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Application for Planning Permission

Reference	PA/20/02726
Site	Site at 2-6 Commercial Street, 98 and 101-105 Whitechapel High Street, Commercial Street, Gunthorpe Street, London
Ward	Spitalfields and Banglatown
Proposal	Demolition of 101 Whitechapel High Street, 2 – 6 Commercial Street and the western annex of the Canon Barnett Primary School; partial demolition and partial retention of 102 - 105 Whitechapel High Street; and redevelopment to provide a building ranging from ground plus 4-14 storeys, comprising office and retail (Class E); relocation and expansion of the existing school playground; associated cycle parking, hard and soft landscaping another associated works.
Summary Recommendation	Grant Planning Permission
Applicant	Alliance Property Asia Incorporated
Architect/agent	Foster and Partners, DP9
Case Officer	Max Smith
Key dates	Application validated 12/01/2021 Statutory consultation 21/01/2021 Press notice 28/01/2021 Neighbour letters 21/01/2021 Site Notices 19/02/2021 Public consultation finished on 19/03/2021

EXECUTIVE SUMMARY

The application relates to a 0.67ha site comprising a group of four and five storey commercial buildings, an 84 space public carpark and a primary school. The site is bound by Commercial Street to the west and Whitechapel High Street to the south, which are both TfL 'Red Routes'. To the east is the narrow Gunthorpe Street. Beyond the site to the south and east are a number of recently constructed tall buildings.

The site is in the Central Activities Zone, the Whitechapel High Street Conservation Area and marks the western end of the Whitechapel District Centre. The site is immediately adjacent to the Aldgate Tall Building Zone. There are no listed buildings on the site, but the Grade II* listed Whitechapel Gallery, and Whitechapel Library and Toynbee Hall, both grade II listed, are in close proximity.

In 2017, planning permission was submitted for a 19 storey office building on the site and associated extensions to the school, though this was subsequently withdrawn.

The current application seeks full planning permission for the full scale demolition of the existing terrace that turns the corner of Commercial Street and Whitechapel High Street on the site (aside from street façade retention to the 102-105 Whitechapel High Street building, alongside the demolition of an annexe to Canon Barnett School with the construction of a new office building (Class E floorspace) of up to 14 storeys in height, with three basement levels below and retail units on the ground floor (also Use Class E). The building would be constructed partly on the site of the existing Canon Barnett playground facing onto Commercial Street, which would be relocated to part of the site currently occupied by a public car park set towards Gunthorpe Street.

Following public consultation, 218 letters of objection have been received, as well as objection from the Victorian Society, the Spitalfields Trust, London and The Middlesex Archaeological Society, Save Britain's Heritage, the Spitalfields Neighbourhood Planning Forum and the East End Preservation Society. Objections mainly relates to the impact the development would have on heritage assets, loss of light to neighbours and the impact on Canon Barnett School. 6 representations have been received in support.

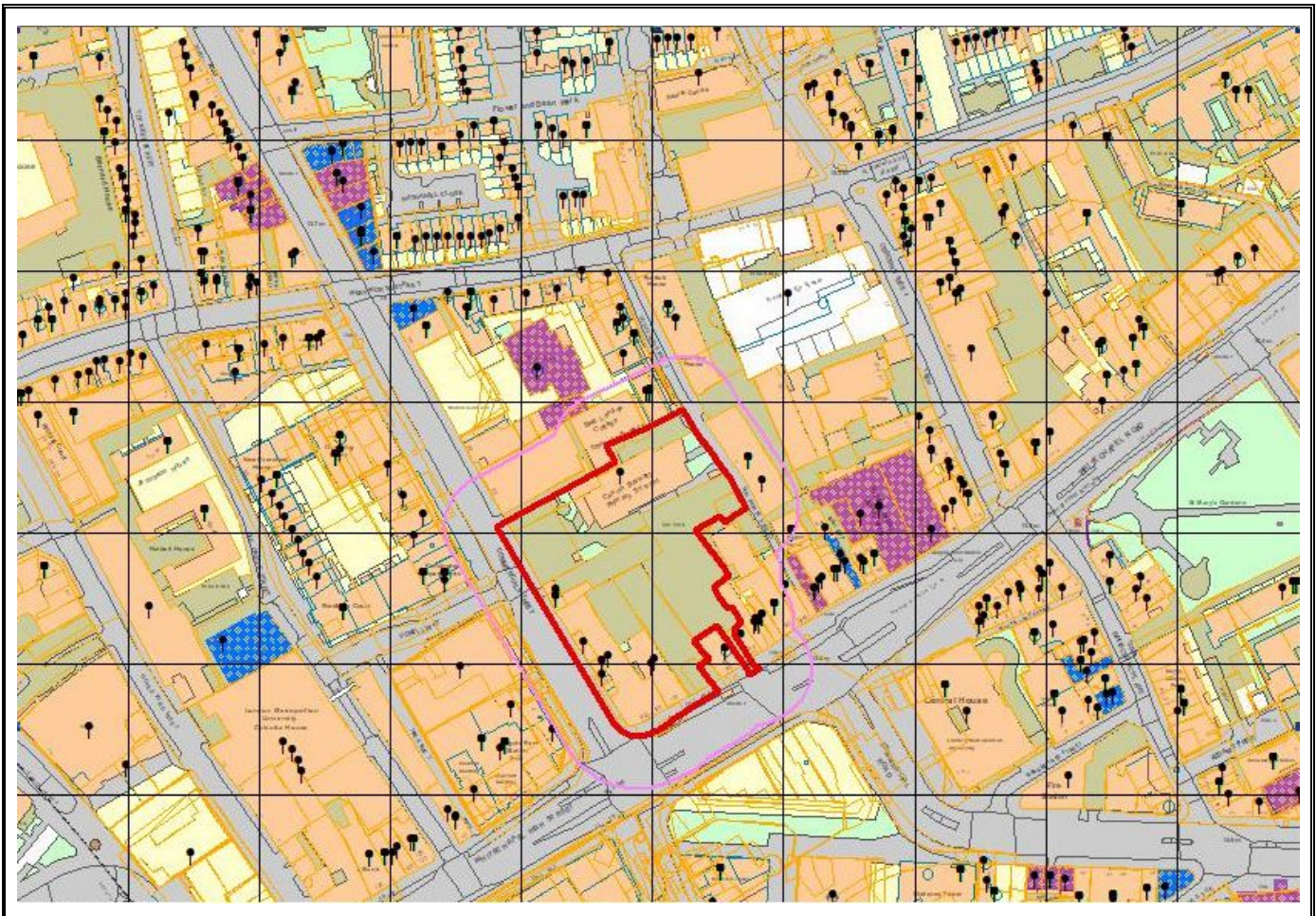
In general policy terms, the construction of an office block in this location is supported due to its location in the CAZ. The use of the ground floor is appropriate as it would provide active frontages to the Whitechapel District Town Centre through the provision of retail spaces (for shops and café outlets) within a general ground floor interior space that will be secured as generally accessible to the public to enjoy.

The affordable workspace offer of 10.7% of the floorspace at a 37% discount, secured through the S.106 agreement for the lifetime of the development is a significant public benefit, going well beyond Local Plan and London Plan policy.








The building is of good design and, whilst it would be a tall building outside of a Tall Building Zone, it would appreciably step down in height relative to adjacent tall buildings and provide a transition to the lower scale of buildings in the Whitechapel High Street Conservation Area. The demolition of buildings that make a positive contribution to the conservation area as well as the scale of the proposed building itself would cause *less than substantial* harm to the Whitechapel High Street Conservation Area and the setting of the Grade II* listed Whitechapel Gallery.

In daylight/sunlight terms, there would be significant impacts to a number of properties surrounding the site. In particular there would be a major impact on flats at 4 Gunthorpe Street and Kensington Apartments from loss of daylight and sunlight. Such impacts are however inevitable with buildings at scale within the CAZ. The new school playground to Canon Barnett Primary School would be significantly more overshadowed than the one in its current location. However this would be balanced against markedly improved air quality to the playground, as it would no longer be adjacent to the heavily trafficked Commercial Street, indeed in effect 'shielded' from that air pollution source by the presence of the proposed new building.

The application is finely balanced. However, officers consider that the public benefits in terms of for the life time of the development affordable workspace, a heritage mitigation s106 contribution of £1 million to secure heritage directed improvements to the facades and shopfronts to neighbouring parts of the conservation area, public realm improvements and the removal of the public car park, (which currently attracts anti-social behaviour) outweigh the identified harm to heritage assets.



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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 	<h3>Planning Applications Site Map</h3> <h4>PA/20/02726</h4> <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</p> <p>London Borough of Tower Hamlets</p>
	Scale: 50m grid squares	Date: 06 December 2020

1. SITE AND SURROUNDINGS

1.1. The Site is approximately 0.67 hectares in size and comprises several adjoining buildings and land uses as follows:

- 102-105 Whitechapel High Street: A four storey building on the corner of Commercial Street and Whitechapel High Street. Its ground floor is in retail use and its upper floors are occupied by a language school (Use Class D1).
- 101 Whitechapel High Street: a five storey building dating from the 1960s with a betting shop on the ground floor and offices above.
- 98-99 Whitechapel High Street: A vacant gap site extending deep within the site along the rear of 2-6 Commercial Street. It has planning permission for a seven storey commercial building with flats above.
- 2-6 Commercial Street: A three and four storey commercial building with retail on the ground floor.
- NCP Car park: An irregular shaped surface level car park for approximately 60 vehicles. Vehicular access is via an undercroft from Commercial Street. There is also a pedestrian access through an alleyway from Whitechapel High Street

- Canon Barnett Primary School: A one and a half form entry primary school occupying a five storey building on the northern edge of the site. The school's playground is adjacent to Commercial Street. Access to the school is via Gunthorpe Street to the east.
- 1.2. The site is bound by Commercial Street to the west and Whitechapel High Street to the south, which are both 'Red Routes', part of TfL's Strategic Road Network. To the east is Gunthorpe Street, a narrow road this is only accessible by pedestrians and cyclists at its southern end. Beyond the site to the south and east are a number of recently constructed tall buildings, including the Crawford Building directly opposite on Commercial Street. The site forms the western end of the Whitechapel District Centre and shops and businesses continue along the Whitechapel High Street frontage to the east. The area to the north is more residential in character though it includes Toynbee Hall with its theatre.
 - 1.3. From a heritage perspective the whole site is within the Whitechapel High Street Conservation Area, but does not include any listed buildings. To the east on Whitechapel High Street is the Grade II* listed Whitechapel Gallery, the Grade II listed Whitechapel Library and the Grade II Listed 88 Whitechapel High Street adjacent to the entrance to Gunthorpe Street. Toynbee Hall is also Grade II listed.
 - 1.4. The site has the highest possible PTAL rating of 6b. It is in very close proximity to Aldgate East tube station and both Whitechapel High Street and Commercial Street have an number of bus routes. Cycle Superhighway 2 follows the route of Whitechapel High Street in front of the site.
 - 1.5. In terms of planning policy designations, the site is within the Central Activities Zone and is identified as a tertiary location for new office development. The site is adjacent to, but not within, the Aldgate Tall Building Zone.

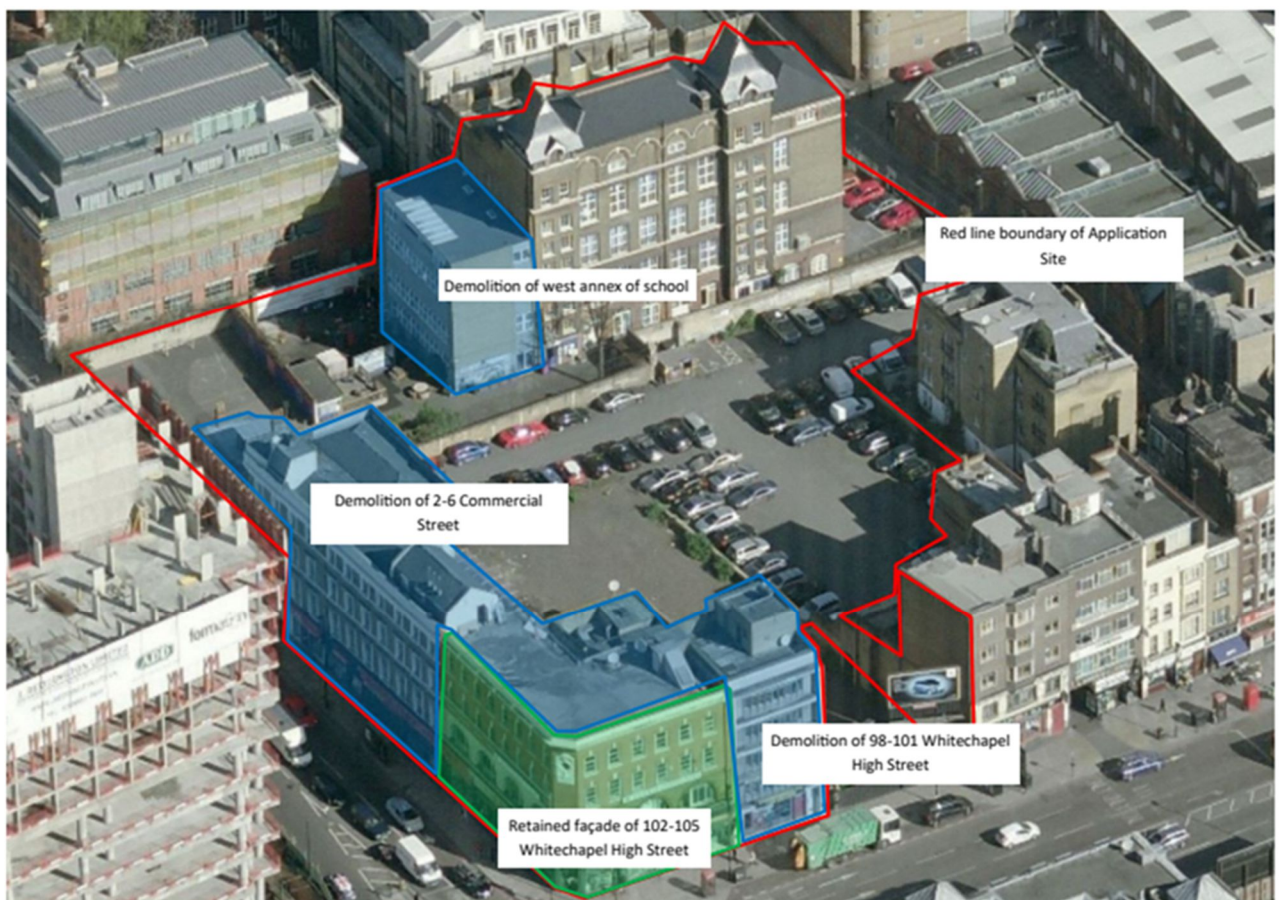


Image 1: Aerial view of site showing elements to be demolished (blue)

2. PROPOSAL

- 2.1 Permission is sought for a new building of up to 14 storeys in height to contain 40,772sqm of Class E (office and retail) floorspace fronting onto Commercial Street and Whitechapel High Street.
- 2.2 The existing buildings at 2-6 Commercial Street, 101 Whitechapel High Street, 102-105 Whitechapel High Street (aside from its façade), the western annexe of the Canon Barnett Primary School would be demolished to make way for the proposal. The existing playground to the primary school would be relocated to the site of the NCP car park, which would cease to operate.
- 2.3 The new building would have 4 storey, 12 storey and 14 storey elements, with the 4 storey section located behind the retained façade at 102-105 Whitechapel High Street. Aside from this section, the building would be completed in a mix of brick, glass and concrete. The upper floors would entirely consist of office space. The ground floor would have a lobby serving the offices and retail units. The building would have an additional three floors below ground providing ancillary facilities such as cycling storage changing rooms and bin storage and additional office space. The existing language school on the site would not be reprovided in the new development. The floorspace mix is set out in table 1 below.

2.4 Table 1: Proposed land uses

Land Use	Existing floorspace	Proposed floorspace
Office (Class E)	319sqm	39,464sqm
Retail (Class E)	2121sqm	1,308sqm
Canon Barnett Primary School (Class F1)	3,107sqm	2,673sqm
Language School (Class F1)	1,819sqm	0
Total	7,366sqm	43,445sqm

- 2.5 A servicing bay would be provided at the northern end of the building accessed via Commercial Street. Two disabled parking spaces would be located in this space. A new area of public realm, made accessible to all and referred to as Canon Barnett Yard, would be created on part of the former car park and accessed via Whitechapel High Street. This space would also provide pedestrian and cyclist access to the rear of the building.
- 2.6 The main entrance to Canon Barnett Primary School would continue to be from Gunthorpe Street, with a new secondary access created from Canon Barnett Yard.



Image 2: View of proposed development from southwest.

3. RELEVANT PLANNING HISTORY

3.1 PA/19/00535 – Approved 03/05/2019 (relates to gap site at 98 Whitechapel High Street)

Erection of building to provide 3 x 1-bedroom duplex flats set over ground to 6th floors plus commercial unit in basement

3.2 PA/18/02615 – Withdrawn 01/06/2020

Demolition of 98 –105 Whitechapel High Street, 2 - 6 Commercial Street and the western annex of the Canon Barnett Primary School; retention of the façade of 102 -105 Whitechapel High Street; to facilitate a redevelopment to provide buildings ranging from ground plus 3 –19 storeys (75.5m), comprising office floorspace (Class B1), retail floorspace (Class A1-A4), educational floorspace (Class D1); relocation and expansion of the existing school playground; associated car and cycle parking, hard and soft landscaping and other associated works.

4. PUBLICITY AND ENGAGEMENT

4.1 The applicant undertook pre-application engagement with the Council and local residents and other relevant stakeholders. The Statement of Community Engagement submitted with the planning application provides a more detailed summary of the consultation to date and ongoing engagement for the future. In addition to this, the applicant presented their proposal at pre-application stage to the Council's Conservation and Design Advisory Panel (CADAP) on 10th August 2020.

CADAP Comments

4.2 CADAP made the following comments on the emerging design:

- The Panel were pleased to see that the latest proposal includes a significant change to the overall scale and massing of the building. They considered this reduction in massing to be a positive move that has improved the scheme.
- Whilst the Panel were pleased with the way that the scheme mediates between the conservation area and a large office building within the City Fringe, there was some concern about the impact of the massing on the adjacent school. To address this the Panel felt that the scheme would benefit from some further reduction in height and massing.
- The Panel also agreed that the scheme could also benefit from some further stepping down of the eastern elevation toward the conservation area, particularly when seen in the view south down Commercial Street.
- The Panel expressed some concern about the materiality and questioned the choice of a glass and steel building in the conservation area. However, members agreed the use of brick on lower parts was appropriate.
- The Panel agreed that the moves to simplify the eastern elevation were a significant improvement from the previous scheme.
- The Panel were encouraged that the scheme was seeking to make the ground floor of the building active, permeable and publicly accessible. However, they questioned how these characteristics could be preserved once the building is occupied. In particular, it was thought the quality of the ground floor may be at risk if the building was occupied by a single tenant. The Panel also asked whether there was any mechanism to prevent a single tenant occupying the whole building.
- The Panel were pleased to see that the scheme includes a recessed corner element on the corner of Whitechapel High Street and Commercial Street. It was thought that this would make an important contribution to pedestrian comfort levels in an area that at present has narrow and usually busy footways.
- The Panel were pleased to hear that the potential wind impacts of the scheme have already been tested. Whilst the Panel were happy with the preliminary results presented to them, they stressed the importance of ensuring the development does not have a detrimental impact on the adjacent public realm and the school playground.
- The Panel raised concern about the degree to which the school playground may be cast in shadow for much of the day by the proposed office building. The Panel encouraged the applicant to give very careful consideration to the impacts on the playground and also on the classrooms.
- The Panel raised questions about the potential energy performance and sustainability of the building. In particular, they questioned how the building would be cooled.
- The Panel noted that the development was aiming for a BREEAM 'excellent' rating, but encouraged the architects to push the performance and sustainability further by achieving an 'outstanding' rating, particularly in light of the architects' track record of achieving a high degree of sustainability on other schemes such as the recent RIBA award winning Bloomberg Building.
- The Panel expressed concern about the crystalline top storeys and the potential light pollution during the evening and night-time hours. They urged the applicants to ensure that the issue of light pollution would be addressed.
- The Panel noted that full public accessibility would not be provided to the roof terrace and that only managed access would be provided for programmed events. The Panel were pleased to note that the applicant is consulting with local organisations such as Toynbee Hall and the Whitechapel Art Gallery in relation to these events. They were of the view that engaging these and other local organisations would be important to the success of the scheme.

- The Panel were excited about the courtyard and agreed it had the potential to be one of the most interesting aspects of the scheme.
- The Panel agreed the 50% increase in the size of the courtyard was a positive step. They explained how they would have liked to see more detail about the treatment and management of this space. The Panel felt greater clarity was needed about how the boundary walls, belonging to properties surrounding the courtyard would be treated.
- The Panel questioned whether the school building was appropriate for continued use as a school and it was suggested that a purpose-built school building may be more suitable. The Panel did note, however, that there are proposals to include the school building in the Whitechapel High Street Conservation Area and that it is considered worthy of retention.

4.3 Neighbouring properties were notified by letter, site notices were placed and the application was advertised in the local press in January 2021.

4.4 218 letters of objection have been received raising the following concerns:

Principle of development

- No need for development of such a scale.
- No demand for offices post Covid
- Plenty of other things could be built that would benefit area
- Very little of social value apart from vague promises of jobs
- Useful local shops would be lost
- There are too many office buildings already
- Language school to be demolished with no replacement facility
- Development would feel like an extension of the City of London
- Retrofit and refurb would be more appropriate
- A development of six floors would be more proportionate.
- There are no public benefits
- There are already lots of empty buildings in the area and this would contribute to the 'ghost town'

Scale, design and heritage

- Area is not zoned for tall buildings
- Harm to Whitechapel High Street Conservation Area.
- Overall height of building only minimally reduced from previous scheme
- All the major historic bodies are in opposition.
- Scale is out of proportion to the rest of the high street
- Building would not be in keeping with conservation area guidelines
- 'Domino effect' of tall buildings destroying the conservation area
- Design and materials not in keeping with conservation area
- Harm to the setting of Listed Buildings, including the Whitechapel Gallery,
- Area should not become a 2nd Elephant and Castle
- Proposal is only 12.92m lower than previous scheme
- No attempt to follow original streetscape except token facadism.
- Recent new development is Aldgate is of dubious architectural benefit
- Harm to unique character of Spitalfields/Whitechapel
- Lower end of Commercial Street would become enclosed and oppressive
- Demolition of sound and attractive historic buildings
- Bland corporate architecture

Highways and traffic

- Junction is very busy and dangerous: development would make this worse.
- Loss of the only public parking in the area, needed for visitors and tradespeople.
- Low pollution walking short cut would be blocked.

- Roads could not cope with additional traffic
- Disruption to the cycle lane along Whitechapel High Street
- Footway too narrow for additional pedestrians
-

Amenity impacts

- Overshadowing and loss of daylight and sunlight.
- Loss of outlook and view
- Loss of privacy due to overlooking from offices
- Noisy and polluting construction works over several years
- Disturbance to people working from home.
- Noise from events on proposed terraces would be disruptive
- Higher energy costs to neighbours needing to keep their lights on longer
- Greater sense of enclosure
- Light pollution
- Loss of views of Canary Wharf

Environmental impact

- Creation of wind tunnel due to height of building
- New public space is small, accessed via a narrow alley with not sunlight
- Carbon impact of demolishing and replacing buildings
- Harm to air quality

Safety risks

- Impact on fire safety of tenders not being able to access school site with loss of Commercial Street entrance.
- Development would cause structural damage to neighbouring buildings

Impact on School

- Loss of light to school
- Playground would be overshadowed.
- Annexe would be demolished but no benefits or replacement proposed.
- Relocated playground would be gloomy and claustrophobic
- Impact on the health of pupils and staff
- Previous offer to school significantly reduced
- Public consultation should not have been done in school holidays
- Playground would be overlooked from new block
- School was not informed of development
- Construction work would disrupt teaching
- School was not informed of application

Other

- Increased gentrification
- Displacement of existing small businesses,
- Applicant has overstated support for scheme
- The only beneficiary would be an offshore company
- Development should have been rejected out of hand
- Loss of light to Toynbee Hall solar panels.
- Harm to working environment of Whitechapel Gallery.
- Lack of community consultation
- Disruption to local businesses
- Proposal is contrary to the Aldgate Masterplan
- Insufficient information to assess Archaeological impact
- Economic gain would be prioritised over social well being
- Development would not contribute to reducing crime

4.3. Cllr. Peter Goulds objects on the following grounds:

- A similar scheme was rejected on a previous occasion.
- The building is overbearing and has no aesthetic value.
- Loss of the historic former the historic Woolworth store that is a fine example of 20th Century architecture.
- Proposal will tower over Toynbee Hall and the Whitechapel Gallery.
- Design for Whitechapel High Street is at complete variance to the existing streetscape.
- Lack of sunlight to 'new' Canon Barnett playground.
- Public open space would be tiny and overshadowed.
- Construction will breach tall building policy. It does not "demonstrate that it will enhance the character and distinctiveness of the area." It will appear as a large, overbearing concrete slab.
- Proposal is contrary to the Aldgate Master Plan and the Conservation Area.

4.4. The Spitalfields Neighbourhood Planning Forum strongly object on the following grounds:

- Development is located outside the Tall Building Zone (TBZ). The applicant refers to a "transition zone" between the TBZ and surrounding areas, but this should be done within the TBZ, not outside it. The TBZ has been implemented following careful research and analysis. It should be fully adhered to here, otherwise it is meaningless.
- Development would not preserve or enhance the conservation area due to the demolition and modification of handcrafted 19th century buildings as the base of a tall, bland slab of offices, massively insensitive to their history and character.
- Harm to the setting of the Grade II listed Toynbee Hall and its recent surrounding redevelopment.
- It is likely there are significant archaeological remains on this site.
- The development is not a significant improvement on the 2018 scheme. It would provide no public benefit at all now that the primary school has been omitted.
- The relocation of the playground away from Commercial Street is welcome and beneficial, but this would be largely negated by overshadowing and wind conditions. Lack of light would affect the health of pupils.
- When the building work is going ahead the primary school will be forced to close because it will have no outside space at all. This could cause a crisis in local school places.
- The development will overshadow over the new gardens at Toynbee Hall and significantly diminish the quality of this public realm in an area of open space deficiency.
- The design makes no attempt to reconcile the enormous scale and massing with the CA in which it sits, or even with the retained buildings that form part of the development. The design lacks any human scale or architectural detail and is wholly inappropriate to the CA.
- The Neighbourhood Plan is at an advanced stage and should be given significant weight. The scheme is in breach of Neighbourhood Plan policies relating to the impact on listed buildings, height and massing and views of Toynbee Hall. .

4.5. SAVE Britain's Heritage object on the following grounds:

- The scheme will cause substantial and unjustified harm to non-designated heritage assets with high individual heritage value to the character of the conservation area. No assessment is made in the plans for how the buildings might be retained, or why their current state or positioning requires demolition. The external character of both buildings remains intact and could be readily incorporated as part of a sensitive redevelopment of this site which also sustains the character of the conservation area.
- The over scaled buildings proposed would cause substantial harm to the character and significance of the conservation area. The loss of significant non-designated heritage assets constitutes an unacceptable erosion of the conservation area.
- The scale and footprint of the buildings would be excessive and unsupported by policy outside the designated Tall Building Zone. The conservation area is defined by its low scale. The height would be four times the prevailing height of the area.
- The extensive demolition proposed would come at a high carbon cost, due to the embodied carbon of the existing fabric set to be lost.

4.6. Toynbee Hall objects on the following grounds:

- There is some reference to community jobs that will be created but it is not clear if the development would contribute to the local economy.
- Development will result in the loss of businesses on site, which are local assets.
- Commercial viability of proposal is doubtful.
- Toynbee Hall's tenants had not been consulted in the planning process, casting community consultation into doubt.
- Loss of light to rehearsal and leased workspaces at Toynbee Hall will potential loss of rental income from these, affecting charity work.
- Toynbee Hall was consulted in 2020 but there has been no further consultation, despite the application suggesting that the developer has continued to seek our feedback.
- Little seems to have changed in regards to the height of the development and the impact that this will have on access to light.
- The building will completely overshadow the proposed new school playground and public space, with a detrimental health effect on the children who use it. Covid-19 has disproportionately affected the health and wellbeing of many local families.
- The developers have retracted their offer to build a new school annexe and provide state-of-the-art equipment and the school no longer stands to benefit from the plans.
- Risk that the lower end of Commercial Street will become enclosed and oppressive.
- We are not convinced that the proposed 'public square' and roof top greening will provide satisfactory and accessible green spaces for local residents and workers.
- Increase in traffic needing to access the new development for deliveries and refuse collection. The junction is already very hazardous for pedestrians and cyclists.
- The development could undermine the positive contributions and changes that Aldgate Connect BID are proposing to make to local cycle schemes and pedestrian safety.
- Proposal will cause great harm to the streetscape and character of the local area and will greatly diminish the setting of local Heritage Assets.
- Precedent will be set for tall buildings within the Conservation Area, detracting from the historic character of the area, dwarf surrounding buildings and fundamentally not respect the 'integrity, rhythm and visual amenity of the street scene'.

4.7. The Whitechapel Gallery strongly object on the following grounds:

- The scheme seriously compromises local heritage assets.
- This bland tower is monstrously out of proportion with the Gallery, the School and Hall and the rest of Whitechapel High Street.
- It will ruin the architectural integrity of a vital part of the East End streetscape.
- The children's playground will be moved into a dark, dank courtyard behind the building with little natural light. This is also the case for the 'public square' which is a tiny yard that will also be in the shadow of the proposed tower.
- Loss of light to the offices of the Whitechapel Gallery, affecting working environment.
- Increased wind at the intersection of Whitechapel High Street and Commercial Street.
- Scheme will further de-humanize a thoroughfare that already suffers from heavy traffic and lack of cleaning.
- The Community Consultation document in the application makes inaccurate claims about engagement with the Whitechapel Gallery.
- Unclear how developer could possibly benefit the UK economy.
- Office development is out of step with our times and unlikely to be commercially viable.
- The area is a destination for cultural tourists from around the world. They do not come to see another glass and steel tower but to enjoy the incredible diversity of architectural styles and small traders that make the neighbourhood so exciting.
- The Borough has established an enlightened policy about creating conservation zones in an area of considerable fragility but also great potential.

4.8. One representation has been received neither supporting nor opposing the scheme, but considering that the scheme should be reduced to a maximum of 10 storeys.

- 4.9. 6 representations have been received in support of the scheme, including from the Business Improvement District (BID) manager, making the following points:
- Car park encourages crime and anti-social behaviour and it's loss is supported.
 - Buildings on site have deteriorated
 - Area will be much safer with development
 - The inclusion of large ground floor areas with cafe/restaurant that the public can use is welcomed.
 - The roof top green spaces should be made accessible to the public
 - New employment opportunities
 - New building will be cleaner and greener
 - New public realm is welcome.
 - Active street frontage is supported.
 - The design will improve passive surveillance, incorporate secured by design features.
 - The proposal will make Aldgate a stronger area. The forward-thinking design will add to the vibrant and organic mix of development in the BID area.
- 4.10. Unmesh Desai, London Assembly Member for City and East has written in support of the scheme on the grounds that the Victorian façade is to be retained and restored, the widening of the pavements, job creation, the delivery of affordable workspace and the construction of a new playground for Canon Barnett Primary School.

5. CONSULTATION RESPONSES

Internal

LBTH Public Health/HIA

- 5.1. The development will be car free and provide 614 long stay employee cycle parking as well as 74 short stay visitor cycle parking spaces. This is an improvement on the current site. The relocation of the school playground away from commercial street should be beneficial in terms of air quality and noise levels.
- 5.2. Promoting neighbourhood cohesion: bold statement on how the scheme will provide attractive retail space and contribute to the improvement of the public realm in the area. It would be good to have more evidence here. However, the scheme will deliver on much needed retail space and offer substantial employment opportunities. Altogether the appearance of the area will improve thanks to the scheme. Secure by design principles will be used. The school has been consulted in the design of the playground. There is slight concern as to whether there will be enough sunlight on the playground.

LBTH Air Quality

- 5.3. The Air Quality Neutral Statement is satisfactory. Conditions are recommended to control air quality standards for boilers, construction plant and machinery and the monitoring of PM10 particulates. Some improvements are recommended to the submitted CEMP.
- 5.4. A key element of the proposed development is the relocation of the Canon Barnett school playground which currently backs on to the heavily trafficked Commercial Street, where pollutant concentrations are very high. As part of the scheme design, the school playground will be relocated and set back approximately 40m from the roadside. The ES states that "there are no predicted significant adverse effects arising from the proposed development, and no further mitigation is necessary". There is concern about this statement, and about the school playground and the pupils' exposure to air pollution, given the fact that children are sensitive receptors for their young age and are at high risk of health problems and that the school is located in an area of high pollution. Even if the playground will be relocated 40m from the

roadside, this would not be enough to protect pupils' exposure to air pollution that would exceed the national objective.

- 5.5. The Council has already improved some schools within the borough, helping reducing air pollution through some living green walls and infrastructure. The Council will also continue to do that during the next couple of years, through projects and funds available to reduce air emissions, and to minimise children exposure to harmful atmospheric emissions. There should be many installations of living green walls or trees all around the playground. A condition should be secured for landscaping of the playground. Conditions should also be secured for air quality standards for boilers, mechanical ventilation to the offices, plant used in construction and the monitoring of PM10 particulates.

LBTH Noise

- 5.6. No objection subject to conditions controlling noise and vibration during construction and details of mechanical plant.

LBTH Contaminated Land

- 5.7. No adverse comments to make on the Environmental Statement (Ground Condition). The Phase 1 GeoEnvironmental report provide sufficient information. A standard ground contamination condition is sought.

LBTH Biodiversity

- 5.8. No objection subject to full details being secured by planning condition of biodiversity mitigation and enhancements

LBTH Energy & Sustainability

- 5.9. The proposals are in accordance with local energy policy requirements for on-site carbon emission reductions and integration of renewable energy technologies. The carbon savings should be secured through submission of a post completion report, including the as built calculations. The final BREEAM certificates should be submitted to demonstrate the delivery of a BREEAM Excellent scheme. The carbon offsetting contribution should be secured through a S106 clause, with payment on commencement of the scheme to enable the council to initiate and deliver the offset projects for when the scheme is occupied.

LBTH Waste

- 5.10. No objection subject to being secured by condition.

LBTH Highways

- 5.11. TfL is the Highway Authority for Commercial Street and Whitechapel High Street. The extent of public highway for which LBTH is the Highway Authority is Gunthorpe Street on the eastern side of the application site.

- 5.12. All servicing for the proposed new commercial development is to take place on site accessed the TLRN or where it is legal and safe to do so, adhering to the parking, waiting and loading restrictions. No servicing associated with the new development should take place from Gunthorpe Street.

- 5.13. The site lies within a high PTAL and as such there should be no associated car parking other than accessible parking permitted. Justification has not been provided for the retention of the existing 6 parking spaces at the school.

- 5.14. Currently, the existing school playground also serves as an emergency vehicle access from Commercial Street where there is an existing, established crossover with adequate gate width and manoeuvrability for all emergency vehicles. Following development, emergency access would need to be to new school playground to the Gunthorpe side of the site. As stated

precisely Gunthorpe Street is an extremely narrow road with limited pavement and is not currently able to safely accommodate a fire tender.

- 5.15. It is essential that the building line on Gunthorpe Street be set back to widen the footway to enhance pedestrian amenity and that a solution to emergency vehicle access is agreed. For any approved application at this site a S.278 agreement will need to be agreed for improvements to the footway, the reinstatement of redundant crossovers to kerb height and to rationalise street furniture and eliminate the unnecessary street clutter.
- 5.16. The level of street furniture on that section of Gunthorpe Street should be rationalised. There is a guard rail which no longer guards an exit, there are redundant crossovers and dropped kerbs which can and should be reinstated to kerb height. There will need to be a S.278 agreement which covers all of the works necessary, including footway renewal.
- 5.17. A full and robust Demolition and Construction Management Plan (DCMP) will be required as a pre-commencement condition. This will need to be submitted to both TfL and T&H for approval prior to any works commencing and once a Principal Contractor has been appointed. Gunthorpe Street is not suitable for construction vehicles.

LBTH Sustainable Urban Drainage (SUDS)

- 5.18. Drainage strategy is acceptable in principle subject to a condition setting out full details.

LBTH Children and Culture (Schools education team)

- 5.19. The Education Department at London Borough of Tower Hamlets has been working with the Governing Body of Canon Barnett Primary School on the removal and re-provision of its teaching accommodation and playground space, in order to develop a feasibility with concept designs that would re-provide the teaching accommodation and the following, as part of proposed the new development at 101 Whitechapel:

1. Replacement of existing playground - the School will be provided with a new playground with the same area of outdoor play space. The new location will reduce pollution to the pupils as it will be re-positioned away from Commercial Street.
2. New Nursery Provision – A separate purpose-built nursery provision with easy access to the playground. This new building will include office space, group rooms, kitchen, toilets, storage etc.
3. New 2-year-old provision – A provision to enable the school to take children from as early as 2 years of age, offering wrap around care. This will help the school to attract new pupils and support working parents in the local community.
4. Improved Emergency Vehicle access - Re-designing the School entrance in Gunthorpe Street, E1, in order to allow comfortable emergency vehicle access.

The Education Department, having now agreed with the School its preferred option, is able to confirm its, in principle, agreement to the Developer's proposal, in so far as it relates to the re-provision and redevelopment of the Canon Barnett School site.

External

Greater London Authority (GLA)

- 5.20. London Plan (2021) on the Central Activities Zone, offices, educational uses, urban design, strategic views, heritage, inclusive design, transport and sustainable development are relevant to this application. The application does not fully comply with the London Plan as set out below:
- 5.21. Principle of development: The redevelopment of the site for an office-led scheme within the CAZ, recognising its importance as an internationally and nationally significant office location

is acceptable in principle in accordance with policies SD4, E1 and E2 of the London Plan (2021). Provision of affordable workspace is welcomed in line with Policy E3 and should be robustly secured by the Council. The relocation of the playground is also welcomed.

- 5.22. Historic Environment: The proposal would result in less than substantial harm to the setting of the Whitechapel High Street Conservation Area and designated heritage assets within it.
- 5.23. Design: The site is not within a defined tall building zone and as such does not comply with Policy D9. There may be local and material considerations to justify a tall building on the site. Further information regarding the visual and environmental impacts of the scheme are required. The applicant should reconsider elements of the building's design to help reduce its massing. A fully compliant fire statement should be submitted prior to Stage 2 referral. The proposals would not have any impact on the strategic views.
- 5.24. Transport: Healthy street improvement opportunities should be identified and secured by the Council. Proposed public realm, pedestrian and cycle improvements on Commercial Street and Whitechapel High Street should be secured by s278 agreement. A contribution of £75,000 is required to extend the existing cycle docking station and should be secured within the s106 agreement. A Delivery and Servicing Plan and full Construction Logistics Plan should be secured by condition.
- 5.25. Environment: Further information is required to assess the risk of pluvial and ground water flooding. The UGF score should meet the minimum specified target of 0.3 for commercial development. Rainwater harvesting should be included. Further information is required on heat pumps, and a Whole Lifecycle Carbon assessment and Circular Economy Statement should be provided. A contribution of £715,350 will be paid towards the borough's offset fund.

Crime Prevention (Metropolitan Police)

- 5.26. Some site specific recommendation are made. A condition is requested to secure compliance to a Secure by Design scheme.

Environment Agency

- 5.27. There are no environmental constraints within the remit of the Environment Agency.

Historic England

- 5.28. Whilst we welcome the amended proposals to situate the tall buildings behind the low scale historic frontage, the contrast in scale and materials between the proposals and existing buildings of Whitechapel High Street Conservation Area would result in harm to the significance of the conservation area. We judge that harm to be less than the previous scheme, but still in the middle of the range of less than substantial harm. In accordance with the NPPF, great weight should be given to the conservation of all designated heritage assets, including conservation areas. Planning permission should only be granted if the decision maker is persuaded that the proposals are clearly and convincingly justified and the public benefits outweigh the harm.

Greater London Archaeological Advisory Service (GLAAS)

- 5.29. The site was the location of the Whitechapel Bell Foundry from at least 1570 until 1738. The site also lies in one of the London Borough of Tower Hamlets' Tier 2 Archaeological Priority Areas (APAs). The Tudor and Stuart bell foundry was a pre-Industrial Revolution site that represents east London's early bell making and bronze founding tradition. It was the documented founder of many of London's church bells, as well as bells at significant churches further across England. Archaeological survival of the bell foundry has not been established through fieldwork. However, if, in common with the excavated foundries of the period investigated elsewhere in London, the foundry works stood in a Tudor basement below contemporary ground level, it may be the case that legible remains of its function and

development have survived beneath the existing basement, which was dug much later. Well-preserved remains of the foundry would be of at least regional significance and thus their management would merit appropriate consideration in decision-the making process. The basement element of the proposed development would result in total loss of any surviving buried remains of the foundry, and also any other archaeology in its footprint, such as Roman burials.

- 5.30. Standing remains of the foundry in the form of structures above contemporary ground level are not expected to survive at the site, but other archaeological remains of the foundry may survive. In the absence of field evaluation results, it is advised that any such archaeological remains could be managed through planning conditions for their excavation and subsequent display and interpretation on site.
- 5.31. Current proposals for heritage benefit are limited to a single interpretation board in the final scheme, which is not proportionate to the archaeological significance or harm involved. The LPA should work with the applicants to acknowledge the important heritage of the site in the final design and public realm of the site, including in the way that the foundry connects with nearby contemporary sites. Should the LPA consider that the public benefits of the application scheme would outweigh the harm caused to buried remains, conditions to secure a scheme of investigation for archaeology and a scheme of permanent heritage interpretation, landscaping and display.

London City Airport

- 5.32. No objections. A condition is requested to secure details of cranes.

National Air Traffic Services (NATS)

- 5.33. The proposed development has been examined from a technical safeguarding aspect and does not conflict with NATS safeguarding criteria. Accordingly there is no safeguarding objection to the proposal.

Thames Water

- 5.34. No objection based on the information provided. The proposal is located within 15 metres of a strategic sewer and a strategic water main. A condition requiring approval of details of a piling method statement is requested. The existing water network infrastructure is unable to accommodate the needs of this development proposal. Conditions are requested requiring upgrades to be completed before the development is occupied and to ensure that no development takes place within 5m of the strategic water main.

Transport for London (TFL)

- 5.35. Access: The design will improve pedestrian accessibility and permeability of the site. Visitor cycle parking is proposed within this courtyard, which will also provide access for employees to/from the cycle reception area proposed at ground floor within the building. This arrangement is considered satisfactory. Access for servicing vehicles and the two proposed disabled spaces will be from Commercial Street for the off-street servicing yard, swept paths has been included. A Stage 1 Safety Audit has been provided, which is satisfactory.
- 5.36. Car and cycle parking: It is welcomed that the site will be 'car free'. All cycle parking shall be designed in line with the London Cycle Design Standards. Shower and changing facilities should also be provided for the office element in line with cycle parking standards.
- 5.37. Healthy Streets & Vision Zero: The Active Travel Zone (ATZ) assessment is generally satisfactory. As the study identified some local improvement opportunities in close vicinity of the site, these would be picked up and delivered when the applicant enters into a S.278 agreement with TfL to deliver its highway/public realm work on the TLRN surrounding the

site's frontage. For improvements opportunity on LBTH's network, the Council is strongly encouraged to secure appropriate contribution/ deliver mechanism.

- 5.38. It is welcomed that the proposal would enable the ground floor retail and office lobby to form part of a permeable ground floor and an enhanced public realm that allows movement through the space during office operating time. This will alleviate pedestrian demand on the surrounding footway by creating an alternative pedestrian route. To address previous concern on over-crowding at the southwest corner of the site, the proposal will enable pedestrian movement between the structure of the building, to improve pedestrian comfort levels on the footway close to the pedestrian crossing. The Council should secure an access agreement with the applicant by S.106 agreement.
- 5.39. The public realm improvements proposed are welcomed. A Pedestrian Comfort assessment has been undertaken. It is expected that with the proposed public improvement, the level of service for the particular section of footway will not be significantly impacted over and above the existing level. Part of the Commercial Street footway will remain with PCL level of C+, which is not ideal; and applicant shall therefore undertake further review to its public realm proposal in order to achieve a betterment of pedestrian environment over and above the existing condition. The applicant shall also consider walking/cycling/public realm improvements to be delivered by other committed developments in the area to allow an integrated approach is adopted. All the proposed public highway improvements should be secured by s278 agreement with TfL.
- 5.40. Arboriculture: While the proposal to place trees as part of the public realm improvement would be supported, the applicant should ensure that it is feasible. There are services/utilities in this area that has prevented tree planting in the past; this should be investigated.
- 5.41. Cycle hire: Given the level of cycle trips expected a financial contribution of £75K is sought toward extending the cycle hire docking station at Central House.
- 5.42. Funding Transport Infrastructure Through Planning: The proposals are supported by a trip generation and mode share assessment. This assessment is considered robust and is therefore accepted. Mode share It is predicted that vast majority of the trips to/ from the proposal will be by sustainable transport modes.
- 5.43. Public Transport: The site is already with a very high level of public transport services; it is therefore considered that the proposal would not give rise to significant adverse impact to existing London Underground and local bus services in Aldgate East area.
- 5.44. London Underground Infrastructure Protection: As the London Underground Sub-surface lines run in proximity of the site, prior approval must be acquired from the London Underground Infrastructure protection team for the design and construction of the proposal.
- 5.45. Delivery & Servicing: It is welcomed that at at-grade on-site service yard will be provided for servicing, access from Commercial Street. A draft Delivery and Servicing Plan (DSP) has been submitted. The final detailed DSP should be secured by pre-occupation condition.
- 5.46. Construction Logistics: A Construction Logistics Plan should be secured by the condition.
- 5.47. Travel Planning: The submitted Framework Travel Plan is in good quality in general, however reference to car club and car sharing shall be removed as the site is of an excellent PTAL area which the need for car travel would be minimal. The finalised Travel Plan should be secured by s106 agreement.

London Underground (Infrastructure Protection)

- 5.48. No objection in principle. There are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. A condition is requested to

secure method statements and load calculations to ensure that there would be no adverse impact on the Underground network.

City of London

- 5.49. No observations to make in response to this proposal.

The Victorian Society

- 5.50. The fundamental reasons for objection to the previous scheme have not been addressed. It is still proposed to demolish several non-designated heritage assets and construct a tall building within the low-rise conservation area. We therefore reiterate our strong objection. Our main concern remains that the scheme disregards the Whitechapel High Street Conservation Area's significance and characteristics. The conservation area is not particularly large, and the site makes up a significant part of it, occupying a prominent location in the local townscape.
- 5.51. The conservation area appraisal notes that "*the area is seen as a definable boundary between the commercial development pressures encroaching from the City to the west, and the historic communities of the east.*" Given the noticeable and explicitly stated distinction between high and low rise in the appraisal, it is highly surprising that a 14-storey building is being proposed on this site. The applicant uses the surrounding development as justification. Yet whilst these developments are within the conservation area boundary, they are clearly separated from its main body and should be viewed as anomalies to its general character rather than as precedents. We note that there has been a 5-storey reduction in floor height since the last iteration of the scheme. However, this has not addressed the crux of the issue, and instead appears as a superficial attempt to assuage height concerns.
- 5.52. The appraisal clearly sets out the characteristics and reasons for the designation of the Conservation Area. The proposed would compromise the boundary between high- and low-rise development, so undermining a key element of the conservation area and its integrity. This would have a wider negative impact on conservation areas in the borough with the precedent being set for development over the protection of key features.
- 5.53. In addition, we stress the contribution to the buildings proposed for total or partial demolition make to the conservation area. These buildings' prominent location and appealing appearance warrant their retention and sensitive treatment. The demolition of 2-6 and façade retention of 102-105 are clearly contrary to this, and therefore objectionable. Furthermore, these are substantial structures within the conservation area, and eminently suitable for refurbishment and reuse. Historic England has produced numerous works on the importance of recycling and reusing buildings as a way of tackling climate change. We would expect the Council to give this due consideration in the wake of their own declaration of a Climate Emergency. There is scope to sympathetically develop the open spaces on the site whilst retaining the existing buildings.
- 5.54. We continue to view the harm outlined above as causing substantial harm to the Conservation Area. As such, the provisions of [2019] paragraph 195 of the NPPF must be heeded for the development to be justifiable. However, these have not been met. Consent should be refused to a scheme which would cause serious harm to a designated heritage asset and set a precedent with negative implications for all of the historical East End.

London and Middlesex Archaeological Society (LAMAS)

- 5.55. The proposed development is a revision to one to which the [LAMAS] Committee objected in October 2018. Despite the opportunity for a complete rethink, the current proposals remain ones that would cause much the same excessive and unjustified harm to the Conservation Area.
- 5.56. The height of the new buildings would be wholly without precedent within the Conservation Area and appears to have been formulated solely with regard to the tall buildings outside the designated area. It is no longer proposed to build a tall glass tower directly above the building

at the junction of Whitechapel High Street and Commercial Street, but its façading and remodelling would be a harmful and unjustified treatment of this prominent historic building.

- 5.57. The special treatment now accorded to the corner building means so much else of the site would be loaded with overly tall blocks. The Committee objects most strongly to the total loss of the adjoining 19th-century buildings at 2–4a Commercial Street, which comprise a pleasing ensemble with 102–105 Whitechapel High Street and contribute to the consistency of building heights along the east side of Commercial Street. The proposed brick skin on the lower levels of the replacement building would be an inadequate substitute.
- 5.58. The Conservation Area Management Guidelines are unequivocal; ‘When planning applications in a Conservation Area are decided, the planning authority will pay special attention to whether the character of the area is preserved or enhanced’. They go on to envisage that new development in the City Fringe ‘must be guided in such a way as to protect the quality and setting of the Conservation Area’. The application fails to protect the quality of the setting and thus should be judged accordingly by Tower Hamlets.
- 5.59. The proposals fail to meet the expectation of the NPPF that new development within Conservation Areas should ‘enhance or better reveal’ the significance of heritage assets. The proposed development neither enhances nor better reveals the historic built environment of the Conservation Area, rather harms and diminishes it.
- 5.60. There has been poor engagement with the archaeological potential of the site, which is within an Archaeological Priority Area. The applicant has failed to demonstrate due regard for this. The proposed development represents one that would be exceedingly harmful to the Whitechapel High Street Conservation Area. An office-dominated development with a significant retail element runs counter to what will surely be lasting shifts arising from the pandemic. Therefore planning permission must be refused.

East End Preservation Society

- 5.61. Object in the strongest possible terms on the following grounds:
- The application has no regard for the history and fabric of Whitechapel, its current character nor its residents.
 - The building would have a huge footprint and overbearing mass.
 - Its height will tower over the existing frontages on Whitechapel High Street and destroy the setting of the Whitechapel Gallery and Toynbee Hall, causing major harm. The developer’s revised plan to step back the tower from the edge of the High Street does little to disguise its enormous bulk.
 - Site is outside the designated Tall Building Zone and inside the conservation area. Commercial Street provides a clear delineation between the soaring office blocks of the City to the West and the smaller-scale neighbourhoods of the East End.
 - Policy D.DH6 states that building heights in the adjacent tall building zone will not be considered to set a precedent for inappropriate heights on adjoining sites.
 - Proposal does not conform to the requirements of the London Plan, Tower Hamlets Local Plan or Aldgate Master Plan, as well as the conservation area guidance.
 - Proposal involves the total destruction of a fine, if rather neglected, terrace at 2-6 Commercial Street and a ham-fisted façade retention scheme at Nos. 101-105 which will do nothing to integrate a slab-sided office block into the existing, fine-grained streetscape.
 - Significant negative impact on daylight and sunlight received by nearby residents as well as Canon Barnett School and its proposed new playground.
 - The proposed new ‘public space’ will be a small yard that is permanently in shadow and will not provide an inviting space to linger.
 - Promises of local jobs and affordable space are seen time and again in these schemes and have a tendency to evaporate once permission is granted.

Spitalfields Trust

- 5.62. The inappropriate and overwhelming size of the development, involving the demolition of historic buildings that make a strong contribution to the character of the Conservation Area means this scheme will cause substantial harm to the character and appearance of this designated heritage asset without justification. Harm will also be caused to the listed Toynbee Hall to the north of the site and its recently-finished public space. The setting of other nearby heritage assets like the Whitechapel Gallery will also be harmed.
- 5.63. Most of the site is within the Conservation Area on the very visible east corner of Whitechapel High Street and Commercial Street, which retains its historic scale unlike the other three corners. The corner buildings are an excellent townscape group, and exactly what the Conservation Area was designated to preserve. Each building is a fine example of its period and worthy of careful restoration.
- 5.64. The boundaries of the Conservation Area have been tightly drawn. The applicant's assessment states that the buildings directly affected are not specifically mentioned in the conservation area appraisal, implying that they are therefore not important to it. However, the appraisal states that the boundary has not included some buildings because they are not historic and do not follow the historic plot pattern. The boundary therefore clearly takes in only buildings worthy of protection.
- 5.65. The heritage and townscape assessment states that the effect on the Conservation Area will be beneficial, yet the predominant height of buildings in the Conservation Area is 4 storeys. We disagree that the harm caused by the sheer scale of the development can be mitigated through design. The development does not reflect the scale and variation of the historic townscape.
- 5.66. The complete demolition of No. 2-4 Commercial Street would be the loss of a building that makes a strong contribution to the Conservation Area. The justification that it has been altered is not relevant as most historic buildings in London have been altered over time. Its repair is part of the history of Whitechapel and is not a reasonable argument to dismiss the building.
- 5.67. 102-105 Whitechapel High Street is a fine building. The proposed treatment, apart from facadism, involves removing the expression of the first floor and dropping the cills of the Diocletian windows to the ground floor to form tall arches. The result is poor; the piers for the arches are too slender in proportion, and the existing, very effective, composition is reduced to meaningless set dressing where the retained skin clearly has no relation to what is behind.
- 5.68. The changes cited as reasons why the existing buildings have been compromised as contributors to the Conservation Area, such as roller shutters, are easily reversible. The buildings themselves are of clear architectural merit and demolition or alteration is not justified.
- 5.69. The public realm proposals leave much to be desired, taking a broad and unspecific approach to important features that need to be retained. The alleyway into Canon Barnett Yard has historic granite setts that should be retained as part of any scheme, though this evocative route is not mentioned in the application's supporting documentation.
- 5.70. The argument for improving the quality of the air of the school playground and so also casting the play area in near-permanent gloom is perverse. This is especially concerning given the low levels of Vitamin D observed in children of Tower Hamlets.
- 5.71. Toynbee Hall and its recently completed landscaped gardens will also be severely affected by loss of sunlight. The scheme will have a dramatic and negative affect on this nearby heritage asset, harming its setting and amenity.
- 5.72. The development works against the historic grain and existing character of the Conservation Area. The tech sector relies upon the flexible and characterful historic urban grain of the East End. Building very large corporate offices with high build costs and rents and large floorplates is deeply questionable. The character of East London has a historical richness made up from streets of lots of different buildings of varied designs on comparatively small plots. This type

of development should not be at the expense of the intricate variety of London's historic streets, especially where conservation areas are designated to protect their character.

- 5.73. There are no real public benefits being delivered by this scheme to outweigh the substantial harm to heritage assets, which will instead harm the amenity of a primary school. The scheme does not achieve the aims of the Local Plan Vision for the City Fringe to protect and enhance heritage assets and preserve urban grain/traditional street pattern. The application site is outside the Tall Building Zone, the boundaries of which have been drawn precisely and for good reason.

Canon Barnett Primary School

- 5.74. The school is content with the proposed disposal of land, currently occupied by the school, and the replacement of lost facilities with alternative land. We hope to work with the Authority to ensure that any negative aspects of the proposed development can be mitigated as far as possible.

Other consultees

- 5.75. The following organisations have been consulted but no response has been received.
- London Fire and Emergency
 - HM Tower of London
 - Natural England
 - 20th Century Society
 - EDF Energy Network

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

- 6.2 In this case the Development Plan comprises:

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

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

Growth (spatial strategy, healthy development)

- London Plan policies: GG1, GG2, GG3, GG4, GG5, GG6, SD10
- Local Plan policies: S.SG1, S.SG2, D.SG3

Land Use (town centre, employment, community use including schools)

- London Plan policies: SD4, SD5, SD6, SD7, SD8, E1, E2, E3, E4, E11.
- Local Plan policies: S.TC1, DS.H1, S.EMP1, D.EMP2, D.CF2

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

- London Plan policies: D1, D2, D3, D4, D5, D8, D9, D10, D11, HC1, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, S.DH5, D.DH6, D.DH7, D.DH9

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

- London Plan policies: D3, D9, D12, D14
- Local Plan policies: S.SG4, D.DH8

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

- London Plan policies: T1, T2, T3, T4, T5, T6, T7, T9
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

Developer Contributions

- London Plan policies: DF1
- Local Plan policies: D.SG5

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

- London Plan policies: G1, G4, G5, G6, SI1, SI2, S13, SI7, SI8, SI12, SI13.
- 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 D.SG3

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

- National Planning Policy Framework (as updated July 2021)
- National Planning Practice Guidance (as updated)
- National Design Guide
- LBTH Planning Obligations SPD (2021)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Character Appraisal and Management Guidelines for Whitechapel High Street Conservation Area (adopted October 2021).
- GLA London View Management Framework SPG (March 2012)
- GLA Planning for Equality and Diversity in London SPG (October 2007)
- GLA Social Infrastructure SPG (May 2015)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)
- LBTH Reuse, Recycling & Waste (July 2021)

6.5 On 27 October 2021, following a decision in Cabinet, the council adopted an updated character appraisal and management plan for the Whitechapel High Street Conservation Area. At the same time Cabinet also agreed to amend the boundary of the conservation area by removing two parcels of land on Whitechapel High Street. Two parcels of land were also added, one including Cannon Barnett Primary School [and playground] and no. 3 Gunthorpe Street and the other including properties on Whitechurch Lane and Manningtree Street. The council's legal team have advised that these changes came into force as soon as the Cabinet decision was made. As a result of these boundary changes more of the application site is now within the Whitechapel High Street Conservation Area.

6.6 The site lies just outside of the area covered by the Spitalfields Neighbourhood Plan and so the policies in this document are not relevant to consideration of the application.

6.7 The following draft guidance is relevant, although it has limited weight:

- GLA Fire Safety London Plan Guidance (draft March 2021)
- GLA Air Quality Positive London Plan Guidance (draft March 2021)
- GLA Urban Greening Factor London Plan Guidance (draft March 2021)
- GLA Energy Assessment Guidance (draft April 2020).

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

Principle of Use

7.2 The site is with a part of the Central Activities Zone designated as a 'tertiary area' for employment purposes. Whilst more peripheral than the Primary and Secondary Preferred Office Locations, Policy S.EMP1 (Creating Investment and Jobs) notes that this area has opportunities for significant provision of office space. A development of predominately office floorspace is therefore acceptable in principle.

7.3 The Use Classes Order no longer makes a distinction between office and retail floorspace, with both now within Class E. However, the applicant's intention to include retail units on the ground floor would ensure that the site would still have active uses contributing to the vitality of the Whitechapel District Centre, of which the site marks the western end. This would be in accord with Policy D.TC2 (Protecting Retail on our Town Centres) of the Local Plan. A condition is recommended to ensure that the new employment space cannot be converted into other uses, such residential, without planning permission to ensure the proper consideration of alternative uses of the site. A further condition would ensure that the floorspace identified as retail on the ground floor would be retained as such so that the site retains an active frontage.

Affordable floorspace and employment

7.4 Policy D.EMP2 requires that all new employment uses should provide 10% of the floorspace as affordable workspace. This is defined as a discount of at least 10% of the indicative market rent for the location. Policy E3 (Affordable workspace) of the London Plan requires that affordable workspace be provided for at least 15 years.

7.5 The development includes 4,215sqm of the Class E floorspace as affordable workspace, amounting to 10.7% of the total. The discount would be 37% of the indicative market rent for a location, a level that has been calculated on the basis of what would best suit and be genuinely affordable for local market conditions in Aldgate. The affordable workspace would be provided for the lifetime of the development.

7.6 The provision of affordable workspace with a discount well beyond the minimum policy requirements, tailored to local need and in perpetuity represents a significant public benefit weighing in favour of the scheme.

7.7 The development would also provide a package of other employment measures. Contributions towards construction and end user training would be provided in line with the formulae set out in the Council's Planning Obligations SPD with 20% local employment and 20% local procurement that would apply during the construction phase, in line with policy. 11 end user and 30 construction apprenticeships would be provided. These measures would be secured through the S.106.

Loss of Class F1 (Education) floorspace)

- 7.8 The scheme would result in the loss of two areas of educational floorspace. The first would be 1,819sqm of floorspace set within 101 Whitechapel High Street and 2-6 Commercial Street. These spaces are currently occupied by a language school. Policy D.CF2 (Existing Community Facilities) of the Local Plan seeks to retain these uses unless it can be demonstrated that there is no longer a need for it or an alternative space can be found. No evidence has been submitted as part of the application to demonstrate that alternative uses have been explored for this unit and no indication has been given as to whether the language school will be able to find alternative suitable premises. However, it is not considered that it should be a barrier to the comprehensive redevelopment of the site provided that sufficient public benefits are provided given there is no compelling evidence within the Local Plan for the need for this space in the Borough to meet this language school educational function.
- 7.9 The second area is a three storey annexe to Canon Barnett Primary School and an associated playground. The playground would be re-provided as part of the land swap and options are being considered for future re-provision of the demolished annexe elsewhere on the school site. This would likely need to be the subject of a future planning application, though the new school facilities would be provided in advance of the demolition of the current annexe. It is noted that neither the Council's Education Department nor the school itself have an objection to this aspect of the scheme. As such the loss of the school annexe would be in accordance with policy D.CF2.

Land swap

- 7.10 Related to the demolition of the school annexe is the land swap, where the Canon Barnett Primary School playground would be replaced on part of the former car park site. As noted elsewhere in the report, this would facilitate improvements in air quality to the playground. The overall outdoor space available to the school would increase from 1,150sqm to 1,203sqm (including existing roof top space) as a result of the development and the principle of the land swap is acceptable.

Existing Ownership Boundaries



Maximising the site potential for the School and Commercial Development

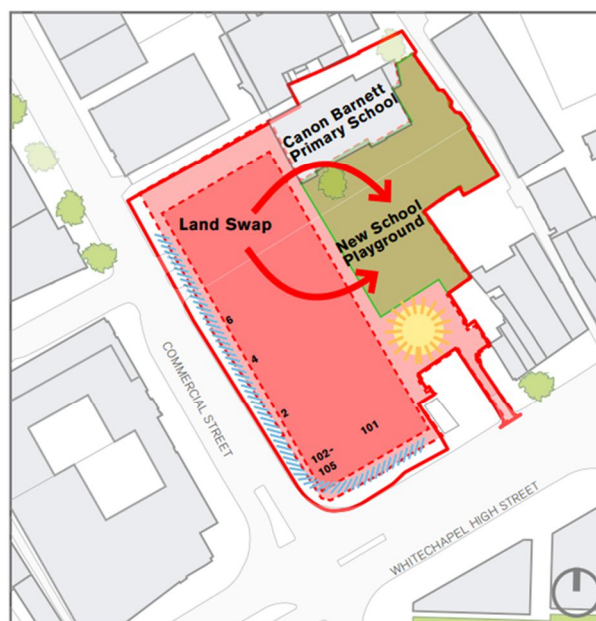


Image 3: Proposed land swap.

Design

Height and the principle of a tall building

- 7.11 As noted above, the site is adjacent to, but not within the Aldgate Tall Building Zone. Policy D.DH6 states that the development of tall buildings should be directed to the designated tall buildings zones. Outside these zones, tall building proposals will be supported provided they can demonstrate how they will:
- a. be located in areas with high levels of public transport accessibility within town centres and/or opportunity area
 - b. address deficiencies in the provision of strategic infrastructure
 - c. 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
 - d. not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.
- 7.12 As the proposed development meets the definition of a tall building in the Local Plan, careful consideration should be given to determining if the above criteria are met to justify a tall building in this location. The site is both within an area of very high public transport accessibility, is in a town centre and the CAZ and so meets the first of the four criteria.
- 7.13 From an urban design perspective, the proposed development in this location does present an opportunity to visually strengthen the legibility of the Whitechapel District Centre. The site is set at the significant junction of Whitechapel High Street, Commercial Street and Leman Street and benefits from Aldgate East Underground Station located on this street junction 30 metres to the west. This junction is currently marked by tall buildings on three of its corners and the proposed development would further reinforce the visual prominence of this junction, through a scheme that seeks to be sensitive to context whilst bringing forward an office use development that complements a wider expansion of large floorplate offices that have gained consent and been built out in recent years, amongst them Aldgate Tower (opposite), Central House (30 metres to the south) and One Braham Street that serves as the new global headquarter building for British Telecom and which has cemented the reputation of Aldgate as an attractive location for tech industries.
- 7.14 The proposed development would not undermine the prominence and integrity of existing landmark buildings and tall building zones, having regard for the tall building cluster principles set out in figure 8 on page 64 of the Local Plan.
- 7.15 The proposed development is immediately adjacent to the Aldgate Tall Building Zone and would be viewed in the context of an existing group of tall buildings in this area. The character of Aldgate has changed fast in recent years following the removal of the road gyratory within the Tall Building Zone, attracting new development of considerable built height and density.
- 7.16 The urban focal point for the area is the coming together of Whitechapel Road/Mile End Road with Commercial Street as the meeting point of important routes from the City to the west and east (to Bow and Canary Wharf/ Isle of Dogs) set alongside the intersection on a north/south axis of Leman Street and Mansell Street running to the south and Tower Bridge) with Commercial Street running to the north and Shoreditch. To the immediate west of the application site old building stock has been replaced in recent years with development of greater massing and height, centred upon the western entrance to Aldgate East Station and Middlesex Street.
- 7.17 The proposal itself steps down in height from the adjacent tall buildings, most significantly in respect of the massing set towards the Whitechapel High Street southern street edge. This helps to soften the edge of the Tall Building Zone and tall building cluster, providing a transition to the lower rise areas to the east. High Street views of the site from the east allows the massing to nestle beneath the height of the Relay Building and would not fill any skyspace in

certain key local views (see Image 4). The scheme would not compromise cluster principle one. It's very close relationship to the group of tall buildings within the Zone would also mean that it would not undermine their legibility as a cluster but would, in fact, complement it and help to reinforce it as they would all be viewed as a single cohesive group. As such the development would not compromise cluster principle two. The development compromise cluster principle three as it does not result in the merging of tall building clusters, because it is very close the edge of one cluster and sufficiently distant from the edge of others.



Image 4: verified view of site looking west on Whitechapel High Street

7.18 The Local Plan doesn't define what strategic infrastructure is in this context. The pedestrian and public realm improvements being of no more than local significance. However, the development would facilitate improvements to the Canon Barnett Primary School including the relocation and physical enhancement of the playground set away from a prime source of air pollution and increase the stock of affordable workspace, which is of strategic significance to the borough. Therefore it is considered on balance that the development would comply with the policy criteria for a tall building outside of a Tall Building Zone.

Scale and massing

7.19 The proposed development would be a large floorplate building that ranges from four to fourteen storeys, reaching at maximum a total height of 62.58m (76.28m AOD). Whilst the development site is immediately adjacent to a number of tall buildings, it also within the Whitechapel High Street Conservation Area, which is characterised by buildings that are typically three to five storeys in height and that exhibit considerably less bulk and mass than the proposed development.

7.20 During the pre-application discussions a significant amount of time was spent exploring the ways in which the articulation of the building volume can be used to break down its bulk and mass. An important element of the current proposal is that the upper part of the building is set back significantly from Whitechapel High Street. This is a considerable improvement from an earlier version of this scheme (the withdrawn planning application PA/18/02615) as it reduces the degree to which the upper floors of the development impose on views along Whitechapel

High Street. It also helps to ensure that the retained historic corner frontage retains its prominence as an important part of the Whitechapel High Street frontage. These improvements including the manner in which both the scale and detailing better respond to site context were acknowledged and welcomed by CADAP. Close attention was given to modulating the form of the top floors of the building, with a number of stepped elements helping to create a more varied and interesting volume.

- 7.21 The upper part of the building is divided into vertical elements using a number of recesses that run the full height of the building. Breaking the building up into vertical elements in this way helps the building respond to the proportions of the historic street frontages found in the Whitechapel High Street Conservation Area. The mass is further broken down through the clear distinction between the base, middle and top of the building. The base is defined by the retained historic frontage along with new masonry elements, again responding to the character of the conservation area. The top of the building would use a capless glazing system that would give this part a lighter weight appearance than the middle section which uses an express metal frame.
- 7.22 Overall, it is considered that the building has been well detailed and designed to modulate the impact of its overall scale and mass. However, it is acknowledged that this building would remain a large building within the context of the Whitechapel Conservation Area and would result in some harm to the character and appearance of the historic environment. This is discussed in further detail below.

Impact on Streetscape

- 7.23 The proposed development would occupy a prominent corner plot at the junction of Whitechapel High Street and Commercial Street, both of these roads are busy thoroughfares with significant pedestrian footfall. The development would reinforce the street frontage at this important corner by filling the vacant site at 97 Whitechapel High Street and by introducing back of pavement building frontage where it is currently absent by the current site of the Cannon Barnett Primary School playground. At present, both of these sites detract from the character and appearance of the development site and the wider area. It is considered that the creation of new building frontages in these areas will have a positive impact by filling in the gaps in street frontage and providing new attractive street frontages.
- 7.24 Except for the gap sites mentioned above, the site, at present, provides a good amount of active frontage. There are nine separate retail units with reasonably open frontages, albeit with inappropriate/unattractive shop fronts. The proposed development would also provide active frontage, although the number of individual premises and entrances would be less, and this may in some aspects reduce activity, although that is liable to be more than compensated for by the increased activity that would flow from the much greater number of people working within the new building and the level of wider public usage that is liable derived from the attractive retail spaces proposed within the ground floor, with anticipated prime focus on eating and beverage outlets. The scheme would provide a high degree of glazed frontage at ground floor level, which would provide a good degree of intervisibility between the indoor activity and the adjacent public realm.
- 7.25 The scheme's relationship to the public realm at ground floor level is a positive one, with a more attractive, consistent and coherent frontage. The ground floor will contain retail units contained within a larger internal ground floor area that will be secured as generally accessible to the public which will ensure both the building ground floor and the surrounding public realm will be busy and well activated throughout the day and early evening to the benefit to the wider area, given the site's prominent street corner location located opposite the entrance to Aldgate Underground Station.
- 7.26 The proposal involves a land swap which would result in the relocation of the Cannon Barnett Primary School playground from its current location adjacent to Commercial Street, to the centre of the plot. This change would mean that the playground would be set away from the busy road, screened from the traffic and to a degree the air pollution that arises from the neighbouring arterial trafficked streets. The relocation of the playground is positive design

move as it strengthens the back of pavement street edge frontage on Commercial Street and provides an improved environmental location for the school playground.

Detailed design and materials

- 7.27 The retention of the Edwardian frontage at 102 to 105 Whitechapel High Street is an important aspect of the proposed development as it helps the scheme integrate with the character and appearance of the Whitechapel High Street Conservation Area. The retained frontage would be refurbished and adapted, with significant amounts of the brickwork and historic features retained. Double height glazed arches would reinforce the prominence of this important corner site and provide the opportunity for improved visual permeability in the façade.
- 7.28 The new base elements of the building would feature masonry cladding, dark metal profiled fins and a large modern glazing units. Overall, this element of the scheme would have a distinctly contemporary appearance, but the materiality and vertical proportions would help it to integrate with the character and appearance of the conservation area.
- 7.29 The façade of the upper storeys containing the office accommodation would be faced with glazing and profiled metal frame and panels. The design and access statement notes that the horizontal arrangement of the glazing is 'reminiscent of the warehouse and light industrial buildings of the area'. However, it should also be noted that the upper floors of the building have more in common with the appearance of contemporary office buildings found in the City than buildings typically found in the conservation area. This is mitigated by the fact that the building would be seen in the context of nearby contemporary office buildings and by the strong base element, which as noted above, integrates visually with the character and appearance of the conservation area.
- 7.30 Overall, the proposed materials are well considered and would result in an attractive development. To ensure that outcome, any planning permission would include a condition requiring further details in relation to the design and choice of facing materials to avoid any dilution of quality during build out. The S.106 would also include an 'architect retention' clause to ensure that the design quality is carried through to the execution of the scheme.

Impact on London View Management Framework

- 7.31 The impact of the proposed development on London View Management Framework [LVMF] view 25A.1 (The Queen's Walk at City Hall) has been considered. THVIA View 10 illustrates that illustrates that the proposed development would not be visible in this view. As such, it would have no impact on this designated view.

Public realm

- 7.32 The development would see the creation publicly accessible space in the form of a modestly sized courtyard, approximately 320sqm in area, set behind the street frontage on Whitechapel High Street. This space would also allow pedestrian and cyclist access to the rear of the new building and to Canon Barnett Primary School. The space would include benches, tree planting and green walls, and would be made available for events and performances. This new public realm would be a modest public benefit of the scheme, public access to which would be secured through the S.106 agreement and the legal agreement would require details submitted for approval of a strategy for community focussed events and performances.
- 7.33 The applicant would allow occasional public access and events on the new roof terrace at 4th floor level above 102-105 Whitechapel High Street. Whilst this would not be public realm as such, the opportunity to enjoy this space is welcome part of the package of benefits from the scheme. A Management Plan for access would be secured by condition.

Heritage

- 7.34 The Council's statutory duty to consider a proposal's impact to listed buildings and conservation areas and their setting is contained in Section 66 and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which is reflected in central, regional and local policy and guidance.
- 7.35 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.
- 7.36 The proposal would involve the demolition of a number of structures in the Whitechapel High Street Conservation Area. Of particular note is the loss of the building at 101 Whitechapel High Street and the loss of a section of terrace at 2 to 4 Commercial Street. 101 Whitechapel High Street is relatively modern and not typically characteristic of the conservation area, although it is of a scale and form that is sympathetic to its general character and appearance of the area. Given that the replacement frontage provided by the new scheme would be of a high-quality design, the loss of 101 Whitechapel High Street is considered to have a neutral impact on the conservation area.
- 7.37 Although they are much altered and feature inappropriate shop fronts, and like other of the buildings to be demolished provide little or no positive visual contribution to the conservation from the rear and viewed from Gunthorpe Street the loss of the buildings at 2 to 4 Commercial Street are considered to have a detrimental impact on the character and appearance of the conservation area. These buildings retain sufficient character to make a positive contribution to the conservation area and, like the Edwardian frontage at 102 to 105 Whitechapel High Street, they could be refurbished and brought back into active use. However, it is noted that the replacement frontage provided by the new scheme would be of a high-quality design, which would be sympathetic to the character and appearance of the conservation area.
- 7.38 As noted above, the completion of missing sections of street frontage along Whitechapel High Street and Commercial Street would have a beneficial impact on the conservation area. Also as noted above, the scale and mass of the proposed development results in some harm to the character and appearance of the conservation area. Examples of views where it is shown that there would be harm to character and appearance of the conservation area are illustrated in the Townscape, Heritage and Visual Impact Assessment [THVIA] as follows:
- 7.39 View 5: Altab Ali Park – this view from an important public space illustrates how the development would result in the further encroachment of modern office buildings into the conservation area.
- 7.40 View 6: Pedestrian crossing at the junction of Osborn Street and Whitechapel High Street - this clearly illustrates the stark contrast in scale and appearance between the modern office development and the historic street frontage and also shows that there would be some harm to the setting of the Grade II* Listed Whitechapel Art Gallery. This is considered to amount to *less than substantial harm*, though at the lower end of scale.
- 7.41 View 7: Pedestrian crossing at the Junction of Commercial Street and Whitechapel High Street - this clearly illustrates the stark contrast in scale and appearance between the modern office development and the historic street frontage. Although, it is also a good example of how the mass of the upper floors has been set back to mitigate this impact.
- 7.42 View 14: Corner of Leman Street and Whitechapel High Street – this clearly illustrates the stark contrast in scale and appearance between the proposed modern office development and the historic street frontage.
- 7.43 Overall, the proposed development is considered to result in harm to the Whitechapel High Street Conservation Area. The harm results from the loss of historic buildings that make a positive contribution to the conservation area and, more significantly, from the introduction of a building with a marked contrast in scale and notably different design and materials to the established character and appearance of the conservation area. This degree of harm is judged to be in the middle range of less than substantial harm and it is noted that Historic England

have reached a similar conclusion. It is also considered that there is also some limited harm to the setting of the Grade II* Listed Whitechapel Art Gallery. There would be no impact on the significance or setting of Toynbee Hall from the development as the development would not be readily visible in the backdrop to this building.

- 7.44 The National Planning Policy Framework [NPPF] states that when considering the impact of a proposed development on a heritage asset, local planning authorities should give 'great weight' to preserving the asset's significance. It also states that any harm or loss should require clear and convincing justification and that where, as in this case, harm is less than substantial, that harm should be weighed against the public benefits of the proposals.
- 7.45 Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.46 Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.47 Paragraph 202 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.48 Many buildings in the conservation area have poorly designed replacement shopfronts and fascia signs that take no account of the host building and the area generally. Upper floors of prominent street frontages also suffer from inappropriate signage and are otherwise in need of improvement. The applicant has agreed to make a contribution of £1 million (secured through the S.106 agreement), to make heritage improvements that would be spent on shop front and street facing frontage set within close vicinity of the application site and located within the conservation area, which would amount to a public benefit to outweigh some of the harm of the proposals. The Borough Conservation Team have undertaken a scoping assessment exercise to identify shop fronts and façade that would individually benefit from such improvement works, taking an approach already adopted by the Council and supported by Historic England in connection with heritage enhancement shop front improvements in the neighbouring Wentworth Street Conservation Area. In addition to other public benefits from employment, affordable workspace and public realm improvements, this would be sufficient to outweigh the harms identified.

Conservation Area Boundary Changes

- 7.49 As a result of the boundary changes, more of the development site would now be located within the Whitechapel Conservation Area, including the area currently occupied by the Cannon Barnett Primary School playground. Due to the proposed development reinforcing Commercial Street by filling in the gap currently left by the playground, the scheme is considered to have a minor beneficial effect on this part the newly designated conservation area.
- 7.50 The Cannon Barnett Primary School itself has been included in the conservation area because it is an impressive example of an early twentieth century school building. Its twin turrets are also considered to be an attractive feature in local views. It is noted above that the development would result in harm to the Whitechapel High Street Conservation Area resulting from the introduction of a building with a marked contrast in scale and notably different design and materials to the established character and appearance of the area. This harm would also apply to the newly designated part of the conservation area featuring the school building. The development would also block a view of one of the distinctive turrets from Commercial Street (across the gap in the frontage cause by the playground). However, as noted above, reinforcing the street frontage would otherwise be of benefit to the conservation area. It is also noted that the blocked view is not an especially attractive view of the turrets, which are best viewed from Gunthorpe Street; a view which would be improved by the proposed development.

- 7.51 Overall, the boundary change it is not considered to materially alter the assessment of the impact on the Conservation Area.

Archaeology

- 7.52 The application site formerly held the Tudor Whitechapel Bell Foundry and below surface remains may still exist. As recommended by Historic England, conditions are recommended to secure an archaeological scheme of investigation and one for a scheme of interpretation.

Neighbour Amenity

- 7.53 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

- 7.54 The proposed building would have a similar relationship with existing residential buildings opposite on Commercial Street as the current development on the site. The rear of the building would be closer to flats at 4 Gunthorpe Street, which face towards the site. However, a sufficient separation distance of at least 27m would be maintained. There are as such no concerns regarding the impact on neighbours from loss of privacy.

Daylight, Sunlight & Overshadowing

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

- 7.56 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.

- 7.57 The ES has assessed the likely significant impact of the proposal on the daylight and sunlight on surrounding residential properties and Canon Barnett Primary School (sensitive receptors). Office and hotel windows are not considered to be sensitive receptors.

- 7.58 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% - 29.9% - Minor adverse
- Reduction of 30% - 39.9% - Moderate adverse
- Reduction greater than 40% - Major adverse

- 7.59 Daylight effects considered to be 'moderate' or 'major' in scale are determined using professional judgement. The ES assumes that a significant effect is either 'moderate adverse' or 'major adverse' in scale (i.e. 'negligible' or 'minor adverse' effects are considered not to be significant in EIA terms).

- 7.60 A daylight/sunlight assessment has been undertaken in support of the application. The assessment has been reviewed on behalf of the Council by Anstey Horne. As well as assessing the impacts in the ES, this reviewed whether any other properties would be potentially affected. One additional unit was identified and confirmed through a site visit (a flat at 96 Whitechapel High Street), with daylight/sunlight data subsequently provided.

Daylight and sunlight summary

7.61 A summary of the results of the impacts under the maximum parameter scheme is set out below:

Table 2: Daylight and sunlight summary

	VSC	NSL	APSH	
	No. of windows/rooms tested		No. of rooms tested	
	1844	909	Other	Winter
			436	436
Negligible	1485	843	373	373
Minor adverse	81	31	8	8
Moderate adverse	86	7	9	5
Major adverse	192	28	43	6

Daylight – likely significant effects

7.62 The following properties were assessed as having only a negligible or minor impact in terms of daylight; 62 and 84a 88, 91a 92-93 Whitechapel High Street, 1a Gunthorpe Street, Aldgate Place – Blocks B and F and 10 Gunthorpe Street.

96 Whitechapel High Street – ‘minor/moderate adverse’

7.63 A single flat at 4th floor level facing north towards the site. There would be a major impact to two of three windows serving the living room but a negligible impact on daylight distribution to this room.

Nagpal House - ‘moderate adverse.’

7.64 A block of flats on the eastern side of Gunthorpe Street with its principal windows facing towards the site. 18 of the 24 affected windows would comply with BRE guidelines for VSC, with the remainder subject only to a minor impact. However, 5 of 12 affected rooms would have significant losses for NSL, with one experiencing losses between 30% and 40% and two experiencing losses in excess of 40%. Notwithstanding the existing high baseline for NSL for most of the rooms, with the worst affected room retaining an NSL above 50%, the overall impact on the block is considered to be moderate (exceeding the minor impact stated in the ES).

112 Whitechapel High Street (Crawford Building) – ‘moderate adverse’

7.65 A mixed use 21 storey building with offices on the lower floors and flats from the 7th floor upwards on the opposite corner to the site on Commercial Street. 16% of the affected windows to the residential part of the building would have a noticeable impact in terms of VSC with the majority of these being major impacts. However, in terms of NSL only 9 of 216 rooms assessed would see a noticeable impact, with 8 of these being only a moderate impact. In essence the amount of glazing serving affected rooms is sufficient to compensate for significant losses in daylight to windows directly opposite the development site. As such, the impact on this block is considered by officers to be moderate rather than the conclusion of a major impact in the ES.

Canon Barnet Primary School – ‘moderate adverse’

7.66 The worst daylight/sunlight impacts identified in the ES are to the 5th floor, though on inspection this part of the building is not occupied. The main frontage of the school is to the south, with the new building perpendicular to it, and those windows closest to the development site serve a stairwell where there is less requirement for daylight. Windows on the west elevation serve

rooms which also have northern facing windows, and so the impact is minimised. It is likely that the impact on this building in the ES is overstated.

90 Whitechapel High Street – ‘moderate adverse’

- 7.67 A terraced building with a fast food restaurant on the ground floor and residential flats above. The rear wing has several windows facing directly towards the site. 10 of the 26 windows assessed for VSC would have a noticeable impact, with two of these a major adverse impact. 4 of 13 rooms assessed for NSL would have a noticeable impact with one having a major reduction in light. The worst impact would be on the lower floors, which are already partially obstructed as the face onto the gap to the neighbouring building in the terrace.

Kensington Apartments – ‘major adverse’

- 7.68 A block of flats on the western side of Commercial Street opposite the existing Canon Barnett School playground. 146 of the 218 windows assessed would be subject to a noticeable loss of light under the VSC test, with 81 of these being subject to a major reduction in excess of 40% of the existing level. Projecting structures such as balconies would contribute to the severity of these losses.
- 7.69 As with the Crawford Building, the impact would be less severe when rooms are assessed for NSL, with 129 of the 148 rooms meeting BRE criteria. Of the affected rooms, the impact on three would be moderate and major for just two, with the extent of glazing compensating for very significant VSC losses to individual windows. It is agreed however that the overall impact on this building would be major adverse.

4 Gunthorpe Street – ‘Major adverse’

- 7.70 A part four part five storey block of flats on the western side of Gunthorpe Street that backs directly onto the NCP carpark, with only a small setback. This is the most severely affected building, with major losses of light for all 32 windows assessed for VSC and all 21 rooms assessed for NSL. There are currently good levels of light to the back of this building, with clear views of the sky across the development site. Any development of scale on the application site would result in a significant impact to these flats given the s

Sunlight – likely significant effects

- 7.71 The following properties were assessed as having only a negligible or minor impact in terms of sunlight; 112 Whitechapel High Street (Crawford Building), 62 Whitechapel High Street, 1a Gunthorpe Street, Aldgate Place (Blocks B and F), 10 Gunthorpe Street, Nagpal House and 90 Whitechapel High Street.

Canon Barnett Primary School – ‘moderate adverse’

- 7.72 Whilst assessed as having a minor impact for sunlight in the ES, the Council’s review considers this to be a moderate impact due to schools being particularly sensitive to sunlight availability.

Kensington Apartments - ‘Major adverse.’

- 7.73 Of 67 rooms were assessed for sunlight within, 40 would meet the BRE criteria for both ASPH and WPSH. Of the 27 rooms affected for annual sunlight, three would experience a minor impact, 6 a moderate impact and 18 a major adverse effect. For WPSH, only three rooms would be affected. As the building is opposite an open area (the current Canon Barnett playground), relative impacts are greater than would be the case if the building were facing existing development of a similar scale and on this basis the ES considered the sunlight impact on these properties is considered to be moderate. However, the Council’s review considers the impact on this building to be major adverse given the importance the BRE guidance places on sunlight to living rooms.

4 Gunthorpe Street – ‘Major adverse’

- 7.74 21 rooms were assessed for sunlight, none of which would meet the BRE’s guidelines for both annual and winter Probable Sunlit Hours. As with the daylight impact on this block, the

development of the application site at any scale would inevitably result in significant impacts on windows to its western elevation. This was considered to be a moderate impact in the ES assessment but the Council's review finds it to be a major impact.

Overshadowing

- 7.75 The most significant impacts in terms of overshadowing would be to outdoor play areas associated with Canon Barnett Primary School. There are three of these spaces; the relocated main playground, a roof top play-space at 4th floor level and a space for younger children to the east of the school building. The latter space would not be significantly affected by the development in terms of access to direct sunlight. The roof-top space would however see a reduction in the area receiving 2 or more hours of direct sunlight on the 21st March (the BRE measure of overshadowing) reduced from 68% to 21%, a major adverse impact. With regard to the main playground, the figures would be 73.7% for its current location reduced to 23.3% for its proposed location. Whilst the two spaces are of different shapes and sizes and are not directly comparable, this would again be a significant reduction.
- 7.76 The impact of overshadowing to Ali Altaib Park has also been assessed and has been found to be negligible. There would be also be a small amount of additional overshadowing to the newly created Toynbee Hall community garden, with the percentage of the area that would see 2 hours of sun on 21st March reduced from 71.7% to 67%. This would still exceed the 50% sought by BRE guidelines and the impact is considered to be very minor.

Solar Glare

- 7.77 No significant impacts for solar glare have been identified in the ES and this conclusion is supported by the review by Temple on behalf of the Council. Solar glare has been reviewed separately by Anstey Horne as part of the Daylight/Sunlight review. This largely agrees with the ES and Temple review apart from one test location where there may be a moderate adverse effect.

Noise and disturbance

- 7.78 The site is located in the Central Activities Zone, where residential would expect to receive a degree of noise disturbance. The removal of the NCP carpark would remove the issues that have arisen on occasion around noise and anti-social behaviour associated with the improper frequenting of this space and would be of benefit to residents immediately adjacent to it and the school community. Whilst school playgrounds are a source of noise, this would only be during the daytime. It should be noted that the proposal relocates an existing school playground rather than creating a new one. The Environmental Statement has determined that subject to control of noise from plant, the proposed building would not lead to an increase in noise compared to the existing situation and a planning condition would be imposed to ensure that outcome.

Construction Impacts

- 7.79 The Council's Code of Construction Practice Guidance require major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how environmental, traffic and amenity impacts attributed to construction traffic will be minimised. The ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction (including a CEMP). It is therefore recommended that planning conditions secure the implementation of an approved detailed CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.
- 7.80 The Council's recently adopted Planning Obligations SPD seeks a contribution of £1 per square metre of development towards Development Co-ordination and Integration. This would assist the Council in managing construction activity both on-site and within the surrounding streets and spaces proactively and strategically across the borough. A figure of £43,459 would be secured from this development according to the formula, via the S.106 agreement

Summary

- 7.81 The most significant impact on daylight/sunlight and outlook to a neighbouring property would be to 4 Gunthorpe Street, which faces directly towards the site. The removal of the existing public car park, and its associated noise and anti-social behaviour, would be likely to be a small compensatory benefit to occupiers of this block given how close the rear elevation to this space. Nevertheless, the overall impact the amenity of residents of this block would be significantly adverse. There would also be a major impact on daylight/sunlight would also be to some of the flats at Kensington Apartments. These impacts should be understood in the context of the site's CAZ location and the fact that such impacts would be inevitable when building at scale on this site.

Transport

- 7.82 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. As described under Site and Surroundings, the site has a PTAL rating of 6b ('excellent') and is well connected with surrounding services.

Vehicular, pedestrian and cycle access

- 7.83 The existing emergency access to Canon Barnett School is via Commercial Street. This would be removed by the development. Consequently it would be necessary to secure emergency access via Gunthorpe Street. At present the width of Gunthorpe Street would prevent easy access for a fire tender. Consequently both the carriageway and the pavement would need to be widened at the expense of the site. An indicative plan has been provided showing the carriageway widened by 0.8m to 2.8m and the pavement widened to 2m. This would be sufficient to enable emergency vehicle access to the new school playground from the east and space on the pavement for mustering in an emergency. The changes would also result in improved public realm and accessibility in Gunthorpe Street for all road users. Full details of this aspect of the scheme, including replacement boundary walls to the school and access gates to the playground would be secured by condition and via a S.278 agreement. The condition would also ensure that the improvements were in place before the removal of the existing emergency access.
- 7.84 A secondary pedestrian access to the school would be provided via the newly created Canon Barnett Yard. This would be welcome as it would ensure that there would not be too much pressure on Gunthorpe Street.
- 7.85 A servicing bay for the development would be created at the northern end of the site. This would be sufficient for the needs of the development. A Road Safety Audit has confirmed that the access would be acceptable.
- 7.86 101 Whitechapel High Street would be opened up at ground floor level on the corner of Commercial Street during office hours to allow passage through the building. This would alleviate some pedestrian congestion at this busy corner and would be a small but welcome public benefit. This would be secured through an access agreement via condition. Various other public realm and access improvements have been identified in the application and an accompanying Active Travel Zone assessment. These would be secured through a S.278 agreement with TfL. The applicant has indicated that they wish to include the addition of street trees to the public highway in front of the site. This is supported in principle by TfL subject to the trees being located not to cause unduly impact pedestrian flow and subject to the position of servicing beneath the existing pavement. These details would also be agreed through the S.278.

Car Parking

- 7.87 No non-blue badge parking would be provided in line with policy D.TR3. The two blue badge parking spaces, one of which would be served by an electric vehicle charging point, would be sufficient for the office floorspace. A car parking management plan securing these spaces would be sought via a condition.

- 7.88 The removal of the existing 84 space public car park is welcome as it would reduce trips by private vehicles in the vicinity of the site; appropriate given the area's exceptionally high public transport accessibility.

Cycle Parking and Facilities

- 7.89 The applicant has undertaken to provide long stay cycle parking in line with the standards set out in London Plan Policy T5 (Cycling). Cycle parking would be provided primarily in the basement, with associated showers and changing facilities. Short stay cycle parking would be provided within Canon Barnett Yard.
- 7.90 A financial contribution of £75,000, secured through the S.106 agreement, would fund the expansion of a nearby cycle hire docking station.

7.91 Other Highways Matters

- 7.92 A robust Construction Environment Management Plan is considered especially important for this development given the proximity to the school. Both this and a Delivery and Servicing Plan would be secured by condition.

Environment, health and sustainability

Environmental Impact Assessment

- 7.93 The planning application represents Environmental Impact Assessment (EIA) 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 Buro Happold.
- 7.94 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.
- 7.95 The Council issued an EIA Scoping Opinion on 07/02/2020. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:
- Transport and transportation
 - Noise and vibration
 - Air Quality
 - Greenhouse Gas Emissions
 - Daylight, Sunlight and Overshadowing
 - Wind Microclimate
 - Socio-economics
 - Townscape, Visual Impact and Built Heritage
 - Climate Change
 - Built heritage
 - Archaeology
 - Effect interactions
 - Likely Significant Effects

- 7.96 The Council appointed Temple Group Consulting to independently examine the ES, to prepare 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 18th April 2021 identified clarifications and potential '*further information*' required under Regulation 25.

- 7.97 In response to the IRR, the applicant submitted an Interim Review Response document dated 12th May 2021, which was reviewed in June 2021. A Final Review Report was produced by the applicant in response to the review on 02nd September 2021.
- 7.98 The ES has informed the planning assessment and relevant issues are discussed in the body of this report and adverse environmental effects have been identified. If planning permission was to be granted mitigation measures could be secured by planning conditions and/or planning obligations as appropriate except where considered unsurmountable.

Health Impact Assessment

- 7.99 The Health Impact Assessment (HIA) supporting the application has been assessed by the Council's HIA officer. The improvements in transport terms are noted, as are the improvements for noise and air quality to the school playground. The impact on daylight/sunlight to the playground is addressed elsewhere in this report.

Energy & Environmental Sustainability

- 7.100 Local Plan Policy D.ES7 requires developments (2019-2031) to achieve the following improvements on the 2013 Building Regulations for 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).
- 7.101 The submitted Energy and Sustainability Statement sets out the proposals to reduce energy demand to deliver the following CO₂ emissions: The energy strategy for the scheme has been undertaken using SAP10 carbon factors, in accordance with GLA guidance, and proposes an electrical based system using air source heat pumps to supply the space heating, cooling and hot water loads. The use of electrical systems allows the scheme to take advantage of future decarbonisation of the electricity grid. The scheme also proposes to install renewable energy generating technologies (235m² PV array) and in general the principles of the energy strategy proposals are supported.
- 7.102 The total on-site CO₂ emission reduction is anticipated to be 43% against the building regulation baseline utilising the SAP10 carbon factors. The proposals are for a 190 tonnes/CO₂ reduction in on-site CO₂ emissions. This results in a carbon offsetting contribution of £715,350 to offset the remaining 251 tonnes CO₂ and achieve net zero carbon. This figure is based on the £95per tonne rate as identified in the London Plan.
- 7.103 Policy D.ES7 also requires that the development meet or exceed BREEAM 'excellent' rating'. The submitted BREEAM strategy shows the scheme is currently designed to achieve a BREEAM Excellent rating, with a score of minimum 77.5%, which is supported and should be secured via Condition.
- 7.104 In summary, the proposals are in accordance with local energy policy requirements for on-site carbon emission reductions and integration of renewable energy technologies. The carbon savings should be secured through submission of a post completion report, including the as built calculations. The final BREEAM certificates should be submitted to demonstrate the delivery of a BREEAM Excellent scheme. The carbon offsetting contribution should be secured through a S106 clause, with payment on commencement of the scheme to enable the council to initiate and deliver the offset projects for when the scheme is occupied.

Waste

- 7.105 The application is supported by a Site Waste Management Plan. This has been reviewed and is considered acceptable. Full details and the implementation of the strategy would be secured by condition.

Biodiversity

- 7.106 Policy D.ES3 requires major developments to provide net gains in biodiversity that contribute to the Local Biodiversity Action Plan (LBAP). The site currently consists of buildings and hard surfaces, with very limited vegetation.

- 7.107 The scheme includes planting on roof terraces at 4th and 12th floor levels as well as in the new public realm. The applicant has agreed to supplement this with biodiverse roofs, a range of native trees and nectar rich planting on the terraces. Nest boxes for swifts and house sparrows would be provided. The proposals would be an improvement in ecological and biodiversity terms compared to the existing situation, which would be a minor public benefit. Full details would be secured by condition.

Flood Risk & Drainage

- 7.108 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage Systems (SUDS). The site is located within flood Zone 1 and therefore has no significant risk of tidal or fluvial flooding. There are surface water flooding risks associated within the wider catchment area.
- 7.109 The submitted drainage strategy sets out proposals to limit surface water discharge in line with the sites greenfield run off rate and sets a discharge rate of 1.0l/s in a 1 in 100year 40% storm event for the commercial building and 0.7l/s for the school grounds. The applicant proposes to achieve this by using a variety of onsite storage techniques such as two below ground attenuation tanks, a blue roof storage system, permeable surfaces, and rain gardens/ tree pits. The commercial building will include a geo-cellular attenuation tank and a blue roof storage system and the school will have a geo-cellular attenuation tank and permeable surfaces. Both attenuation tanks with a flow control device to restrict run off rates in line with the specified discharge rate.
- 7.110 The Drainage Strategy is acceptable. Full details should be secured by condition, including peak discharge rates for all storm events, any associated control structures and their position on site, safe management of critical storm water with storage, details of agreed adoption, monitoring and continued maintenance of drainage and suds features post development.

Land Contamination

- 7.111 As noted by the LBTH Contaminated Land officer, the detail are acceptable subject to a condition requiring a site investigation and remediation work as necessary.

Air Quality

- 7.112 Policy D.ES2 of the Local Plan requires Major development to meet or exceed achieve air quality neutral standard.
- 7.113 The applicant has provided an assessment demonstrating that the scheme would be at least air quality neutral as the removal of the NCP car park would result in an overall reduction in traffic and the proposed heating and hot water system would be based on ai source heat pumps. This has been reviewed and accepted by the Council's ES consultants and Air Quality Officer.
- 7.114 The relocation of the Canon Barnett School playground is part of the proposals, with the justification for this being the improvements to air quality that would result. This would be a significant benefit of the scheme. As noted by the Air Quality officer, this should be accompanied by landscaping to the new playground to further improve air quality. This would be secured by condition, along with details of air quality monitoring, a CEMP, plant emissions during construction, mechanical ventilation to improve air quality to the offices and details of boilers within the development.

Noise

- 7.115 The ES identifies that there would not be a significant effect on noise levels arising from the development, either during construction works or during the operation of the completed development subject to mitigation measures. The closest neighbouring development sites are too far for there to be any cumulative impact on noise from construction work.
- 7.116 Condition s securing a CEMP, a Construction Traffic Management Plan and limits on pant noise would be attached to any permission.

Wind/microclimate

- 7.117 Wind and microclimate conditions following the development have been assessed in the ES. This concludes that the development would have a negligible impacts on wind conditions and microclimate in the public realm and the new school playground. The stepped massing of the proposed building would reduce façade downwash and encourage strong winds to flow around rather than down the building. One location on the 5th floor roof terrace would now be suitable for sitting and the terrace's layout would need to be designed to avoid seating in this area.

Concluding remarks

- 7.118 The application is finely balanced. The development would cause less than substantial harm to heritage assets, including the Whitechapel High Street Conservation Area, and the Whitechapel Gallery. Buildings making a positive contribution to the former would be demolished. There would also be major daylight and sunlight impacts on neighbouring residential properties, in particular those at 4 Gunthorpe Street and the Kensington Apartments, and greater overshadowing to the new playground for Canon Barnett Primary School.
- 7.119 This must be weighed against the public benefits of the scheme, which include a significant contribution to affordable workspace for the lifetime of the development, a heritage mitigation S.106 contribution of £1 million to improvements elsewhere in the conservation area, new and improved public realm, including Canon Barnett Yard, and the removal of the existing public car park with its associated anti-social behaviour. On balance, officers consider that the benefits of the development are sufficient to warrant approval.

Infrastructure Impact

- 7.120 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £4,174,701.09 (exclusive of indexation) and Mayor of London CIL of approximately £6,674,615 (exclusive of indexation). The Tower Hamlets CIL would contribute towards strategic infrastructure requirements to mitigate the impacts of development.
- 7.121 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.
- 7.122 The applicant has agreed to meet all the financial contributions that are sought by the Council's Planning Obligations SPD (2021), as follows:
- £144,312 construction phase employment skills training
 - £1,081,200 end-user phase employment skills training
 - £715,350 towards carbon emission off-setting
 - £75,000 towards an extended cycle hire docking station
 - £ 79,524.95 towards monitoring the obligation
 - £ 40,772 towards Development Co-ordination and Integration

Human Rights & Equalities

- 7.123 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. The proposed new employment space would improve access for jobs and increase employment opportunities.
- 7.124 The application has undergone the appropriate level of consultation with the public and Council consultees. The applicant has also carried out an extensive engagement with the exiting residents on site.
- 7.125 The proposed development would not result in adverse impacts upon human rights, equality or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £144,312 towards construction phase skills training
- b. 1,081,200 towards end-user phase employment skills training
- c. £715,350 towards carbon emission off-setting.
- d. £40,772 towards Development Co-ordination and Integration
- e. £75,000 towards cycle hire docking station extension
- f. £79,524.95 towards monitoring the obligation

Non-financial obligations:

8.3 Non-financial obligations

- a. Access to employment
 - 4215sqm (GIA) (10.7% of total) of class E floorspace to be 'affordable' workspace at 37% discount from market rents for the lifetime of the development.
 - 20% local procurement
 - 20% local labour in construction and end use occupiers.
 - 30 construction phase apprenticeships
 - 11 end use apprenticeships
- b. Transport
 - Provision and implementation of travel plan.
 - Securing of S.278 highways work
- e. Open space and public realm
 - Provision of Canon Barnet Yard as a public space and retaining public access to internal ground floor area
- f. Other
 - Compliance with LBTH code of construction practice
 - Architect retention
 - Completion of school improvement works

8.4 Planning Conditions

Compliance

1. 3 year time limit
2. Development in accordance with approved plans.
3. Restriction Restrictions on demolition and construction activities:
 - o All works in accordance with Tower Hamlets Code of Construction Practice;
 - o Standard hours of construction and demolition;
 - o Air quality standards for construction machinery;

- Ground-borne vibration limits; and
 - Noise pollution limits.
4. Removal of existing or future permitted development rights to change the use of the approved Class E floorspace to housing
 5. Restrictions to ensure retention of identified retail space within ground floor for retail/café use purposes and not for other uses falling within Class E
 6. Minimum emissions standards for boilers.
 7. Minimum ground floor space to be used for retail
 8. All works in accordance with Tower Hamlets Code of Construction and adoption of best practicable means:
 - a) Ground-borne vibration limits, including vibration monitoring; and
 - b) Noise pollution limits.
 - c) Liaison with occupants of adjacent properties

Pre-commencement

9. Details of the widening of Gunthorpe Street to enable emergency access
10. Submission and approval of surface water drainage scheme (SuDs)
11. Construction Method for impact on London Underground (In consultation with LU)
12. Piling Method Statement (in consultation with Thames Water)
13. Archaeological Written Scheme of Investigation (Historic England GLAAS).
14. Requirement for PM10 air quality monitoring during construction
15. Approval of details of construction plant and machinery
16. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
 - a) Site manager's contact details and complaint procedure;
 - b) Dust and dirt control measures
 - c) measures to maintain the site in tidy condition, disposal of waste
 - d) Recycling/disposition of waste from demolition and excavation
 - e) Safe ingress and egress for construction vehicles;
 - f) Numbers and timings of vehicle movements and access routes;
 - g) Parking of vehicles for site operatives and visitors;
 - h) Travel Plan for construction workers;
 - i) Location and size of site offices, welfare and toilet facilities;
 - j) Erection and maintenance of security hoardings;
 - k) Control of dust during construction works
 - l) Construction site plant and machinery
17. Land Contamination Remediation

Pre-superstructure works

18. Details of a scheme of mechanical ventilation to the office floorspace.
19. Details of external facing materials and architectural features, including:
 - Fenestration
 - Samples of external materials
 - Entrances
 - External plant, plant enclosures and safety balustrades
 - External rainwater goods, flues, grilles, louvres and vents
20. Details of works to the public realm, including tree planting, seating, paving etc.
21. Details of new school playground, including landscaping and green walls.
22. Details of biodiversity improvement measures, including green roofs
23. Details of waste management strategy
24. Details of Secured by Design measures.
25. Details of cycle parking (including short stay parking) and associated facilities and subsequent delivery)
26. Securing of BREEAM 'Excellent' rating.

Prior to occupation

27. Public access to pedestrian link at corner of Commercial Street and Whitechapel High Street.
28. Scheme of permanent historical interpretation and display.
29. Delivery and Servicing Management Plan.
30. Management Plan for (occasional) public access to roof top space
31. Car parking management plan, including EVCPs.

Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Application Drawing No.	Revised Drawing No.	Description
A-031-00-00	00	Ground floor general arrangement
A-031-01-00	00	General arrangement plan level 01
A-031-02-00	00	General arrangement plan level 02
A-031-03-00	00	General arrangement plan level 03
A-031-04-00	00	General arrangement plan level 04
A-031-05-00	00	General arrangement plan level 05
A-031-06-00	00	General arrangement plan level 06-09
A-031-10-00	00	General arrangement plan level 10-11
A-031-12-00	00	General arrangement plan level 12
A-031-13-00	00	General arrangement plan level 13
A-031-14-00	00	General arrangement plan level 14
A-031-B1-00	00	General arrangement plan basement level B1
A-031-B2-00	00	General arrangement plan basement level B2
A-031-B3-00	00	General arrangement plan basement level B3
A-031-RF-00	00	General arrangement plan roof level
A-053-01-00	00	General arrangement section 01
A-053-02-00	00	General arrangement section 02
A-053-02-00	00	General arrangement section 03
A-064-01-00		General arrangement west elevation
A-064-02-00		General arrangement south elevation
A-064-03-00		General arrangement east elevation
A-064-04-00		General arrangement north elevation
A-199-XX-01	00	Cladding and external wall systems retail unit and loading bay
A-199-XX-02	00	Cladding and external wall systems – lobby entrance
A-199-XX-03	00	Cladding and external wall systems - retail south entrance
A-199-XX-04	00	Cladding and external wall systems- retained façade west elevation
A-199-XX-05	00	Cladding and external wall systems -retained façade south elevation
A-199-XX-06	00	Cladding and external wall systems – east elevation
A-199-XX-07	00	Cladding and external wall systems – east elevation
A-199-XX-08	00	Cladding and external wall systems -north elevation
A-199-XX-09	00	Cladding and external wall systems – north elevation
A-199-XX-10	00	Cladding and external wall systems - core
A-199-XX-11	00	Cladding and external wall systems -typical terrace details
A-199-XX-12	00	Cladding and external wall systems – typical office details west elevation
A-199-XX-13	00	Cladding and external wall systems -typical office details south elevation
A-199-XX-14	00	Cladding and external wall systems – typical office details – west elevation
A-199-XX-15	00	Cladding and external wall systems - typical office details south elevation

Application Drawing No.	Revised Drawing No.	Description
A-199-XX-16	00	Cladding and external wall systems - typical office details – west elevation
A-199-XX-17	00	Cladding and external wall systems - typical office details south elevation
A-EXSL-011-XX-01		Existing site layout masterplan demolition
A-EXSL-014-01-00		Existing site layout west elevation
A-EXSL-014-01-01		Existing site layout masterplan demolition west elevation
A-EXSL-014-02-00		Existing site layout south elevation
A-EXSL-014-02-01		Existing site layout masterplan demolition south elevation
A-EXSL-014-03-00		Existing site layout east elevation
A-EXSL-014-03-01		Existing site layout masterplan demolition east elevation
A-EXSL-014-04-00		Existing site layout north elevation
A-EXSL-014-04-01		Existing site layout masterplan demolition north elevation
A-LO-011-EX-01		Site Location Plan
A-LO-011-XX-01		Proposed site plan
A-LO-011-XX-02		Existing site plan
A-LO-011-XX-03		Site layout masterplan plot separation

Other application documents

Document	Author
Design and Access Statement	Foster and Partners
Planning Statement	DP9
Energy and Sustainability Statement	Buro Happold
Statement of Community Involvement	Quattro
Transport Assessment	Buro Happold
Waste Management Plan	Buro Happold
Construction Logistics Plan	Buro Happold
Environmental Statement	Buro Happold

