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Application for Planning Permission

Reference	PA/20/01402
Site	2 Trafalgar Way, London, E14 5SP
Ward	Blackwall and Cubitt Town
Proposal	Redevelopment of the site to provide a new mixed use building including student accommodation units and associated uses (Sui Generis), residential units (Class C3), office (Class B1), shops/cafes (Class A1/A3) and a restaurant/takeaway (Class A3/A5) arranged over a 4 storey podium with three taller elements of 46, 36 and 28 storeys (with roof-top plant and basements), alongside parking, landscaping, public realm and other associated works.

This application is accompanied by an Environmental Statement.

Summary Recommendation	Grant Planning Permission subject to conditions and a legal agreement
Applicant	Urbanest UK Limited
Architect/agent	APT/Gerald Eve LLP
Case Officer	Sally Fraser
Key dates	Application validated 02/07/2020 Public consultation finished on 03/09/2020 Additional consultation finished on 04/06/2021

EXECUTIVE SUMMARY

The application proposes the erection of three buildings of 46, 36 and 28 stories linked by four storey podium, accommodating 1672 student rooms (use class sui generis) and 80 residential units for members of University College London (hereafter UCL) academic and professional staff (use class C3) alongside parking, landscaping, public realm and other associated works. The scheme also includes a range of uses across the lower levels including B1, A1/A3 and A3/A5 units.

The proposal would comprise UCL's leading accommodation campus in East London while seeking to integrate seamlessly with the infrastructure and road network within the existing and future context.

In land use terms, the proposed student led mixed use scheme is acceptable in this highly accessible location close to Blackwall DLR Station, Canary Wharf underground station and the emerging Crossrail station.

With regards to the site's environmental conditions, student accommodation, housing, commercial and retail is considered an effective use of the site given the air quality conditions and immediate adjacency to Aspen Way and the elevated DLR viaduct to the south of the site.

The proposed wider public realm and highways improvements would positively and significantly contribute towards the renewal of the area and would integrate with the obligations of Blackwall Reach, Phase 1. The regeneration of the underpass is a considerable public benefit which will enhance legibility, safety and urban design within the locality.

The buildings, in terms of their height, massing and design, respond appropriately to their context and although outside a Tall Building Zone, will not result in harmful impacts to heritage assets, locally or strategically. To the contrary, the proposed buildings have been thoughtfully designed and are of high architectural quality. They would contribute positively to an existing diverse townscape, creating a landmark building and prestigious entrance to Canary Wharf.

Daylight and sunlight impacts to neighbouring occupiers are minor to moderate. Overall and given the urban context of the site, the proposal would have an acceptable impact on neighbouring residential amenity.

The proposed highway improvement works, new subway entrance and associated operational infrastructure have been developed in consultation with Transport for London, the GLA and Borough Highways Officers and will be provided within the proposal and secured in perpetuity by way of S278 and S106 legal agreements.

The proposal would provide a substantial amount of student housing, housing, and workspace, as well as a revitalised subway entrance that would link Blackwall to Poplar High Street. This would contribute positively to the regeneration of the area and be in line with the local and strategic objectives for the site.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements, with a substantive carbon offset contribution to be secured within the S106.








Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements, with the comprehensive landscaping of the site positively contributing towards ecology.

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

SITE PLAN



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/20/01402</p> <p>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</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale: 50m grid squares</p>	<p>Date: 18 August 2021</p>

1 SITE AND SURROUNDINGS

- 1.1 This island site is located on the north side of Trafalgar Way, totalling 0.4 hectares. It is located to the north east of Canary Wharf, south of the Blackwall Tunnel. The site is currently cleared for development having been previously occupied by a MacDonalD's restaurant and drive-thru takeaway facility which was demolished in 2015
- 1.2 To the north of the site is Aspen Way and the raised DLR railway line, and further north is Poplar High Street, which is predominately residential in character with a large commercial complex to the north east. To the south of the site lies Trafalgar Way and further south are the residential properties along Boardwalk Place, the Poplar Dock marina and the Blackwall Basin. To the west is the Billingsgate Market site; and to the east is Preston's Road Roundabout and a mix of residential and commercial floorspace (office and retail) as well as a hotel. Blackwell DLR station is located close to the site, to it's the north-east. A pedestrian underpass tunnel is located directly east of the site underneath Prestons Road roundabout, which links Blackwall DLR station/Poplar High Street to the Poplar Dock Marina.
- 1.3 In terms of the Local Plan's designations, the site lies within the Isle of Dogs and South Poplar Opportunity Area, the Blackwall Archaeological Priority Area, an area of poor air quality (40 micrograms per cubic metre) and Flood Risk Zone 3A.
- 1.4 Whilst the site does not fall within any significant policy designation (town centre, employment or commercial area), the site lies adjacent to the Billingsgate Market site which is allocated within the Local Plan. The site is also located just outside the Borough's Tall Building Zone and adjoins the Secondary Preferred Office Location and the Isle of Dogs Activity Area. The Canary Wharf Metropolitan Town Centre lies further to the south-west



Figure 1: Image of application site (red line) and surroundings

- 1.5 Along with the site allocations of Billingsgate Market, North Quay and Aspen Way, the site is located within the South Poplar Masterplan red line boundary which has recently been

adopted. The Masterplan seeks to ensure that development across the area occurs in a holistic, joined up way and the Local Plan's aspirations are achieved.

- 1.6 The site does not lie within a Conservation Area does nor does it contain any listed buildings. However, four conservation areas are located within around 250m of the site: Coldharbour Conservation Area to the south, St. Matthias Church Conservations Area to the north west, All Saints Church Poplar Conservation Area to the north and Naval Row Conservation Area to the north east. There are also several listed buildings and structures near to the site including the Grade I listed West India Dock and Blackwall Basin, Grade II structures associated with Poplar Dock and several churches in the district of Poplar.
- 1.7 The prevailing PTAL of the site is 5 (very good), with the closest public transport interchange being the Black Wall DLR to the north as well as a number of local bus routes running along Trafalgar Way and Poplar High Street. The Canary Wharf underground station is located 0.6 miles south of the site, with the future Crossrail site being located 500m away to the west.

2. PROPOSAL

- 2.1 The scheme proposes the redevelopment of the site with a student accommodation-led, mixed-use scheme. It comprises of three towers of 46, 36 and 28 storeys high, which sit on top of a 4 storey podium. It is proposed to include 1672 student rooms across the two taller towers, which include facilities such as post services, staff services a gymnasium and breakout space. In addition, 80 residential units are proposed within the smaller tower, including children's play space and private entrance. A range of non-residential uses across the lower podium levels are proposed, including B1, A1/A3 uses and the re provision of the Drive Thru MacDonald's (A3/A5) along with associated parking, landscaping and public realm works.

The details of the scheme are as follows:

- Erection of a four storey podium building with three taller elements of 28 storeys / +93.50m AOD (Building 1), 46 storeys / +141.70m AOD (Building 2) and 36 storeys / +113.35m AOD (Building 3); the three taller elements will have their own cores and be linked by the shared podium, with Buildings 2 and 3 also being linked by a 'sky-bridge' at level 10;
- Provision of a range of uses at the lower levels including: Class B1, Class A1/A3 and Class A3/A5;
- 80 residential apartments in the form of 1-3 beds within Building 1, proposed to be let to members of UCL's academic and professional staff (comprising a range of unit sizes) including a cash Payment in Lieu equivalent to 35%
- 1,672 student accommodation units (various sizes) split across Buildings 2 and 3 of which 24.3% will be provided as affordable;
- 4,127 sq m (GIA) of commercial space;
- 135 sq m (GIA) of retail space;
- 3,650 sq m (GIA) of student amenity space;
- 1,036 sq m (GIA) for the re-provided McDonald's drive thru restaurant;
- The provision of 2 Car parking spaces and 4 Disabled Car Parking spaces
- The provision of refuse and recycling spaces
- The provision of 1492 no Cycle Parking spaces
- Active frontages along Aspen Way and Trafalgar Way;
- Improved accessibility and connections across the site and wider area including the improvement of the southern subway entrance on Trafalgar Way; and

- Significant public realm improvements



Figure 2: Ariel Image of the application looking north

- 2.2 The principal design element of the scheme are the three soft rectangular tower elements clad in horizontal bands of glass and metal. The metal banding is perforated (holes) to allow for increased light penetration into the building as well as being an interesting feature. Unique building projections between the towers provide added visual interest as well as accommodating sky gardens. Two podiums linking the buildings complete the tower design which accommodates amenity space, including the children’s play area and a crèche. In terms of uses, the ground floor comprises student/residential access and servicing areas, as well as being the location for the commercial units, including the McDonald’s restaurant which is provided.
- 2.3 Servicing and delivery for the commercial and residential units would be managed within the site at ground floor level which would accommodate a range of vehicle types.

Floorspace Summary

- 2.4 A summary of the proposed land uses and associated areas (GIA) are set out in the Table 1 below:

	GIA Sq. m
Student Accommodation (Sui Generis)	52,562
Residential (C3)	9,064
Commercial (B1)	4,129
Retail (A3 & A5)	1,036
Retail (A1/A3)	135
TOTAL	66,926

Table 1: Land Use Breakdown

2.5 The proposed student accommodation split is set out in the schedule below:

	Building 2	Building 3
En-suite	383	256
Non-Ensuite	561	229
Twin (DDA Convertible)	0	154
DDA Room	76	7
Duplex Ensuite	0	6
Total	1020	652

Table 2: Student Rooms Breakdown

2.6 The proposed residential accommodation split is set out in the schedule below:

Mix Schedule		
Room	Number	Mix
1B1P Apartment	24	30%
2B3P Apartment	22	28%
2B3P - M4(3)	8	10%
2B4P Apartment	10	12%
3B4P Apartment	14	18%
3B5P Apartment	1	1%
4B6P Apartment	1	1%
Total	80	

Table 3: Residential Rooms Breakdown

3. RELEVANT PLANNING HISTORY

Applications

- 3.1 PA/08/01321: Redevelopment of the site to provide a residential-led mixed use scheme including two towers of 29 storey and 35 storeys and comprising 414 residential units, re-provision of drive-through restaurant, retail / financial and professional service units, crèche, gymnasium, associated residential and community amenity space and car parking.
Approved 10/11/2009

- 3.2 Following the grant of planning permission, a number of non-material amendment applications were approved (refs: PA/11/03346 dated 19/12/2011, PA/13/02453 dated 12/11/2013 and PA/14/00062 dated 01/10/2014) relating to minor internal and external alterations to the approved scheme and amending the trigger points for various planning conditions.
- 3.3 PA/14/01771: Application for minor-material amendment of planning permission PA/08/01321 dated 10/11/2009 (and as amended by NMA applications PA/11/03346 dated 19/12/2011, PA/13/02453 dated 12/11/2013 and PA/14/00062 dated 01/10/2014). The amendments consist of an increase in the height of building A (by 3.9m) and building B (by 5.1m), removal of building C, alterations to the housing mix and layouts, reduction in the number of residential units from 414 to 392, alterations to the facades of the buildings, and increase in the size of the basement. *Approved 09/12/2014*
- 3.4 PA/14/03612: Application for a Non-material amendment to Planning Permission Ref: PA/14/01771 dated 09/12/14 (and as amended by NMAs PA/11/3346 dated 19/12/11; PA/13/2453 dated 12/11/13; and PA/14/00062 dated 01/10/14).
amendments:
- alterations of boundary position to allow construction tolerance for boundary wall;
 - internal re-configuration of playground;
 - amendment to service yard entrance to allow feasible door opening widths and construction tolerance;
 - update to external fenestration as a result of detailed design;
 - reduction of basement footprint to avoid encroaching sewer easement zone;
 - relocation of bikes from basement to ground floor;
 - reconfiguration of internal circulation on ground floor, mezzanine and podium;
 - amendment to building line at mezzanine floor to increase pool plant area;
 - fire fighting lift brought up to level 28 and level 34 in each tower to allow wheelchair access. which resultant lift overrun increase 1.4m;
 - increase in amenity areas on level 28 and level 34 of each tower due to reduction in plant area required at roof level;
 - enclosure of a section of roof terrace on level 34
- 3.5 PA/15/02861: Application for certificate of lawfulness in respect of existing implementation of Planning Permission reference PA/14/01771 (as amended by PA/14/03612) through: • construction of part of the permanent capping beam and part of the guide wall that will comprise part of the permanent foundations of the approved development (subject of Certificate of Lawful Development Reference PA/14/01914); and • crossover implementation works to construct a reconfirmed access onto Trafalgar Way (Certificate of Lawful Development Reference PA/14/01829). Works were completed on 27th October 2014, and to implement planning permission PA/08/01321 and are common to planning permission PA/14/01771 (as amended).

S106 Modifications

- 3.6 PA/15/00748: Application to modify a Section 106 Agreement – Affordable Housing Contribution. The modification proposed the following:
- Amendment to the Financial Contribution definition to reduce contribution (inclusive of the off-site contribution) from £16,169,000 to £5,302.00
 - Amendment to the Off-site Affordable Housing Contribution definition to reduce the off-site housing contribution from £12,857,00 to £1,990,000
 - Amendment to 'On site affordable housing units' definition to include reference to Housing Tenure and Mix table at Schedule Two Part Two

- Amendment to offsite affordable housing contribution of £12,857,00 to £1,990,000 in Schedule 2 Part 2

Refused 14/04/2015

3.7 PA/15/02668: Application to modify a Section 106 Agreement – Affordable Housing Contribution. The modification proposed the following:

- Removal of all onsite affordable housing units
- Increase in the affordable housing contribution to £17,074,949 (previously £12,857,000) resulting in the provision of 24.8% off Site Affordable Housing

Approved 17/12/2015

4 PUBLICITY AND ENGAGEMENT

4.1 A total of 2519 planning notification letters were sent to nearby properties on 04/08/20. Updated plans were received over the course of the application and a second round of consultation was conducted with letters being sent on 04/06/2021

4.2 Site notices were displayed around the site on 20/08/2020 and a press notice was advertised on 06/08/2020

4.3 Over the course of the application 35 individual objection letters were received in response to notification and publicity of the application. A petition with 112 signatures was also received. 1 letter of support and 4 neutral comments were also received. The material considerations raised in the objections are summarised thematically below:

Land Use/Housing

- Proposed residential units are inefficient
- Questions over the affordable housing proposed
- Overly student dominated and will not result in mixed and balanced communities
- Overdevelopment of the area
- Not appropriate location for students

Amenity

- Shops and retail space are not needed and would clutter the area.
- Noise levels from construction work and the operation of the development itself would be harmful and unacceptable.
- Significant loss of daylight and sunlight because of the building heights and proximity.
- Overlooking, loss of privacy and sense of enclosure for adjacent properties in the Marina developments and across Aspen Way
- Light pollution from the skybridge

Open Space

- Not enough public open space provided as part of the proposal
- The development should not be gated

Design

- Development is not of an appropriate scale, height, mass, bulk and form within the site context
- Objection to the height of the buildings; that they are too tall and will block views, being overbearing
- Buildings should be lower than the surrounding buildings and do not step down as per policy
- Three tall buildings increase the overall bulk and massing of the scheme and spoils visual amenity in the area as well as the skyline
- Overdevelopment of the site

- Buildings would impact upon UNESCO world heritage sites

Highways/infrastructure

- Concerns at the infrastructure in the area and the impacts that putting this many people on site may have
- The development would add to traffic concerns in the area

Environment

- The development would lead to increased air pollution

Other

- Impacts on health and wellbeing
- All the spend will go to Canary Wharf and not popular
- Application does nothing to meet the needs to the local community
- Does nothing from a community cohesion standpoint

4.4 The material objections raised will be considered in the relevant sections of the report.

4.5 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring stakeholders and landowners, including the Canary Wharf Group. A series of in person community events were held in January 2020 and a website created for public comments. The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH, and the GLA since June 2019. The scheme was also considered at several CADAP meetings as well as a presentation on the pre-application proposals at the June 2020 Strategic Development Committee.

5 CONSULTATION RESPONSES

Internal Consultees

LBTH Building Control

5.1 No comments received

LBTH Transportation and Highways

5.2 Highways officers do not support the re-provision of the Drive Thru element of the McDonalds as it is contrary to the visions and outcomes of the LBTH transport strategy. Additional issues surrounding queueing capacity have also been raised.

5.3 The development is car free from general uses which is supported, however blue badge spaces are insufficient and not appropriately located. The applicant will be expected to enter into a legal 'Permit Free' agreement which restricts all future residents from applying for on street parking permits.

5.4 The applicant is proposing to provide cycle parking to the Draft New London Plan standards which is welcomed, however, there are concerns over short stay numbers and access arrangement to the cycle parking.

5.5 In terms of servicing the 'manageable' servicing will be conducted on site, however, 'unmanageable' will be conducted within an on-street loading bay. It is not clear what unmanaged is and taxi collection/student pick up drop off should be conducted from within the site. The proposed-on street loading bay is not supported and would degrade the public realm.

- 5.6 There are also issues surrounding the design of the public realm on Trafalgar Way although it is noted that this is outside the redline with further details to be secured via s278 or s106 agreements.
- 5.7 The application does not directly address concerns raised in pre-application discussions on the potential road danger increase resulting from the introduction of a large volume of students adjacent Preston's Road roundabout. As shown in the TA, pedestrian access to destinations via the existing pedestrian facilities are circuitous and of poor quality.
- 5.8 Evidence in the Preston's Road study demonstrated that people frequently navigated Preston's Road Roundabout at surface level rather than the subway despite the high levels of traffic and no pedestrian crossing facilities. We expect this activity to increase with introducing large numbers of students into this location where only circuitous routes are provided for key walking desire lines, particularly between the site and Poplar High Street
- 5.9 It is noted that updated information was submitted during the course of the application and the majority of comments have been addressed during application stage, and the recommended conditions and obligations will be attached to any forthcoming planning consent. Further details of resolution of these comments are discussed in the highways section of this report.

LBTH Waste Policy and Development

- 5.10 The use of a private contractor for commercial waste raises no objections however officers have concerns over the daily service collections of the student element of the scheme as the Council has an obligation to collect household waste (which the Council believes students fall under although there is no clear guidance) and cannot commit to collecting waste on a daily basis.
- 5.11 There are also reservations over the general use of a rotary compaction system as the Council does not currently have a vehicle capable of collecting this waste. The applicant should confirm how such waste would be collected and what type of RCV can collect such waste.

LBTH Environmental Health (Air Quality)

- 5.12 Air Quality officers agree with the conclusions of the air quality assessment report, that the proposed development will not cause any exceedances of the air quality objectives on the existing and future receptors. As heating will be provided by air source heat pumps, a building emissions air quality neutral assessment will not be required. An air quality neutral assessment for the emergency generator shows the emissions from the generator will be air quality neutral. This was based on assumptions and when final details are known a further assessment should be undertaken, however, concerns regarding the location of the generator on the first-floor podium noting that the flue vent is substantially below the level of the surrounding buildings (see pollution comment). The risk of dust soiling will be high during Earthworks, Construction and Trackout and should be conditioned
- 5.13 The recommended conditions in relation to dust will be attached to any forthcoming consent.

LBTH Environmental Health (Noise/Vibration)

- 5.14 Noise officers raise no objection, subject to securing the relevant noise conditions.

LBTH Environmental Health (Pollution)

- 5.15 It is noted kitchen extraction system is proposed for the McDonald's development. It is also noted a low-level extraction is proposed which should be amended to a high-level extraction.

Where this is not possible, a high specification odour control condition will be required. A condition requiring details of the kitchen extraction for the McDonalds will be secured.

LBTH Design

- 5.16 Although in between 2 TBZ's the site is appropriately visually grouped with Canary Wharf, and it will be further grouped with Canary Wharf through potential development at the adjacent Billingsgate Market site and the North Quay Site. Long range views do not appear that the towers will merge the 2TBZ's. In addition, it is recognized that there is an extant permission on site and the proposed scheme is not considered to have more of a 'merging of TBZs' issue than the approved one.
- 5.17 The final approach to the architecture is considered very successful, and the public realm strategy is generally satisfactory in principle, however, there are some minor concern which could be resolved via condition.
- 5.18 The design comments will be further addressed in the report but throughout extensive pre-application discussions the scheme has been significantly amended to address officers' concerns. It is also noted that the CADAP members expressed clear support for the design rationale.

LBTH Environmental Health (Contaminated Land)

- 5.19 Contaminated Land officers raise no objection, subject to standard conditions.
- 5.20 The recommended conditions will be attached to any forthcoming consent.

LBTH Sustainable Urban Drainage (SUDS)

- 5.21 No comments received.
- 5.22 It is noted that the GLA have provided specific commentary on the SUDS proposal and Thames Water have requested conditions relating to surface water drainage and run-off. It is therefore considered the proposed conditions would address any potential concerns, noting that the drainage has also been considered as part of the ES.

LBTH Biodiversity

- 5.23 The Biodiversity officer has made a number of observations and overall was satisfied that the proposal would lead to net gains in biodiversity and provide a considerable amount of biodiversity enhancements to the site.
- 5.24 Pre-commencement conditions would be attached to any forthcoming consent and further landscaping conditions will be included to ensure that any proposed soft landscaping would accord with the Borough's biodiversity and ecology aims and contribute where possible to the Local Biodiversity Action Plan (LBAP).

LBTH Housing

- 5.25 Housing officers support the provision of 35% of student affordable housing, however, strongly objected to the initial 0% Affordable Housing offer. In the first instance on-site Affordable Housing should be provided, however, it is acknowledged that the previous consent accepted a payment in-lieu (PIL).
- 5.26 The revised offer of a PIL equivalent to 35% affordable housing and 24.3% student accommodation is preferable, however, additional details surrounding how the PIL would directly contribute to housing delivery is required.

- 5.27 There are also some concerns with regard to the unit mix as submitted, although this has been updated.
- 5.28 This will be considered in full in the detailed Housing section, but these were noted and discussed with the applicant. Amongst balancing the overall housing offer the proposal shifted from providing a 35% student accommodation and 0% Affordable Housing scheme to a PIL equivalent to 35% Affordable Housing and 24.3% Affordable Student Accommodation.

LBTH Energy Efficiency

- 5.29 The scheme is proposing to meet Passivhaus design requirements. The energy officer is satisfied with the overall energy strategy and considers the use of a low temperature ambient loop Air-Source Heat Pumps and on-site power generation through PV to be acceptable and in accordance with policy.
- 5.30 Policy D.ES7 of the Local Plan requires zero carbon for all development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions, and the remaining regulated carbon dioxide emissions to 100% to be off-set through a cash in-lieu contribution. The scheme will provide a 59% reduction and will be required to pay a contribution of £1,507,650 to achieve the 100% reduction across all the uses.
- 5.31 Subject to appropriate Conditions securing the energy proposals, and the CO2 emission reduction shortfall being met through a carbon offsetting process, the proposals would be considered in accordance with adopted policies for delivering net zero carbon developments

LBTH Enterprise and Employment

- 5.32 Enterprise and Employment officers welcome the provision of affordable workspace although question the true affordability of the initial offer and request further details around the pricing management of the workspace. Over the course of the application the applicant committed to providing the affordable workspace at a 38% discount. This could be secured within the S106 agreement.

LBTH Occupational Therapists

- 5.33 No comments received.
- 5.34 Despite the lack of consultation response received, officers will be imposing a condition to any forthcoming consent requiring the submission of wheelchair accessible housing details and securing the proposed 5-10% wheelchair homes as part of a non-financial obligation within the S106 agreement.

LBTH Viability

- 5.35 LBTH Viability officers and external consultants BNP Paribas have assessed the submitted Financial Viability Assessment (FVA) as prepared by JLL and have determined the findings to be fundamentally sound. The assessment shows a deficit of -£6,217,639. and that the scheme provides the maximum viable amount of affordable housing.
- 5.36 As the scheme fails to meet Draft New London Plan Policy H15 for 35% affordable housing site viability officers require early and late-stage review mechanisms within any subsequent S106.

LBTH Policy

- 5.37 Policy officers raised concerns over the loss of a significant portion of the extant permissions traditional housing on site, which is protected in local policy, but recognised Draft London Plan Policy H15 in that student accommodation units should count towards housing targets

on a basis of a 2.5:1 ratio. On this basis there would be an uplift in hosing, however, there would still be a physical void of traditional housing of which the borough is in great need of. There must therefore be further suitable public benefit demonstrated for the scheme to be supported on this policy ground. Officers should also make sure that local amenities are not severely impacted upon by the number of students on site.

- 5.38 The initial affordable housing offer is not supported and should be reviewed further with officers.
- 5.39 The re-provided McDonalds does not raise any land use concerns. The proposed commercial and retail floorspace is also supported and should adhere to affordable workspace requirements
- 5.40 The site falls within the emerging South Poplar Masterplan area. A workshop is recommended to ensure the scheme is in line with the draft masterplan framework. A particular emphasis on connectivity to the adjacent Billingsgate and to the North of Aspen way will be examined.
- 5.41 Further discussion of all the above elements will be detailed within the Land Use section of this report

LBTH Environmental Impact Assessment (EIA)

- 5.42 The EIA has been reviewed by competent professionals and found sound subject to the mitigation identified within the council's Final Review Report 002 being secured as part of any forthcoming consent.
- 5.43 This will be further considered within the EIA section of the report.

LBTH Public Health

- 5.44 The detailed HIA submitted is considered to be sound, covering a broad range of potential health issues at various scales (housing, amenities, green infrastructure, transport, access) main considerations should be regarding the maximization of open space and biodiversity.
- 5.45 There were questions over the inclusion of the McDonalds restaurant and how this adheres to local Policy considerations which will be covered in the relevant section of the report. Detailed conditions surrounding air quality and a healthier commitment catering standard will be secured to any forthcoming consent.
- 5.46 Notwithstanding consultation, overall, the HIA demonstrates the intent of the scheme to contribute positively, within its remit, to healthier lifestyles within the borough.

LBTH Infrastructure Planning

- 5.47 The development does not meet Local/London Plan open space or child play space (12+) requirements. This cannot be offset by CIL moneys and is required to be directly mitigated by s106 contributions.

External Consultees

Environment Agency

- 5.48 Based on a review of the submitted information the EA have no objections to the proposed development.

Historic England

- 5.49 Advised that they have no comments to make, and to refer to LPA Conservation Officer for guidance in determining the application.

Greater London Archaeological Advisory Service (GLAAS)

- 5.50 The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological condition could provide an acceptable safeguard.

London City Airport

- 5.51 No objection, subject to conditions, which will be attached to any forthcoming consent.

Thames Water

- 5.52 No objection, subject to conditions and informative requiring details of piling, ground water discharge and a housing and infrastructure phasing plan being submitted.

DLR

- 5.53 No comments.

London Underground

- 5.54 Initial concerns were raised that the main TA did not assess how the development would impact on the capacity of the train service or nearby stations. The applicant provided additional information detailing the impacts which were not considered to be significant by LU and in line with the predicted growth of the area identified in the Local Plan Site Allocations and the Lower Lea Valley OAPF. Following receipt of additional information London Underground have no objection to the application.

Crossrail

- 5.55 The application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction

TfL

Healthy Streets

- 5.56 In line with the Isle of Dogs OAPF, the development should facilitate good quality connections to the surrounding cycle network, with proposed cyclable routes from Prestons Road roundabout through Trafalgar Way and westwards towards Hertsmere Road. The existing public realm around the site, however, is highly car-dominated, does not encourage people to walk and cycle and is not welcoming to people from all walks of life.
- 5.57 The applicant proposes improved permeability through the site through provision of a new walking route along the western boundary with the adjacent site at Billingsgate. This is strongly supported. The applicant should ensure that walking routes to this new route are at least 2m wide, and the new route has as shallow an incline as possible.
- 5.58 Continuous footways should be provided over vehicular access routes, and corner radii should be as small as possible to ensure low vehicular speeds. All footways around the site should have a width of at least 2 metres.

Active Travel Zone assessment

- 5.59 An Active Travel Zone (ATZ) assessment has been submitted. The active travel routes to key locations that have been assessed are acceptable and appropriate, as previously agreed with TfL.

Cycle parking

- 5.60 Long-stay cycle parking is designed to have a prominent entrance to the front of the buildings, and that there is parking provision for a variety of cycle types at both ground floor and at podium level. This is welcomed. Short stay cycle parking must however be increased to at least Intend to Publish London Plan minimum standards
- 5.61 Cycle parking for both residential and commercial uses should include dedicated cargo cycle parking in the public realm close to building entrances to encourage and enable active freight, deliveries and servicing.

Car parking and vehicle use

- 5.62 As the site is in an area of PTAL 5 in an inner London Opportunity Area, development should be car-free except for disabled persons parking. TfL strongly opposes provision of any general car parking at this site, including motorcycle parking.
- 5.63 The site has been vacant for more than five years and therefore any vehicle trips and their consequent impacts will be additional to the network.
- 5.64 There is no 'pre-existing' car parking on site as the applicant states. Two car and five motorcycle parking spaces are proposed to serve the restaurant, and two disabled persons parking spaces for the residential uses. Furthermore, the proposed drive-through element will result in a considerable increase in car trips. This results in a sustainable mode share for this site below 55% which is inconsistent with the OA target of 95% active travel. The applicant is therefore urged to reduce car parking and reconsider the drive-through element of the restaurant due to the impact of additional vehicles trips both within the site and beyond.
- 5.65 TfL welcomes that future residential and business occupants will be restricted from applying for parking permits.

Delivery and servicing

- 5.66 The applicant proposes managed freight vehicle egress onto Trafalgar Way through the new public realm. TfL is concerned that this could create hazards for pedestrians and cyclists. This would also sever the new public realm and introduce further car dominance, reducing its amenity value and making it less attractive to walk and cycle. The applicant has not demonstrated that other design options have been considered and this is the optimal solution for freight egress. TfL recommends that freight vehicle routing be redesigned to egress at the roundabout on Trafalgar Way.
- 5.67 A loading bay is proposed on Trafalgar Way. This will introduce new kerbside access and therefore additional freight movements on Trafalgar Way, which could increase likelihood of collisions, could create a hazard for people walking and cycling, and could also lead to reduced bus reliability. TfL's preference is for loading to take place within the site, potentially reallocating parking or drive-through space. Otherwise, the applicant should review the operational hours with Tower Hamlets Council to minimise conflicts with cyclists and to ensure bus reliability.

- 5.68 The DSP should set out how sustainable freight will be encouraged and enabled, for example through provision of cargo cycle parking close to building entrances.

Construction

- 5.69 A draft Construction Logistics Plan (CLP) has been submitted. A full CLP should be secured by condition. The construction of the development should not require the full closure of Trafalgar Way for a prolonged period. Any full closure will require the cost of diverting bus routes and lost revenue to be agreed with TfL in advance and fully funded by the applicant. Occasional weekend closure may be acceptable and should be agreed with TfL in advance.

Greater London Authority

- 5.70 As highlighted within their Stage 1 response, the GLA is supportive of the principle of a high-density student/residential-led mixed use development as it would contribute significantly to housing and student housing targets.
- 5.71 The proposed office/commercial space is supported in the OAPF whilst providing affordable workspace in line with policy requirements. The proposed retail and hot food takeaway also raise no objections as it conforms with policies.
- 5.72 As the housing element of the scheme does not meet the threshold of 35% affordable the scheme is required to be viability tested. As initially submitted the housing element is not acceptable as 0% affordable housing is proposed. The student accommodation proposed at 35% adheres to policy and is supported and should be secured by one or more higher education providers so that it can be defined as purpose-built student accommodation (PBSA).
- 5.73 They consider that whilst the proposed scheme represents a significant density increase, the design responds well to the local context and results in a well resolved, good quality, contemporary development. The public realm is generally supported although and pedestrian improvements are strongly encouraged
- 5.74 The quality of the student accommodation is generally acceptable, subject to further information demonstrating that the ancillary and outdoor spaces proposed provide a sufficient quality and quantity of functional living spaces for students within the development.
- 5.75 The quality of the residential accommodation is generally acceptable, although a secondary stair/core should be explored. The Council should also secure a financial contribution for the shortfall in open space and child play space. High quality landscaping features should be secured in all open/communal/public realm spaces.
- 5.76 The fire strategy is somewhat limited in its scope; however, this can be secured by an appropriately worded condition. Environmental points on Noise, Energy, Air Quality, Flood Risk, Drainage, Water efficient, and Biodiversity are adequately addressed and can be secured via condition.
- 5.77 The GLA consider that the proposal would lead to less than substantial harm to nearby heritage assets and further information should be submitted to address the impacts towards several LVMF's and further testing on the affordable housing is required to test that the scheme proposed outweighs any such harm identified. This will be further discussed within the heritage section of this report.
- 5.78 The GLA notes that the affordable housing provision would be subject to both late and early stage review mechanisms within the S106.

5.79 Following the submission of further details, the applicant is considered to have addressed the issues as raised by the Greater London Authority in their Stage 1 response. The GLA will have further opportunity to comment as part of their Stage 2 response.

Metropolitan Police (Secured By Design)

5.80 The police have made a number of recommendations with regards to further details which would be addressed at the detailed design stage. Subject to details required as part of any condition being acceptable officers are satisfied the scheme would represent a safe development. A condition requiring the development to meet Secure by Design standards will be attached to any forthcoming consent.

London Fire Brigade

5.81 No comments received.

Canal and River Trust

5.82 Clarification regarding financial contributions and any improvements on trust land should be discussed with the trust prior to them being secured. Habitat improvements to the waterways should be secured as the development will likely impact on the local environment. Should the development be approved relevant conditions/informatives should be secured.

Natural England

5.83 No comments to make.

Gardens Trust

5.84 The trust has considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage

National Air Traffic Services (NATS)

5.85 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS has no safeguarding objection to the proposal.

London Borough of Greenwich

5.86 No comments received.

London Borough of Hackney

5.87 No Objections

London Legacy Development Corporation (LLDC)

5.88 No comments received.

City of London (submitted by Deloitte)

5.89 Given the significant quantum of student accommodation proposed, the development will need to comply with the 'Agent of Change' principle as set out in draft Policy D13 'Agent of Change' of the Intend to Publish London Plan whereby ensuring the existing and future use of Billingsgate Market will not be a nuisance to the new student accommodation.

- 5.90 The scheme is broadly supported in design and layout terms, however, the site should be considered in terms of the current and future operation of the Billingsgate Market including its design and amenity impacts, notably daylight and sunlight.
- 5.91 Recognised that the site was outside any allocation but should still contribute to local infrastructure through on-site provision and planning obligations as there would be additional pressure on existing infrastructure, specifically Trafalgar and Aspen Way.
- 5.92 Delivery of the scheme including s278 works resulting in a road closure/disruption to the Billingsgate market would be unacceptable. The CoLC requests clarification of the proposed construction programme (i.e. how and what is being proposed when) from the Applicant prior to determination to ensure an assessment of the impacts can be undertaken. Subject to any impacts deemed to be unacceptable by the CoLC, preparation of a formal objection will be considered.
- 5.93 Recommended conditions for;
- Odour from McDonalds
 - Set back from the future development
 - Dust management plan
 - Western pedestrian link to the billingsgate site
 - Drive Thru queuing strategy
 - Delivery and Servicing Plan

Port of London Authority (PLA)

- 5.94 It is welcomed that the submitted Travel Plan includes a reference to nearby river bus services, including timetables. It is recommended that a condition is added to any forthcoming planning permission for the completion of the final Construction Management Plan which includes this consideration, which would be in line with current (7.26) and emerging (SI15) London Plan policy and policy D.TR4 (Sustainable delivery and servicing) of the boroughs Local Plan (2020) which seeks for development close to navigable waterways to maximise water transport for materials and waste, particularly during the demolition and construction phases.

Others

Conservation and Design Advisory Panel

- 5.95 They commented in relation to the pre-application proposal on 11th November 2019 and again on 6th April 2020 prior to submission of the full planning application. The scheme went through substantial design change after the first meeting and the one presented at the second meeting was very similar to the submitted proposals.
- 5.96 They supported the overall composition of the development including the height, layouts and use of the buildings and welcomed the significant changes from the first to second meeting, citing the ambition of the project.
- 5.97 Sky gardens were welcomed although there were queries surrounding maintenance and long-term success. Passivhaus was welcomed although not deemed essential with greater focus on reducing carbon through the design and construction.
- 5.98 Greater consideration should be given to accessibility and solely providing indoor space did raise some concerns. Lastly members wanted to ensure sustainability, urban greening and long-term maintenance was captured through planning to avoid weakening the scheme during construction and building operation.

5.99 These comments have been addressed in the full submission application and the issues raised have been considered in full in the relevant sections.

6 RELEVANT PLANNING POLICIES AND DOCUMENTS

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

6.2 In this case the Development Plan comprises:

- The London Plan 2021(LP)
- Tower Hamlets Local Plan 2031 (2020)

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

Growth (spatial strategy, healthy development)

- London Plan policies: SD1, SD10
- Local Plan policies: S.SG1, S.H1, D.SG3

Land Use (town centre, social infrastructure, student, residential, employment, takeaway)

- London Plan policies: SD6, SD7, SD8, SD9, S1, S2, S4, H1, E11, E9
- Local Plan policies: S.TC1, D.TC2, S.CF1, D.CF2, D.CF3, D.H6, S.H1, S.EMP1, D.EMP2, D.TC5, D.TC3

Housing (housing supply, affordable housing, housing mix, housing quality, student housing, fire safety, amenity)

- London Plan policies: D6, GG2, H1 H4, H5, H6, H8, H10, H15, S4,
- Local Plan policies: S.H1, D.H2, D.H3, D.H6,

Design and Heritage (layout, townscape, massing, height, appearance, materials, heritage)

- London Plan policies: D1, D2, D3, D4, D5, D8, D9, HC1, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7

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

- London Plan policies: D3, D6, D9, D14
- Local Plan policies: D.DH8

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

- London Plan policies: T1, T2, T4, T5, T6, T6.1, T7, T8
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

Environment (air quality, biodiversity, contaminated land, flooding and drainage, energy efficiency, noise, waste, agent of change)

- London Plan policies: G1, G4, G5, G6, SI1, SI2, S13, S14, SI5, SI7, SI8, SI12, SI13, D13
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D. OWS3, D.MW3

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (as updated)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (December 2020)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- LBTH Isle of Dogs and South Poplar Opportunity Area Framework
- LBTH Character Appraisal and Management Guidelines for Limehouse Cut, Langdon Park, St Annes Church, Landsbury, Balfron Tower, St Frideswide's St Matthias Church, All Saints Poplar, West India Dock, Coldharbour and Naval Row Conservation Areas
- LP Affordable Housing and Viability SPG (2017)
- LP Housing SPG (updated 2017)
- LP Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)

- 6.5 The following draft guidance is relevant, although it has limited weight:
- LBTH Draft Central Area – Good Growth SPD (Consultation draft January 2021)
 - LBTH Draft Refuse, Recycling & Waste (Consultation draft January 2021)
- 6.6 The South Poplar Masterplan Supplementary Planning Document (SPD) was adopted on 28 July 2021 by the Tower Hamlets Council. The SPD is a joint project undertaken in collaboration with the GLA and TFL. The SPD supports the Local Plan (2020) and Isle of Dogs and South Poplar Opportunity Area Planning Framework (GLA/Mayor of London - October 2019). In particular, the SPD looks to provide further guidance to the local plan site allocations of Aspen Way, North Quay and the Billingsgate Market.
- 6.7 As the South Poplar Masterplan SPD has been adopted by the Council, it now has weight as a material consideration for planning applications within the designated masterplan area.
- 6.8 The SPD provides guidance on key masterplan themes around character and identity, connections and movement, green and open spaces, massing and heights, uses and social infrastructure and liveability principles. The SPD also contains an Infrastructure Delivery Plan setting out how key infrastructure initiatives will be delivered

7 PLANNING ASSESSMENT

- 7.1 The key issues raised by the proposed development are:
- i. Land Use
 - ii. Student Housing
 - iii. Housing
 - iv. Design & Heritage
 - v. Neighbouring Amenity
 - vi. Transport and Servicing
 - vii. Environment
 - viii. Human Rights and Equalities

LAND USE

Student Housing Proposal

- 7.2 The principle of providing purpose-built student accommodation in this location is supported by planning policy. At a national level NPPF highlights the importance of boosting the housing supply, with paragraphs 59 and 61 setting out the importance of providing for specific housing groups, such as students.
- 7.3 LP Policy H15 states that strategic and local requirements for student housing which meet a demonstrable need are to be addressed by working closely with stakeholders in higher and further education in well-connected locations, promoting mixed and inclusive communities and without compromising capacity for the delivery of conventional homes.
- 7.4 The LP acknowledges the significant demand for student accommodation, (paragraph 4.15.2) with a potential requirement for some 3500 places annually over the plan period. It goes on to recognise that the provision student accommodation may reduce pressure on other elements of the housing stock currently occupied by students in the private rented sector.
- 7.5 The London Plan provides further guidance on the consideration of student accommodation units. Of note is the specification that student accommodation units should count towards housing targets on a basis of a 2.5:1 ratio. Draft London Plan Policy H15 (Purpose-built student accommodation) provides detailed guidance on the development of purpose-built student accommodation (PBSA) units.
- 7.6 The GLA support the principle of the student use (GLA Stage 1 response paragraph 26) stating that the site is well connected and that the scheme would support the creation of mixed and inclusive communities with the caveat that the use of the accommodation being secured for students and affordable student accommodation being provided, in accordance with Policy H15.
- 7.7 The quantum of units would also provide a significant contribution to addressing identified student housing need across London and the borough and also meeting general housing needs as set out in LP Policy H1.
- 7.8 In terms of a strategic and local need a Student Housing Demand & Supply Study (JLL – June 2020) has been prepared and submitted to justify the student accommodation led element of the proposal. This study provides insight into the shortfall of student accommodation units within London and the projected demand for such units. The subject site has a PTAL rating of 5 which demonstrates ‘very good’ access to public transport. The site is well located in relation to the Canary Wharf Underground Station for both the existing Jubilee Line and impending Elizabeth line. The Blackwall DLR station is also within walking distance. The GLA also recognise the role that student accommodation has to play within London and acknowledge the existing shortfall.
- 7.9 Overall, the demand for the student accommodation units has been established and the submitted study appears sound.
- 7.10 At a local level Policy D.H6 provides guidance on the consideration of new purpose-built student accommodation units. The policy sets out guidance that such proposals should be proximate to the Borough’s higher education institutions or in highly accessible locations. Additionally, this policy sets out the following guidance where proposals must:
- a) not compromise the supply of land for self-contained homes
 - b) have an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide an element of affordable student accommodation

- c) respect existing residential amenity, and
- d) provide 5% of student rooms which are wheelchair accessible, including access to a wheelchair-accessible shower room for independent use.

- 7.11 In terms of addressing policy guidance to not undermine the supply of self-contained homes (Part 1 a of Policy D.H6), it must be noted that the site currently benefits from an approved planning consent (PA/08/01321 – approved 2009), which has been implemented and is residential led, comprising the provision of 394 residential units. Nevertheless, through the initial permission and further planning amendments it can be seen that over time the site has been deemed unfit for family housing, in particular due to its location adjacent to the A1261 and the Prestons Road Roundabout. Furthermore, the application initially secured the affordable rented units off-site through a payment in lieu whilst delivering the intermediate on site in the 1 and 2 bed units. Subsequently through an amendment all of the affordable housing tenures were removed from the scheme in favour of providing a payment in lieu which would offer an increased amount of affordable housing provision elsewhere in the borough.
- 7.12 In addition to the above, using the 2.5:1 ratio specified within the London Plan Policy H15, the 1,672 student accommodation units would equate to 668 residential units in an overall contribution to the Borough's housing target and whilst there is clear evidence base that the Borough has a shortage of traditional housing units and of affordable housing units in particular the student accommodation units would contribute to the Council's housing targets using provided ratios. It is noted that these calculations would provide a significant uplift in comparison to the extant scheme.
- 7.13 In terms of part b the scheme has been proposed in partnership with University College London (UCL) where the provided units would deliver accommodation for students at several UCL campuses. UCL's School of Management is located on the 38th floor of One Canada Square and is in close proximity to the site. The student accommodation units would also be associated with additional UCL campuses located in Stratford (UCL Here East) and Central London (UCL Bloomsbury). The future regenerative benefits of the scheme are also noted where the site's location may assist in facilitating future UCL expansion within Tower Hamlets.
- 7.14 Through the viability tested route consistent with the London (Part 4b of Policy H15) and Local Plan (Part 1b of Policy D.H6) policies discussed above, 24.6% of the proposed student accommodation units would be provided as affordable and would be delivered in partnership with the University College London, a recognised higher education institution. This provision and partnership are welcomed and considered acceptable given the schemes deficit.
- 7.15 In addressing amenity concerns raised as a policy consideration (Part 1c of Policy D.H6), a Student Management Plan has been submitted which details the management and operation of the student units. This has been carefully considered by the council and has been deemed sufficient with additional details being secured via a s106 agreement and planning conditions. The development would provide 3,650sqm of amenity space and other onsite ancillary spaces and communal facilities for residents to utilise spread across several areas and provide a number of mitigation measures for issues such as noise with the applicant also delivering successful student schemes across London. The quality of accommodation will be addressed later in the report.
- 7.16 Objections have been received with regards to the impact on local services in the area. In review there are no similar proposals in the area and the scheme would not result in an over-concentration which would unduly impact upon the wider housing mix in the area.
- 7.17 With regards to part d of the policy, the development provides a minimum of 5% wheelchair accessible units which accords with the requirement and will be secured via condition.

C3 Housing Proposal

- 7.18 Part 11 of the NPPF (2021) paragraph 118 states in relation to *Making effective use of land* planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 7.19 London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 homes as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery is targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.
- 7.20 The Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year.
- 7.21 As detailed in the above sections, there is a demonstrated need for housing and affordable housing within Tower Hamlets and at a regional level. The Borough is expected to deliver a significant quantum of new housing within London.
- 7.22 The development would provide 80 traditional build to rent homes in the smallest of the three towers in addition to the 668 homes using the conversion of 2.5:1 student rooms. Overall, the development would contribute to the delivery of 748 homes across the borough's targets. The traditional housing element would provide a payment in lieu equivalent to 35% affordable housing by habitable room and an overall increase of 24.8% when compared to the extant permission (and updates).
- 7.23 Taking into consideration the need for housing and the targets set by The Local Plan it is considered that a high-density housing scheme is appropriate within this location. Furthermore, the previous planning application and subsequent amendments has established the principle of a payment in lieu from within the site (further policy considerations discussed within the Housing section of this report) and the proposal would deliver much needed market and affordable homes for the Borough and London.
- 7.24 Paragraph 118 of the NPPF (2021) directs decision makers to give substantial weight to the provision of homes on brownfield land.
- 7.25 Therefore taking into consideration the local and strategic policy designations as well as the NPPF (2021) the provision of housing in this location carries substantial weight in favour of the proposal.

Employment Policy – Office land use

- 7.26 The NPPF supports sustainable economic growth and building a strong, competitive economy and paragraph 80 states that “significant weight should be given to support economic growth and productivity, considering both local business needs and wider opportunities for development”.
- 7.27 LP Policy E1 encourages employment opportunities for all and supports initiatives to remove barriers to employment and tackle low participation in the labour market. It also requires strategic development proposals to support local employment, skills development and training opportunities.
- 7.28 Policy S.EMP1 of the Local Plan provides a range of designated employment locations to support the borough's target of 125,000 new jobs to 2031. Broader policies set out to

support opportunities to maximise and deliver investment and job creation within the Borough

- 7.29 Policy D.EMP 2 provides further guidance on the provision of areas of new employment space. Outside of designated employment locations, new employment space should be directed towards town centres and accessible locations along major transport routes. Part 4 of this policy requires at least 10% of new employment floorspace to be provided as affordable workspace.
- 7.30 The site is not located in the CAZ nor within a town centre; however, as set out above, the site is located within the Isle of Dogs and South Poplar Opportunity Area, which the London Plan and the Mayor's Intend to Publish London Plan indicate has an employment capacity of 110,000 jobs
- 7.31 The London Plan emphasises the importance of Opportunity Areas in supporting regeneration and their importance to accommodate large scale developments that provide jobs, housing and enhance placemaking. In October 2019, the Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) was adopted by the Mayor of London, which provides supplementary guidance for the future development and delivery of the Opportunity Area and presents a vision of comprehensive social, economic and environmental change in the area for all who live, work and visit.
- 7.32 4127 square metres of commercial (B1) office space is proposed as part of the scheme. The site is not within a designated employment location or identified site allocation, however sits adjacent to a number of important policy controls. As previously raised, the Canary Wharf Secondary Preferred Office Location sits to the immediate west of the site and the Poplar Business Park (Local Industrial Location) is located to the north of the site. The 2 Trafalgar Way site location therefore has an important role in supporting these designated safeguarded areas. The site also should provide a suitable local offer supporting the commercial floorspace demand for small to medium sized enterprises.

Affordable Workspace

- 7.33 The scheme would provide 10% of the floorspace at a rate of 38% below the indicative market rate. This would equate to 412.9sqm of affordable workspace and go beyond The Local Plan policy D.EMP2 which requires at a minimum 10% of the floorspace to be at 10% below the indicative market rate.
- 7.34 This reduction in rental costs above the policy requirement would strongly support small businesses and start-ups in the area and complement the proposed student accommodation use on site. It would promote SMEs and people wishing to start a business who may find rent prices challenging elsewhere in the borough.
- 7.35 The affordable workspace would be secured as part of the S106 agreement and a management plan for the workspace would be required and secured via a planning condition.

Mc Donald's Restaurant/ Hot food takeaway

- 7.36 The application proposes the provision of a 1036sqm McDonalds Drive Thru Restaurant. The use of the subject site for a takeaway restaurant (McDonalds) has been established and previously occupied the site for a period of 10 years prior to demolition and enabling works on the land. Furthermore, the extant planning permission includes consent to re-provide the facility and as such, the principle of the use has been established. There is no objection to the submission put forward and the re-provision of the restaurant would be acceptable as it also meets the criteria outlined in policy D.TC5.

- 7.37 In terms of London Plan Policy E9, the hot food takeaway would be located in excess of the 400m walking distance requirement from the nearest primary/secondary school and compliance of the hot food takeaway operator with the Healthier Catering Commitment standard will be secured via condition.
- 7.38 Looking to London Plan Policy E9 the Draft South Poplar Masterplan area indicates a school could be located on the site. Through working with Councils education colleagues, the need for a secondary school on the site has been questioned as current population projections and student demand do not indicate the need for such a school within the next 5-10-year period. The relocation of the Billingsgate market to a new site is itself subject to its own necessary planning permissions whilst a planning permission for the Billingsgate market redevelopment would also be subject to determination. To reference the flexibility needed in approaching the school provision on the site, the document references that the need, type, size and design of any educational use on the site would need to be determined as part of the development management process. Therefore, it is considered that the Billingsgate Market site allocated secondary school is not 'proposed' for the purpose of Policy E9 and the re-provision of the McDonalds is acceptable in this regard.

Other uses

- 7.39 Following revisions, the scheme proposes an additional 135sqm of flexible retail space which could accommodate retail; and restaurant/bar uses (Within Use Classes A1 & A3).
- 7.40 The development would provide a limited amount of retail floorspace at ground floor level within commercial units fronting onto the Trafalgar Way. The proposed range of uses would facilitate a well-balanced mix of commercial activity and local services across the site.
- 7.41 It is recognised that flexibility is important to ensure the spaces are let and that there is activation along the ground floors of the development, particularly along Trafalgar way leading to Canary Wharf and the future Billingsgate site. The proportion of spaces in the context of the overall development would be small and would not represent an oversupply of retail or restaurant space outside of a designated town centre.
- 7.42 It is considered these uses would complement the workspace, student accommodation and housing as well as contribute to wider place making objectives. They would not harm the vitality or investment in any local centres.

Land Use Conclusions

- 7.43 In summary, the proposed student led mixed use scheme is acceptable in this location. With regards to the extant permission, the loss of the majority of the traditional residential units is on site would be acceptable given that the London Plan considers student accommodation to contribute towards the boroughs housing delivery targets.
- 7.44 The scheme would deliver a considerable amount towards this target, whilst also providing a considerable amount of employment space. The proposed workspace and retail space would likely lead to an increase in jobs and support a more diverse range of business types. The affordable workspace provision (10% of employment floorspace at 38% below market rate) would further support SMEs and other creative industries emerging in this part of the Borough.
- 7.45 The provision of housing in this location is strongly supported by strategic and local policies and the NPPF (2021) which seeks to make effective use of brownfield land. The draft South Poplar Masterplan supports mixed-use residential led development and the other proposed commercial uses would complement the overall land use mix.

- 7.46 The proposed student accommodation, housing and employment space carry substantial weight in favour of the proposal.

STUDENT HOUSING

Affordable Student Accommodation

- 7.47 LP Policy H15 requires the majority of the student bedrooms, including all affordable, to be secured through a nominations agreement with one or more Higher Education Providers (HEP). At least 35% of the accommodation must be secured as affordable student accommodation to follow the "Fast Track Route." Local Plan Policy D.H6 supports this approach and as stated above the applicant has committed to entering into a nominations agreement via a s106 obligation with one or more HEP, in this case University College London.
- 7.48 In line with GLA policy, the applicant proposes that the initial rent (including all service charges) for the affordable student rooms will be no more than 55% of the maximum student maintenance loan for living costs available to a UK full-time student in London living away from home for that academic year. The most recent figure published in the GLA Annual Monitoring Report (October 2019) is £6,245, but this figure is likely to have risen for the academic year at the point of first letting. The rent setting formula for the affordable student accommodation will be secured in the Section 106 legal agreement. The S106 legal agreement will be subject to clauses that give the Council the ability, to require the applicant to provide details of occupancy and rent levels charged to ensure the above requirements are being complied with.
- 7.49 Due to the mixed used nature of the scheme and the initial traditional affordable housing offer of 0%, the application was viability tested in line with the methodology and assumptions set out in Policy H5 and the Mayor's Affordable Housing and Viability SPG. The Council had the submitted review (prepared by JLL) independently assessed and subsequently confirmed that the scheme proposed a deficit of £6,217,639. The GLA also reviewed this information and confirmed the soundness of the review and its findings.
- 7.50 Ongoing negotiations surrounding the makeup of the scheme continued through the viability process, which resulted in the Affordable Student Accommodation offer reducing from 35% to 24.6% in favour of providing an increased traditional affordable housing offer (discussed in the housing section of this report). Considering the viability position, the proposed officer is on balance acceptable (subject to further provisions detailed within this report).
- 7.51 Applying the 24.6% threshold, 411 units would be affordable which will all be provided as non-suite or half-suite rooms, but no definitive breakdown has been provided at this stage, as this will be influenced by demand at the time of future letting. There is no proposal to provide any of the en-suite or studio rooms as affordable housing. Whilst local plan policy does not specify what proportion of room types should be affordable, the London plan seeks to ensure that there is no difference in quality between the tenures and the LPA would seek to ensure there is a more even distribution of affordable accommodation across the range of unit types. The applicant states that the supporting schedule was indicative as the allocation of the affordable student accommodation will be subject to negotiations with the chosen HEP and part of the nomination(s) agreement. This final breakdown will therefore be subject to agreement as part of the S106.
- 7.52 All students residing in the affordable rooms will have full access to all these facilities, with any associated costs included in the total rent payable for the rooms. There will be no additional charges specific to the affordable accommodation and the rent will include all services and utilities which are offered as part of the package for the market rate rooms.

- 7.53 As per LP Policy the development would be subject to an early and late stage viability review in order to ensure the maximum amount of affordable accommodation is being delivered on site.

Quality of Accommodation

- 7.54 LP Policy H15 also requires purpose-built student accommodation to provide adequate functional living space for students in terms of the design and layout of bedrooms. In policy terms there are no applicable space standards (including amenity space) for student accommodation, however, the spaces have been designed in accordance with the Tower Hamlets HMO Guidance. The applicants DAS sets out the range of unit types proposed, their size and access to communal facilities. The current layout proposes clusters of between 4 and 8 bedrooms built around shared communal kitchens looking out onto unique and distinctive sky gardens providing visual amenity for students and although the design of the kitchens does restrict natural light into the communal areas it is considered that the sky gardens and amenity provided by these would outweigh access to light which is generally acceptable across other areas of the scheme.
- 7.55 The layout of the accommodation and orientation of the buildings has been designed to minimise single aspect bedrooms facing north onto Aspen Way. Whilst the proportion of single aspect north facing units would not be acceptable within housing scheme, the arrangement proposed does not raise any particular planning concerns, given the short-term nature of student accommodation tenancies and the provision of communal amenity spaces with alternative aspects within the scheme. Levels of daylight to the student blocks are mostly in line with BRE guidelines, however there are failings in some of the rooms which face the towards each block and below the sky bridge. Nevertheless, the access to daylight of the student rooms is generally acceptable.
- 7.56 The scheme has been developed in collaboration with UCL and will provide 2.2sqm of amenity space and 0.14sqm of laundry and post room facilities for each student, representing over 10% of the total student floorspace. When benchmarked against other Urbanest buildings constructed or under construction in London, the proposed development will provide the highest quantum of amenity space per student.
- 7.57 With specific regard to the student amenity provision this is spread across various levels, with the majority being focused on the sky bridge at level 10 which provides various ancillary spaces and facilities including study spaces, a gym and yoga studio. The space will benefit from natural daylight, generous floor to ceiling height and is directly accessible from either student accommodation building.
- 7.58 The maintenance and management of these spaces will be the responsibility of the developer and the details will be secured by condition. The remaining space at the top levels of each block is designated for PVs, plant and ancillary uses. It is considered that the scheme provides an acceptable level of amenity space for the range of uses provided.
- 7.59 Lastly, information has been submitted stating that the affordable student accommodation would also have no discernible differences in quality with all rooms being finished to the same standard.
- 7.60 Air quality in this location has been identified as an issue. However, suitable mitigation measures, such as mechanical ventilation, would be in place to address this. Sufficient separation distances would be retained from other buildings to maintain privacy. In line with Development Plan policies, 5% of the student rooms would be wheelchair accessible, which would be secured by condition. A Noise Assessment also recommends measures to ensure appropriate mitigation measures against road traffic noise. The noise and air quality

assessments have been reviewed by the Council's Environmental Health Officers and are considered acceptable subject to conditions.

HOUSING

Housing supply

- 7.61 Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. London Plan Policy H1 sets Tower Hamlets a housing completion target of 34,730 units between 2019/20 and 2028/29. The proposed development would result in a net increase of 748 new homes (including the student accommodation ratio), which would make an important contribution towards meeting the above target and is strongly supported.
- 7.62 The 2020 Housing Delivery Test (HDT) results were published on 19 January 2021 and as a result Tower Hamlets Local Planning Authority is now a “presumption authority” and paragraph 11d of the NPPF is relevant. The Council’s delivery of housing over the last three years is substantially below its housing target and so paragraph 11d of the NPPF is engaged by virtue of footnote 7 of the NPPF. Nevertheless, the proposed development has been found to be in accordance with development plan policies and, therefore, consideration of para. 11(d) is not required where the recommendation is to grant planning permission (but would be if the application were to be refused).
- 7.63 As stated in the Land Use section the development would provide 80 traditional build to rent homes in the smallest of the three towers in addition to the 668 homes using the conversion of 2.5:1 student rooms. Overall, the development would contribute to the delivery of 748 homes across the borough’s targets, although only the traditional element will be subject to the further assessments below.

Housing Mix and Tenure

- 7.64 Pursuant to Policy H10 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. The Local Plan Policy D.H2 also seeks to secure a mixture of small and large housing that meet identified needs. Specific guidance is provided on particular housing types and is based on the Council’s most up to date Strategic Housing Market Assessment (2017). The required mix within each tenure is shown in the table below.
- 7.65 Section 4.12.2 of Policy H12 of the New London Plan, “Housing Size Mix”, places importance on considering housing mix in a contextual basis in determining how it best meets a need.

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

Table 4: Housing mix requirements from policy D.H2

7.66 The table below details the overall proposed mix of the scheme which shows that there is no on-site affordable housing, which will be discussed below:

Tenure	Studio	1-bed	2-bed	3-bed	4-bed	Total
Market	24	0	40	15	1	80
Intermediate	0	0	0	0	0	0
Affordable	0	0	0	0	0	0
Total						80
As %	30	0	40	19	1	

Table 5: Housing mix for proposed development

Market Housing

7.67 The table below details the market housing provision of the scheme against the requirements within policy D.DH2:

Market housing unit type	No. of units proposed	No. of hab rooms	No. of units as a Percentage	Policy	Difference (+/-) %
Studio	24	24	30	-	+30
1-bedroom				30%	-30
2-bedroom	40	120	50	50%	0
3-bedroom	15	61	19	20%	0
4-bedroom	1	6	1		
Total	80	211	100%		

Table 6 – Market Housing Mix

7.68 As detailed in the table above the scheme generally accords with the policy for market housing with the exception of providing studio units in favour of 1 bed units, which while not recognized as a unit typology within the housing mix table of the Tower Hamlets Local Plan, or the supporting Strategic Housing MA, are acknowledged as a unit typology in the Nationally Described Space Standards embedded within the London Plan and referenced within Policy D.H3.

Affordable Housing

Affordable housing policy

7.69 The Tower Hamlets Local Plan Policy S.H1 sets an overall strategic target of 50% of affordable housing, with a minimum of 35% provision sought, subject to viability.

7.70 London Plan policy H4 (Delivering Affordable Housing) sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable and highlights the need to meet the need for 43,000 affordable homes each year. Specific measures to achieve this aim include requiring major developments to provide affordable housing through the

threshold approach and using grant to increase affordable housing delivery beyond the level that would otherwise be provided.

- 7.71 Policy H5 states where an application does not meet the requirements set out in Part C for a 'fast tracked' application it must follow the Viability Tested Route, where detailed viability evidence should be submitted and accessible as part of the application.
- 7.72 Tower Hamlets Local Plan Policy D.H2 sets the requirements of affordable housing provision within development in the borough, in terms of quantum, standard and provision. It states that development is required to maximise the delivery of affordable on-site except in exceptional circumstances where certain criteria are met. Beyond this it states that where no suitable sites are available for off-site affordable housing and payment in-lieu (PIL) is to be acceptable, developers must demonstrate that the payment will enable the construction or purchase of a minimum of 50% affordable housing in the borough and there is no financial advantage to the development of not providing affordable housing onsite.
- 7.73 London Plan Policy H4 further outline the parameters where Cash in-lieu contributions are accepted stating that they should only be used in exceptional circumstances, where it would not be detrimental to the delivery of mixed and inclusive communities. It also states that to avoid incentivising off-site provision or in lieu contributions, agreements for this should provide no financial benefit to the applicant relative to on-site provision and should include review mechanisms in line with the Viability Tested Route. The policy target for schemes delivering off-site affordable housing or in lieu contributions is 50 per cent affordable housing provided across the main site and any linked sites when considered as a whole.
- 7.74 Cash in lieu contributions should be held in a separate affordable housing pot, where resources can be pooled and ring-fenced to enable greater, or more appropriate, new provision to be made off-site. This should either be on an identified site or as part of an agreed programme, in compliance with the statutory tests for use of planning obligations.

Viability

- 7.75 The Council appointed an external consultant, BNP Paribas Real Estate (BNPP), to review the viability information provided by the Applicant's assessor, (JLL). The BPS initial April 2020 report concerned a 1672 student-unit and 68 residential unit scheme providing 35% affordable student housing by habitable room and 0% affordable housing in the C3 accommodation.
- 7.76 Over the following months a series of discussions and negotiations took place involving all parties and appointed viability consultants. Further input was provided on behalf of each party by specialists in construction costs and construction programming, as well as CIL matters. The GLA were also involved in discussions.
- 7.77 These discussions resulted in the scheme delivering a deficit of £6,217,639.
- 7.78 Following these negotiations it was advised that the initial option to provide 0% affordable housing was unlikely to provide acceptable public benefit, particularly with the affordable housing not being delivered on site. As a result, a change in approach was taken and several different options were tested.
- Option 1: 35% Affordable Student Accommodation, 0% Affordable Housing
 - Option 2: 24.3% Affordable Student Accommodation, 7 Intermediate units delivered on site, £7.76 million PIL
 - Option 3: 24.3% Affordable Student Accommodation, £10.16 million PIL (equivalent to 35%)

- 7.79 Following negotiations, the applicant subsequently undertook to redesign the scheme to provide a policy compliant mix of 80 residential units, retaining the 1672 student units. Option 3 was subsequently taken forward and it was agreed that the reduced student affordable housing offer and PIL equivalent to 35% was the maximum technically viable provision, noting the fact that offsite affordable housing should secure 50%.
- 7.80 Subject to approval, early stage (if after, an agreed period of time after the grant of planning permission, Substantial Works (2 years) have not been completed), mid stage (alongside reserved matters applications for both Phase 2 and Phase 3) and late stage (after 75% occupation of market units) viability reviews would be included, giving the opportunity for increased affordable housing provision if sufficient income growth and/or cost savings are realised. An agreed surplus identified at the any of the stages would result in an increased PIL.
- 7.81 Whilst the amendments secured are welcome, they have served to worsen the viability position further. After some discussion about how the changes impact on the detail of the viability, the consultants reached an agreement that the deficit of the scheme extends to c.£6,217,639. Whilst this is a significant deficit to overcome, it should be viewed in the context of the very large scheme, which has a gross development value (GDV) in excess of £350 million.
- 7.82 The Council are satisfied that the scheme is deliverable as has been evidenced within the included sensitivity analysis which sets out changes to scheme profit with changes in values and costs. In particular, although the scheme was in deficit based on current inputs, it is potentially capable of being viable with relatively small changes to values and costs, for instance with a 2.5% increase in rents and 2.5% decrease in costs.
- 7.83 In summary, the Viability Team is satisfied that the development has been robustly assessed and that the affordable housing provision is the maximum viable, with a deficit found in the final agreed appraisals. Nonetheless, it is considered that the development is deliverable for the reasons outlined above. Furthermore, review mechanisms are to be secured within the S106 legal agreement, subject to approval, in order to ensure that any improvement to viability is captured for the benefit of the Borough.

Financial Contribution for off-site Affordable Housing

- 7.84 Whilst there is no technical definition of an 'exceptional circumstance' in Policy, officers consider the proposed scheme would qualify under its unique circumstances. The previous case history outlines in detail that the site is not suitable for housing, in particular family and affordable housing. Over various applications and amendments to the s106 the affordable housing within the site has been stripped over time (as seen in section 3 of this report), supported by officers and members alike in order to deliver high quality housing in a better location. The location, being an island site immediately adjacent to significant road infrastructure, lack of access to open space as well as concerns surrounding it including its air-quality conditions were noted and have not changed since the proposals were approved in 2008-2014.
- 7.85 For the current proposal, there is also the issue that due to the site constraints the residential element only contains a single core. A second core is a requirement for any registered provider willing to take units and this could not be provided within the building footprint without significantly reducing the number of units on site. Overall, in discussions with the Council's housing team the decision was made to accept a full PIL rather than a hybrid approach, which would see the delivery of intermediate housing on the site. (option 2 above).

- 7.86 To off-set the loss of affordable housing on-site, a financial contribution in-lieu (£9,465,760.00) is proposed for the off-site provision of the affordable housing rather than relying on the applicant to bring a site forward. The proposal provides a contribution equivalent to 35% of the habitable rooms as per the submitted mix. This would provide the Council a substantial contribution towards delivering the very high local need in Tower Hamlets and a substantial contribution towards the Council's programme to deliver new affordable homes for local people, rather than relying on the applicant to bring a site forward.
- 7.87 In respect of securing an appropriate sum, the Council's Housing and Viability Teams have considered the proposed viability information, along with its updates and found it to be acceptable. Based on a policy compliant 70/30 split 74.2 (22.3 intermediate & 51.9 social) rooms out of the 212 habitable rooms on site would be secured as affordable and on this basis the contribution has been calculated. This would equate to providing £127,571 per habitable room.
- 7.88 Securing a PIL instead of delivering the housing on site allows the Council to better deliver on mixed and balanced communities, targeting the capital programme which focuses increasing family housing particularly in the social rent tenure; and meeting the London Plan target for homes on an annual basis. The strategy expresses the Council's housing agenda and commitment to delivering housing to meet the needs of residents including social housing for families by providing 1,000 new affordable homes for rent by 2023.
- 7.89 In terms of the quantum of affordable housing nominated in H5, LBTH Planning and Housing colleagues are confident that the package of planning contributions has been maximised, having had the economic viability of the Trafalgar Way scheme independently assessed. Through the financial viability it has been confirmed that the development is not financially better off by providing affordable housing off site than on-site.

Affordable housing conclusions

- 7.90 It is noted that the scheme would fail to achieve the borough's target affordable housing on site deliver, instead option for a PIL which would be equivalent to a 35% mix of 70:30 in favour of affordable rented units.
- 7.91 Officers are aware that there is a tension between delivering onsite affordable housing and the required tenure split. It was considered that overall, securing a full PIL was best resolved through ensuring the scheme delivered 35% habitable rooms as affordable. Delivering affordable housing on the scheme would not allow the residential element to come forward considering the site constraints. The market housing would be broadly consistent with the developments. The over provision of provision studios would not raise concern considering these are in the market tenure.
- 7.92 When considering the affordable housing offer it is considered that strong weight be equally given to the quality of the housing, as well as the quantum. It is noted that the contribution provided would provide a contribution in line with 35% of the housing on site, which would equate to 74 habitable rooms and enable the council to deliver on its capital programme providing genuinely affordable homes for residents and enabling the borough to better deliver on mixed and balanced/inclusive communities.
- 7.93 The proposed development would secure the maximum viable amount of affordable housing as a payment in lieu and whilst there would be some tensions with respect it not being delivered on site, or the target of 50%, overall, the provision of a PIL equivalent to 35% affordable housing would carry substantial weight in favour of the proposal.
- 7.94 Lastly, as per London Plan policies review mechanisms would be put in place to ensure the maximum contribution is secured as well as placing the moneys in a separate pot through

the s106 which would enable a greater provision to be made off site which has been identified in the Council's capital programme.

Wheelchair Accessible Housing

- 7.95 London Plan Policy D3 seeks to ensure that proposals achieve the highest standards of accessible and inclusive design (not just the minimum). Any application should ensure that the development can be entered and used safely, easily and with dignity by all; is convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; is designed to incorporate safe and dignified emergency evacuation for all building users; and as a minimum at least one lift per core should be a fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 7.96 London Plan Policy D5 requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (Regulation M4(3) (a) designed to be 'wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.97 The proposal would feature wide and clearly legible areas of public realm, which would be accessible by disabled people. The proposal would provide 10% of homes as wheelchair accessible, which is supported. The Council should secure M4(2) and M4(3) requirements by condition or obligation. As noted above, the applicant should provide fire evacuation lifts as required by Policy D5.
- 7.98 All homes have been designed to comply with the Building Regulations Part M4(2) ('accessible and adaptable) and 10% would comply with Building Regulations Part M4(3)(a) and (b) (easily adaptable or fitted out). Officers recommend that the delivery of wheelchair accessible homes is secured by condition.

Quality of residential accommodation

Policy

- 7.99 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings.
- 7.100 Tower Hamlets Local Plan Policy D.H3 requires developments to meet the most up-to-date London Plan space standards and provide a minimum of 2.5m floor-to-ceiling heights.
- 7.101 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor.

Housing standards and guidance

- 7.102 The tower would provide 4 units per floor around a central core which is in accordance with the GLA housing SPG and represent good design as there would be no long corridors.
- 7.103 All of the proposed units would meet or exceed the internal floorspace standards. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and

activity space requirements. All flats would be dual aspect and provide an appropriate level of private amenity space.

- 7.104 The layouts of the units would maximise daylight to living areas and there would be sufficient distance between the buildings to ensure adequate privacy. Distances between the residential and student blocks would be a minimum of 14m and the nearest development to the south would be 27m. The orientation of the building ensures each of the residential units has open views across London.
- 7.105 Overall, the proposed flats would represent a high standard of residential quality and accord with the Local Plan and London Plan policies.

Noise & Vibration

- 7.106 The application is supported by a Noise Impact Assessment. This concludes that the proposed development would not have an unacceptable impact on nearby homes and that the proposed housing would have an acceptable noise environment. Noise was scoped into the Environment Statement, and the chapter was part of rigorous assessment by LBTH noise officers and Temple Group acting on behalf of the Council.
- 7.107 Within the scope of the ES, concerns were raised with respect to noise impacts as related to additional road traffic from the development. It is noted that these concerns were resolved with the clarification of the façade system as well as the implementation of an acoustic wall at podium level.
- 7.108 LBTH Noise Officers separately recommend the inclusion of conditions relation to restrictions on demolition and construction activities, mechanical plant, and noise and vibration mitigation.
- 7.109 Subject to securing the above mitigation by way of planning conditions, officers agree that the proposed new homes would have an acceptable noise environment and that the proposed development does not cause unacceptable noise impacts on existing surrounding homes.

Air Quality

- 7.110 Tower Hamlets Local Plan Policy D.ES2 requires development to be at least 'Air Quality Neutral' and calls on air quality impacts to identify any necessary mitigation for developments that would cause harm to air quality.
- 7.111 The site is within the borough-wide Air Quality Management Area (AQMA) (NO₂ objective and 24-hour mean PM₁₀ objective). The northern part of the site is also partly within 'area of sub-standard air quality' as identified on the Proposals Map.
- 7.112 Noting the increased traffic generated by the development as well as the hot foot takeaway on site a number of clarifications were sought from the GLA's air quality consultant as a result of the Stage 1 technical appraisal. Following the submission of these the appraisal found that the proposed development was unlikely to have significant adverse impacts on local air quality and was broadly in line with London Plan policies on air quality, subject to securing the relevant conditions.
- 7.113 LBTH Air quality officers were also consulted on the scheme and raised no immediate concerns with final details to be secured via condition.

Amenity space

- 7.114 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm

is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies they should have a minimum width of 1500mm.

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

7.116 The proposal provides private amenity space in the form of balconies to all flats, this has been considered within the residential quality section of the report. Communal amenity space and child play space is provided across the ground levels and towers as shown on the map below. The yellow shading is communal amenity space at podium level and the green shading is open space at ground floor level.



Figure 3: Map showing communal amenity and open space

7.117 It is important to note that there are no standards for the student element on communal space, however, using the 2.5-1 conversion ratio the development would be required to provide communal space for 748 units.

Required	Proposed
798sqm	770sqm

Table 7: Communal amenity space

7.118 The site has been identified in an area of Open Space deficiency and the due to density of the site from the student use the development would be required to open space, shown in the table below:

Required	Proposed
2.21ha	917sqm

Table 8: Open space

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

Age Group	Child yield	Area Required (sqm)	Area proposed
Years 0 – 4	8	82	82
Years 5 – 11	6	59	143
Years 12 – 18	4	40	0
Total	18 children	180	225

Table

9: Child yield calculator

Communal Amenity

7.120 The proposed communal amenity space would be located at podium level and would slightly underprovide on the required area when using the residential conversion, by 28sqm. It is also noted students would have exclusive access to 3650sqm of amenity space spread across the rest of the development. Considering the constraints of the site and that there aren't any set standards for students the proposed space is acceptable. Notwithstanding the above the residential element alone would only need to provide 130sqm, which the development adequately provides.

Play space

7.121 As detailed above the development is predicted to generate 18 children and therefore 225sqm of child play space is required; split across the different age groups set out in the GLA's Play and Informal Recreation SPG (2012). The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale.

7.122 The proposal provides play space in excess of the policy requirement for 0-4 and 5-11 years of age, however all of this is located indoors. Following updates, the dedicated space at ground floor level was removed as this was located between the Drive-Thru entrance, the service route and main road, which is not a safe space for children to play. Through discussion with officers and in recognition of the challenges of meeting the total required outdoor space to meet the GLA required level, the above policy requirement level of indoor space is considered to be accepted, noting that the scheme would not provide onsite affordable housing and limited levels of family sized housing. The indoor area would be subject to a condition requiring a management plan as well as secured within the S106 agreement.

7.123 Nevertheless, for children aged 12 and above, the applicant has identified open/play spaces which accommodate the requirements of this age group within 800m walking distance of the site. Namely, the Poplar Recreation Ground located outside Poplar DLR railway station (650m) provides significant piece of open space which provides a fully inclusive playground designed for children aged 5 – 18, a bowls green, tennis courts, netball, basketball and multi-use games pitch.

Open Space

- 7.124 The development was found to be in an area of open space deficiency and the Health Impact Assessment identified a lack of open space as key issue for the development. As the site area is only 0.4ha it is not possible to provide the necessary London Plan requirement on site, however, areas of open space have been maximised as much as possible within the site constraints. Discussions with the Council's parks team have been undertaken and confirmed that the shortfall in open space could be captured by a financial contribution (£1,490,131.08) secured via the s106 agreement which would go towards improving or providing nearby facilities.
- 7.125 Furthermore, there will be a considerable financial open space and play space contribution delivered through the application and more broadly the nearby South Poplar Masterplan which includes the Billingsgate Site Allocation is earmarked to deliver a combined 1.8ha of open space.
- 7.126 Overall, the scheme would be in accordance with the relevant policies for communal amenity space and play space. The existing nearby open spaces would provide good play space for all ages within walking distance and the future developments would further enhance the open space provision within the area.



Figure 4: Location of Open space within the South Poplar Masterplan Area

Daylight/Sunlight – for proposed new development

- 7.127 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. To assess daylight to the new development the Environmental Statement uses the new British/European standard BS EN 17037 'Daylight in buildings'. BS EN17037, which is an acceptable practice.
- 7.128 To assess sunlight provision, the ES uses the recommendation in the old British Standard Code of Practice for daylight, BS 8206 Part 2 and the BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice'. This is based on a room achieving 25% of annual probable sunlight hours year-round and 5% in the winter. The new BS EN 17037 has different recommendations based on the hours of possible sunlight that can be achieved on

a specific date. The use of the older recommendation is still common practice, and it can be argued that it represents a better metric because it assesses the sunlight received year-round, rather than on a specific date. The use of the older standard is therefore acceptable.

- 7.129 The applicant has submitted a Daylight and Sunlight Review of the scheme, undertaken by Point 2, in support of the application.

Daylight

- 7.130 With regards to daylight the submitted assessment uses the method in the new British/European standard BS EN 17037 'Daylight in buildings'. The assessment has analysed a sample of the proposed residential rooms, focusing on worst case locations. This approach raises no objections as has been confirmed by the independent review.
- 7.131 Within the residential block there would be a good level of compliance. The assessment have analysed 48 of the 246 habitable rooms in this block. Two of the 48 would not meet the minimum recommendations; these are both bedrooms which would still receive some daylight over at least a third of the room. The other 46 rooms would all meet the recommendations.
- 7.132 Overall, this would represent a very high level of compliance for a high-density development, and this would ensure adequate daylight to all the proposed dwellings.

Sunlight

- 7.133 In housing the main requirement for sunlight is in living rooms, where it is valued any time of the day but especially in the afternoon. In terms of the sunlight results for the proposed units the all the main living rooms that face within 90° of due south will receive good levels of sunlight as per the guidance.

DESIGN

Design Policy

- 7.134 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.135 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.136 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be in locations well connected to jobs, services, infrastructures and amenities, in accordance with London Plan (2021) D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.
- 7.137 Tower Hamlets Local Plan policy S.DH1 outlines the key elements of high-quality design so that the proposed development is sustainable, accessible, attractive, durable and well-integrated into their surroundings. Complementary to this strategic policy, Local Plan policy D.DH2 seeks to deliver an attractive, accessible and well-designed network of streets and spaces across the borough.

Density

7.138 London Plan Policies D2 and D3 require optimising site capacity through a design-led approach, whilst taking account of existing and proposed infrastructure. Explanatory text to Tower Hamlets Local Plan Policy D.DH7 makes clear that proposed tall and dense developments are required to consider the criteria set out in Policy D.DH6. The Council's High-Density Living SPD (December 2020) provides guidance on designing for high density.

7.139 Taking account of the proposed non-residential uses, the proposed development would have a density of 1,410 u/ha (3,799 hr/ha). London Policy D4 requires that all proposals exceeding 30m high and 350 units per hectare must have undergone a local borough process of design scrutiny. The applicant has engaged extensively with officers and an emerging scheme for the site was considered by the Conservation and Design Advisory Panel (CADAP), which has informed the current scheme and design layout. The application scheme generally reflects guidance in the *High-Density Living SPD*, which was in draft at the time that the application was submitted. The London Plan (para. 9.4.9) requires applications for higher density developments (over 350u/ha) to provide details of day-to-day servicing and deliveries, longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers).

Site Layout

Overall layout

7.140 The proposed development comprises three tall buildings (Building 1, 2 and 3 read from west to east), covering the majority of the plot linked across various podiums. The ground floor is deliberately split into two halves with the general arrangement of the site proposing a defensive approach along Aspen Way where the McDonalds Drive Thru is located, and a more engaging interface along Trafalgar Way with the various building entrances, retail units with active frontages and public realm/landscaping.



Figure 5 - Ground floor Layout

7.141 Levels 1-3 across all the building are linked via a shared podium in a similar layout to the ground floor which contains the McDonalds restaurant, the commercial floorspace and a significant portion of the ancillary facilities such as the cycle store, changing rooms, management office and residential play & communal space.

- 7.142 At level 10, Buildings 2 & 3 are linked via a Sky Bridge which will provide a variety of ancillary spaces associated with the student accommodation, including study spaces, social gathering spaces and a gymnasium, emphasising the scheme as a campus.
- 7.143 A condition is recommended to secure the implementation of the proposed retail frontage improvements.



Figure 6 - Main Student accommodation entrance along Trafalgar Way

Townscape, Massing and Heights

- 7.144 London Plan Policy D9 provides a strategic guidance for tall buildings in the London area. The policy also sets out criteria which against which development proposals should be assessed and these include visual, functional and environmental impacts.
- 7.145 Tower Hamlets Local Plan policy D.DH6 seeks to guide and manage the location, scale and development of tall buildings in the borough. The policy identifies five tall buildings clusters in the borough and sets out principles of each of them.

Tall Building Policy

- 7.146 London Plan Policy D9 states that boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. It also requires proposals for tall buildings to address their visual, functional, environmental and cumulative impacts.
- 7.147 Tower Hamlets Local Plan Policy D.DH6 directs tall buildings to designated Tall Building Zones (Aldgate, Canary Wharf, Millwall Inner Dock, Blackwall and Leamouth). Outside of these zones, Part 3 of the policy makes clear that tall building proposals will only be supported provided they meet the general criteria set out in Part 1 of the policy and can demonstrate how they will:
- be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas;
 - address deficiencies in the provision of strategic infrastructure;
 - significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
 - not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.

7.148 Explanatory text for Policy D.DH6 makes clear that tall buildings outside of Tall Building Zones will be expected to serve as landmarks and unlock strategic infrastructure provision (specific examples include publicly accessible open space, new transport interchanges, river crossings and educational and health facilities serving more than the immediate local area) to address existing deficiencies and future needs (as identified in the Infrastructure Delivery Plan and other relevant strategies). The height of these buildings should relate to their role as a local, district or metropolitan landmark and the surrounding context height (as categorised in the Tall Buildings Study). In addition, proposals should ensure that there is adequate distance between the proposed and existing tall buildings in the area to ensure that the positive aspects of the existing local character and legibility are maintained and/ or enhanced.

7.149 The previous planning permission allowed two tall buildings of 34 storeys (127m AOD) and 28 storeys (108 AOD).

The proposed tall buildings

7.150 The proposed 46, 36, and 28 storey buildings, with its distinct bottom, middle and top elements, has been designed to provide a legible new marker for the regenerated South Poplar area and gateway to Canary Wharf. It would be taller than the existing development directly to the south along Boardwalk Place and Hornley Walk when seen from the east, and taller than the recent developments at Blackwall Reach and Poplar Business Park to the north. It would be comparable in height and scale to New Providence Wharf schemes, the tallest element being Charrington Tower a 44-storey residential building. Further to the south and west lies comparable schemes at Wood Wharf, north Quay and the Canary Wharf.



Figure 7 - View looking north

7.151 The tall buildings are to be located at a key entrance into Canary Wharf and on an important street east to west route into Central London, adjacent to the CAZ and within the South Poplar Master Plan Area. The tallest element would be lower than New Providence Wharf and considerably lower than tall buildings the centre of Canary Wharf.

7.152 The proposed buildings are curved-rectangular in plan which results in an organic and sculptural form. This deliberate design decision evolves on the original 'helix' permission and helps the scheme blend into the backdrop of the Canary Wharf whilst proving a marker point for the entrance into the Major Centre. The height ranges of the three towers with the tallest in the middle is considered to provide elegant roofline variations, an appropriate differentiation between the towers, and an appropriate image as an arrival point from the east along Aspen Way and on the DLR train

7.153 The design of the tall building has evolved over time and has been influenced by discussion with officers and the Conservation Advisory Design Panel (CADAP). Changes include a re-reduction in height to be lower than New Providence Wharf, rotating and shaping the building to avoid presenting a wall of development and increasing distances between the buildings, adopting a more organic building form to create landmark architecture on a gateway site, and maximising active frontages at ground floor level by incorporating retail units.

Acceptability of a tall building outside of a Tall Building Zone

7.154 The site sits between Canary Wharf tall building zone (immediately adjacent but outside) and also close to the Blackwall TBZ (40m away). It should also be noted that the previously approved and implemented permission has established the principle of tall buildings on the site.

7.155 The proposal is not located in a tall building zone. Addressing criteria in Tower Hamlets Local Plan Policy D.DH6 Part 3 (tall buildings outside of TBZ's) in turn:

- a) The site has 'excellent' public transport accessibility and is a London Plan Opportunity Area and directly adjacent to the Canary Wharf Major Centre;
- b) The proposed tall buildings would help deliver strategic infrastructure improvements to the Preston's Road roundabout and nearby underpass which will help improve the north-south pedestrian/cyclist permeability between Poplar and Blackwall
- c) The proposed tower would strengthen the legibility of the nearby Major Centre and transport interchange and nearby Thames path by providing a significant visual marker;
- d) It would not undermine the prominence and/or integrity of existing landmark buildings and tall building zones. This surrounding area has a number of tall buildings, including the nearby 44 storey New Providence Wharf development, 22 storey poplar Business Park and 20 storey Blackwall Reach development as well as the wider Canary Wharf cluster. Due to the physical barrier and inhuman-scaled nature of Aspen Way as well as the definitive Canary Wharf TBZ boundary along Trafalgar Way the buildings would better integrate into the Canary Wharf Cluster. The submitted HTV IA document (Heritage, Townscape & Visual Impact Assessment), confirms the site appropriately visually grouped with Canary Wharf, and it will be further grouped with Canary Wharf through potential development at the adjacent Billingsgate Market site and the North Quay Site. The long-range views shown do not appear to show that the proposed towers will create a merging of the two clusters of Canary Wharf TBZ and Blackwall TBZ. In addition, there is an approved scheme for two towers (29 and 35 storeys) as a baseline. The new scheme is not considered to have more of a 'merging of TBZs' issue than the approved one.

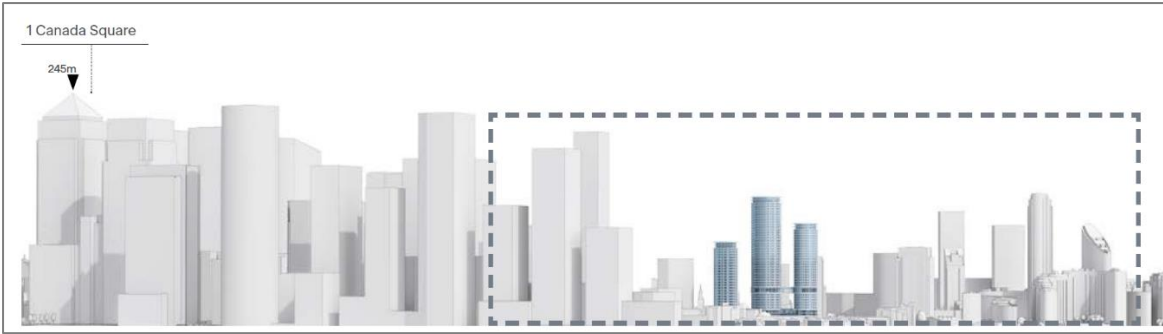


Figure 8: Proposed massing. View from Greenwich Park

Acceptability of the proposed tall building (general criteria)

- 7.156 The general criteria set out in Tower Hamlets Local Plan Policy D.DH6 Part 1 that all tall building proposals must meet can be summarised as follows: have a proportionate scale, be of exceptional architectural quality, enhance character of the area, provide a positive skyline, not prejudice development potential, ensure a high quality ground floor experience, demonstrate public safety requirements, present a human scale to the street, provide high quality private communal open space/play space, avoid adverse microclimate impacts, ensure no adverse impacts on biodiversity/open space, comply with civil aviation requirements and not have unacceptable impact on telecommunications.
- 7.157 The proposal would introduce a prominent visual addition to the local townscape. The Heritage Townscape and Visual Impact Assessment (HTVIA) that forms part of the ES is based on 30 verified views that were agreed with officers. These demonstrate that the tall building would have a distinct cohesive and elegant design divided into a base, middle and top. In terms of addressing the policy;
- a) The proposed development uses the previously implemented scheme as a baseline and having gone through several iterations of design reviews is of an appropriate height, scale and volume that is proportionate to its location and immediate context as the gateway site and marker point into the Canary Wharf.
 - b) Seen from the east along Trafalgar Way, the four-storey podium base would ground the building and activate the southern edge of the street. In views from the east and west the broader east and west-facing elevations would be read as a group with a single cohesive executable quality design. The facades of the two larger student accommodation buildings would be sub-divided vertically with sky gardens and the materials used are robust and durable so that the quality of the scheme does not degrade over time. Incorporation of Passivhaus principles and BREEAM Outstanding ensures the Proposed Development includes the highest sustainability design credentials.
 - c) As stated above the proposal has been comprehensively assessed and scoped through the HTVIA. The findings are that the development would sit well within the character of the existing townscape and not adversely detract from other local landmarks, heritage assets, key views and other historic skylines, and their settings.
 - d) The distinctive, high quality design through its use of robust materials, sustainability measures and lighting scheme would create a landmark scheme that reflects the local context and would be a positive contribution to the skyline.
 - e) The site is a peninsula bound by roads to the north, east and south, with generous the separation distances between the nearest buildings. This creates limited potential for the proposed development to impact on the development of neighbouring sites. A small section to the west adjoins the site currently occupied by Billingsgate Market which has a site allocation in the Local Plan promoting its redevelopment for offices and housing. The scheme has been designed in a way to future-proof the Billingsgate redevelopment by providing an appropriate set-back to the western portion of the site and a transformative public realm layout which promotes new pedestrian and cycle links.
 - f) The development has been designed to maximise distances between nearby residential development and through the course of pre-applications was significantly amended including rotating the buildings to improve the residential environment. The ground floor has also been significantly improved when compared to the implemented permission activating the ground floor with entrances to the

accommodation and retail units whilst pushing the drive through element to the north of the site which fronts Aspen Way. Furthermore, the significantly improved public realm along Trafalgar Way helps promote a human scale along Trafalgar Way.

- g) The scheme has been designed with security and safety elements in mind providing a detailed lighting/surveillance strategy as well as a fire strategy. As a student led scheme security can be managed and controlled through the use of a student management plan with the Met Police proposing the use of planning conditions. In terms of the fire strategy whilst the GLA have commented that the submitted fire statement is relatively limited in terms of addressing the requirements of Policy D12 there are no particular concerns with the development and sufficient revisions could be sought via planning condition.
- h) As stated above the 4-storey podium which covers a large portion of the site will provide a human scale to the Proposed Development at street level. The proposed design intends to move pedestrians/cyclists onto the more human scale Trafalgar Way with retail units, an enhanced public realm residential/student entrances and a bespoke signage scheme further highlighting this offering.
- i) The site is heavily constrained in terms of its size and location and as a result the public/communal/open space strategy reflects this. The majority of space is located at ground floor with a communal offering spread across the multiple podium levels. There is a shortfall in the space provided, however, this has been addressed by way of financial contribution which will secure funds to enhance nearby facilities. In terms of private amenity space this is in accordance with the minimum requirements.
- j) The potential wind and microclimatic impacts of the Proposed Development have been modelled and tested as part of the Environmental Statement and reviewed by the Councils EIA officer. This concluded that there would be no likely significant wind effects as a result of the Proposed Development, including where the nearby future developments are considered.
- k). The development does not adversely impact on biodiversity and nearby water spaces which will be addressed later in the report.
- l) Potential effects on aviation were scoped out of the EIA as the proposed tall building would be significantly below the 1,000 ft (approx. 300 metre) zone threshold within which the Civil Aviation Authority would support an objection to a planning application. Likewise, potential effects of electronic interference on nearby residential properties were scoped out of the EIA given that the additional 'shadow' that would be generated by the proposed tall building would fall primarily over the same area created by tall buildings at Blackwall and Canary Wharf and significant effects are not anticipated.



Figure 9 - View from Poplar Dock Marina

Conclusion

7.158 Whilst it would be located outside of Tall Building Zone, the proposed tall building would meet **all four 'exception' criteria** set out in Part 3 of Tower Hamlets Local Plan Policy D.DH6. Whilst the development would only be taller than the 29 and 35 storey building previously permitted, officers consider that the proposed building would contribute to an existing diverse townscape, comprise high-quality architecture, relate well to its surroundings and help deliver improvements to the public realm. Officers recommend that significant weight should be given to the regenerative benefits of the proposals and the role of the tall building in supporting the viability of the scheme. Officers consider that the principle of a tall building in this location is acceptable and that the proposed building form and heights would deliver a suitably high-quality scheme.

Impact on Designated Strategic Views

7.159 The submitted HTVIA generally indicates that the scale and form of the towers will relate positively to the emerging skyline in longer range views and would appear as a family of well-proportioned buildings in close range views.

7.160 The GLA and Greenwich requested further information on LVMF View FA.11B.1 (London Bridge towards Tower Bridge) and LVMF 5A (Maritime Greenwich World Heritage Site). Updated views have been provided and in all views the development would either not be visible from the LVMV's or hidden behind cumulative development for which the impact would be negligible. Heritage matters are addressed below.

Appearance and Materials

7.161 The facades of all three buildings express a strong horizontal language with spandrel panels clad in glass reinforced concrete (GRC) and metal of varying depths articulating the form at each floor. Curved glass helps soften the buildings and sky gardens on the two taller towers help articulate these building vertically and provide a layer of contrast in addition to differentiating the residential and student towers. The atypical floors of the podium and sky

bridge promotes an additional a sense of verticality and openness with large sections of glazing and metal cladding. A greater degree of solidity is applied to the lower levels of the building serving to appear as a robust base which supports the buildings above.

7.162 The character and appearance of the proposed development would promote a single cohesive and homogenous design which ties together well with the proposed public realm. Overall, the proposed architectural quality and materiality of the scheme is broadly supported. It is recommended that details of external materials are secured by planning condition.

Landscaping & Public Realm

7.163 London Plan Policy D8 requires development proposals to ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, and easy to understand and maintain.

7.164 Tower Hamlets Local Plan policy D.DH2 requires developments to positively contribute to the public realm through the provision of active frontages and multi-usable spaces that can cater for social gathering and recreational uses.

7.165 The site is surrounded on all sides by some significant road infrastructure, particularly to the north and to provide residents with a safe and vibrant space, interventions above ground and outside the redline are required. The scheme provides three distinct landscaped areas

- The landscaping/public realm within the redline fronting Trafalgar way with planters and trees
- The public realm/highways improvements outside the redline including Trafalgar way resurfacing and underpass access
- Communal amenity space at podium level

7.166 The submitted Landscape strategy sets out a considered approach to landscaping and imaginative play opportunities would be integrated into all the proposed spaces above ground floor. After extensive highways discussions the public realm inside the redline would be paved and Trafalgar way would no longer be a shared space but a more typical highway with an increased dedication to pedestrians and cyclists leading down to the entirely regenerated underpass which provides improved access to the north.

7.167 Typical landscaping features from within the site incorporate granite & pedestal paving, poured surfaces, and raised/anti-slip decking. A rich variety of soft landscaping features including hedges, shrubs, and trees will be located across the site encouraging a diverse range of species contributing to the varied character of the different spaces.



Figure 10: Landscape Character Areas

Lighting

7.168 The strategy for lighting within the scheme is to illuminate the road and public realm to create a safe and welcoming environment whilst also creating a sense of place and providing a visual hierarchy and includes multi fixture lighting posts and bollards in the public realm, LED lighting on street furniture and fixtures and linear feature lighting. A full lighting strategy will be secured via condition.

Trees

7.169 As the site has been cleared there are no existing trees. To promote biodiversity and ecology 49 trees are proposed within the redline boundary across all areas (not including the sky gardens). It is recommended that a condition reserves the detailed specification of the proposed new trees and requires that any that die within five years of planting are re-provided.

Summary

7.170 Officers support the proposed landscaping and enhancement of natural features and lighting. It is recommended that details of the landscaping management are secured by planning condition to ensure a high quality of landscape design and maintenance.

Safety & Security

7.171 The site has been boarded up and unoccupied for some years and therefore the crime figures from around the site are relevant. The provided statistics from the Met Police are still significant and considering the number and type of users on site safety and security measures will be imperative.

7.172 The proposed scheme has been developed in consultation with the Met Police Designing Out Crime Officer (DOCO) and Counter Terrorism Security Advisor (CTSA). Design features incorporated into the design include:

- 25/7 staff presence and comprehensive CCTV system across the scheme

- Access control system to control access to designated building areas based upon identification credentials
- Design of facade avoids any recesses which could encourage loitering and maintains linear sight lines across site to aid passive surveillance.
- Vehicle attack mitigation, including bollards and landscaping features designed to protect outdoor public realm areas and prevent ramming of the facade.
- An updated glazing and facade system designed to reduce the potential for fragmentation injuries in the event of a blast.
- Structural system designed to resist vehicle impact and to maintain overall structural integrity in the case of a blast.

7.173 Outside of the site a transformative regeneration of the entrance to the underpass to the south east of the site is proposed. This will vastly improve upon the dimly lit, poorly designed space which descends in a corkscrew with few direct lines to a well-lit open space with separate access for pedestrian and cycle users.

7.174 The Metropolitan DOCO supports the proposed overall layout and has made specific comments on the need for detailed design of the proposed communal open spaces and street furniture are carefully designed to design out anti-social behaviour. It is recommended that planning conditions relating to Secured by Design are attached to any decision.

Inclusive Design

7.175 Policy 7.2 of the London Plan (2016) and policy S.SG2 of the Local Plan seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.

7.176 The ground floor entrances are set at grade level and offer step free wheelchair access. Where the ground floor is elevated for the maisonettes there are ramps internally to ensure the ground floor is fully accessible. Furthermore, the proposed development will provide 27 accessible car parking spaces which will be reserved for use by blue badge holders. The landscaping is step free which will allow users to enjoy the riverwalk regardless of their accessibility levels. Lifts would be provided within both the office and residential dwellings with all cores to dwellings featuring two lifts.

7.177 The scheme proposes that 10% of units across the development, comprising a mix of unit sizes will be delivered as wheelchair user dwellings, the remaining units will be delivered to Building Regulation M4(2) specifications. This is supported and will be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 3.8 and Policy D5 of the Draft New London Plan.

7.178 It is considered that the proposal would result in a scheme that would be well connected to its surroundings and would provide accommodation that can be used easily and with dignity by all.

Design Conclusion

7.179 To conclude it is considered that the scale, height, and massing of the proposal would respond appropriately to the site's strategic role within the Borough and London more broadly.

7.180 The form and layout of the proposed buildings would create a strong relationship with the street and greatly enhance the existing townscape. The architecture is well considered and responds directly to extant permission and wider surrounds. The materials and appearance

of the buildings would be of an exceptional quality and the design would appear as a vibrant addition marking the gateway into the Canary Wharf.

- 7.181 The landscaping of the scheme is viewed as a considerable public benefit of the scheme due to activating Trafalgar Way and the opening up of the southern subway entrance. The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area.
- 7.182 In apportioning weight to these benefits it is considered the scheme design and landscaping carries significant weight in favour of the proposal.

HERITAGE

- 7.183 Statutory tests for the assessment of planning applications affecting listed buildings and conservation areas are found in Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Section 66(1) relates to applications that affect a listed building or its setting. It requires the decision maker to: “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Section 72(1) relates to applications affecting a conservation area. It states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”. There is a presumption that development should preserve or enhance the character or appearance of conservation areas.
- 7.184 London Plan Policy HC1 and Tower Hamlets Local Plan Policy S.DH3 require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.
- 7.185 London Plan policy HC4 seeks to protect strategic views identified in the London View Management Framework. Tower Hamlets Local Plan D.DH4 reiterates this requirement and requires developments to preserve and positively contribute to the skyline of strategic importance.
- 7.186 The Townscape Heritage Visual Impact Assessment (THVIA) that forms part of the ES considers and assesses the likely significant effects on above ground heritage assets within a 500m radius of the site in relation to conservation areas and Listed Buildings. The THVIA also considers and assesses the likely significant effects on townscape within 500m of the site, identifying the following three Townscape Character Areas (TCAs):
- Canary Wharf Character Area
 - Blackwall Character Area
- 7.187 The identified designated heritage assets within these areas are the Limehouse Cut, Langdon Park, St Annes Church, Landsbury, Balfron Tower, St Frideswide’s St Matthias Church, All Saints Poplar, West India Dock, Coldharbour and Naval Row Conservation Areas and the following statutory listed buildings which have been divided into 7 groups based upon their location

Group 1: Poplar Dock

- Accumulator Tower on west side of Poplar Dock (Grade II)
- Poplar Dock, original eastern part (Grade II)
- Accumulator Tower to south-east corner of Poplar Dock (Grade II)
- Bridge House (Grade II)

Group 2: West India Dock and Blackwall Basin

- Warehouse and general offices at western end of north quay, West India Dock (Grade I)
- Walls, copings and buttresses to import dock and export dock,
- West India Dock (Grade I)
- Blackwall Basin (Grade I)

Group 3: St. Matthias

- Poplar Technical college (Grade II)
- St Matthias's Vicarage (Grade II)
- Church of St Matthias (Grade II*)
- Old Poplar Town Hall and Council offices (Grade II)
- Coroner's Court and 3 Piers immediately in front (Grade II)

Group 4: Poplar Baths

- Poplar Baths (Grade II)
- Statue of Richard Green (Grade II)

Group 5: All Saints

- All Saints Rectory (Grade II)
- Gate Piers at Children's Playground (Grade II)
- Railed wall and gate piers at All Saints Church with St Frideswide (Grade II)
- All Saints Church with St. Frideswide (Grade II)
- 45-51 Bazely Street (Grade II)
- Nos.5-,6,7,8,9,10,11 Mountague Place (Grade II)
- Nos.1-3 and 24 Bazely Street

Group 6: East India Dock

- Northern portal and parapet to the Blackwall Tunnel (Grade II)
- Embankment Wall, Railings and Steps (Grade II)
- East India Dock Boundary Wall (Grade II)
- East India Dock House, former Financial Times Print Works (Grade II*)
- East India Dock Pumping Station (Grade II)

Group 7: Blackwall

- Northern Ventilation Shaft to the Blackwall Tunnel Southbound (Grade II)
- Dry Dock at Blackwall Engineering (Grade II)
- Virginia Quay Settlers Monument (Grade II)
- Blackwall Pier and Entrance Lock to Former East India Dock (Grade II)

7.188 As discussed under Design above, none of the Designated Borough Views or strategic views identified in the London Plan would be affected by the proposed tall buildings.

7.189 In terms of heritage assets, the buildings would be visible in the setting of a number of identified heritage assets. In terms of the setting of the neighbouring conservation areas there would be an increased change to include a more varied taller modern character of those settings, particularly to the Coldharbour Conservation Area, All Saints Church and All Saints Church, Poplar Conservation Area, although this is not uncommon in the area and is indeed established through previous development and the previous permission. The HVTIA concludes that there would be no impacts whereas the GLA have identified that there would be some impact, although this would be less than substantial.

- 7.190 With regards to other neighbouring heritage assets, whilst the submitted HVTIA states that there would be no harm officers and the GLA conclude that the proposed tall buildings would cause some harm to the setting of nearby heritage assets, namely the Poplar Dock Marina.
- 7.191 Whilst the tallest building proposed would be visible above the church when viewed from the north side it would not be visible in the most prominent or important views of the Church. From the front the Church building can still be appreciated without the new development being visible. The setting of the church is mainly informed by the surrounding church yard and cluster of older retail and commercial buildings on the northern side of Bow Road. The harm to the setting is therefore considered to be less than substantial.
- 7.192 Whilst the tallest building would also be visible in the setting of other listed buildings it is officers view that the setting of these heritage assets already consist of a varied and modern built form which includes tall buildings similar in scale to the proposed in the application. The proposed development would result in a change to the setting of these buildings in certain views and would cause some limited, less than substantial harm to their significance as heritage assets.
- 7.193 Where a decision maker considers there is harm, the NPPF requires decision makers to distinguish between 'Substantial' or 'Less than substantial' harm. If a proposal would lead to substantial harm to or total loss of significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm (paragraph 202). Where a development would 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 (paragraph 202).
- 7.194 The likely overall public benefits of the proposed development can be summarised as follows:
- Bringing stalled site forward and regeneration of the area
 - Landmark building with high architectural quality to mark the entrance into Canary Wharf
 - Equivalent of delivering 748 new high-quality homes helping to meet housing targets
 - PIL of 35% affordable housing (uplift of 8% compared to extant permission)
 - Providing meaningful contribution to student accommodation sector including affordable student accommodation
 - All spaces built to be accessible and adaptable and 10% to be wheelchair accessible;
 - Significant 38% discount on Affordable Workspace
 - Wider improvements to the public realm and connections with surrounding area which includes a total re-vitalisation of the subway entrance and links to Poplar High Street
 - Biodiversity and ecologic benefits;
 - Significant reduction in car parking spaces from 97 to 6 (including 4 disabled)
 - A 'car-free' development, providing for 1494 new cycle parking spaces;
 - New sustainable drainage measures, including green roofs on all buildings;
 - All student floorspace space to meet BREEAM 'Outstanding' rating;
 - All floorspace to meet Passivhaus criteria
 - 59% reduction in total onsite carbon, significantly above London Plan requirement;
 - 1672 new student residents (approx. £7.8m per annum additional spend in the local economy)
 - Significant number of jobs including local residents
- 7.195 Officers consider that, on balance, the likely overall planning benefits of the proposed development would outweigh the 'less than substantial harm' to the heritage assets identified above.

Maritime Greenwich World Heritage Site

- 7.196 The Development is circa 2.6km due north/north-east and would be glimpsed in the background of some views of the World Heritage Site (WHS). The proposed development's form, appearance, and location within such views would be consistent with their existing character.
- 7.197 It would clearly belong to the background 'layer' of tall buildings which already exists within such views and it is considered to have no effect on the ability to recognise and appreciate the WHS, and the various elements within it, in the foreground of the views.
- 7.198 The Development would be consistent with the requirements of the Statement of Outstanding Universal Value and the 'London's World Heritage Sites - Guidance on settings' SPG. In accordance with the London Plan (2016), although it would represent a change to the setting of the WHS, this change would not in any way compromise a viewer's ability to appreciate its Outstanding Universal Value.
- 7.199 The Development would not adversely affect the visual integrity of the WHS and would have no effect on its Outstanding Universal Value.

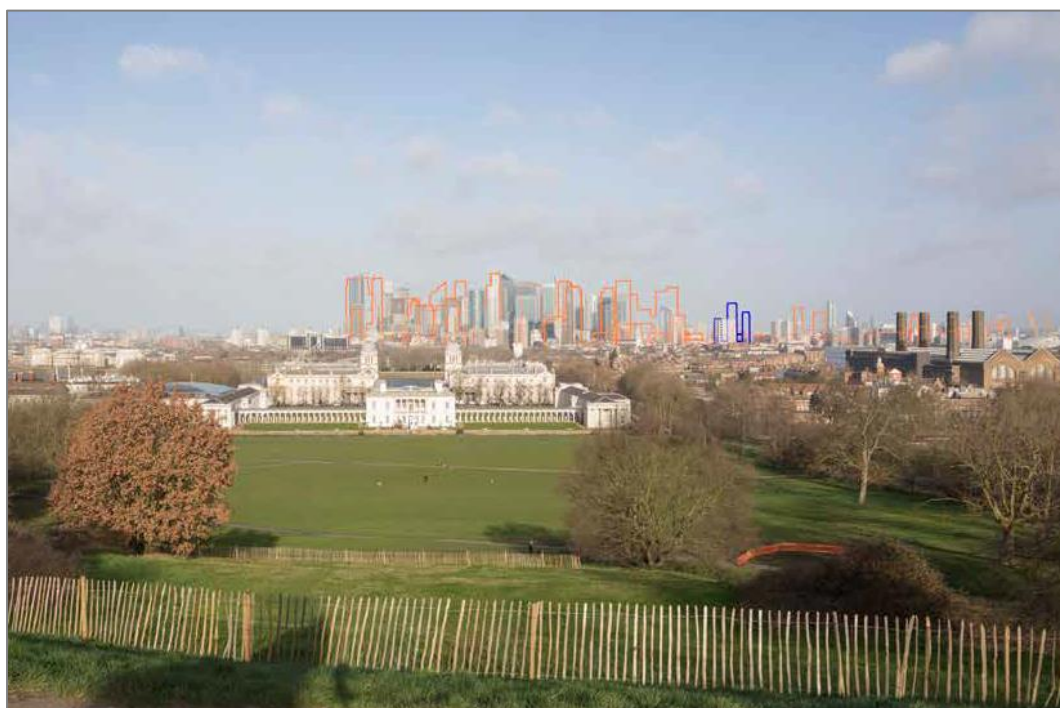


Figure 11: LVMF 5A.1 – Greenwich Park (cumulative view)

Archaeology

- 7.200 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. The site lies within an Archaeological Priority Area and has been referred to the Greater London Archaeological Advisory Service (GLAAS) – although no response has been received.
- 7.201 The ES (Chapter 13) identifies a likely moderate adverse effect and identifies archaeological undertaken in accordance with a Written Scheme of Investigation, and it is recommended that this is secured by condition.

Neighbour Amenity

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

Privacy & Outlook

7.203 The proposed buildings largely follow the existing footprint of the approved application with the addition of a third tower to the western end of the site which is set back from the southern edge of the red line boundary. All elements of the scheme have been designed such that the privacy and outlook of people living in existing homes would be safeguarded and this includes rotating the buildings so that primary viewing angles for the residential tower face south west onto the roundabout and not directly into neighbouring properties or north across Aspen Way, whilst the student accommodation buildings do not have external balconies and sit in place of the established buildings from the extant permission. The design has also taken the future development at the Billingsgate Market into consideration, being set back from the western edge of the site. Particular adjacencies of note are as follows:

- 1-11 Boardwalk Place (44m away with main elevation fronting the marina)
- 322-331 Boardwalk Place (27m away with main elevation facing marina)
- Blocks A, B & C Poplar Business Park (consented scheme minimum 63m away with Aspen Way dividing the schemes)
- Wharfside point South (65m away with Aspen Way dividing the schemes)
- Block H Blackwall Reach (112m away)
- 13-25 Gaselee Street (113m away)

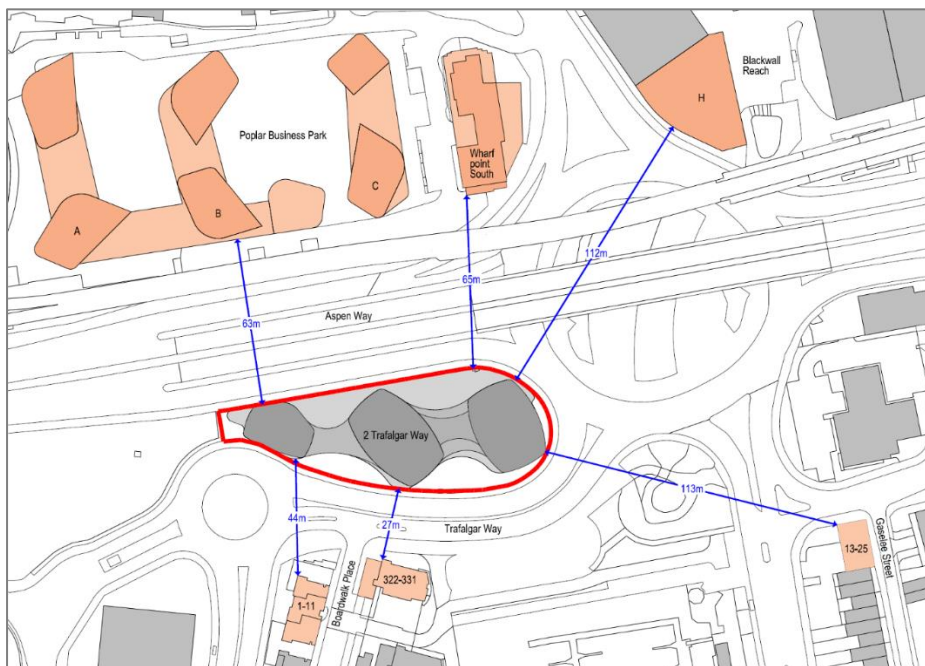


Figure 12: Distance between nearby properties

7.204 Objections have been received with specific regards with the loss of privacy and overlooking from the amenity space at podium level, however, the nearest properties are 27m away which is well in excess of the Council's 18m guideline and an acceptable distance between viewpoints from properties.

Daylight, Sunlight & Overshadowing

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

- 7.206 To calculate daylight to neighbouring properties, the BRE guidelines, referenced in the Council’s Local Plan policies, emphasise that vertical sky component (VSC) is the primary assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. For sunlight, applicants should calculate the annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and are likely to have their sunlight reduced by the development massing. For Sun Hours on Ground (SHoG) assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21st March.
- 7.207 The ES assesses the likely significant impact of the proposal on the daylight and sunlight on 44 surrounding residential properties (sensitive receptors) identified in Figure 13 below:

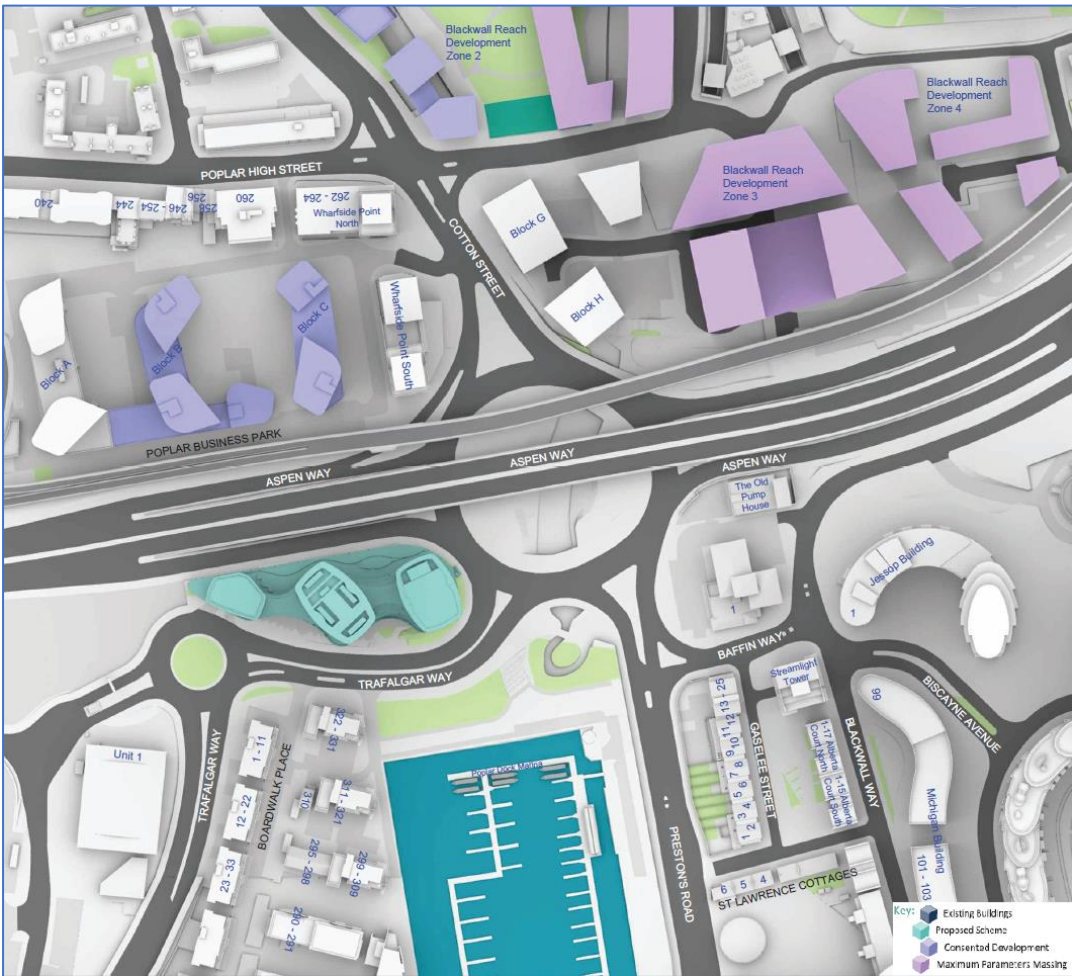


Figure 13 - Daylight, sunlight and overshadowing sensitive receptors

1 - 11 Boardwalk Place	311 - 321 Boardwalk Place	5 St Lawrence Cottages, St Lawrence Street	4 Gaselee Street	9 Gaselee Street	1-15 Alberta Court South	Jessop Building	262 - 264 Poplar High Street (Wharfside Point North)	240 Poplar High Street (Caraway Heights)
12 - 22 Boardwalk Place	295 - 298 Boardwalk Place	4 St Lawrence Cottages, St Lawrence Street	5 Gaselee Street	10 Gaselee Street	1-17 Alberta Court North	Block H, Blackwall Reach, Ditchburn Street	260 Poplar High Street (Mikardo Court)	Poplar Dock Marina (houseboats)
23 - 33 Boardwalk Place	299 - 309 Boardwalk Place	1 Gaselee Street	6 Gaselee Street	11 Gaselee Street	9 Province Square (Streamlight Tower)	Block G, Blackwall Reach, Ditchburn Street	258 Poplar High Street	Poplar Business Park, Block B (phase 2)*
322 - 331 Boardwalk Place	290 - 291 Boardwalk Place	2 Gaselee Street	7 Gaselee Street	12 Gaselee Street	101-103 Blackwall Way (Southern Block, Michigan Building)	Wharfside Point South	256 Poplar High Street	Poplar Business Park, Block C (phase 3)*
310 Boardwalk Place	6 St Lawrence Cottages, St Lawrence Street	3 Gaselee Street	8 Gaselee Street	13 - 25 Gaselee Street	99 Blackwall Way (Northern Block, Michigan Building)	Poplar Business Park, Block A (Manhattan Plaza)	246 - 254 Poplar High Street (Wickes House)	

Table 10: List of Daylight, sunlight and overshadowing sensitive receptors

7.208 There is no industry-standard categorisation for impacts that exceed BRE guidelines. However, for VSC, NSL and ASPH, the Council consistently uses the following categories:

- Reduction less than 20% - Negligible
- Reduction of 20% or more but under 30% - Minor Adverse;
- Reduction of 30% or more but under 40% - Moderate Adverse; and
- Reduction of 40% or more - Major Adverse
-

7.209 The ES adopts the above significance criteria for VSC, NSL and ASPH assessment and also adopts them for its SHoG assessment. However, where defining a 'minor adverse' effect for daylight only, the following criteria has been used:

- Despite small VSC alterations to the windows serving the room, the NSL alteration to the room is fully BRE compliant; or
- Despite small absolute VSC alterations to the windows serving the room, the NSL alteration to the room is fully BRE compliant; or
- Despite NSL alterations to the room, the VSC alteration to all windows serving the room is fully BRE compliant or at least 20% VSC is retained by the main window/s.

7.210 Daylight effects considered to be 'moderate' or 'major' in scale are determined using professional judgement. The ES considers that a significant effect is either 'moderate adverse' or 'major adverse' in scale (i.e. 'negligible' or 'minor adverse' effects are considered not to significant in EIA terms). In addition, the ES identifies a reasonable alternative target VSC value of "the mid-teens."

Daylight and sunlight summary

7.211 A summary of the results is set out below.

	VSC	NSL	APSH	
	No. of windows tested		No. of rooms tested	
	2986	1944	Other	Winter
			1509	1509
Negligible	2614	1925	1397	1374
Minor adverse	111	8	30	1
Moderate adverse	96	5	13	15
Major adverse	165	6	69	119

Table 12: Daylight and sunlight summary

Daylight – likely significant effects

Location	Environmental Statement assessment of daylight impact	BRE assessment of daylight impact
1 - 11 Boardwalk Place	Minor	Moderate
12 - 22 Boardwalk Place	Minor	Minor
23 - 33 Boardwalk Place	Minor	Minor
322 - 331 Boardwalk Place	Moderate	Moderate-major
310 Boardwalk Place	Moderate	Major
311 - 321 Boardwalk Place	Minor	Moderate
295 - 298 Boardwalk Place	Minor	Minor
299 - 309 Boardwalk Place	Minor	Minor
290 - 291 Boardwalk Place	Minor	Minor-moderate
Block H, Blackwall Reach, Ditchburn Street	Minor	Minor
Block G, Blackwall Reach, Ditchburn Street	Minor	Minor
Wharfside Point South	Minor	Moderate-major
Poplar Business Park, Block A	Minor	Minor
262 - 264 Poplar High Street (Wharfside Point North)	Minor	Minor-moderate
260 Poplar High Street (Mikardo Court)	Minor	Minor-moderate
246 - 254 Poplar High Street (Wickes House)	Minor	Minor
Poplar Business Park, Block C (phase 3)	Minor	Moderate
Poplar Business Park, Block B (phase 2)	Minor	Minor

Table 13: Councils independent review assessment results

7.212 Officers acknowledge that there are differences between the categorisation levels between submitted DLSL review and independent review. For the purposes of the assessment a balanced judgement has been made when assigned the higher magnitude values to those which are noted in the above table as providing different results in terms of relative magnitudes of change. Only those properties mentioned above require further discussion as per the independent BRE report.

1-11 Boardwalk Place – Minor-Moderate adverse

7.213 The VSC assessment 46 shows that of the 52 windows assessed would be compliant with the BRE Guidelines. Of the remaining 6 windows all have major impacts, however, only 3 are main windows and whilst they would have a large relative loss of daylight, this is partly due to the balconies above the windows. Loss of sunlight would not be an issue for the

Boardwalk Place properties as the new development would be to the north of them. In this instance it could be argued that the development as a whole received a minor adverse impact due to the number and type of windows affected and officers have applied a dual categorisation to this property.

12-22 Boardwalk Place - Minor adverse.

- 7.214 The VSC assessment shows that 46 of the 52 windows assessed would be compliant with the BRE Guidelines. Of the remaining 6 windows, 2 would be minor, 2 would be moderate and 2 would have major impacts. This property has a similar layout to 1-11 but has less impacts as the property is further away.

23-33 Boardwalk Place - Minor adverse

- 7.215 The VSC assessment shows that 46 of the 52 windows assessed would be compliant with the BRE Guidelines. Of the remaining 6 windows all would receive minor impacts. As with 12-23 the properties share similar layouts but receive even less impacts as the property is further away.

322 - 331 Boardwalk Place – Moderate-Major Adverse

- 7.216 The VSC assessment shows that 12 of the 36 windows assessed would be compliant with the BRE Guidelines. Of the remaining 24 windows, 2 would experience moderate impacts and 22 would experience major impacts. 20 of the remaining 26 windows would receive VSC levels below the mid-teens and the remaining windows which see adverse impacts would retain VSC values of over 14.0% which is not uncommon for an area such as this. In relation to the 20 remaining windows only 4 have VSC levels reduced to single digits. The NSL assessment shows 11 of the 25 rooms assessed would be fully compliant with the BRE Guidelines. Of the remaining 15 rooms, 3 would be kitchens, 12 would be bedrooms and 0 would be Living areas. Impacts to this property's daylight is largely due to the location of windows and proximity to the site as well as the existing balconies above them. The councils independent review has stated that impacts would be moderate-major as a whole, however all main living spaces retain good levels of daylight.

310 Boardwalk Place – Major Adverse

- 7.217 The VSC assessment shows that 5 of the 10 windows assessed would be compliant with the BRE Guidelines. The remaining 5 windows would experience impacts beyond 40% and these would be on the northern elevation of the site. Remaining VSC's would be within 8%-16% and only one would be within single digits. The NSL assessment shows that 8 out of 10 rooms assessed would be fully compliant with the BRE Guidelines. Floor layouts were unable to be accessed for this property, however, windows/rooms within this property are likely to serve habitable and main areas.

311 - 321 Boardwalk Place – Moderate adverse

- 7.218 The VSC assessment shows that 12 of the 41 windows assessed would be compliant with the BRE Guidelines. Of the remaining 29 windows, 3 windows would demonstrate alterations of between 20-30%, 23 windows would demonstrate alterations of between 30-40% from the existing condition (a moderate impact) and 3 would demonstrate alterations beyond 40%, with the majority of these being north facing onto the development. Only 3 windows would have their VSC's reduced to single digits with 2 of these already at single digits. The majority of windows would retain VSC's in the mid to high teens which is not uncommon for an urban location such as this with several high-rise developments in the area. The NSL assessment shows that all rooms assessed would be fully compliant with the BRE Guidelines.

295 - 298 Boardwalk Place - Minor adverse

- 7.219 The VSC assessment shows that 3 out of 21 windows assessed would be compliant with the BRE Guidelines. Of the remaining windows, all would demonstrate alterations of between 20-30% from the existing condition which are minor impacts with properties still receiving good levels of daylight in the high teens and early 20's. The NSL assessment shows that 11 out of 13 rooms assessed would be fully compliant with the BRE Guidelines with minor impacts to two rooms.

299 - 309 Boardwalk Place - Minor adverse

- 7.220 The VSC assessment shows that 23 of the 35 windows assessed would be compliant with the BRE Guidelines. Of the remaining windows, all would demonstrate alterations up to of between 20%-30% and retain relatively high levels of daylight, the majority of which would have over 20% VSC. None would be single digits. All rooms would pass the NSL assessment test.

290 - 291 Boardwalk Place - Minor – Moderate adverse

- 7.221 The VSC assessment shows that 41 of the 46 windows would be compliant with the BRE Guidelines. Of the remaining windows, all would demonstrate alterations of between 20-30% from the existing condition which are minor impacts with properties still receiving good levels of daylight in the high teens and early 20's. Two kitchen have windows which have VSC's reduced into their early teens, however both have additional windows which pass the tests. The NSL assessment shows that most of the rooms assessed would be fully compliant with the BRE Guidelines with minor impacts to two rooms.

Block H & G, Blackwall Reach, Ditchburn Street – Minor adverse

- 7.222 The VSC assessment shows that of the 426 windows assessed across the blocks 411 would be compliant with the BRE Guidelines. Of the windows that do receive losses outside of the guidelines all would be within the 20%-30% range and retain good levels of daylight in the 20's. All rooms would pass the NSL assessment test.

Wharfside Point South – Moderate – Major adverse

- 7.223 The VSC assessment shows that 213 of the 305 windows assessed would be compliant with the BRE Guidelines. Of the remaining 92 windows, 3 windows would demonstrate alterations of between 20-30%, 14 windows would demonstrate alterations of between 30-40% from the existing condition and 75 would demonstrate alterations beyond 40%. The biggest relative losses would be on the fifth floor and above where the windows have overhangs above them; but even without the overhangs the loss of VSC would generally be outside the guidelines. Two flats on each floor are affected, with the living rooms at the corner of the building. Most of these living rooms have another window facing either east or west which would be relatively unaffected, however several are solely lit from the south facing window which would have large relative losses of light. The flats which have an extra window would experience moderate impacts to their daylight, whilst the ones which wouldn't experience major impacts. Six flats with balconies above them and solely lit from the south side would also have losses of sunlight to their living rooms well outside the BRE guidelines. Without the balconies they would meet the guidelines, so this would count as a moderate adverse impact. All rooms would pass the NSL assessment test.

Poplar Business Park, Block A – Minor adverse

- 7.224 The VSC assessment shows that of the 687 windows assessed 632 would be compliant with the BRE Guidelines. Of the remaining 55 windows, 6 windows would demonstrate alterations of between 20-30%, 11 windows would demonstrate alterations of between 30-40% from the

existing condition and 38 would demonstrate alterations beyond 40%. The windows which do suffer relatively substantial losses of light are recessed behind inset balconies. These predominantly light bedrooms but a small number are windows to living rooms that are principally lit by other, less affected windows. Without the balconies above these recessed windows, nearly all would comply with the BRE guidelines. All rooms would pass the NSL assessment test.

262 - 264 Poplar High Street (Wharfside Point North) – Minor-Moderate adverse

7.225 The VSC assessment shows that of the 137 windows assessed 110 would be compliant with the BRE Guidelines. Of the remaining 27 windows, 4 windows would demonstrate alterations of between 20-30%, and 23 windows would demonstrate alterations of between 30-40% from the existing condition. The windows which do suffer the more substantial losses of light are again recessed behind inset balconies and overhangs. With the alternate tests and the overhangs removed losses would be within or marginally outside the guidelines, resulting in minor impacts to these development as a whole. All rooms would pass the NSL assessment test.

260 Poplar High Street (Mikardo Court) – Minor - Moderate adverse

7.226 The VSC assessment shows that of the 90 windows assessed 40 would be compliant with the BRE Guidelines. Of the remaining 24 windows, 4 windows would demonstrate alterations of between 20-30%, 16 windows would demonstrate alterations of between 30-40% from the existing condition, and 10 would demonstrate alterations beyond 40%. Windows which suffer. The windows which do suffer the more substantial losses of light are recessed behind inset balconies and overhangs with some bedrooms set behind deeper recesses. With the alternate tests and the overhangs removed only 9 of the windows would receive losses outside the guidelines, resulting in minor to moderate impacts to these development as a whole. All rooms would pass the NSL assessment test.

246 - 254 Poplar High Street (Wickes House) – Minor adverse

7.227 The VSC assessment shows that of the 34 windows assessed 1 would be compliant with the BRE Guidelines. The window which did suffer losses beyond the guidelines would be between 30-40% and contains an overhang above. Without the overhang the window would comply. All rooms would pass the NSL assessment test.

Future developments (cumulative impacts)

7.228 The submitted statement has tested for future properties to be constructed at Poplar Business Park and Blackwall Reach which gives rise to three different issues:

- This, together with the proposed development at Trafalgar Way, might have a cumulative daylight/sunlight impact on existing properties nearby
- The development at Trafalgar Way might restrict daylight and sunlight to the consented future Poplar Business Park development. The new parts of Blackwall Reach are probably too far away to be significantly affected.
- The Poplar Business Park and Blackwall Reach developments might limit daylight (though not sunlight, as they lie to the north) to the Trafalgar Way development.

7.229 To assess the cumulative impact on existing buildings the report calculates daylight and sunlight with the Poplar Business Park development in place, and both with and without the Trafalgar Way development in place. For most of the surrounding receptors the cumulative scenario is not too different to the existing v proposed scenario. The main differences are for Wharfside Point North and South, Block A at Poplar Business Park, and Mikardo Court which are closest to the development and saw the more significant reductions in the existing

scenarios. There would be additional impacts to these properties, but none would impact the results in such a way that would increase their magnitude of change reported above.

Sunlight – likely significant effects

Block G, Blackwall Reach, Ditchburn Street – ‘minor adverse.’

7.230 The APSH assessment shows that 72 of the 90 rooms assessed would be fully compliant with the BRE Guidelines. 18 bedrooms located on south facing elevation experience alterations beyond the guidelines. Ten of these only experience alterations for Winter Probable Sunlight Hours (WPSH), these alterations are modest with the rooms experiencing 3% to 4% WPSH versus a target of 5%. The remaining 8 bedrooms also experience alterations of Annual Probable Sunlight Hours (APSH), however these are also minor with the rooms experiencing 22% to 24% APSH versus a target of 25%. With the balcony effect removed all rooms pass the guidelines.

7.231 *Wharfside Point South – ‘minor adverse.’*

7.232 The APSH assessment shows that 167 of the 248 rooms assessed would be fully compliant with the BRE Guidelines. 46 alterations are associated with APSH with figures of 5% to 8%. These rooms are impacted by the presence of balconies when an assessment without balconies is conducted only subsequently 2 derogate for APSH with figures of 23% to 24% APSH. All rooms which derogate for APSH are compliant for WPSH. This highlights that the design of this particular development with large recessed balconies is largely the reason for the poorer results.

Poplar Business Park, Block A – ‘minor adverse’

7.233 The APSH assessment shows that 85 out of 134 rooms assessed would be fully compliant with the BRE Guidelines. 49 alterations are associated with APSH, of which 47 also alter for WPSH. These alterations are primarily a result of the presence of balconies and when these rooms are assessed without the balconies in place, only 2 bedrooms alter for both APSH and WPSH with WPSH values of 2% versus a 5% target, and APSH values of at 21% and 22% versus a target of 25%. Again, this highlights that the building itself is culpable for the poorer results and with the alternative tests applied the majority of rooms would pass the guidelines.

262 - 264 Poplar High Street (Wharfside Point North) – ‘minor adverse’

7.234 The APSH assessment shows that 97 out of 110 rooms assessed would be fully compliant with the BRE Guidelines. Thirteen rooms alter for APSH, with levels of 17% to 23% APSH versus a target of 25%. All rooms pass the WPSH targets when a no balcony analysis is conducted for this property all rooms are compliant for APSH & WPSH.

260 Poplar High Street (Mikardo Court) – ‘minor adverse’

7.235 The APSH assessment shows that 40 of the 65 rooms assessed would be fully compliant with the BRE Guidelines. 25 alterations (23 bedrooms and 2 living rooms) are associated with APSH and WPSH. Of the 25 APSH alterations, 3 are very minor as these rooms achieve 20% to 23% APSH. These rooms are impacted by the presence of balconies, thus when a no-balcony analysis is conducted, only 10 derogate for WPSH (figures of 2% to 4%) and 7 for APSH with figures ranging from 14% to 22%; all of these derogations are associated with bedrooms.

Daylight and sunlight conclusion

- 7.236 Officers note the discrepancies between the categorisation of the submitted review and the independent review. To summarize, a number of homes that are predicted to suffer 'minor' or 'moderate' or 'major' adverse effects would do so partly because of their design with existing self-shading balconies, which restrict sky visibility. Therefore, existing balconies, in theory, hinder development potential, as any reasonable proposed massing on the site has the potential to cause disproportionate percentage alterations.
- 7.237 The impacts to the majority of the properties would not generally be significant and the rooms within the existing developments would be adequately daylighted with good light distribution. The proportion of VSC results in the major adverse category is not of significant concern given the high NSL scores and reasonable ADF results for the properties. Several of these are south of the development and do not have sunlight levels impacted. Whilst some of the properties closest to the development would see their daylight conditions substantially affected, in the context of other tall buildings emerging in the area it would be consistent with daylight levels for developments of this type. Given the site is a vacant site it is likely that any form of development in the area would significantly impact upon the conditions of the closest properties and it is considered the development has gone to reasonable lengths in order to reduce its impacts towards neighbouring and proposed future properties, and whilst there are some Moderate to Major impacts on some properties these are limited in number and when looking at alternate tests these values improve significantly in almost all areas.
- 7.238 In addition to the above the BRE Guide recommends that a room with 27% VSC will usually be adequately lit without any special measures, based on a low-density suburban model. This may not be appropriate for higher density, urban London locations. The NPPF 2021 advises that substantial weight should be given to the use of 'suitable brownfield land within settlements for homes...' and that LPAs should take 'a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site'. Paragraph 2.3.47 of the Mayor of London's Housing SPG supports this view as it acknowledges that natural light can be restricted in densely developed parts of the city. Officers consider that retained VSC values in the mid-teens (that the applicant puts forward as a reasonable alternative target) are deemed acceptable and in most instances, this is the case.
- 7.239 Overall, officers consider the likely significant effects of the proposed scheme on nearby homes and amenity spaces would be acceptable. It should also be noted that, in all cases, the ES finds that the overall likely daylight and sunlight effects of the proposed development would not be substantially different to those that were assessed in relation to the scheme that was granted planning permission in 2008, which has been implemented (although not built out).

Overshadowing

- 7.240 BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on 21st March. It states that the "availability of sunlight should be checked for all open spaces", which usually includes gardens, sitting-out areas, parks or playgrounds.
- 7.241 The submitted assessment demonstrates that each space retains more than 50% of the total area receiving 2 hours or more sunlight on 21st March and, in accordance with the BRE Guidelines, will be adequately sunlit throughout the year. The effect on these amenity areas are therefore negligible and not significant.

Area	Existing Condition (% of Area Receiving two Hours of sun on 21st March)	Proposed Condition (% of area receiving two hours of sun on 21st March)	% Alteration between Existing and Proposed Conditions	Scale of Effect
Poplar Business Park – Block A1 (Manhattan Plaza)	100	100	0	Negligible
Poplar Business Park – Block A2 (Manhattan Plaza)	96	64	33	Negligible
240 Poplar High Street (Caraway Heights)	100	100	0	Negligible
246 - 254 Poplar High Street (Wickes House) 1	100	100	0	Negligible
246 - 254 Poplar High Street (Wickes House) 2	99	99	0	Negligible
Carmichael/Collins House Play Area	100	100	0	Negligible
5-11 Montague Place Gardens	98	98	0	Negligible
53-63 Bazely Street Gardens	96	96	0	Negligible
Former Blackwall Reach Amenity Area	100	100	0	Negligible
Wharfside Point North	90	90	0	Negligible
Blocks G & H Blackwall Reach	80	76	5	Negligible

Table 14 – Existing vs Proposed condition on overshadowing of surrounding amenity spaces

Noise and Vibration

- 7.242 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. The ES outlines that a 2m acoustic wall located on the external amenity area at level 2 along the northern boundary near Aspen Way should be secured via condition
- 7.243 Nonetheless, officers have requested several conditions be attached to the planning permission. These will be attached to any forthcoming consent.

Construction impacts

- 7.244 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 and with regard to likely significant effects identified within the ES 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.

Conclusion and overall amenity balance

- 7.245 In a number of dwellings within Boardwalk Place, Poplar High Street, and Poplar business park there would be an appreciable reduction in daylight. It can be said that the design of these buildings is not optimal with respect to daylight; some windows feature privacy screens and balconies or overhangs above and are also recessed. The biggest losses with respect to daylight would be at the lower levels level, although in actuality many windows would be covered by blinds or curtains to ensure privacy between other developments.
- 7.246 The proposed development has taken measures to reduce its impacts in the form of carefully locating and the reorientating the buildings. Nonetheless, as outlined above it is considered that this harmful impact on neighbouring properties daylight carries minor-moderate weight against the proposal, and is in conflict with D.DH8 (d), which seeks to ensure adequate levels of daylight and sunlight.

- 7.247 With respect to sunlight the proposed development would have a limited impact on neighbouring properties and the majority of which would accord with the BRE Guide levels for annual and winter sunlight hours with the proposed development in place.
- 7.248 Daylight and Sunlight are two of many factors when considering living conditions and should not be considered in isolation when weighing up the balance of harm. Outlook is of comparable importance. Currently the worst affected windows – at Boardwalk place are some 27m from the proposed development – well in excess of the Council's guideline.
- 7.249 Under the chapter titled 'Achieving appropriate densities' in the NPPF paragraph 123 (c) states that for housing applications, a flexible approach to applying daylight and sunlight policies or guidance should be applied where they would otherwise inhibit an efficient use of the site (as long as the resulting scheme would provide acceptable living standards).
- 7.250 Given the quality of design and conclusion on the amenity balance with regard to living conditions, the scheme would comply with paragraph 123 of the NPPF.

TRANSPORT AND SERVICING

- 7.251 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.
- 7.252 As described under Site and Surroundings, the site has a PTAL rating of 5 ('high') and is well connected with surrounding services. It is in close proximity to the Blackwall DLR station, a number of local bus services as well as the future Canary Wharf Crossrail station.

Background

- 7.253 The site has extensive transport history, with particular regard to the wider Preston's Road Roundabout improvement and connectivity strategy. There have been several studies over the past 13 years looking at wider enhancement to pedestrian and cycle movements north-south through Preston's Road Roundabout conducted by Applicants and LBTH with the most recent study undertaken in 2016 by JMP consultants.
- 7.254 Currently there is not a fixed long-term scheme for the roundabout to improve this connection as the issues are complex between dealing with the traffic movements and ensuring a safe pedestrian (from traffic and also personal safety) and cycling environment. Previous iterations of the future upgrades involved filling in the subway and providing several alternatives at grade level, however, the northern entrance to the current subway has been enhanced by the Blackwall Reach development, leaving the southern side in need of significant improvement. It is noted that pedestrian movements outlined in the JMP study (prior to the enhancement of the 2016 subway improvements) were 21% at-grade and 79% within the subway. There are no formal provisions or at-grade crossing movements.

Vehicular, pedestrian and cycle access

- 7.255 With the re-provision of the Drive Thru McDonalds, in order to encourage walking, cycling and a generally pedestrian friendly environment the drive thru entrance and exit are both located towards the western edge of the site where it tapers back towards the north. Beyond the blue badge spaces vehicle access into the site from the street will be limited to visitor access to the McDonalds and Drive Thru facility, servicing vehicles and refuse collection, which has a separate egress between buildings 1 and 2. Whilst a significant proportion of the ground floor has been dedicated towards the drive thru route this is also pushed towards the northern edge of the site behind the buildings, thus promoting a generous public realm on the southern edge of the site towards the buildings entrances and a transformed Trafalgar Way.

- 7.256 Significant amendments have gone into improving the pedestrian quality on the street with a transformative scheme of highway works being promoted, which reduces the available width of vehicle lanes and increasing available footpath and cycle lane widths outside the site. A service bay on Trafalgar way has been removed and is supported by LBTH Highways and TfL officers.
- 7.257 The details of the public highway works would be agreed by condition and implemented through a Section 278 agreement with the Council and TfL as the local highway authorities. To help improve safety and accessibility and encourage walking, it is recommended that planning obligations secure financial and non-financial contributions towards improving Trafalgar Way, the southern subway entrance and the Preston's Road Roundabout which are discussed below.

Vehicle/pedestrian conflicts and safety

- 7.258 Due to the use, density, and location of the site pedestrian safety within and around development has been a key consideration. During the course of the application a Risk Assessment Review (RAR) was submitted which intended to identify:
- Assessment of risk of collision between occupants and visitors to the proposed development and other road users of Preston's Road Roundabout.
 - Assessment of current traffic conditions including speed, flow and driver behaviour.
 - Review of the last 5 years personal injury/collision data on the roundabout.
 - Assessment of potential pedestrian and cycle demand across the roundabout as a result of the development as well as knowledge of the local constraints.
- 7.259 The submitted Risk Assessment has been independently reviewed by the Council and it found that whilst there were issues over the quantification of the predicted movements of pedestrians and cyclists, it would be unlikely to alter the conclusions of the RAR study in the way that it has approached the issues. A number of key findings and recommendations were identified following the RAR which revolve around the necessity for a phased set of improvements to resolve the poor quality of the connections between either side of Preston's Road Roundabout, which have been identified for a number of years over various planning applications.
- 7.260 In terms of addressing any risk/safety issues the scheme proposes the following enhancements, which will be secured by way of a s278 agreement:
- Opening up of underpass
 - Widening of pedestrian cyclist footpaths
 - 2 pedestrian crossings along Trafalgar way
- 7.261 In order to come up with the most robust solution, several alternatives were discussed with Highways officers and TfL including the delivery of at grade crossing across the slip roads to the north and guard railings to discourage pedestrian movement at grade. However, these options were seen to have adverse effects onto the wider highway network, TfL Healthy Streets Approach and require highway adoption boundaries to be amended. In addition to this, the RAR found that by providing a more attractive option at street level this would in turn increase the safety concerns within the subway.

- 7.262 Ultimately it was imperative that the works to address any form of risk associated with the development did not prejudice the wider improvements coming forward in the future and by providing an enhanced connection via the subway, this would be seen to reduce the proportion of pedestrian movements occurring at-grade, rather than increase it.
- 7.263 The proposed improvements have the approval of the LBTH highways officers whilst also being seen as an appropriate step to take to adequately address any risk the scheme proposes as confirmed by the independent RAR.
- 7.264 In terms of addressing safety from within the site the ground floor plan below shows an elliptical ('8'-shaped) circulation system for the drive through facility with vehicles entering and leaving the site at the western end, further from the building entrances. Including pushing this system back behind the buildings, removing the drop off on Trafalgar way, increasing the available width of pedestrians and significantly reduced parking levels are also proposed, thus reducing potential levels of conflict.
- 7.265 In respect of the pedestrian interface, pedestrian thoroughfares and entry points to the tower and ground floor commercial activities are located on the southern and eastern edges of the site. These are pedestrian only areas, not accessible by vehicles. Consequently, there is no safety concern as there is no interaction with vehicle traffic. Where there is the possibility of interaction, it is in the area to the rear of site in the Macdonald's parking area and drive-thru loop as well as the service egress through the site. Over the course of the application the proposed child play space at ground floor level by the egress has been omitted in favour of general open space as not to direct activity towards an area of potential conflict.
- 7.266 Overall, the ground floor layout is considered acceptable, having addressed pedestrian access and safety which such that it has priority.



Figure 14 - Ground floor plan and Drive Thru route

Car Parking

- 7.267 London Plan Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that appropriate levels blue badge parking should be provided within the development. Tower Hamlets Local Plan policy D.TR3 requires all residential developments to be permit free and that all parking associated with the development should be provided off-street.
- 7.268 97 car parking spaces are proposed under the existing consent. The current scheme proposes 6 spaces, 4 of which are blue badge spaces with two additional spaces being reserved for the Drive Thru McDonalds and ad hoc deliveries from small vehicles. There is

no requirement for car parking for the student use and the residential element of the scheme will be car free.

- 7.269 The proposed car parking arrangements are acceptable subject to the recommended conditions and s106 planning obligations. Given the car-free nature of the proposed scheme, it is recommended that planning obligations remove the right of future residents to obtain a permit to park in the CPZ ('Blue Badge' holders excluded).

Cycle Parking and Facilities

- 7.270 The proposed long-stay cycle parking is designed to have a prominent entrance to the front of the buildings, and that there is parking provision for a variety of cycle types at both basement floor and podium levels. The amount and type of long stay cycle parking proposed would meet Local Plan and London Plan minimums across all uses and is welcomed in that respect. Following updates, additional short stay parking has been provided throughout the public realm, and this is welcomed. Any shortfall in short stay spaces will be captured by a s106 obligation to provide them in a nearby location as to not dilute the immediate area of public realm.
- 7.271 Initially officers raised concerns surrounding the stair access with ramped access being the preferred option. Additional information was submitted stating that ramped access could not be provided due to site constraints and as a result an automated system will be provided which allows cyclists to manoeuvre their bicycles up and down stairs with little effort. Furthermore, 2 dedicated cycle lifts are located at ground floor to enable access to larger cycle spaces. Details of the automated system will be secured via condition.
- 7.272 Improvements to the cycle highway directly to the north on Trafalgar Way are proposed to be delivered under the wider package of s278 works.

Deliveries & Servicing

- 7.273 Following initial objections to the layby/drop off along Trafalgar Way the proposed delivery and servicing for the site will be conducted within the site only via the dedicated service route through the site, entering through the main vehicle entrance at the western edge of the site, stopping between buildings 1 & 2. There are also two car-parking spaces which can be used for ad-hoc deliveries.
- 7.274 The on-site servicing route will be limited to use by authorised delivery and refuse vehicles. This would accommodate a maximum vehicle size of an 11m rigid lorry for the McDonalds. The internal service route is one-way, with egresses onto Trafalgar Way to facilitate an efficient servicing loop that does not require any turning manoeuvres or reversing within the development or on the public highway. Loading/unloading can take place along the service route and will be controlled and managed to ensure servicing activity is undertaken efficiently and with no detriment to other site users or the public highway. Final details and management will be secured via condition.
- 7.275 Refuse will be stored at basement depending on the use within the development, which will be managed by an on-site management team, who will manage refuse storage for all site users. It is envisaged that the residential refuse will be collected by the Council and the Commercial & Student waste at the site will be collected by a private refuse collection company, with collections undertaken from the on-site servicing route. Further details of the waste strategy are provided separately in a document prepared by WSP as part of the planning application with final details being secured via condition due to the use of rotary compactors.

Trip generation

- 7.276 The submitted Transport Assessment (TA) breaks down the different uses for which the methodology is generally acceptable. The student use is estimated to generate 166 and 187 two-way person trips in the AM and PM peaks, and 2,309 across a typical day. The residential use is estimated to generate 37 and 34 two-way person trips in the AM and PM peaks, and 296 across a typical day. The commercial floorspace (not McDonald's) is estimated to generate 100 and 13 two-way person trips in the AM and PM peaks, and 807 across a typical day.
- 7.277 The TA allocates these trips across various modes of travel, with the proposed 'car free' development expected to see a significant reduction in vehicle traffic, with very few (less than 1%) movements over the course of the day dedicated to these uses. In contrast, there is expected to be an increase in Underground/DLR/Crossrail, pedestrian, and cyclist movements. None of these are expected to have a material impact on public transport capacity as confirmed by TfL.
- 7.278 With regards to the Drive Thru element, highways officers and TfL do not support this facility as it is contrary to the Vision and Outcomes of the LBTH Transport Strategy and Local Plan policies. It is by nature a car-based form of development that will generate additional vehicle trips (c1311 car trips between 7am and 9pm according to the TA) onto an area of the highway network which is already heavily congested at certain times of the day. It is noted that this will result in an overall mode share for the development of 55% sustainable modes. This falls short of the 90% target contained in the Isle of Dogs and South Poplar OAPF and the LBTH Transport Strategy.
- 7.279 Notwithstanding the above the Drive Thru element has only been assessed by way of Vehicle Trips which is an accepted position. It is noted that the previously implemented permission was estimated to generate 106 and 113 vehicle arrivals in the AM and PM peaks, with 186 across the Saturday peak. These figures incorporated Eat In visitors as there was greatly expanded car parking capacity on the scheme. The proposed Trip Generation is estimated to generate 90 and 93 vehicle arrivals in the AM and PM peaks which is slightly less due to the reduced parking facilities, although it is noted in the TA that this will be a like-for-like replacement in terms of the extant permission and proposed facility.
- 7.280 The ES recommended a queue management strategy should be secured and following updated drawings being provided regarding queuing capacity, officers are satisfied that the site can accommodate vehicle movements in the event of significant queuing for the Drive Thru McDonalds so that it does not impact on the surrounding road network. At the busiest times of the day a maximum of 13 Vehicles would be expected which has been tested against other similar facilities with a typical average of 10 vehicles during busy periods. The proposed development could accommodate up to 15 therefore providing sufficient space. Nevertheless, a queue management strategy will be secured via condition
- 7.281 It is acknowledged that the vehicle generation and mode share of the development as whole falls significantly short of the objectives and aims of local and regional policy, however the Drive Thru element of the scheme is a historic use and extant facility which could be delivered at any point. Whilst the facility is not supported in policy the scheme has gone to reasonable lengths to reduce car trips associated with Eat In visitors and on the overall planning balance the benefits of the scheme outweigh the harm of Drive Thru facility.

Healthy Streets and Vision Zero

- 7.282 It is noted that TfL has launched the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business. There are ten Healthy Streets indicators, which put people and their health at the heart of decision

making, and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to our road network to improve the safety of vulnerable road users.

- 7.283 As requested by both GLA and TFL, the applicant undertook an Active Travel Zone (ATZ) assessment that covers the key walking and cycling corridors within a 20 minute radius of the site in order to identify deficiencies and appropriate improvements along routes that should be improved with this proposed development.
- 7.284 The active travel routes to key locations that have been assessed are acceptable and appropriate, as previously agreed with TfL and the GLA. This assessment highlights changes which could be made along these routes in line with the Healthy Streets Approach.

Demolition and Construction Traffic

- 7.285 The Construction Environmental Management Plan secured via a planning condition would need to consider the impact on pedestrians, cyclists, and vehicles as well as fully considering the impact on other developments in close proximity. Subject to the details being acceptable to TfL and LBTH Highways consider there would not be an unacceptable impact.

Travel Planning

- 7.286 The submitted Framework Travel Plan identifies measures to encourage sustainable travel and it is recommended that the approval and implementation of detailed Travel Plans is secured by planning obligation.

Highway works

- 7.287 Extensive works are proposed to Trafalgar Way and the southern entrance to the underpass/subway which comprise the following and would be secured by way of a s278 agreement:

Trafalgar Way Works

- Widening and resurfacing of the cycleway;
- Widening and resurfacing of the footways;
- Removal of guard railing within the median;
- Narrowing and resurfacing of the carriageway including the provision of new kerbs;
- Provision of graduated raised Toucan pedestrian/cycle crossing at the eastern end of Trafalgar Way;
- Provision of graduated raised crossing at the western end of Trafalgar Way; and
- All necessary alterations to street lighting, drainage, road markings and landscaping.

Underpass Entrance Works

- Provision of a new pedestrian and cycle ramp;
- Provision of new stairs to the underpass from Trafalgar Way and Preston's Road;
- A new lighting strategy;
- A new wayfinding signage; and,
- Landscaping strategy.

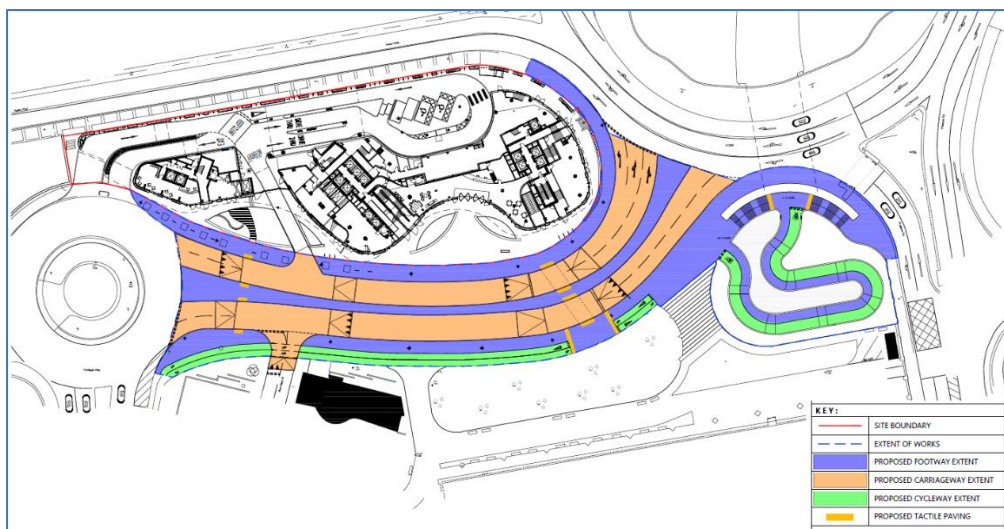


Figure 15: Extent of the highway works

Environment, Health and Sustainability

Environmental Impact Assessment

7.288 The planning application represents Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) co-ordinated by Trium.

7.289 Regulation 3 prohibits the council from granting planning permission without consideration of the 'environmental information' that comprises the ES, including any further information submitted following request(s) under Regulation 25 and any other information, any representations made by consultation bodies or by any other person about the environmental effects of the development.

7.290 The Council issued an EIA Scoping Opinion (PA/20/00137) on 01/05/2020. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:

- Socio-economics and Health
- Traffic and Transport
- Air Quality
- Greenhouse Gas Emissions
- Noise and Vibration
- Daylight, Sunlight Overshadowing and Solar Glare
- Wind Microclimate
- Archaeology
- Townscape and Visual Impact
- Built Heritage

7.291 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).

7.292 The application has been supported by an ES and Non-Technical Summary (NTS) (June 2020), an ES Interim Review Report Response (October 2020), an ES Final Review Report Response (December 2020), and a Statement of Conformity (April 2021). None of the additional ES information was considered to be 'further information' under Regulation 25

- 7.293 The Council's Appointed EIA Consultants independently examined the ES, to preparing an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the authority's internal environmental specialists. The IRR dated 16 September 2020 identified clarifications and potential '*further information*' required under Regulation 25.
- 7.294 In response to the IRR, the applicant submitted an ES review response note document dated 13 October 2020 and again on 14th December 2020. Following several updates on 14 January 2021, Temple issued a Final Review Report (FRR) 002 that took account of the applicant's identified clarifications and did not require any additional information required under Regulation 25 or as clarifications.
- 7.295 Following amendments to the makeup of the scheme the applicant submitted an EIA Statement of Conformity dated April 2021 considering some minor changes to the residential unit mix, commercial floorspace. It was considered that the changes do not generate any additional or different residual significant effects to those reported upon within the July 2020 ES.
- 7.296 The Council's EIA Officer and the Councils Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.
- 7.297 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed Development, which forms the basis of the assessment presented in this report.
- 7.298 Mitigation / monitoring measures as proposed in the ES would be secured through planning conditions and/or planning obligations. The environmental information comprises the ES, including any further / other information, any representations made by consultation bodies and by any other person about the environmental effects of the Proposed Development.

Health Impact Assessment

- 7.299 Local Plan Policy D.SG3 states that developments that are referable to the Mayor require to be supported by a Health Impact Assessments (HIA). Whilst Policy D.SG3 normally requires the submission of a detailed HIA, given the scale and nature of the proposed development, officers agreed that a full HIA was appropriate in this case. The submitted HIA has been assessed by the bough HIA officer and concludes that the methodology is sound identifying the following:
- Housing Quality and Design: 80 high quality new homes of varying size as well as providing much needed student accommodation which positively contributes to annual housing targets as well as helping to meet local demand for various types of accommodation, encouraging a vibrant resident community. Residents would benefit from functional, comfortable and energy efficient living including accessible units for mobility impaired users;
 - Open Space: Identifies that lack of open space is a key issue of the development with the scheme providing as much biodiversity and open space in varying types as possible within the constrained area. Recommends securing a financial contribution which after discussing with the LBTH parks department will focus on improving links between open spaces in the area which would benefit the development and surrounds.
 - Crime Reduction and Community Safety: multi-use of public spaces and natural surveillance that would help to reducing fear of crime. The proposals have been developed in consultation with a Designing Out Crime officer and community engagement has taken place which help foster a sense of ownership and empowerment;
 - Access to Work and Training: flexible retail and commercial space generating up to 30 FTE jobs providing opportunities for employment, including for residents. In addition,

during the demolition and construction phase, temporary employment opportunities would be generated;

- Pedestrian and Cycling Activity: strong public transport links and prioritises pedestrian and cycling modes of travel, both in terms of accessing the site and within the site itself thereby encouraging and promoting active travel and exercise;
- Minimising the use of natural resources: The site meets the principle of paragraph 11 of the NPPF by reusing land that has previously been developed for a mix of uses and would enhance the amenity value of the site for occupiers and the local community. It incorporates sustainable design and construction techniques and will be highly energy efficient; and
- Incorporation of Renewable Energy: inclusion of Air Source Heat Pumps and Photo Voltaics helping to mitigate against climate change impacts and reduce potential for fuel poverty.
- Fast food takeaway: Takeaway is more than 400m from the nearest school and acknowledges that McDonalds has undergone substantial changes in its menu and business operations over time with a focus on accessing nutritional information and diversifying the menu.

7.300 Officers agree that the proposed development would result in the above positive health comes, which would be secured by several the proposed planning conditions and planning obligations.

Energy & Environmental Sustainability

7.301 Local Plan Policy D.ES7 requires developments (2019-2031) to achieve the following improvements on the 2013 Building Regulations for both residential and non-residential uses: Zero carbon (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).

7.302 Local Plan Policy D.ES10 requires new development to ensure that buildings (both internally and externally) and the spaces around them are designed to avoid overheating and excessive heat generation, while minimising the need for internal air conditioning systems.

7.303 London Plan Policy SI 2 also calls for major development to be zero-carbon by reducing greenhouse gas emissions by improvements on the 2013 Building Regulations, but by 35% (with at least 10% for residential and 15% for non-residential coming from energy efficiency measures), in accordance with the Mayor of London's energy hierarchy. This policy also calls for developments referable to the Mayor to include a Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

7.304 London Plan Policy SI 3 requires development within Heat Network Priority Areas to have communal-low temperature heating system, with heat source being selected in accordance with a hierarchy (connect to heat networks, use zero carbon or local heat sources (in conjunction with heat pumps, if required), use low-emission CHP.

7.305 London Plan Policy SI 4 calls for development to minimise overheating in accordance with a cooling hierarchy.

7.306 The principal target is to achieve a reduction in regulated CO2 emissions in line with the LBTH Local Plan that requires all residential development to achieve the 'Zero Carbon' standard with a minimum 45% CO2 emission improvement over Part L 2013 Building Regulations. This exceeds Policy 5.2 of the London Plan that requires the 'lean', 'clean' and 'green' stages of the Mayor of London's Energy Hierarchy to be followed to achieve a 'Zero Carbon' Standard targeting a minimum onsite reduction of 35%. All surplus regulated CO2

emissions must be offset at a rate of £95 for every ton of CO₂ emitted per year over a minimum period of 30 years.

7.307 The application is supported by a Sustainability & Energy Statement, Residential Overheating report, and the ES (Chapter 9) reports on an assessment of the likely significant effects on greenhouse gas emissions.

Energy

7.308 The Mayor of London's Energy Hierarchy is as follows:

- be lean: use less energy and manage demand during operation;
- be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly;
- be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site; and
- be seen: monitor, verify and report on energy performance.

7.309 '*Be Lean.*' The Mayor's hierarchy prioritises a 'fabric first' approach, including building orientation and shading, high performance glazing, reduced air permeability and good insulating fabric, together with active and passive measures such as use of high-efficiency LED lighting, Mechanical Ventilation and Heat Recovery (MVHR) and smart meters to reduce energy demand. These proposed measures are expected to save 69 tonnes of carbon dioxide per year (a 17% saving above the Building Regulations 2013).

7.310 '*Be Clean.*' There is no viable existing or proposed District Energy Network (DEN) nearby. However, the proposed on-site communal heat network is to be designed so that it could connect to an offsite DEN. In respect of site wide heating networks, the proposals include an 'ambient loop'. This distributes low temperature water around the scheme which is then upgraded to provide heat and hot water locally, when and where it's required. This system will vastly reduce CO₂ emissions and reduce internal gains, which can contribute to internal overheating.

7.311 '*Be Green.*' The proposed ambient loop system would be located site wide with heat pump chillers at roof level of building 2. These chillers will be piped to the basement to connect into a thermal store. The thermal store shall then pipe energy via a water to water system storing energy within pump calorifiers. Each residential unit and student accommodation cluster will be provided with heat pumps which can access the store to in order to provide heating, cooling, and hot water to the rooms. Solar photovoltaic panels are also proposed, these are to be located on the roof of each tower, and where appropriate, on the roofs of the link bridge and podium. On-site renewable energy technology is expected to save 696 tonnes of carbon dioxide per year (a 57% saving in residential and 53% saving in non-residential above SAP 10).

7.312 '*Be Seen.*' Extensive metering, use of energy management software and FM management training will enable post construction monitoring to be undertaken.

7.313 The measures implemented as part of the Be Lean, Be Clean and Be Green assessment result in a saving of 52 tCO₂/year for the residential element of the scheme and 713 tCO₂/year for the non-residential, which equate to a 68.4% and 58.5% reduction from the baseline respectively, when the SAP 10 emission factors are applied. The total on-site site wide CO₂ emission reduction is anticipated to be 59% against the building regulation baseline utilising the SAP10 carbon factors.

7.314 *Carbon Offsetting.* The above measures are expected to save approx. 765 tonnes of carbon dioxide per year (a 59% saving above the Building Regulations 2013). However, despite the use of the above measures, this falls short of the zero-carbon policy target for proposed

domestic and non-domestic uses. As a result, it is recommended that planning obligations secure the payment of a cash-in-lieu payment of £1,507,650 (based on £95 per tonne of carbon over a 30-year period).

- 7.315 *Overheating.* The residential overheating report demonstrates that the proposed orientation and design of the proposed homes (when coupled with solar control glass with a g-value of 0.33, MVHR, LED lighting, reduced heating pipework and the use of blinds) means that compliance with CIBSE TM59 overheating criteria is achieved. This meets London Plan Policy SI 4.
- 7.316 *Likely significant Carbon Greenhouse Gas environmental effects.* The ES (Chapter 9) identifies a number of proposed mitigation measures for the construction phase (Construction Environmental Management Plan and Construction Logistics Plan) and operational phase (cycle parking, car parking restrictions, Travel Plan, Framework Delivery and Servicing Management Plan, the proposed Energy Strategy, carbon offsetting, Passivhaus accreditation and BREEAM 'outstanding' standard for the student element and excellent for the residential floorspace). These are discussed in more detail in other sections of this report and it is recommended that they are secured by way of planning conditions and obligations.
- 7.317 Assuming that these mitigation measures are in place, the ES identifies residual Greenhouse Gas (GHG) Emissions in the opening year of 3,519 tonnes of carbon dioxide. It goes on to state that the proposed scheme would contribute a small amount of emissions and would employ commensurate mitigation measures to ensure policy compliance and minimise its contribution to climate change where possible. However, as part of the wider cumulative effects of GHG emissions from all local, regional, national and global sources, the emissions are nonetheless judged to be significant.

Environmental sustainability

- 7.318 Policy D.ES6 requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development, taking into consideration the cumulative impact of current and proposed development.
- 7.319 Local Plan Policy D.ES7 requires development to maximise energy efficiency based on the following relevant standards: BREEAM 'excellent' rating and the Home Quality Mark.
- 7.320 Movement and transport, Landscape and ecology, air quality, noise, daylight and sunlight, flood risk and drainage are addressed in detail in other sections of this report.
- 7.321 *Building Performance.* The Sustainability Statement includes a BREEAM pre-planning assessment (BREEAM New Construction 2018) which demonstrates that the proposed new student units could achieve an 'Outstanding rating and Passivhaus. It is recommended that a planning condition secures this.
- 7.322 *Internal water use.* There is a mandatory requirement under Building Regulations Part G of achieving a predicted average household potable water consumption of no greater than 125 Litres per person per day and the applicant proposes to use water efficient sanitaryware and white goods specification. Local Plan Policy D.ES6 seeks to achieve a maximum water use of 105 litres per person per day and a planning condition is recommended to secure this policy objective.
- 7.323 *Construction waste.* The applicant's Sustainability Statement states that it would put in place waste management systems during the (demolition) and construction phase to minimise waste, including the sorting and recycling of waste and diverting it from landfill. The ES

recommends the implementation of an approved Site Waste Management Plan and It is recommended that this is secured by planning condition.

- 7.324 *Considerate Constructors Scheme.* The applicant's Sustainability Statement states the site is to be registered under the Considerate Constructors Scheme prior to the commencement of the construction phase, with a set target to help achieve BREEAM ' Outstanding and Excellent.' It is recommended that this is secured by a s106 planning obligation.

Waste

Operational waste and recycling

- 7.325 All proposed homes have been designed to include separate refuse and recycling storage in kitchens, to allow residents to separate refuse and recycling at source.

Construction waste and recycling

- 7.326 As discussed under Environmental Sustainability above, it is recommended that a Site Waste Management Plan and It is recommended that this is secured by planning condition.

Biodiversity

- 7.327 London Plan Policy G6 states that 'development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain' and Tower Hamlets Local Plan Policy D.ES3 require developments to protect and enhance biodiversity. The site does not form part of any statutory or non-statutory nature conservation site and is not located within a preferred location for biodiversity under the Local Plan's Green Grid Network.

- 7.328 The application is supported by a Preliminary Ecological Appraisal and Biodiversity Net Gain Report.

- 7.329 The site has been previously cleared for development and consists of bare ground with areas of ruderal vegetation. This will support common wild plants and invertebrates, and its loss will be a minor negative impact on biodiversity.

- 7.330 The proposals include biodiverse roofs on all the new buildings. While the detailed design of these is not provided, there is sufficient information to make it clear that they will contribute to a LBAP target. The submission documents outline a large number of nest boxes for various bird species, including peregrine, swift, house sparrow and black redstart, as well as bat and bee boxes. All of these will contribute to LBAP targets.

- 7.331 There is also significant ornamental and amenity planting proposed, including new trees, rain gardens, climbers and flower beds. If at least three native tree species are planted, that would contribute to a LBAP objective. Inclusion of a good range of nectar-rich perennials and shrubs in the ornamental planting would contribute to a LBAP target to increase forage for bees and other pollinators. The proposals will lead to a net gain in biodiversity. Full details of biodiversity mitigation and enhancements should be secured through a condition

Flood Risk & Drainage

- 7.332 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drain is protected to a very high standards by the Thames tidal flood defences up to a 1 in 1000 (0.1%) change in any given year. Policy D.ES6 requires new development to minimise the pressure on the combined sewer network.

- 7.333 The application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The FRA identifies the site as being in Flood Zone 3a (high risk) and concludes that all the proposed uses are appropriate. The Environment agency have commented that the site is

protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event

- 7.334 Furthermore, the proposal does have a safe means of access and/or egress in the event of flooding from all new buildings to an area wholly outside the floodplain, and following the receipt of EA and GLA comments amendments have been made to the height of the perimeter wall which will be constructed above the 2100 breach flood level (4.626m AOD).
- 7.335 In addition to this only 'less vulnerable' uses such as retail and back of house spaces have been located below this level and spaces below the breach level will be of a flood resilient construction in accordance with the EA's guidance. Basement waterproofing is also required to be designed in accordance with BS 8102 to mitigate the risk of flooding from groundwater.
- 7.336 The proposed new surface water drainage strategy would maintain the current flood risk on-site for rivers, tidal, groundwater, surface water, overland flows, canals, reservoirs, sewers and water mains whilst allowing for the increased rainfall potential associated with climate change. The proposed incorporation of SuDS and reduction in surface water discharge rates to the public sewers would be beneficial in contributing to a reduction of flood risk in the area. Neither the Environment Agency nor Thames Water have raised no objections to the proposals and after some clarification the GLA have also accepted the proposal and agreed that the FRA has had regard to the London Plan Drainage hierarchy.
- 7.337 Proposes Sustainable Urban Drainage Systems (SuDS) measures include:
- Areas of blue roof on all proposed Blocks (approx. 1260sqm);
 - Raingardens and tree planting (with sub-surface collection pipes).
- 7.338 The proposed scheme is designed to connect its foul water drainage network to the public combined sewer. Whilst there would be an increase in foul sewerage entering the system it is recommended that planning conditions secure the details of proposed SuDS measures, together with a Drainage Management Strategy (to cover both management and maintenance of approved measures).
- 7.339 To minimise water use on site, a number of water reduction measures are included within the proposal including low flow/flush fittings, efficient water supply (leak detection, smart meters, etc.) and grey water harvesting. In addition to the measures outlined in this section, a Flood Warning and Evacuation Plan (FWEP) will be required during detailed design to manage the residual risk of flooding posed to less vulnerable people at lower levels of the development (e.g. commercial users) in the event of flood event or breach to the existing defences. The plan will be required to consider closure of parts of the site during such an event, evacuation of vulnerable persons, and a methodology to establish how the flood levels are monitored and what/ when actions are taken on Site.

Land Contamination

- 7.340 Geo-environmental (Ground Conditions, Groundwater and Land Take and Soils) was scoped out of the EIA. However, the application is supported by a Geoenvironmental Desk Study Report based on a conceptual site model, this sets out the characteristic ground conditions and elements of the surrounding environment and identifies potential sources of contamination, potential receptors of the contamination and potential pathways between them. It does conclude that there are potential sources of contamination and recommends a Phase 2 ground investigation to allow an assessment of the underlying ground conditions. Given this, it is recommended that the Council's standard land contamination remediation and verification report conditions are attached to any planning permission. This would ensure that the application accords with Tower Hamlets Local Plan policy D.ES8

Noise & vibration, air quality and wind/microclimate

7.341 These topics are discussed in detail under Housing (Quality of Residential Accommodation) and Neighbour Amenity above. In summary, subject to the recommended conditions, no unacceptable adverse construction-related or long-term noise, air quality or wind/microclimate effects for future residents or existing neighbouring residents or businesses were identified.

INFRASTRUCTURE IMPACT

7.342 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £18,380,672 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £4,685,742 (inclusive of social housing relief and exclusive of indexation).

7.343 This would result in a total of £23,066,414. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.

7.344 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.

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

- £231,416.00 towards construction phase employment skills training
- £37,202.88 towards end-user phase employment skills training
- £1,507,650.00 towards carbon off setting
- £10,00.00 towards child play space
- £1,490,131.08 towards open space

HUMAN RIGHTS & EQUALITIES

7.346 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.

7.347 The proposed new residential accommodation meets inclusive design standards and over 530 of the new homes will be wheelchair accessible, 154 within the affordable tenures, and 27 disabled car parking spaces provided. These standards would benefit future employees and residents, including disabled people, elderly people and parents/carers with children. The proposed affordable housing would be of particular benefit to groups that are socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.

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

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

8.2 Financial Obligations

- a) £9,465,760.00 towards affordable housing
- b) £231,416.00 towards construction phase employment skills training

- c) £37,202.88 towards end-user phase employment skills training
- d) £1,507,650.00 towards carbon off setting
- e) £10,00.00 towards child play space
- f) £1,490,131.08 towards open space improvements
- g) £1000 per heads of term

8.3 Non-Financial Obligations

- a. 24.3% affordable student accommodation
- b. Compliance with the student management plan
- c. Affordable workspace strategy (10% space at 38% discount)
- d. Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 43 construction phase apprenticeships
- e. Transport
 - Approval and implementation of Travel Plan
 - Implementation and funding of highway works (as covered in s278)
 - Provision of 38 short stay cycle facilities in the nearby vicinity
- f. Biodiversity rafts for surrounding Poplar Dock
- g. Compliance with Considerate Constructors Scheme
- h. Car free development
- i. Architect retention

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

9 PLANNING CONDITIONS

1. 3 years deadline for commencement of development
2. Development in accordance with approved plans
3. Noise emitted from new fixed building plant
4. Inclusive Access Standards
5. Smart meters
6. Accessible parking

Pre-commencement

7. Archaeology: Written Scheme of Investigation in consultation with GLAAS
8. Construction Environmental Management Plan, including an Air Quality and Dust Management Plan (AQDMP) Construction Logistics Plan in consultation with TfL
9. Construction Waste Management Plan
10. Crane methodology in consultation with London City Airport
11. Energy Strategy

12. Highways Improvement Works
13. Land Contamination Remediation
14. Odour from fixed plant and equipment
15. Piling
16. Wheelchair housing detailed plans (student and residential)
17. Delivery, Servicing, and Waste Management Strategy

Pre-commencement of above ground works

18. Biodiversity enhancements
19. Details of fixed plant and machinery (air quality)
20. Extraction system for the McDonalds

Pre-superstructure works

21. Affordable Workspace Management Plan
22. Details of external facing materials and architectural detailing
23. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture, biodiversity mitigation and enhancements and wind mitigation.
24. Detailed studies of shopfronts
25. Details of cycle parking
26. Lighting Strategy
27. Play Space Management Plan
28. Secure by Design
29. Surface Water Drainage Strategy
30. Solar glare report.
31. Details of PV panels (in consultation with London City Airport)
32. Details of Acoustic Wall

Prior to Occupation (of relevant use)

33. BREEAM Certificate for relevant accommodation and workspace to be 'Outstanding'
34. Contamination verification
35. Updated Transport Assessment (in consultation with TfL)
36. Queue management strategy
37. Noise Verification Report for Residential
38. Secured by design compliance
39. Water Infrastructure
40. Flood Warning and Evacuation Plan
41. Healthier catering commitment for the McDonalds
42. Passivhaus

43. Landscape maintenance Strategy (including sky gardens)

Compliance

44. Compliance with the NRMM Low Emission Zone for London standards during the construction phase. The standards should be those applicable to the Central Activities Zone and Canary Wharf, as the development is located in an Opportunity Area.

Informatives

1. Thames Water (Surface Water Drainage)
2. Thames Water (Underground Assets)
3. Thames Water (Water Mains)

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

TW_A_PL_010 Rev P00 – Location Plan
TW_A_PL_011 Rev P00 – Site Layout Plan
TW_A_PL_098 Rev P00 – Basement Level 02
TW_A_PL_099 Rev 00– Basement Level 01
TW_A_PL_100 Rev P02 – Ground Floor Plan
TW_A_PL_101 Rev P01 – Podium Level 01
TW_A_PL_102 Rev P01 – Podium Level 01
TW_A_PL_103 Rev P01 – Podium Level 02
TW_A_PL_104 Rev P01 – Podium Roof
TW_A_PL_105 Rev P01 – Level 05, 07 Plan
TW_A_PL_106 Rev P01 – Level 06, 08 Plan
TW_A_PL_109 Rev P01 – Level 09 Plan
TW_A_PL_110 Rev P01 – Level 10, 11 Plan
TW_A_PL_112 Rev P01 – Level 12 Plan
TW_A_PL_113 Rev P01 – Level 13, 15, 17 Plan
TW_A_PL_114 Rev P01 – Level 14, 16 Plan
TW_A_PL_118 Rev P01 – Level 18, 20 Plan
TW_A_PL_119 Rev P01 – Level 19, 21 Plan
TW_A_PL_122 Rev P01 – Level 22, 24 Plan
TW_A_PL_123 Rev P01 – Level 23, 25 Plan
TW_A_PL_126 Rev P01 – Level 26 Plan
TW_A_PL_127 Rev P01 – Level 27 Plan
TW_A_PL_128 Rev P00 – Level 28 Plan
TW_A_PL_129 Rev P00 – Level 29 Plan
TW_A_PL_130 Rev P00 – Level 30, 32 Plan
TW_A_PL_131 Rev P00 – Level 31, 33 Plan
TW_A_PL_134 Rev P00 – Level 34 Plan
TW_A_PL_135 Rev P00 – Level 35 Plan
TW_A_PL_136 Rev P00 – Level 36 Plan
TW_A_PL_137 Rev P00 – Level 37, 39, 41, 43 Plan
TW_A_PL_138 Rev P00 – Level 38, 40, 42 Plan
TW_A_PL_143 Rev P00 – Level 43 Plan
TW_A_PL_144 Rev P00 – Level 44 Plan
TW_A_PL_145 Rev P00 – Level 45 Plan
TW_A_PL_146 Rev P00 – Roof Plan

TW_A_PL_201 Rev P01 – East/West Section
TW_A_PL_202 Rev P00 – North/South Section Building 2
TW_A_PL_203 Rev P00 – NS Section Building 1
TW_A_PL_204 Rev P00 – NS Section Building 3

TW_A_PL_301 Rev P00 – Site Context Elevations North
TW_A_PL_302 Rev P00 – Site Context Elevations East
TW_A_PL_303 Rev P00 – Site Context Elevations South
TW_A_PL_304 Rev P00 – Site Context Elevations West

TW_A_PL_400 Rev P00 – Typical Facade Detail - Student Rooms
TW_A_PL_401 Rev P00 – Typical Facade Detail - Sky Garden
TW_A_PL_402 Rev P00 – Typical Facade Detail - Residential
TW_A_PL_403 Rev P00 – Typical Facade Detail - Top of Building
TW_A_PL_404 Rev P00 – Typical Facade Detail - Sky Bridge

TW_A_PL_405 Rev P00 – Typical Facade Detail - Podium South - L00 to L02
TW_A_PL_406 Rev P00 – Typical Facade Detail - Podium South - L02 to L04
TW_A_PL_407 Rev P00 – Typical Facade Detail - Podium North - L00 to L02
TW_A_PL_408 Rev P00 – Typical Facade Detail - Podium North - L02 to L04
TW_A_PL_409 Rev P00 – Typical Facade Detail - Drive-Thru Entrance
TW_A_PL_410 Rev P00 – Typical Facade Detail - Retail Entrance 01
TW_A_PL_411 Rev P00 – Typical Facade Detail - Retail Entrance 02
TW_A_PL_412 Rev P00 – Typical Facade Detail - Restaurant Entrance

Schedule of Documents

Design & Access Statement, prepared by Apt;
Design & Access Addendum, prepared by Apt;
Draft Construction Management Plan, prepared by Balfour Beatty;
Framework Delivery and Servicing Plan, Caneparo Associates;
Framework Workplace Travel Plan, prepared by Caneparo Associates
Outline Construction Logistics Plan, prepared by Caneparo;
Parking Design Management Plan (appended to Transport Assessment), prepared by Caneparo;
Transport Assessment, prepared by Caneparo Associates;
Geotechnical Desk Study Report, prepared by CGL;
Aviation Safeguarding Assessment, prepared by Eddowes Aviation Safety;
Financial Viability Assessment, prepared by Gerald Eve LLP;
Town Planning Statement, prepared by Gerald Eve LLP;
Student Housing Demand and Supply Study, prepared by JLL;
Statement of Community Involvement, prepared by LCA;
Circular Economy Statement, prepared by MTT;
Residential Overheating Report, prepared by MTT;
Student Accommodation Overheating Report, prepared by MTT;
Sustainability and Energy Statement Addendum, prepared by MTT;
GLA Energy Spreadsheet, prepared by MTT;
Energy Statement Addendum, prepared by MTT;
Utilities Statement, prepared by MTT;
Ventilation and Extraction Statement, prepared by MTT;
Internal Daylight Report, prepared by Point 2 Surveyors;
Overshadowing Report, prepared by Point 2 Surveyors;
Internal Daylight Report Addendum, prepared by Point 2 Surveyors;
Biodiversity Net Gain Report, prepared by Schofield Lothian;
Preliminary Ecological Appraisal, prepared by Schofield Lothian;
Student Management Plan, prepared by Urbanest;
Economic Statement, prepared by Volterra;
Flood Risk Assessment, prepared by Walsh
Operational Waste Management Strategy, prepared by WSP
Fire Statement, prepared by WSP.

ES Volumes

Environmental Statement - Volume 1: Main Text, prepared by Trium;
Environmental Statement - Volume 2: Heritage, Townscape and Visual Impact

Assessment, prepared by CityDesigner;
Environmental Statement - Volume 3: Technical Appendices, prepared by Trium
Environmental Statement - Non-Technical Summary, prepared by Trium
ES Review Response Note, prepared by Trium
ES Final Review Report Response Note, prepared by Trium
ES Statement of Conformity, prepared by Trium

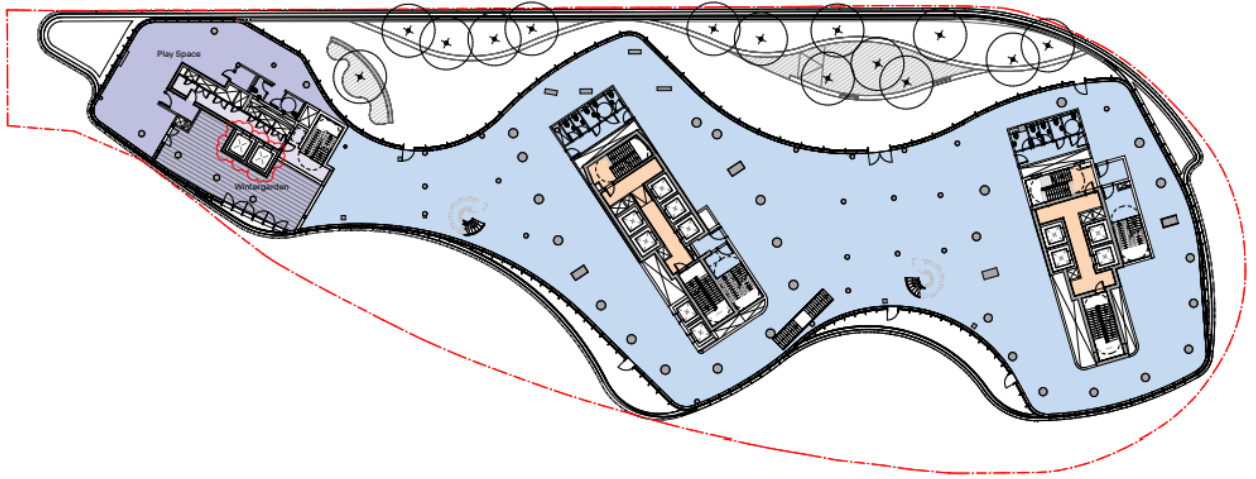
APPENDIX 2 – Proposed Drawings



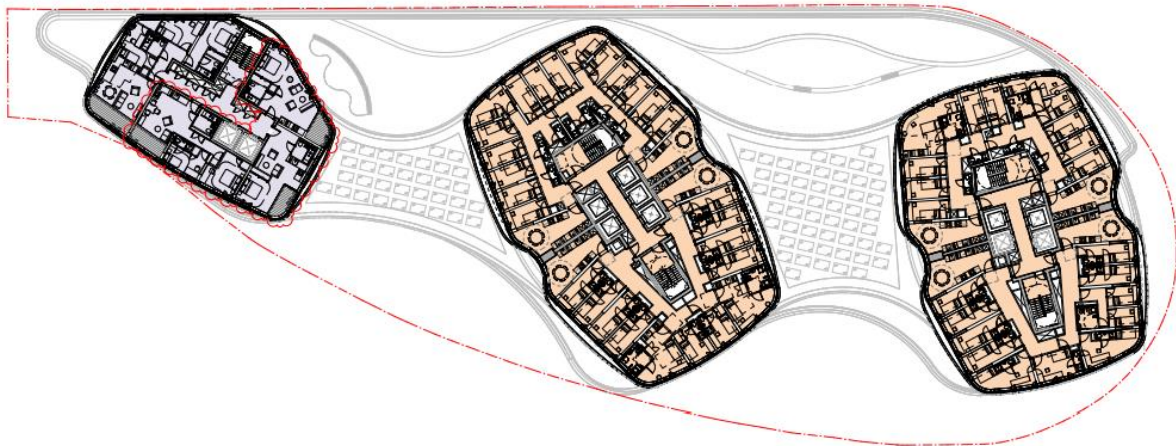
Proposed ground floor plan



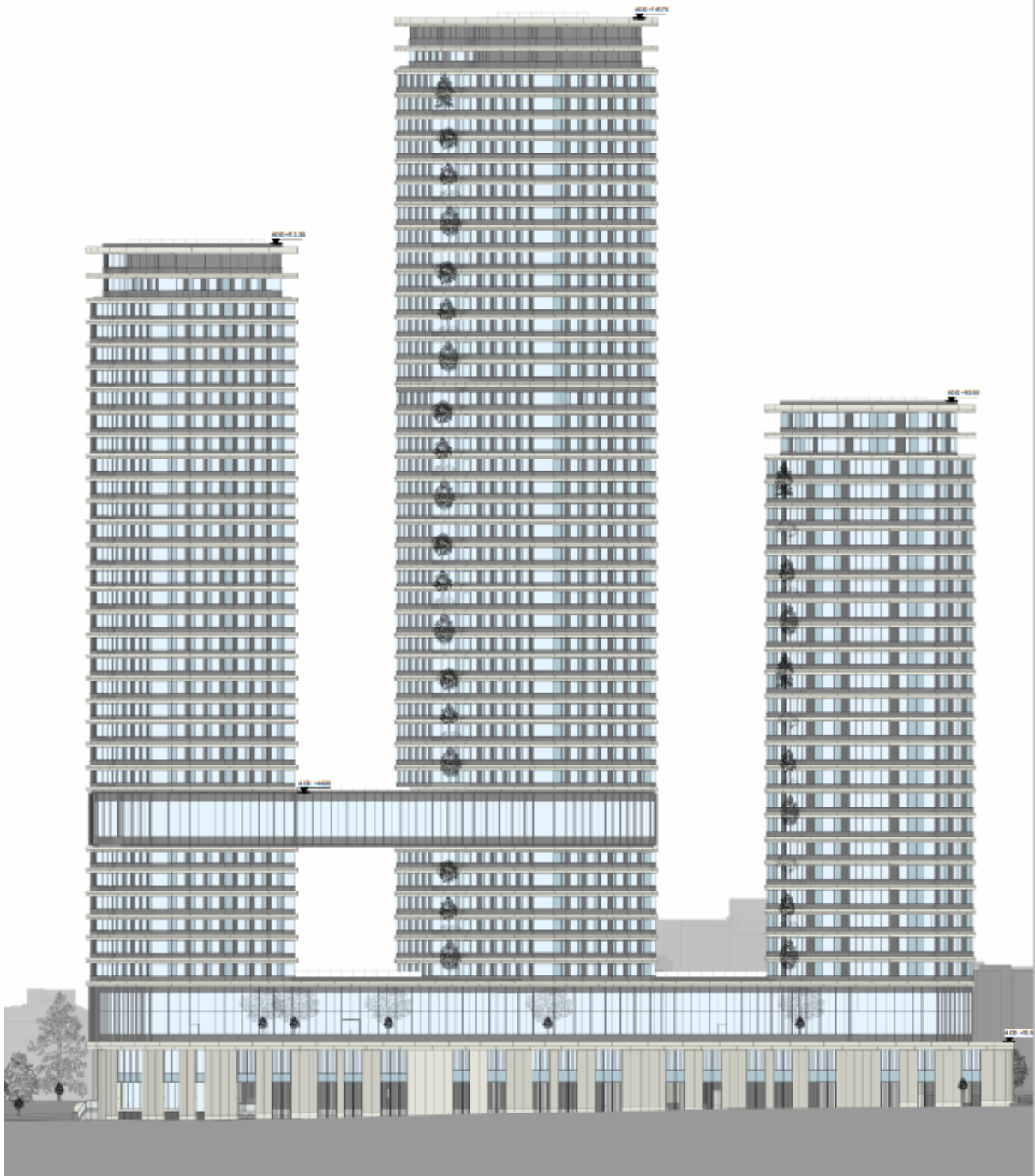
Proposed first floor plan



Proposed second floor plan



Typical floorplan



Proposed north elevation



Proposed west Elevation



Proposed Overview Plan



View from Poplar Dock Marina