council's Sustainable Urban Drainage Officer has commented on the proposals and have no adverse comments in relation to flood risk and drainage. A compliance condition is recommended to secure the discharge rates as set out within the submitted documentation.
- 7.109 Subject to conditions the proposal would be acceptable with regards to surface water runoff and drainage.

Land contamination

- 7.110 The Council's Environmental Health (Contaminated Land) officer has reviewed the Assessment and recommends planning conditions to ensure that contaminated land is properly treated and made safe prior to development.

INFRASTRUCTURE IMPACT

- 7.111 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,213,594.90 (exclusive of indexation) and Mayor of London CIL of approximately £381,654.64 (exclusive of indexation). These figures are indicative only and have been estimated using the most up to date available information on floorspace and would be subject to indexation.
- 7.112 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.
- 7.113 The applicant has agreed to meet all the financial contributions that are sought by the Council's Planning Obligations SPD which are as follows:
- £26,176.00 towards construction phase employment skills training
 - £32,028.00 towards end-user phase employment skills training
 - £364,800.00 towards carbon off-setting

HUMAN RIGHTS & EQUALITIES

- 7.114 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable. Officers are satisfied that the proposed development would not result in adverse impacts upon equality or social cohesion.

CONCLUSION

- 7.115 Officers assessed the proposed development against the relevant Development Plan Policies, having regard to the consultation responses received and other material considerations. Taking all into account, the proposed development is considered to be acceptable and it is recommended that planning permission is granted, subject to the planning conditions and obligations set out in this report.

8 RECOMMENDATION

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

Financial Obligations

- a. £26,176.00 towards construction phase employment skills training
- b. £32,028.00 towards end-user phase employment skills training
- c. £364,800.00 towards carbon off-setting
- d. £500 per heads of term

Non-Financial Obligations

- a. Economic incentives
 - i. Access to employment
 - ii. 20% local procurement
 - iii. 20% local labour in construction
 - iv. 3 construction phase apprenticeships
 - v. 3 end-user phase apprenticeships
- b. Transport matters:
 - i. S278 Agreement
- c. Compliance with Considerate Constructors Scheme

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

Planning Conditions

- 8.3 The conditions apply to each phase of the proposed development, insofar as they are relevant to that phase.

8.4 Compliance:

- 1. Permission valid for 3 years;
- 2. Development in accordance with approved plans;
- 3. Restrictions on demolition and construction activities (including hours of working)
- 4. Cycle parking;
- 5. No coach bookings
- 6. Provision of 16 wheelchair accessible units;
- 7. Plant noise;
- 8. Hotel bedroom noise;
- 9. Energy strategy
- 10. Disabled car parking space with active electric charging provision
- 11. PD restrictions – telecommunications equipment
- 12. Surface water drainage scheme

8.5 Pre-commencement:

- 13. Waste strategy and management
- 14. Demolition, Construction Environmental Management and Logistics Plan (Including Dust and Emissions Management Plan)
- 15. Land contamination remediation and mitigation
- 16. Archaeological investigation;

8.6 Pre-superstructure works:

17. Biodiversity enhancements
18. Detailed design drawings and external facing materials including samples
19. Landscaping details (including maintenance regime for green walls)
20. Secure by Design Accreditation

8.7 Prior to occupation:

21. Land contamination verification report
22. Details of extraction, ventilation and external plant equipment
23. Full delivery, servicing and management plan
24. Travel Plan
25. BREEAM 'Excellent'
26. Submission of post completion verification report including as built calculations (SBEM) to demonstrate the reduction in CO2 emissions have been delivered on site

8.8 Informatives:

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Basement works to be agreed with Highways structures team
4. Servicing to comply with parking restrictions
5. Network Rail's Asset Protection Engineer must be contacted prior to any construction and demolition works

APPENDIX 1 – LIST OF DOCUMENTS FOR APPROVAL

Drawings	
Drawing No	Title
A11383 F0001 Rev I1	Site location plan
A11383 Z0100 Rev I1	Demolition plan
A11383 F0150 Rev I1	Existing site plan
A11383 F0250 Rev I1	Existing site elevations
A11383 F0200 Rev I1	Existing contextual sections A-A C-C
A11383 F0201 Rev I1	Existing contextual sections B-B D-D
A11383 D0001 Rev I1	Proposed site plan
A11383 D0099 Rev I4	Proposed basement
A11383 D0100 Rev I4	Proposed GF
A11383 D0101 Rev I2	Proposed 1F
A11383 D0102 Rev I2	Proposed 2F
A11383 D0103 Rev I2	Proposed 3F
A11383 D0104 Rev I2	Proposed 4F
A11383 D0105 Rev I2	Proposed 5F
A11383 D0106 Rev I2	Proposed roof
A11383 D0200 Rev I3	Proposed elevation A-A (east)
A11383 D0201 Rev I3	Proposed elevation B-B (south)
A11383 D0202 Rev I3	Proposed elevation C-C (west)
A11383 D0203 Rev I3	Proposed elevation D-D (north)
A11383 D0204 Rev I3	Proposed contextual sections AA CC
A11383 D0205 Rev I2	Proposed contextual sections BB DD
A11383 D0300 Rev I2	Proposed section A-A
A11383 D0301 Rev I2	Proposed section B-B

Documents	
Document	Author
Design and Access Statement	TP Bennett
Planning and Heritage Statement	TP Bennett
Transport Statement	PMA
Outline Delivery and Service Management Plan	PMA
Travel Plan	PMA
Construction Management Plan	TT Construction Solutions
Energy Statement	WMEboom/DesignCO2
BREEAM Pre-Assessment Framework	WMEboom
Flood Risk Assessment	Robert West
Surface Water Drainage Proforma	Robert West
Phase 1 Geo-Environmental Desk Study Preliminary Risk Assessment	Subadra
Environmental Noise Assessment	Entran
Air Quality Assessment	WMEboom

Ecology Report	Wild Frontier Ecology
Archaeological Desk-based Assessment	CgMs
Fire Strategy Overview	MLM
Rapid HIA	TP Bennett
Statement of Community Involvement	TP Bennett