

**Application for Planning Permission**[click here for case file](#)**Reference**                      PA/21/02377**Site**                              Aberfeldy Estate, Phase A, Land to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the south west of Abbott Road.**Ward**                              Lansbury**Proposal**                      Hybrid application seeking detailed planning permission for Phase A and Outline planning permission for future phases, comprising:

Outline planning permission (all matters reserved) for the demolition of all existing structures and redevelopment to include a number of buildings (up to 100m AOD) and up to 139,629sqm (GEA) of floorspace comprising the following mix of uses:

- Residential (Class C3);
- Retail, workspace, food and drink uses (Class E);
- Car and cycle parking;
- Formation of new pedestrian route through the conversion and repurposing of the Abbot Road vehicular underpass for pedestrians and cyclists connecting to Jolly's Green;
- Landscaping including open spaces and public realm; and
- New means of access, associated infrastructure and highway works.

In Full, for residential (Class C3), retail, food and drink uses and a temporary marketing suite (Class E and Sui Generis), together with access, car and cycle parking, associated landscaping and new public realm, and open space.

This application is accompanied by an Environmental Statement.

**Summary**                      Grant planning permission**Recommendation****Applicant**                      Aberfeldy New Village LLP**Architect/Agent**              Levitt Bernstein/Morris & Co/DP9**Case Officer**                  Nelupa Malik

## Key dates

- Application registered as valid on 10/11/2021
- Letters sent to neighbours on 30/11/2021
- Press date 02/12/2021
- EIA Reg 25 consultation 04/05/2022
- EIA Reg 25 press date 12/05/2022
- Amended scheme consultation 04/05/2022
- Amended scheme press date 12/05/2022
- EIA Reg 25 consultation 04/07/2022
- EIA Reg 25 press date 07/07/2022
- EIA Reg 25 consultation 03/11/2022
- EIA Reg 25 press date 03/11/2022
- Amended scheme consultation 03/11/2022
- Amended scheme press date 10/11/2022

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## EXECUTIVE SUMMARY

The application site comprises the northern section of the Aberfeldy Estate which is bounded by the A12 Blackwall Tunnel Northern Approach to the west which runs north-south, A13 East India Dock Road to the south and runs east-west and Abbott Road to the north-east. The application site area covers 9.08 hectares.

The application proposes the comprehensive estate regeneration of this part of the Aberfeldy Estate involving the demolition of 330 existing dwellings comprising of 252 existing Social Rent tenants and 78 Leaseholder/Freeholder properties. The application has been submitted as a joint venture application between Poplar Harca and Ecoworld who have formed the Aberfeldy New Village LLP; the Applicant for this planning application.

This application seeks planning permission to deliver up to 1,582 residential units – Phase A as Full/Detailed permission and the remaining phases in Outline. The scheme will also provide retail, workspace and food and drink uses (Class E) including the replacement of the Aberfeldy Street Neighbourhood Centre. A temporary marketing suite is also proposed within Phase A.

The application has undergone several rounds of public consultation and in total 1046 representations have been received of which 939 representations were submitted in favour of the proposals and 97 representations submitted against. A petition against the proposals has also been submitted which initially comprised 583 signatures however this has been updated by a further 728 signatures following amendments to the planning application in October 2022.

In land use terms, the site falls within the Poplar Riverside Opportunity Area where residential use is promoted. The provision of new housing will contribute to the broader regeneration of this Opportunity Area and assist in the delivery of new housing and as such the residential-led development is considered to be acceptable in principle. The Applicant had undertaken a ballot exercise whereby residents voted in favour for the regeneration of the estate and therefore this meets with GLA strategic policy with regards to estate regeneration.

Based on the detailed component and the maximum Outline parameters, the application proposes 1,135 homes in the Market tenure, 79 homes in the Intermediate tenure and 368 homes in the Affordable Rent/Social Rent tenure. There would be a range of unit sizes and occupancy levels across all three tenures and the overall unit mix will result in departures from the preferred unit mix as set out in the Local Plan. However, the proposals seek to maximise the provision of larger family units in the affordable rented tenure.

The scheme proposes 38.8% affordable housing based on habitable rooms of which 15.3% would be re-provision and 23.5% would be an uplift in affordable housing. The affordable housing has been modelled on an illustrative scheme comprising up to 1,556 units (4,405 habitable rooms). The Applicant has submitted a Financial Viability Appraisal accompanying the planning application that demonstrates that overall, 38.8% would be the maximum reasonable amount of affordable housing that could be provided. The Council's Viability Team have robustly reviewed the Financial Viability Appraisal and agree that the affordable housing offer is the maximum reasonable amount that can be delivered by the scheme.

Based on an illustrative scheme modelled to assess Affordable Housing, the tenure split for the affordable housing would be 89.2%:10.8% in favour of Social Rent/Affordable Rent to Intermediate which would not therefore be a policy compliant split. However, Officers acknowledge that there is a pressing need for Social Rent homes in this Borough and the proposed split has been supported by the Affordable Housing Team.

The development would meet Development Plan standards for internal floorspace, communal amenity space and private amenity space. The scheme will also deliver policy compliant levels of wheelchair accessible or adaptable housing designed to Part M4(3) standards equating to 10% and the remaining 90% of units will be designed to Part M4(2) standards in accordance with Local and National policy requirements.

The scheme does not provide a policy compliant level of children's play space; proposing only 2,937sqm of dedicated play across all ages against a policy target of 7,710sqm. However, the scheme proposes a combination of dedicated play and playable landscape which in total would equate to 7,600sqm. Whilst the provision of dedicated play space falls significantly short, Officers consider that the combined strategy of dedicated play and playable landscape overall would provide stimulating environments weaved into areas accessible by all members of the community and as such on balance Officers accept the play strategy proposed.

The proposals comprise a number of tall buildings with the tallest building reaching 100m AOD and 28-storeys in height. The site lies outside of a Tall Building Zone (TBZ) and therefore tall buildings must comply with and be justified against Parts 1 and 3 of Policy D.DH6 of the Local Plan. The principle of tall buildings outside of a TBZ has been accepted as the scheme proposes the delivery of strategic infrastructure improvements by repurposing the Abbott Road vehicular underpass for pedestrians and cyclists and improving east-west connections.

The height, scale and massing of some of the buildings proposed within Phase B of the development will result in material reductions to daylight and sunlight received to neighbouring buildings. Revisions have been submitted that remove a proposed block to improve outlook and the immediate environment adjacent to the affected properties. The site falls within an Opportunity Area, and the densities proposed would meet the National planning policy objective of significantly boosting the supply of housing and optimising housing delivery. As a consequence, where higher density developments are proposed, reductions in daylight and sunlight to neighbouring properties would normally be expected and are balanced against the wider regeneration benefits arising from a scheme.

The site does not fall within a Conservation Area nor does it include any listed buildings and Officers consider that the proposal will not materially impact on the setting of any heritage assets likely to be affected by the proposal including Balfron Tower, Carradale House, Glenkerry House, Bromley Hall School and the Balfron Tower Conservation Area.

The scheme would deliver high-quality architecture, public realm and landscaping and biodiversity net gain which is supported and welcomed by Officers. The scheme would also deliver an on-site reduction in carbon dioxide emissions of 47.1% within the Detailed component of the scheme and 61.2% reduction in carbon dioxide emissions for the Outline component of the scheme with the remainder to zero carbon to be offset through monetary contributions as detailed in this report. The non-residential components of the scheme will achieve a BREEAM rating of 'Excellent'.

The scheme proposes a number of significant strategic transport infrastructure interventions within the site to enhance east-west connections including repurposing the Abbott Road vehicular underpass for pedestrian and cyclists only and providing a new bus gate at the junction of Abbott Road with the A12 to allow buses to join the A12. The development also proposes to close the existing pedestrian underpass that runs parallel to the Abbott Road vehicular underpass. The environment around the eastern entrance of the Dee Street pedestrian underpass that leads to Balfron Tower will also be improved. The movement and transport strategy is supported with the changes to the underpass presenting a significant opportunity to reduce the severance of the A12 road and improve community cohesion.

The development will provide 3,573sqm of new public open space and relies on improving existing areas of public open space namely; Jolly's Green, Leven Road Open Space and Braithwaite Park, to meet the needs of the increased residential density. Officers acknowledge that it would be

difficult to provide any additional public open space without fundamentally compromising the viability and design of the scheme. Having regard to the quality of the proposed new space and improvements proposed to existing areas of public open space and the placemaking principles proposed for the new public open space areas, this would not be a sustainable reason for refusal.

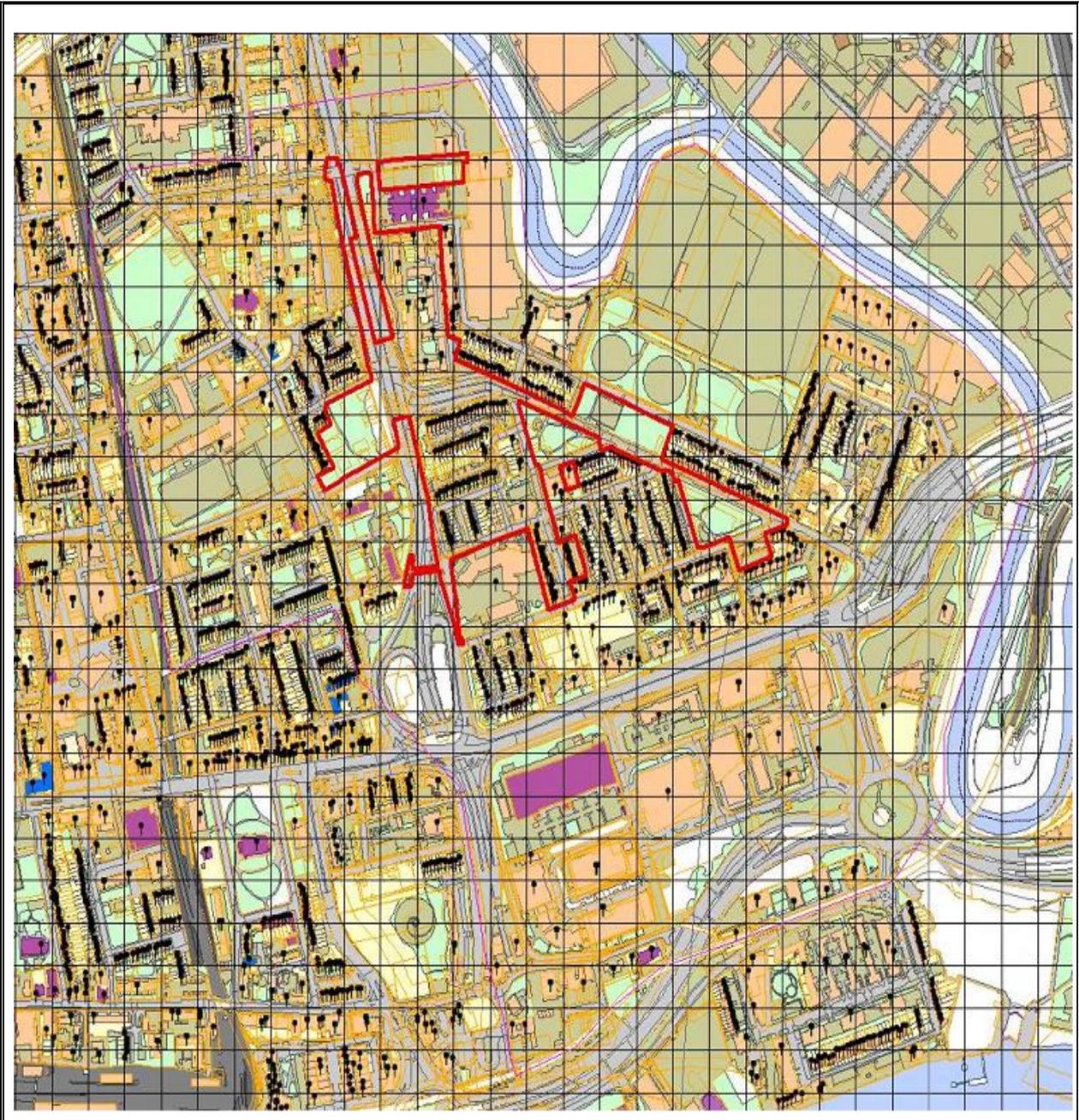
The site has a low to good Public Transport Accessibility Level (PTAL) of between 1b-4 and the proposal would be 'car lite' providing up to a maximum of 80 parking spaces for permit parking, 50 accessible parking spaces and 4 car club spaces. The 'car-lite' nature of the development is supported. Cycle parking will also be provided in accordance with London Plan requirements. .

The application has been accompanied by an Environmental Statement (ES), which has been reviewed by Council Officers in conjunction with Temple and has been found to be adequate.

Overall, the application has been assessed against the Development Plan comprising of the Council's adopted policies contained within the London Borough of Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (January 2020) and the London Plan 2021, the National Planning Policy Framework and all other relevant material considerations

There are aspects of the proposals that would not comply with detailed policies in the development plan. However, taken as a whole and giving weight to the considerable benefits arising from a comprehensive approach to regeneration, housing delivery, improvements to connectivity, place-making and viability, officers recommend that planning permission should be granted subject to conditions, planning obligations and any direction by the Mayor of London.

**SITE PLAN:**

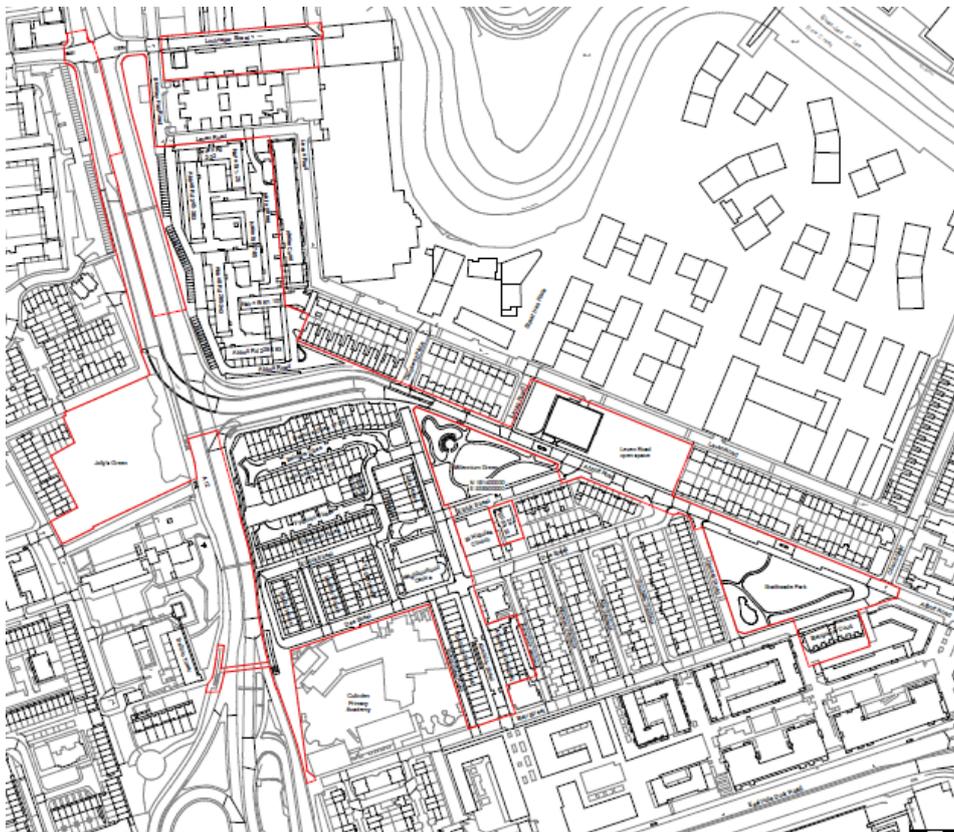


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<ul style="list-style-type: none"> <li> Planning Application Site Boundary</li> <li> Other Planning Applications</li> <li> Consultation Area</li> <li> Land Parcel Address Point</li> <li> Locally Listed Buildings</li> <li> Statutory Listed Buildings</li> </ul>	<p><b>Planning Applications Site Map PA/21/02377</b></p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p><b>TOWER HAMLETS</b> London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 23<sup>rd</sup> February 2023</p>

## 1. SITE AND SURROUNDINGS

- 1.1 The application site measures 9.08 hectares and comprises the northern section of the Aberfeldy Estate, which is bound by the A12 Blackwall Tunnel Northern Approach to the west which runs north-south, A13 East India Dock Road to the south and runs east-west and Abbott Road to the north east. Abbott Road is the principal link through the site that connects the A12 and A13 and the northern approach of Abbott Road leads to a vehicular underpass that connects the estate to the A12 heading north towards Bromley-by-Bow. There is no right turn into Abbott Road for northbound traffic on the A12 Blackwall Tunnel Northern Approach. Further east and beyond Abbott Road lies the River Lea/Bow Creek. Just north of the Aberfeldy Estate and south of Leven Road lies the Nairn Street Estate which is included in the application boundary. Directly west of the Nairn Street Estate and parallel to the A12 is the Poplar Works development which comprises a series of converted garages providing studio space for small businesses predominately in the fashion industry. The Aberfeldy Estate and its environs is predominantly residential in character, historically comprising post war housing and 1970's infill social housing dominating the estate with later recent additions. Buildings across the historical estate range between 2-4 storeys in height.
- 1.2 To the west of the wider site lies Culloden Primary School and a pedestrian underpass that travels from Dee Street within the estate, under the A12 towards the Brownfield Estate and the Grade II\* Listed Balfour Tower. Other non-residential buildings weaved into the estate include Aberfeldy Neighbourhood Centre; a single storey community centre and St Nicholas Church and are located directly on the eastern and western sides of Aberfeldy Street respectively. The southern portion of Aberfeldy Street forms Aberfeldy Street Neighbourhood Centre consisting of 3-storey buildings with ground floor commercial with residential above. The Neighbourhood Centre has in recent times been transformed with murals painted onto the façade of the buildings inspired by kantha (patchwork cloth/embroidery) patterns. Adjacent to and east of St Nicholas Church and fronting Ettrick Street is The Aberfeldy GP Practice which is a 2-storey building. To the north of the Nairn Street estate lies the vacant Bromley Hall School; a Grade II Listed building. Directly north of Bromley Hall School and south of Lochnagar Street is a grassed rectangular shaped strip of Council land which is included in the application boundary. The proposed application red-line boundary for the site can be seen in the site location plan below.



**Figure 1:** Site Location Plan and Red Line Boundary

1.3 It can be seen that included within the red-line boundary are the following:

- All areas of land currently occupied by existing residential dwellings identified to be demolished in the submitted Demolition Plan (Appendix 1 to this report) including the Nairn Street Estate.
- Abbott Road and Abbott Road vehicular underpass.
- Aberfeldy Neighbourhood Centre, Aberfeldy Street.
- 2a Ettrick Street (The Aberfeldy Practice: Existing GP surgery).
- Rectangular strip of land directly north of Bromley Hall School and fronting Lochnagar Street.
- Braithwaite Park.
- Leven Road Open Space.
- Grass verge/informal allotments directly west of Bromley Hall School.
- Slip road to the west of the A12 (Northbound).
- Dee Street pedestrian underpass.
- Jolly's Green.
- Poplar Works

1.4 Excluded from the red-line boundary are the following sites:

- Millennium Green
- Bromley Hall School

1.5 The table below set outs the existing floor areas identified to be demolished across the site according to land use. This essentially excludes any existing Poplar Works buildings and The Aberfeldy Practice. The residential floorspace equates to 330 homes that are proposed to be demolished as part of this proposal.

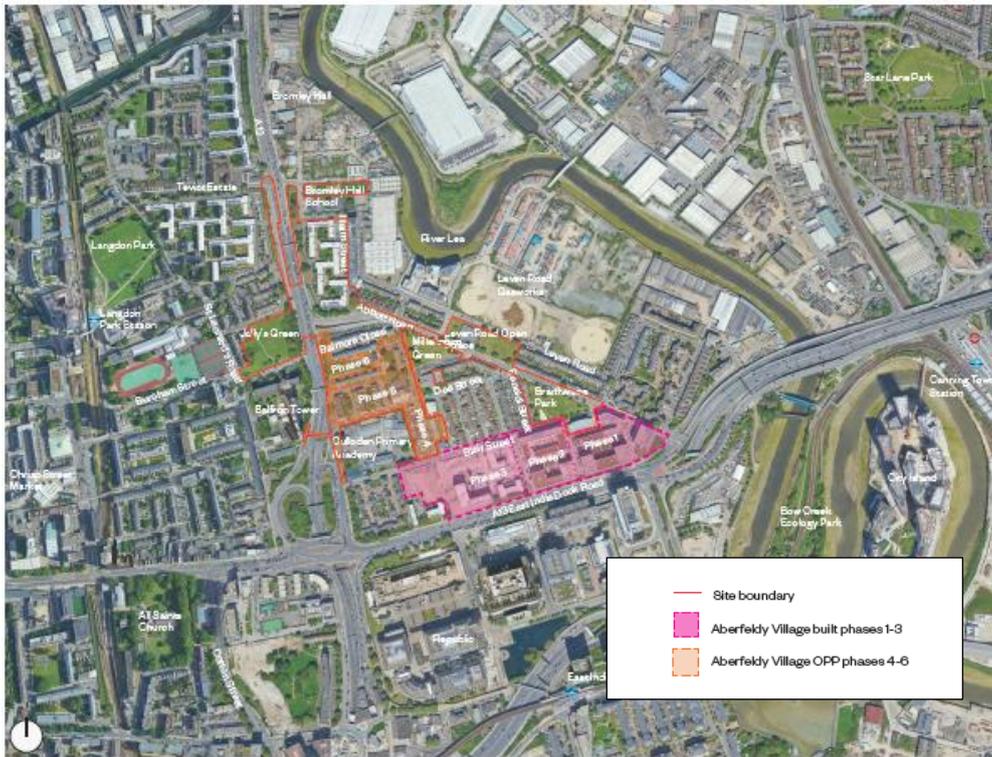
Land Use	Total Floor Area (GIA Sqm)
Residential (Use Class C3)	Approx. 29,490
Retail (Use Class E)	Approx. 1,514
Community Facilities (Use Class F2)	Approx. 577
<b>Total</b>	<b>Approx. 31,581</b>

*Figure 2: Existing land use and floorspace quantum.*

1.6 Outline planning permission was granted in 2012 under planning permission PA/11/02716 (hereinafter referred to as “the extant planning permission”) for the comprehensive redevelopment of the Aberfeldy Estate as detailed in paragraph 3.7. It was anticipated that the consent would be built out in 6 phases. Phases 1 and 2 of the extant planning permission have been completed with Phase 3 now nearing completion. On completion of Phase 3, a total of 901 units (out of a maximum consented 1176 units) would have been delivered with 275 units of the extant planning permission yet to be delivered. The constructed buildings range between 6-10 storeys in height and are located along the southern boundary of the Aberfeldy Estate straddled by Blair Street to the north and East India Dock Road to the south. Phases 4-6 of the extant planning permission will not be implemented and is intended to be replaced by the proposed development.

1.7 The aerial image of the site below in figure 3 indicates the proposed application boundary in red together with the boundary forming the built out Phases 1-3 of the extant consent; depicted in pink and Phases 4-6 of the extant planning permission; depicted in orange. For information only, figure 4 indicates the illustrative masterplan approved under the extant planning permission. It can be seen that the Jolly's Green was not included in the application boundary for the extant

planning permission and neither was Balmoral Close, the Nairn Street estate nor the strip of land north of Bromley Hall School.

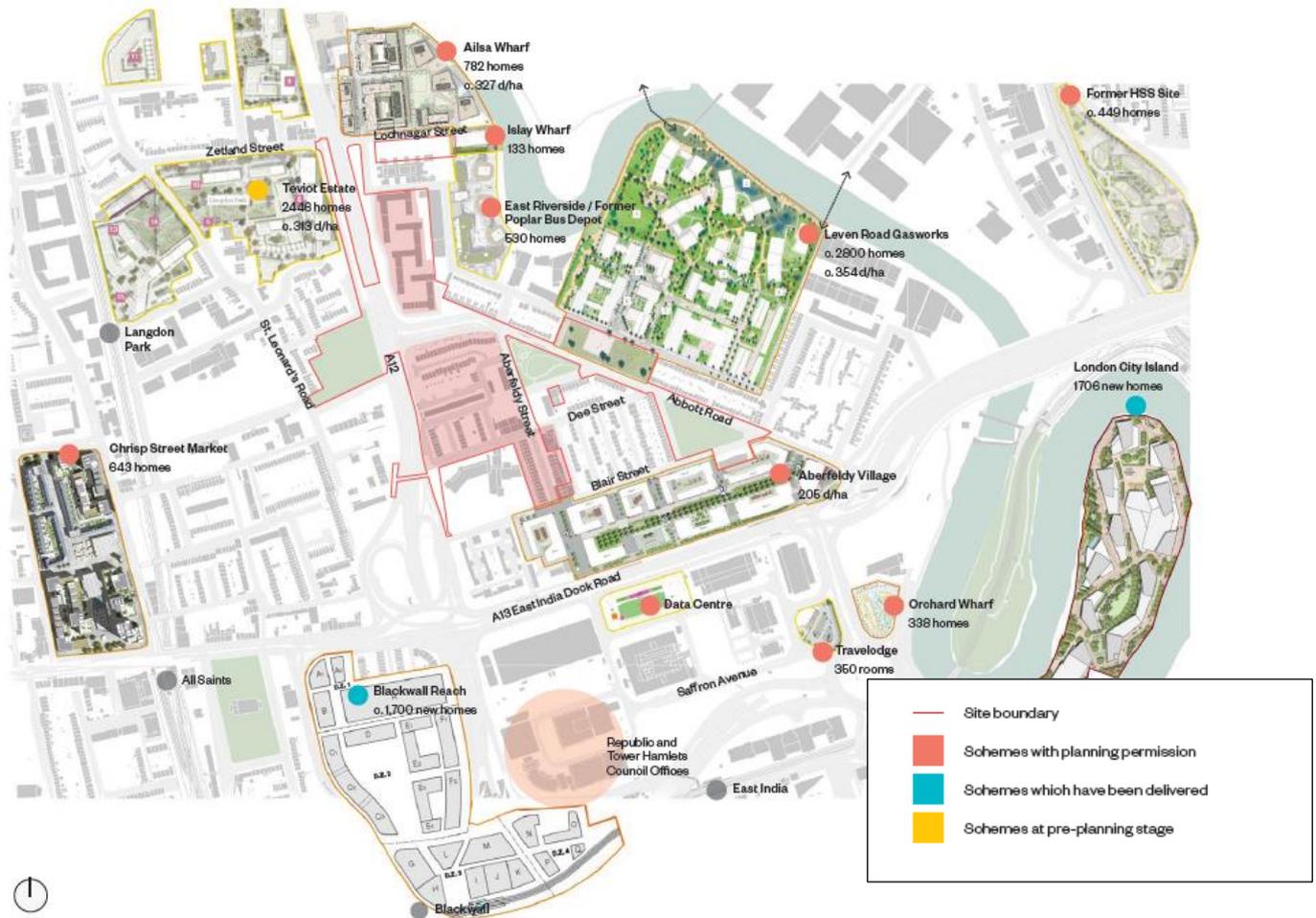


**Figure 3:** Phases 1-6 of Extant Planning Permission



**Figure 4:** Illustrative Masterplan Extant Planning Permission.

1.8 The immediate surrounding context is expected to undergo significant regeneration and transformation with several residential-led mixed use developments coming forward following the grant of planning permission namely: Ailsa Wharf which has planning permission for 785 new homes, Islay Wharf which has planning permission for 133 new homes, the Former Poplar Bus Depot site at Leven Road which has planning permission for 530 units and the Leven Road Gasworks site which has planning permission for up to 2800 new homes. The location of these sites in relation to the application site can be seen in the image below.



**Figure 5:** Site in relation to neighbouring consented schemes.

1.9 The site does not lie within a Conservation Area however, the Balfron Tower Conservation Area lies directly opposite the site and west of the A12. Approximately 103 metres north and between approximately 58-273 metres west of the Balfron Tower Conservation Area lies the Langdon Park Conservation Area and Lansbury Conservation Area respectively. On the eastern side of the A12 and approximately 118 metres north of the northern most end of the application site lies the Limehouse Cut Conservation Area. Finally on the southern side of East India Dock Road are St Mathias Church Poplar, All Saints Church Poplar and the Naval Row Conservation Areas.

1.10 There are no listed buildings within the site however there are a number of listed buildings/structures located within the vicinity of the site including Grade II\* Listed Balfron Tower, Grade II Listed Carradale House and Grade II Listed Glenkerry House; all located within the Balfron Tower Conservation Area. Balfron Tower is also a Borough Landmark as designated in the Local Plan. The former Bromley Hall School which is straddled by the site is Grade II Listed. On the western side of the A12 and approximately 175 metres and 194 metres west of the Nairn Street Estate lies Grade II Listed Church of St Michael and All Angels and Grade II Listed War Memorial St Leonard's Road respectively. Other listed buildings/structures located north of the

site and fronting the A12 include Grade II Listed Poplar Public Library, Grade II\* Listed Bromley Hall, Grade II Listed Former Fire Station and Dowgate Wharf P B Burgoyne and Company Limited Warehouse.

1.11 The site has a PTAL (Public Transport Accessibility Level) of 1b-4 which ranges between low moderate/good on a scale of 0-6b where 0 is the worst. The wider Aberfeldy Estate is situated approximately 344 metres north of East India DLR station, 552 metres west of Canning Town Station which serves the DLR and London Underground Jubilee Line, 388 metres east of Langdon Park DLR Station and 507 metres north-east of All Saints DLR Station. Within the site, public transport access is limited to the 309 bus route which connects to Canning Town.

1.12 The site has the following key designations:

- Lower Lea Valley Opportunity Area (Poplar Riverside Opportunity Area)
- Sub-Area 3: Lower Lea Valley
- Aberfeldy Street Neighbourhood Centre
- Poplar Riverside Housing Zone
- Flood Zones 2 and 3
- Green Grid Buffer Zone
- New Green Grid Buffer Zone
- Archaeological Priority Area Tier 3
- Area of Deficiency of Access to Nature: East India and Lansbury
- Ailsa Street Site Allocation (only strip of land within the red-line boundary that sits north of Bromley Hall School lies in this site allocation).

1.13 Nearby Borough designated views within proximity of the site include the following:

- East India Dock Road (E) towards Balfron Tower
- Langdon Park towards Balfron Tower

## **2. PROPOSAL**

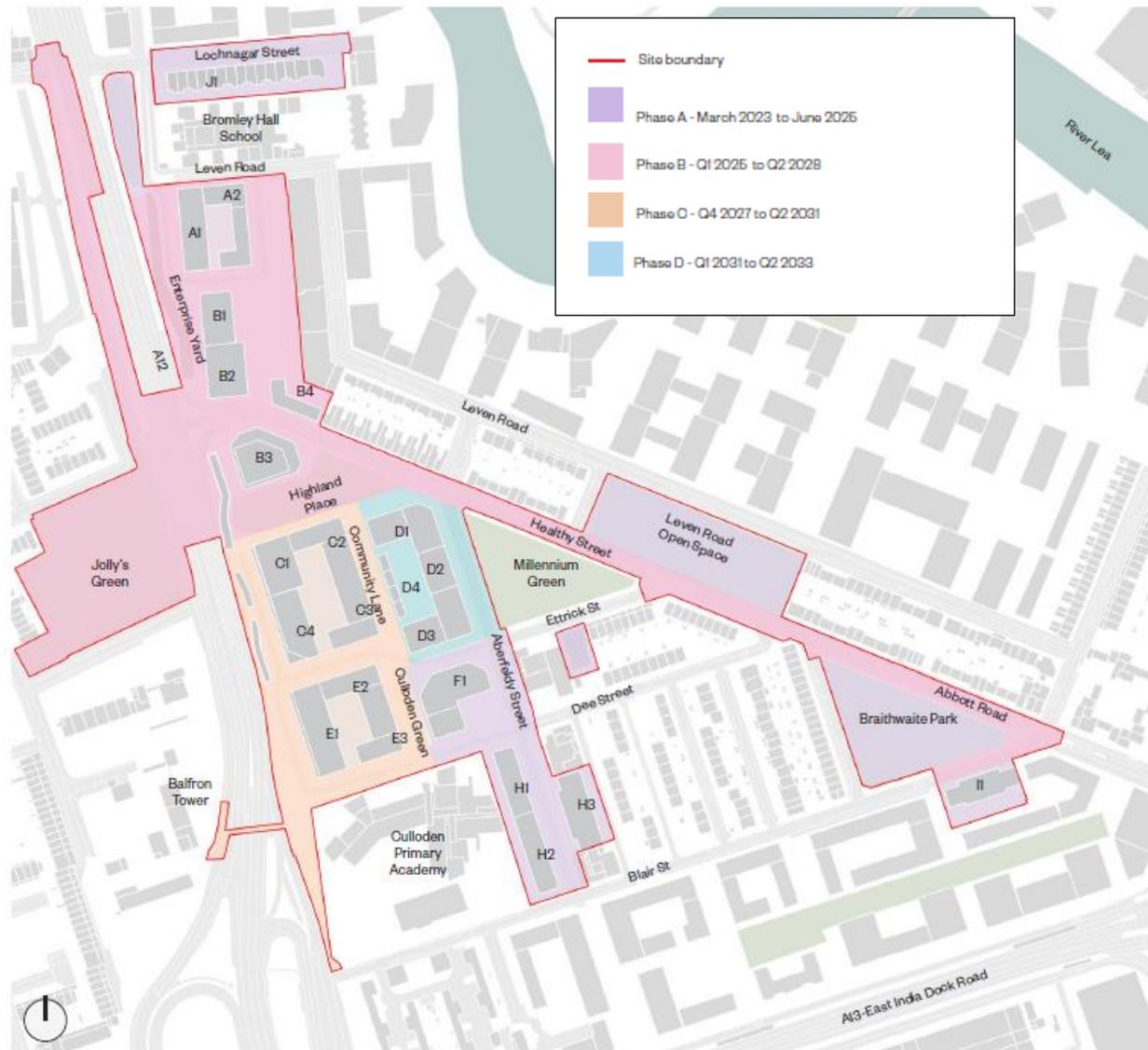
2.1 This planning application seeks hybrid planning permission (part Outline and part Detailed/Full) for the comprehensive redevelopment of the northern part of Aberfeldy Estate. The Outline component of the wider masterplan will cover 6.5 hectares. An illustrative site wide masterplan for the proposal can be seen in the image below.



**Figure 6: Illustrative Masterplan**

**Phasing:**

2.2 The hybrid planning application is proposed to be constructed out in four phases and expected to cover a 10-year construction period between March 2023 and Q2 (Quarter 2) 2033. To avoid confusion with the phases within the extant planning permission (phased numerically), the four phases within the proposed development will be phased as A-D. The phasing strategy can be seen in Figure 7 below:



**Figure 7: Phasing Strategy**

- 2.3 Phase A will be the first phase of the masterplan and forms the Detailed proposal and is the phase that links the last phase of the extant planning permission (Phase 3) and the new masterplan. Phase A includes the redevelopment of Aberfeldy Street and the Neighbourhood Centre, redevelopment of existing building Blairgowrie House, the land on Lochnagar Street, Braithwaite Park, Leven Road Open Space and allotments west of Bromley Hall School.
- 2.4 Phase B includes the demolition of the Nairn Street Estate, the development of Highland Place; a central nodal point within the scheme which incorporates the proposal's tallest building at 100m AOD and is intended to be the scheme's 'landmark' building, new workspace along the edge of the A12, the repurposing of the Abbott Road vehicular underpass, slip road and works to Jolly's Green.
- 2.5 Phase C largely includes a large proportion of residential development, workspace and improvements to the Dee Street pedestrian underpass.
- 2.6 Phase D sees the completion of the remainder of the High Street with a single residential building with commercial below.
- 2.7 Included within Phase A is the Aberfeldy Practice GP Surgery. However, it should be noted that no works are proposed to this building as part of this hybrid planning application. The surgery will be moving to its new location within Phase 3 of the extant planning permission whereby a new larger health centre will be provided once construction has been completed. Practical completion

of the new health centre is anticipated to be February 2023 with a transitional period of up to 3 months for the relocation of the existing GP Practice.

### Development/Building Plots:

2.8 The scheme proposes 15 Development/Building Plots as set out in the table below detailing each plot with the building's maximum AOD height, maximum storey height and the phase within the plot will come forward.

Plot	Maximum Height in Metres AOD	Maximum Storey Heights	Phase
Plot I	39.38m	11 storeys	Phase A
Plot H1-2	30.87m	8 storeys	Phase A
Plot H3	25.17m	6 storeys	Phase A
Plot F	42.73m	12 storeys	Phase A
Plot J	26.9m	6 storeys	Phase A
Plot A1-2	49.5m	12 storeys	Phase B
Plot B1-2	83.5m	24 storeys	Phase B
Plot B3	100m	28 storeys	Phase B
Plot B4	13.5m	3 storeys	Phase B
Plot B5	19m	3 storeys	Phase B
Plot C1-4	84m	24 storeys	Phase C
Plot C5	18m	3 storeys	Phase C
Plot C6	18.5m	3 storeys	Phase C
Plot E1-3	43.5m	10 storeys	Phase C
Plot D1-4	39m	9 storeys	Phase D

**Table 1:** Maximum height of development plots.

### Outline Component:

2.9 The Outline component of the scheme seeks to provide a number of buildings ranging between maximum heights of 13.5m AOD and 100m AOD and up to 139,629sqm (GEA) of floorspace comprising the following mix of uses:

- Up to a maximum of 132,701sqm (GEA) of residential floorspace (Class C3);
- Up to 4,329sqm (GEA) of retail, workspace, food and drink uses (Class E);
- Car and cycle parking;
- Formation of a new pedestrian route through the conversion and repurposing of the Abbott Road vehicular underpass for pedestrians and cyclists;
- Landscaping including new open spaces and public realm and
- New means of access, associated infrastructure and highway works.

2.10 The Outline phase seeks to deliver up to 1,305 residential homes, distributed across Phases B,C and D. The total maximum breakdown of floorspace by land use (in GEA sqm) proposed per phase is set out in the table below:

Use	Use Class	Phase B GEA Sqm	Phase C GEA Sqm	Phase D GEA Sqm	Maximum GEA Cap by Use (Sqm)
Retail	E	395	n/a	849	<b>1,245</b>
Workspace	E	911	2,174	n/a	<b>3,084</b>
Residential	C3	56,337	56,833	19,531	<b>132,701</b>
Podium Parking	C3	712	1,887	n/a	<b>2,599</b>
<b>Maximum GEA Cap Per Phase (Sqm)</b>	<b>n/a</b>	<b>58,355</b>	<b>60,894</b>	<b>20,380</b>	
<b>Total Maximum GEA Cap (Sqm)</b>	<b>139,629</b>				

*Table 2: GEA Floorspace Maximum Parameters by Phase and Use Class for Outline Component.*

2.11 There are 10 building plots proposed within the Outline component of the proposed development. The location of all the building plots (including Phase A plots) are indicated in Appendix 3 to this report. Within each building plot the following are proposed:

**Plot E1-3:** Residential courtyard building with communal amenity space and parking. Non-residential workspace uses will be provided on the ground floor along the Enterprise Yard frontage.

**Plot D1-4:** Residential courtyard building with communal amenity space and parking. Non-residential workspace uses will be provided on the ground floor along the Aberfeldy Street frontage to continue the High Street.

**Plot C1-4:** Residential courtyard building with communal amenity space and parking.

**Plot B1-2:** Residential tower with leg.

**Plot B3:** Residential tower.

**Plot B4:** Residential terraced houses.

**Plot B5:** Non-residential workspace uses.

**Plot C5:** Non-residential workspace uses.

**Plot C6:** Non-residential workspace uses.

**Plot A1-2:** Residential courtyard building with communal amenity space and parking.

2.12 Through the Outline component, the application seeks to establish the principle of the development and it is therefore intended that all matters are reserved for later determination (Reserved Matters). For clarification the matters to be reserved under the Outline component are defined as follows:

Reserved Matter	Description
Means of Access	This covers the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
Appearance	The aspects of the development which determine the visual impression the development makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
Landscaping	This relates to the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated through measures such as soft and hard measures, the planting of trees, hedges or screening by fences or walls.
Layout	The way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside of the development.
Scale	The height, width and length of each building proposed in relation to its surroundings.

**Table 3:** Summary Description of Reserved Matters.

- 2.13 The Outline component of the scheme is also covered by a Development Specification Document, Parameter Plans and a Design Code as submitted with this planning application. These documents should be read in conjunction with each other with the Development Specification and Design Code providing a written and illustrative account of the parameter plans and establishes the framework within which the subsequent Reserved Matters Applications will be required to comply with. These are typically known as the 'Control Documents'.
- 2.14 Parameter plans can include information on the proposed land use, building heights, areas of potential built development, structure of landscape and green infrastructure, access and movement and other key structuring and placemaking components. Parameter plans essentially sets the limits or framework within which detailed proposals must be brought forward.
- 2.15 There are 14 parameter plans which have been submitted with this planning application. These have been summarised into the following below.

Parameter Plans
Extent of Outline and Detailed Proposals
Building Plots
Proposed Site Levels (Basement and Lower Ground Floor)
Principal Public Realm Areas
Access and Circulation
Land Use (Basement, Lower Ground, Upper Ground, First and Upper Floors)
Sections
Building Heights

**Table 4:** Details of Parameter Plans

### **Detailed Proposals**

2.16 The Detailed proposal seeks to provide a number of buildings with maximum heights ranging between 25.17m (AOD) and 42.73m (AOD) and 31,881 sqm (GEA) of floorspace comprising the following mix of uses:

- 30,223 sqm (GEA) of residential floorspace (Class C3);
- 1,658sqm (GEA) of retail and food and drink uses (Class E) associated with a replacement Neighbourhood Centre and a temporary marketing suite (Sui Generis);
- Car and cycle parking;
- Means of access;
- Associated landscaping and new public realm and improvements to Braithwaite Park and Leven Road Open Space.

2.17 The proposed total floorspace by land use (GEA sqm) for the Detailed proposals as set out in the Development Specification Document is detailed below.

Land Use	Use Class	Plot F (GEA sqm)	Plot H1/H2 and H3 (GEA sqm)	Plot I (GEA sqm)	Plot J (GEA sqm)	Total
Retail	E	253	1,088	-	-	1,341
Temporary Marketing Suite	Sui Generis/E	317	-	-	-	317
Residential	C3	9,552	12,015	5,456	3,200	30,223
<b>Total</b>		<b>10,122</b>	<b>13,103</b>	<b>5,456</b>	<b>3,200</b>	<b>31,881</b>

**Table 5:** GEA Floorspace for Detailed Component.

2.18 There are 5 building plots proposed within the Detailed component of the scheme which will deliver 277 residential homes. A summary of the plots are provided below as follows:

**Plot I:** Plot I is located on Blair Street, in the south eastern corner of the site and directly south of Braithwaite Park and bound by residential blocks built under Phase 1 of the extant planning permission to the east, south and west. Blairgowrie Court; a 6-storey residential block of flats currently exists on the site. Plot I will provide a residential block with parking. Plot I will provide

52 units comprising 20 x studios, 2 x 1-bed units and 30 x 2-bed units equating to 114 habitable rooms.

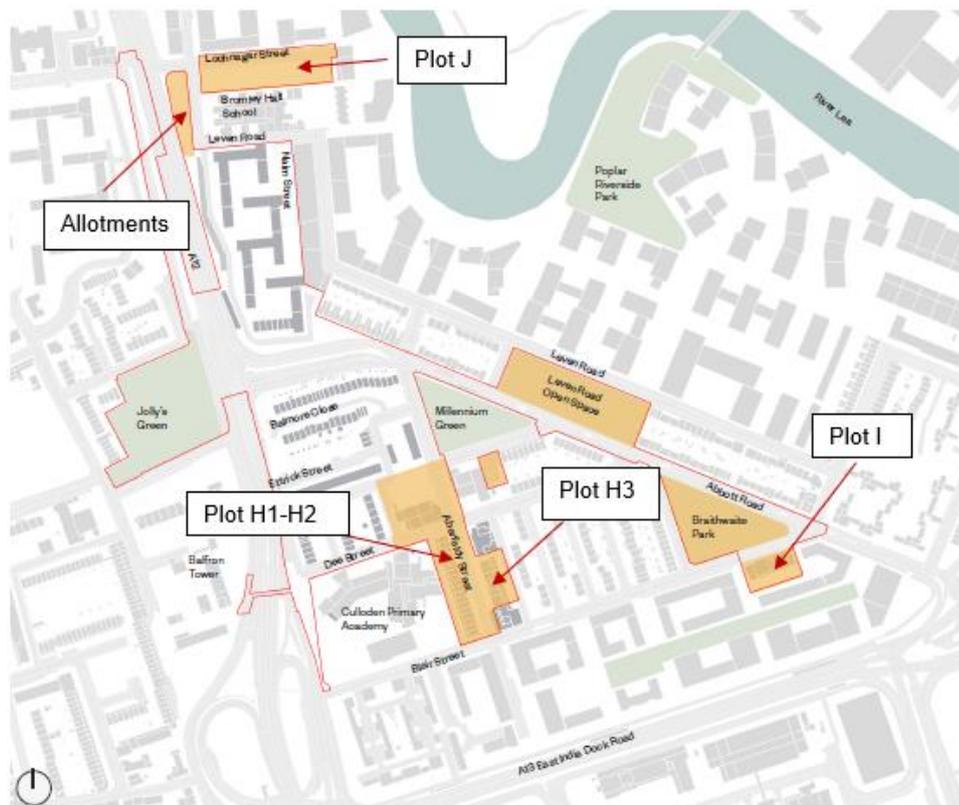
**Plot H1/H2 and H3:** Plot H1/H2 and H3 are located on Aberfeldy Street and will replace the existing Neighbourhood Centre. Plot H1/H2 will sit east of Culloden Primary School with Kirkmichael Road forming a physical separation between the plot and the school boundary. Building plot H3 will lie to the west of 2-storey dwellings in Lansbury Gardens. Plots H1/H2 and H3 will all be residential blocks. H1/H2 will provide 66 units in total comprising 10 x 1-bed units, 24 x 2-bed units, 24 x 3-bed units and 8 x 4-bed units equating to 260 habitable rooms. Plot H3 will provide 38 units comprising 6 x studios, 10 x 1-bed units, 18 x 2-bed units and 4 x 3-bed units equating to 96 habitable rooms.

**Plot F:** Plot F is located opposite Saint Nicholas Church and is currently occupied by the Aberfeldy Neighbourhood Centre. Plot F will be the 'marker' building within Phase A and provide a residential block that signifies a new Town Square. Non-residential uses including a marketing suite will be provided on the ground floor. Plot F will provide 102 units comprising 6 x Studios, 52 x 1-bed units, 39 x 2-bed units and 5 x 3-bed units equating to 247 habitable rooms.

**Plot J:** Plot J forms the rectangular vacant stretch of council owned land which lies directly south of Lochnagar Street and north of Bromley Hall School. Plot J will provide 2 and 3-storey terraced houses and a block of maisonette flats. Plot J will provide 19 units comprising 6 x 3-bed units, 9 x 4-bed units and 4 x 6-bed units.

2.19 Included within Phase A are existing public open spaces Leven Road Open Space and Braithwaite Park which the application seeks to provide enhancements to and existing informal allotments located to the west of Bromley Hall School.

2.20 All the plots identified within Phase A and their precise location can be seen in the image below.



**Figure 8:** Location of Phase A Development Plots

## Amended Planning Application

2.21 The application was amended in April 2022 and the details of the amendments are summarised as follows:

### *Phase A Design Changes:*

- Minor change to the extent of the Phase A boundary as a result of change to the boundary of Plot F.
- Cycle parking contained within Plot H1/H2 relocated to Kirkmichael Road to facilitate delivery of internal communal amenity space within this plot.
- Location of temporary play provision for Plot F moved from Jura House to Kilbrennen House.
- Landscape Amendments to Kirckmichael Road.

### *Outline Component Changes:*

- Extension of application red-line boundary to include Jolly's Green to facilitate the delivery of the pedestrianisation of the Abbott Road underpass.
- Direct link and connection from the pedestrian underpass into Jolly's Green and associated tree removal and level changes.
- Landscaping works to Jolly's Green.
- Provision of play space proposed in Jolly's Green.

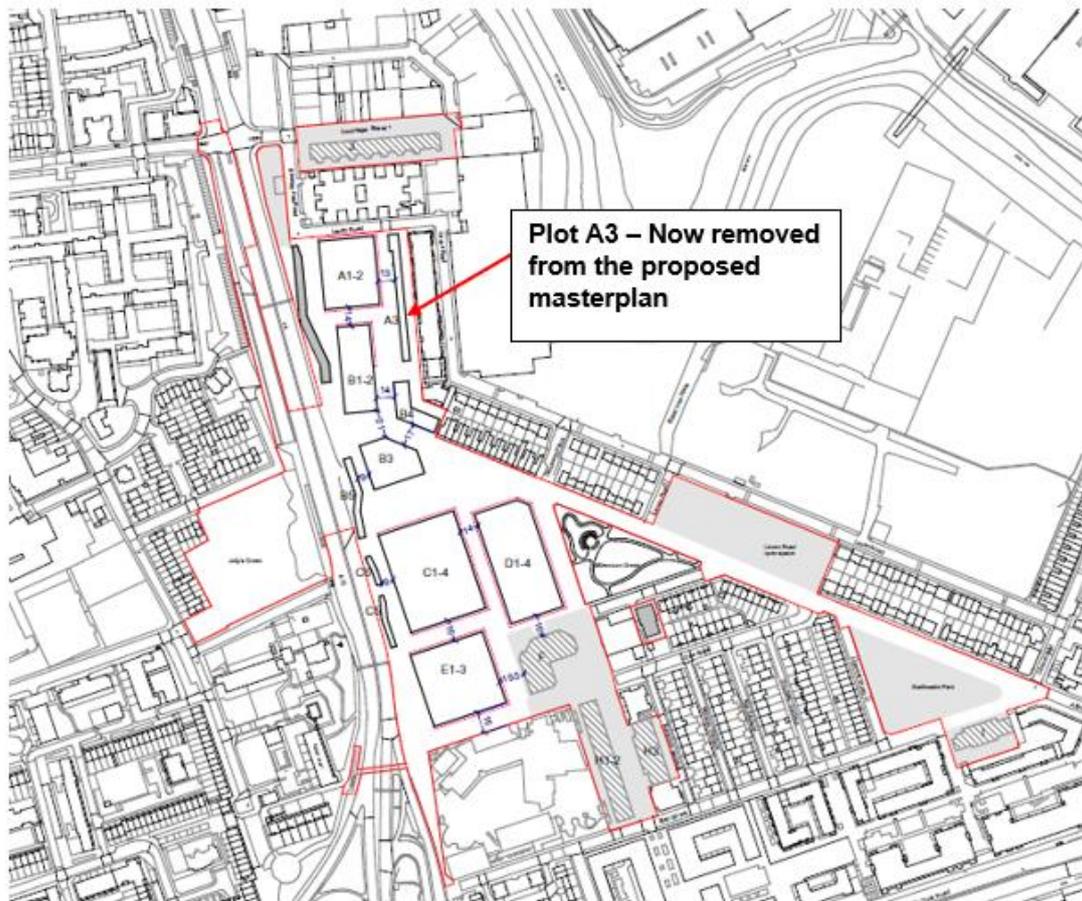
### *Other changes:*

- Correction of minor errors relating to details of homes that will be demolished.

2.22 The application was amended again in October 2022 and the details of the amendments are summarised as follows:

- Removal of Block A3 (contained 9 Social Rent units) from Phase B of the masterplan;
- 42 Intermediate units in Block B1 (Phase B) changed to 34 Social Rent units (including 9 relocated Social Rent units from Block A3);
- 42 Market units in Block B2 (Phase B) changed to Intermediate units with 141 Market units remaining in Block B2 and
- 16 Market units in Block E2 (Phase C) changed to Social Rent units with 26 Market units remaining in Block E2.

2.23 The 9 social rented units originally proposed with in Plot A3 comprised 8 x 3-bedroom homes and 1 x 4-bedroom home. These homes are proposed to be re-provided in Plot B1 at the same occupancy levels however these will not be a direct replacement with 3 and 4-bed private units as Plot B1 originally proposed no family units. As such Plot B1 has been redesigned to accommodate the family homes lost as a result of the removal of Plot A3 thus resulting in the maximum parameter being reduced from 1,628 units to 1,609. For Member information, the image below identifies where Plot A3 was proposed to be located within the masterplan before the scheme was amended in October 2022.



**Figure 9: Location of Plot A3**

2.24 The application was amended further in January 2023 and details of the amendments are summarised as follows:

- Amendments to the housing mix in the Outline component to increase the proportion of social rented family units.
- The inclusion of an additional staircase to Plots F and I within Phase A to improve fire safety and consequently resulting in amendments to the proposed housing mix within Phase A to accommodate this.

2.25 The updated maximum housing mix with the differences between the originally submitted housing mix and the position following the January 2023 amendments to the planning application is indicated below:

Unit Type	No. of Private	No. of Socially Rented	No. of Intermediate	Total
Studio	138 (+24)	-	-	138 (+24)
1 Bedroom	409 (-67)	58 (-33)	48 (+3)	515 (-97)
2 Bedroom	562 (-22)	95 (+5)	31 (-5)	688 (-22)
3 Bedroom	26 (+4)	149 (+13)	-	175 (+17)
4 Bedroom	-	61 (+32)	-	61 (+32)
5 Bedroom	-	-	-	-
6 Bedroom	-	5	-	5
<b>TOTAL</b>	<b>1,135 (-61)</b>	<b>368 (+17)</b>	<b>79 (-2)</b>	<b>1,582 (-46)</b>

**Table 6: Maximum illustrative Housing Mix as amended (January 2023) as presented in the Environmental Statement: Statement of Conformity**

### 3. RELEVANT PLANNING HISTORY

#### 3.1 Application Site/Wider Aberfeldy Estate (Key Applications Only):

3.2 PA/15/01826/P3 - Submission of reserved matters pursuant to Condition 1 (details of siting, layout, scale, design and external appearance of the buildings, the means of access thereto and landscaping of the site), and partial approval of details pursuant to Condition 43 - (titled reserved matters further information) Sub-sections (a), (b), (c), (d), (e), (f), (h) and (i) and partial discharge of Condition 25 (land contamination) Sub-Sections (a), (b), and (c) for the development of Phase 3 of the Aberfeldy New Village Outline Planning Permission (PA/15/00002) approved in June 2015 comprising demolition of Arapiles House, Athenia House, Jones House, Adams House, Sam March House, Theseus House and Trident House and creation of four residential blocks between 3 to 10 storeys, with a total of 344 new dwellings (21 x studio, 122 x 1 bed, 162 x 2 bed, 30 x 3 bed, 4 x 4 bed, 3 x 5 bed and 2 x 6 bed), a health centre facility, a pharmacy, a community/youth centre facility, retail spaces (618sq.m) and energy centre, public open space, car parks, cycle parking and new public open space, car parks, cycle parking and temporary works or structures and associated utilities/services required by the development. Permitted 13/11/2015.

3.3 PA/15/0002/S - Minor Material amendment through variation of conditions No 3 (Approved Parameters Plans), 4 (Phasing Plan), 5 (Total Floor Space Areas) and 6 (Phase-by-phase Floor Space Areas), of Outline Planning Permission granted 20th June 2012 (Ref: PA/11/02716) "For the mixed-use redevelopment of the existing Aberfeldy estate comprising:

Demolition of 297 existing residential units and 1,990 sqm of non-residential floorspace, including shops (use class A1), professional services (use class A2), food and drink (use class A3 and A5), residential institution (use class C2), storage (use class B8), community, education and cultural (use class D1); and

Creation of 1,176 residential units (Use Class C3) in 15 new blocks between 2 and 10 storeys in height plus up to 1,743sqm retail space (Use Class A1), professional services (Use Class A2), food and drink (Use Classes A3 and A5) and 1,256sqm community and cultural uses (Use Class D1), health centre (Use Class D1), together with a temporary marketing suite (407sqm), energy centre, new and improved public open space and public realm, semi-basement, ground and on-street vehicular and cycle parking and temporary works or structures and associated utilities/services.". Permitted 15/07/2015.

3.4 PA/13/01844/P2 - Submission of reserved matters to condition 1 (details of siting, layout, scale, design and external appearance of the building, the means of access thereto and landscaping of the site) and condition 43 (reserved matters further information) for the development of Phase 2 of the Aberfeldy New Village Outline Planning Permission (PA/11/2716) approved on 20 June 2012 comprising demolition of Helen Mackay House, Jervis Bay House, Gaze House and Richie House and creation of two residential blocks between 4 to 8 storeys, with a total of 219 new dwellings (16 x studio; 97 x 1 bed; 92 x 2 bed; 7 x 3 bed; 2 x 4 bed; 5 x 5 bed), new public open space, car parks, cycle parking and temporary works of structures and associated utilities/services required by the development. Permitted 27/03/2014.

3.5 PA/13/00019 – Application for a Non-Material Amendment following a grant of planning permission dated 20/06/2012, reference number PA/11/03548 for the following amendments:

1. Amended description of development.
2. Re-working of the internal planning of Blocks A & C.
3. Removal of ramps to parking area, variation of parking layout and removal of one car parking space.
4. Minor amendments to elevations to align with the revised internal planning.
5. Reduction in the number of private units from 268-263 (5 units).
6. Introduction of an electrical substation at the western end of Block C.

7. An amended housing mix and tenure schedule.

Permitted 02/04/2013.

- 3.6 PA/11/03548/P1 - Erection of three blocks between 4 and 10 storeys on the corner of Abbott Road and East India Dock Road to provide 342 new residential units, 352 sqm. new retail floorspace (Use Classes A1 and A3), a marketing suite of 407 sqm. (Use Class A2), semi-basement and ground floor parking, cycle parking, landscaped public open space and private amenity space and other associated works. Proposal constitutes Phase 1 of application PA/11/02716. Permitted 20/06/2012.
- 3.7 PA/11/02716/PO – Outline planning application (all matters reserved) for the mixed-use redevelopment of the existing Aberfeldy estate comprising:
- Demolition of 297 existing residential units and 1,990 sq m of non-residential floorspace, including shops (use class A1), professional services (use class A2), food and drink (use class A3 and A5), residential institution (use class C2), storage (use class B8), community, education and cultural (use class D1); and Creation of 1,176 residential units (Use Class C3) in 15 new blocks between 2 and 10 storeys in height plus 1,743sqm retail space (Use Class A1), professional services (Use Class A2), food and drink (Use Classes A3 and A5) and 1,786 community and cultural uses (Use Class D1) together with a temporary marketing suite (407sqm), energy centre, new and improved public open space and public realm, semi-basement, ground and on-street vehicular and cycle parking and temporary works or structures and associated utilities/services. Permitted 20/06/2012.
- 3.8 Neighbouring Sites (Key Applications Only):
- 3.9 PA/22/00210/A1 (Ailsa Wharf) – Redevelopment of the site for a mixed-use scheme providing 952 residential units, 1,548 sqm GIA commercial floorspace (Class E) within a series of buildings up to 23 storeys; the creation of a new access road and realignment of Ailsa Street; the provision of safeguarded land for a bridge landing; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works. This application is accompanied by an Environmental Statement. Application registered.
- 3.10 PA/19/02148 (Former Poplar Bus Depot) – Part retention and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 530 residential units (Class C3), 2644sqm (GIA) of workspace (Classes B1a, B1b, or B1c), 508sqm (GIA) of flexible retail; professional services; and restaurant/bar uses (Classes A1, A2, A3, A4), within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works. This application is accompanied by an Environmental Statement. Permitted 14.10.2020.
- 3.11 PA/19/01760 (Islay Wharf) - Demolition of existing warehouse building and redevelopment of the site for mixed use development comprising two blocks ranging in height between 12 storeys and 21 storeys, accommodating 351sqm of flexible uses classes (Class A1, A2, B1, D1, D2) on ground floor and mezzanine with associated public realm works and residential accommodation (Class C3) on the upper floors providing 133 residential units. Permitted 20.11.2020.
- 3.12 PA/18/02803 (Leven Road/Poplar Gasworks) - A hybrid planning application (part outline/part full) comprising:
- 1.) In Outline, with all matters reserved apart from access, for a comprehensive mixed-use development comprising a maximum of 195,000 sqm (GEA) (excluding basement and secondary school) of floorspace for the following uses:
- Residential (Class C3);
  - Business uses including office and flexible workspace (Class B1);
  - Retail, financial and professional services, food and drink uses (Class A1, A2, A3 & A4);

- Community, education and cultural uses (Class D1);
- A secondary school (Class D1) (not included within the above sqm GEA figure);
- Assembly and leisure uses (Class D2);
- Public open space including riverside park and riverside walk;
- Storage, car and cycle parking; and
- Formation of new pedestrian and vehicular access and means of access and circulation within the site together new private and public open space.

2. In Full, for 66,600 sq.m (GEA) of residential (Use Class C3) arranged in four blocks (A, B, C and D), ranging from 4 (up to 23m AOD) 5 (19.7m AOD), 6 (up to 26.9m AOD), 8 (up to 34.1m AOD), 9 (up to 36.3m AOD) 12 (up to 51.3m AOD) and 14 (57.6m AOD) storeys in height, up to 2700 sq.m GIA of office and flexible workspaces (Class B1), up to 500 sq.m GIA community and up to 2000 sq.m GIA leisure uses (Class D1 & D2), up to 2500 sq.m GIA of retail and food and drink uses (Class A1, A2, A3 and A4) together with access, car and cycle parking, energy centre, associated landscaping and new public realm, and private open space. The application is accompanied by an Environmental Statement. Permitted 28.09.2018.

- 3.13 PA/16/02692 (Ailsa Wharf) - Demolition of existing structures/buildings and the redevelopment of the site for a mixed use scheme providing 785 residential units (C3) and 2,954 sqm GIA commercial floorspace (A1/A3/B1/D2) within a series of thirteen building blocks varying between 3 and 17 storeys (Maximum AOD height of 59.9) ; the creation of a new access road and the realignment of Ailsa Street; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works. Permitted 02.10.2018.

#### **4. PUBLICITY AND ENGAGEMENT**

- 4.1 Upon validation of the application, the Council sent out consultation letters to 3380 nearby owners and occupiers on 30<sup>th</sup> November 2021. An advert was posted in the press and Site Notices were displayed around the site. Following receipt of amendments to the planning application, the Council sent out consultation letters to 4338 nearby owners and occupiers on the 4<sup>th</sup> May 2022. The application was subsequently amended further in October 2022 and nearby owners and occupiers were consulted on the amended application on 3<sup>rd</sup> November 2022.
- 4.2 In total 1046 representations have been received with 939 representations in favour of the proposals, 97 representations received in objection to the proposals and 1 petition objecting to the proposal comprising 583 signatories (updated from 488 signatories as originally submitted) have been received. The lead petitioner submitted a further update to this petition in November 2022 with 728 signatures following the amendments submitted to the planning application.

#### **General Comments on the Proposals**

- 4.3 General comments received on the application neither declaring support nor objection can be summarised as follows:
- Support the application and considers that it will deliver continued regeneration of the area.
  - Support the public realm improvements, the highways improvements and the redevelopment of the existing local centre/shopping parade and the provision for small start-up business units.
  - Concerns over the outline proposals which includes buildings of up to 100m (i.e., 30+ storeys). This could have an overbearing impact on the properties at 119-225 Abbott Road, potentially affecting their daylight/sunlight.
  - Concerned about the impact the very tall building will have on the setting of the Grade II Listed Balfron Tower and Carradale House. A new tall building in such close proximity will have a harmful impact on the listed building from a number of vistas. It's also concerning that this can be approved in outline form, without any indication of how the tall building might appear.

- Strongly recommends limiting the height of any building to much less than 100m and should be a maximum of 40m when potentially viewed in conjunction with the listed buildings.
- Concerned about the development of the underpass and the new buildings effect on the construction on the Victorian terraced houses on Abbott Road near the underpass. These houses are not built on foundations and have already been affected by construction to the rear of Abbott Road.
- What research has been conducted with private owners in the area? Not just Poplar Harca residents?
- Has the loss of light, especially sunlight been reviewed when tall buildings are placed to the top of Abbott Road?
- Broadly supportive of improving access across the A12 through the new underpass, and many of the improvements around it. However, concerned at some of the proposed changes to the character of Jolly's Green. It's a small but well-loved park, which has already seen several improvements over recent years.
- The park shouldn't be treated simply as an access route for the Aberfeldy Estate. The plan seems to give a large area of the park over to wide new pathways and cycle routes, cutting a swarth through the green. Jolly's Green should remain a park, and not become a thoroughfare.
- What will happen to the existing GP surgery? Is it staying at the same place or being relocated? Will construction affect visiting the surgery and is the surgery going to stay in the same place during the construction period?

### **Support for Proposal**

4.4 The representations in support of the proposal largely comprise identical letters with individual signatures and addresses and are summarised as follows:

- There are over 21,000 households on the Borough's Social Housing waiting list and therefore welcome the response by Poplar Harca and Ecoworld to respond to the housing need challenge, including 50% affordable housing as part of the first detailed phase of the application.
- Pleased that all current residents wishing to remain in Aberfeldy have the option to do so, in a like-for-like home on the same tenancy terms and rent levels.
- The masterplan will help address some of the deep rooted social and economic problems the area faces, including poor connectivity and open spaces which are in much need of renewal.
- The repurposing of the underpass will create safer routes on and off the estate and better links with the rest of Poplar and Tower Hamlets particularly for children. The pedestrian underpasses are unsafe and extremely dangerous with muggings and sexual assaults taking place.
- The Covid-19 pandemic has highlighted just how important it is for happiness and health to have places for relaxing, exercise and to spend time together. Town Square and Highland Place will be a great benefit for the local community.
- Welcome the plans for a new faith centre, workspaces and job opportunities.
- Have seen the difference that the regeneration carried out in Aberfeldy has already made to the lives of the community. Better homes and new green spaces have transformed a once tired, sometimes dangerous area, into a nicer, safer place to be.

- Reassured to see that resident suggestions and feedback have directly fed into this new planning application such as new homes that provide separate kitchens and living rooms and the fact that all existing permit holders will have their parking spaces retained.
- Refreshing to see the design team engage with local school children, who have helped influence the proposed design improvements to the three parks in the area.
- The area is run down, families inadequately housed, residents are frightened to go out at night-time, there are not enough affordable shops, gangs loiter by buildings, parks are not useable nor safe and the subways are dangerous. Poplar Harca are offering residents the chance to have new secure, non-damp homes, to address overcrowding and to provide new retail and creating jobs.
- The area lacks sufficient shopping facilities including a small supermarket, play areas for kids and safe underpasses. Change, new homes, safety and improved connected are all wanted. The regeneration proposal is an opportunity to eradicate poor quality social housing and create a new community.
- The regeneration will massively increase security measures, there have been prolific incidences of anti-social behaviour and crime in the area.
- Over 90% of residents voted for this regeneration and cannot be ignored. The regeneration will offer long lasting economic, social, cultural and environmental benefits.
- Existing residents have been waiting a long time (over 10-years) for the regeneration of the estate living in poorly conditioned homes and overcrowded conditions.
- There is currently nowhere for children to play as the parks are just green spaces lacking decent play facilities. The youth of the area need a better environment to thrive in.
- Abbott Road is used as a through road from the A12 causing traffic build up and fast traffic going through the area which is dangerous.

### **Objections to Proposals**

4.5 The objections to the proposal including the objections cited in the petition are summarised as follows:

#### Transport:

- There are already two pedestrian and cyclist underpasses. Works should be undertaken to make the existing pedestrian/cyclists more user friendly and safe, instead of closing the Abbot Road underpass to vehicles.
- Closure of the vehicular underpass would have significant impact on the ability of residents of Aberfeldy Estate to leave the estate especially due to the traffic congestion caused by the Blackwall Tunnel. The alternative proposed by the developer will divert traffic from main road to local residential road on Leven Road.
- The scheme will cause tailgating, unnecessary congestion and major traffic problems to surrounding roads.
- The closure of the underpass will lead to antisocial behaviour such as the dealing of drugs.
- The proposed new exit from Lochnagar Street will result in daily tailbacks, the street is not fit for the proposed purpose.
- The increase in traffic will lead to 'rat-running' in order for motorists to cut traffic.
- Local streets are clogged with lack of parking for existing residents, pressure on GP, Schools and other services.

- The bus gate should be in the underpass rather than constructing a new junction across the A12 to allow the 309 bus to turn right.
- There is not enough car parking to accommodate the development. Car parking should be provided on one space per each household being built basis.
- Even though the development is marked as 'car-free' there will be an influx of new cars in the neighbourhood. There are already ongoing issues with parking in new car-free developments making it impossible for residents to find parking spaces in the vicinity of their homes.
- Rationale underpinning the proposal to remove the vehicular access in the underpass is incorrect, the perceived benefits of the scheme are flawed and the impact of this change on local residents is limited.
- The claim that there are limited options for crossing into and out of Aberfeldy by bicycle is incorrect and there are four options to cross the A12 alone.
- The Traffic and Transport Chapter of the ES uses traffic surveys that are 7 and 8 years out of date. Traffic survey was carried out this year (2022); why has this data from the survey not been used?

#### Design and Heritage:

- Overdevelopment from the high-rise blocks.
- Do not want 3 tall tower blocks dominated the area. One is one storey taller than Balfron Tower which should remain the tallest building.
- The scheme is too dense, the number of units proposed for a small cut off area is too high.
- The heights of some of the blocks are too high, there should be no high-rise blocks and blocks should not exceed 10-stories.

#### Health:

- High-rise blocks will impact on the quality of resident's lives some whom suffer from vitamin D deficiency.

#### Amenity:

- Loss of daylight to neighbouring properties.
- There will be a loss of sunlight which is already being experienced from the construction of the Leven Road development.
- The tower blocks will have a distorting and dwarfing effect on people living in the area at street level.
- There will be overshadowing from the tower blocks.

#### Infrastructure:

- The scheme will result in overcrowding and add to significant infrastructure pressure on local amenities and services such as GP practices, dentist and schools.
- There should be more social housing units in the development to meet local needs
- The provision of proposed social housing levels is too low.

#### Other:

- The consultation undertaken was not inclusive of the majority of residents living in the Aberfeldy Estate. Meaningful and inclusive consultation should be carried out with all residents of the Aberfeldy Estate.

- This development is gentrification and dispersing the existing poorer tenants and replacing them with richer middle class people.
- Objection to the demolition of the existing shops in Aberfeldy Street. The rent levels will be too much in the new shops for existing shopkeepers.
- Concerned about the poor equality impact assessment and consultation process excludes those that are unable to voice their opinion. Most people do not understand the impact this will make on their lives.
- It seems there will be no room for many in certain sections of the community, such as families with 3 or more children.
- Depreciation of property value from high rise buildings and loss of sunlight to existing properties.

### **Representations received from St Nicholas Church**

- 4.6 The church initially objected to the planning application on the following grounds:
- 4.7 The church does not objection to the principle of the development or to the wider regeneration benefits it will bring to the local community and public realm. Notwithstanding this, the church wants to ensure that the accessibility and use of the church is not compromised by the development.
- 4.8 Objections on daylight/sunlight grounds: The church hall is used for community events and features high level windows facing north, with one window facing west on to Aberfeldy Street. Natural light to worship spaces and the church hall would be reduced with the hall in particular materially affected.
- 4.9 Objection to the pedestrianisation of Aberfeldy Street: The main entrance into the church building fronts onto Aberfeldy Street. The existing arrangements when a hearse arrives for a funeral, when wedding cars arrive and when members of the congregation that have disabilities and mobility issues arrive is for the vehicle to pull up on Aberfeldy to drop off the passengers before then moving off Aberfeldy Street to park. If vehicles cannot travel along Aberfeldy Street it will no longer be possible for these arrangements to take place, which will cause an operational and accessibility issue for the church. A suitable arrangement needs to be identified which ensures that the church's current arrangements can be continued.
- 4.10 Objections to the construction phase: The CEMP makes no mention of the noise and vibration impact or the impact of the proposed access/egress route past St Nicholas Church on Aberfeldy Street and Ettrick Road both of which serve as entrances to the church building. Construction vehicles should not be permitted to use Aberfeldy Street, or to enter or exit the development site, to ensure that the church access and use is not impacted by the construction phase of the development. Engagement is required with the church, to ensure that the noisy works on site do not conflict with any weekday services at the site and that the church is notified in advance of any noisy works taking place.

#### *Updated Comments:*

- 4.11 Following discussions with the Applicant, the Church have submitted the following updated comments:
- 4.12 Daylight and Sunlight: The Applicant advised that the proposed development generates a lesser impact overall and therefore, the results of the proposed scheme are broadly in line with, and no worse than the consented masterplan.
- 4.13 Pedestrianisation of Aberfeldy Street: The Applicant has put forward a revised plan with a solution that would allow vehicles who need get to get as close to the church entrance as possible to park immediately outside the church, with the church having control of the access bollards at either end. The bollards would be opened and parking/ drop off spot used, for example, for funerals,

weddings, other special events requiring access and if a disabled visitor needed proximate drop off. The Reverend would be comfortable with such a solution and would seek to secure this as an approved planning drawing.

- 4.14 Construction Phase: The Applicant has advised the Church that they would consult the church in the preparation of the CEMP. The church request that this commitment is secured as part of the planning permission, with a commitment in the associated legal agreement/ condition for the church to be a named consultee, when the Construction Management Plan is progressed.

### **Objections from Councillor Hossain**

- 4.15 The following summarised objections have been received from Councillor Hossain:

- Generally, in favour of creating more affordable quality homes provided that the approach is well balanced in terms of proportionate balance between sizes of land and the development, consideration for quick traffic flow, less pollution, convenience of all other aspects that improve the standards of living.
- Strongly oppose the plan for the closure of the underpass leading to the A12 (Northbound).
- Closure will stop the flow of traffic impacting on the Aberfeldy Estate and will cause bumper to bumper rat-trafficking, will worsen the traffic pollution resulting in an increase of the number of cases of repertory diseases such as asthma, bronchitis, hypertension, cardiac disorders and other diseases.
- Journey time for working population of the estate who use their cars for work will be increased significantly to join the A12 via Leven Road.
- The closure of the underpass will attract more anti-social behaviour and increase criminal behaviour.
- It will take longer for local residents to get out and about and come back into the estate via the A12.
- Local residents will be negatively affected as this will cause a long-lasting and devastating impact on their lives.
- The high-rise blocks along the edge of the A12 and north-east of the former gasworks will engulf the houses on Leven Road and Abbott Road, blocking daylight.
- With the proposed high-rise buildings, the residents living in Abbott Road (177-195) and houses behind in Leven Road will receive very little to no sunshine. There will be very little or no light at all from 4pm (during the Spring) and 5.30pm (during the Summer) onwards meaning these houses will see 3-4 hours early sunset in the Summer and will hardly receive any daylight/sunlight in the Winter and early part of the Spring.
- The completion of the series of new high-rise blocks along the north bank of Leven Road will block the morning sunlight to the houses permanently.
- The proposal will create an unprecedented crisis of car parking, which has already reached its ceiling.
- It is suggested that the scheme should reduce and limit the heights of these proposed buildings up to 25m.
- Invest in current subways/underpasses to make them safe, secure and comfortable for people to walk through, by installing CCTVs and sufficient lighting.
- Alternatively create a safe footbridge over the A12 to link both sides of the A12.
- The current underpass used to be a two-way link and one lane can still be used for buses and cars as it is now and the other lane can be transformed into a safe lane for both bicycles and pedestrians linking to Jolly's Green.

## Statement of Community Involvement

4.16 The Applicant has submitted a Statement of Community Involvement which details their engagement with the local community. These include the following:

- Undertook the Nairn Street Listening Campaign (June 2019) whereby 115 residents in the Nairn Street, Abbott Road and Leven Road area were consulted. The purpose of the campaign was to gain an understanding of what was working in the area, what improvements were needed and priorities in relation to future regeneration.
- Undertook the Aberfeldy West Listening Campaign (August 2019) whereby around 115 residents living in Thistle House, Heather House, Tartan House, Kilbrennan House, Findhorn Street, Ettrick Street, Balmore Close and Jura House were consulted. The purpose of the campaign was to gain an understanding of what was working in the area, what improvements were needed and priorities in relation to future regeneration.
- Ongoing virtual consultation were conducted due to Covid-19 including a virtual Planning for Real exercise and hosting RSG meetings (Resident Steering Group) via Zoom.
- Between 8<sup>th</sup> June and 3<sup>rd</sup> July 2020, a Planning for Real exercise took place virtually whereby residents were sent a Planning for Real Pack consisting of a Planning for Real toolkit whereby 120 households completed and returned toolkits and maps and over 280 residents took part in the exercise, generating over 2,500 ideas and suggestions.
- Regular newsletters issued by Poplar Harca from May 2020 onwards providing residents with the latest information on the proposals.
- A dedicated webpage managed and updated by Poplar Harca on the Aberfeldy Masterplan proposals.
- A Landlord Offer document was distributed to residents living in the application red line boundary containing commitments to existing residents, and information on how to vote in the Estate Regeneration ballot with the ballot papers arriving on 23<sup>rd</sup> September 2020 and closing on 16<sup>th</sup> October 2020.
- Youth Engagement Sessions: Consultation took place with local school pupils at Langdon Park School and Culloden Primary School to expand the breadth of engagement. The consultations with the school pupils included undertaking a walking tour of the Aberfeldy neighbourhood.
- The first formal round of public consultation took place between November-December 2020 which as a result of Covid-19 was undertaken by sending a consultation pack to 4,881 addresses in the local area. The consultation pack included a 20-page booklet with information about the emerging masterplan.
- A second round of consultation was undertaken in summer 2021 whereby a 20-page booklet, 2-page questionnaire and a freepost envelope was distributed on 23<sup>rd</sup> July 2021 to 4,906 household and business addresses. A 'Your Future Aberfeldy Shop' was set up at 43 Aberfeldy Street which was open throughout July and August on Mondays between 8am-6pm and Wednesdays between 12pm-8pm allowing residents to drop in, review the plans, meet members of the project team and provide feedback. The unit displayed panels with the scheme proposals.

## Pre-application

4.17 The scheme has evolved through pre-application discussions with planning officers between July 2020 and September 2021.

## 5. CONSULTATION RESPONSES

### Internal Consultees

#### **LBTH Arboricultural Officer**

- 5.1 Happy with the categorisations attributed to each tree and with the proposed facilitation pruning to trees identified.
- 5.2 Happy with the proposed removal of Category (Cat) C and Cat U trees and believe their loss can be adequately mitigated through on-site planting and in agreement with the preliminary tree management recommendations including the works required to retain T33 – T35, which are important Cat A trees.
- 5.3 The hard landscaping within Braithwaite Park currently encroaches within the RPA's of several trees to be retained and this should be avoided where possible. Submission of finalised layouts for utilities and services should also be planned and submitted in consultation with the project Arboriculturist to ensure any impact on retained trees is negligible.
- 5.4 Regarding the proposed removal of Cat A and Cat B trees across the site, their collective removal would have a significant impact on visual amenity and ecosystem services in the area, which would not be possible to adequately mitigate within or outside of the development red line. Their removal would not be supported, and any design should incorporate their retention to their current proportions.
- 5.5 Mitigation planting has been provided in Outline proposals in the Design and Access Statement and reduces the impact of any removals. However, these proposals can only be considered once an agreement has been reached for tree removals. Please note where the removal of a tree is agreed with LBTH, a minimum net gain of 2:1 for any trees removed is required and these are to be planted with a stock size of Semi Mature in line with BS:3936. Evidence of viability to plant upon completion of the development will also need to be submitted, including consideration of both current and proposed underground utilities and service runs. Planting locations should be chosen to mitigate the amenity impact any tree removals will have on the surrounding area and should also consider post development pressures, such as excessive shade and litter once fully established. There will be a minimum of three tree species native to the UK and all trees will be of a suitable size, shape and form to allow them to reach their intended proportions without significant or regular pruning.
- 5.6 Submission of a tree planting methodology in line with BS:8545 is also required and should describe a process for planting and maintaining young trees that will result in them successfully establishing in the landscape.
- 5.7 An Arboricultural Method Statement also needs to be submitted, describing how trees within and outside the development redline will be protected during construction and detailing any specialist engineering solutions and methodologies for works close to trees.

#### *Updated Comments Post April 2022 Amendments:*

- 5.8 The loss of the group of trees to the North East of the site to facilitate the underpass, will have a detrimental impact on amenity and will see the removal of an important visual and sound buffer from the A12 for local residents and park users. It would be impossible to replicate the impact of these (both as an amenity feature and as a visual/noise buffer from the A12) in a reasonable and timely manner and therefore a construction method which includes the retention of this group should be sought.
- 5.9 In regard to the other tree removals proposed within Jolly's Green, the younger trees were planted as part of a mass community tree planting project in 2019, following a public consultation through Trees for Cities. The main criteria from the public consultation were to improve the amenity value of the park and introduce some interest through tree planting i.e. creation of avenues, boundary trees, fruit trees and feature trees to provide shading in the summer in the open spaces. Another

main criteria was to enhance the group of trees along the east boundary and introduce some year-round greening to improve the visual and noise buffer it provides from the A12 throughout the year. This was a hugely successful event which saw over 100 volunteers from the local area help plant trees in the park. Whilst the removal/transplanting of these smaller trees may ordinarily be mitigated through on site (re)planting, they have played an important role in community cohesion in the area and again it would be preferable for any redevelopment of the park to consider the current tree stock in their current locations owing to their additional importance to local residents and parks users.

### **LBTH Building Control**

5.10 No comments received.

### **LBTH Education**

5.11 No comments received.

### **LBTH Transportation and Highways**

5.12 The Transport and Highways Team provided a comprehensive response during the initial consultation exercise which required the Applicant to undertake further modelling and submit further information for review. The comments below reflect the amended planning application and updated information submitted.

#### *Underpass and Bus Gate:*

5.13 The Applicant is seeking to close the existing vehicle underpass which runs from Abbott Road northbound onto the A12. The purpose of this is the re-provision of the underpass and provide a dedicated pedestrian / (segregated) cycle route across the A12 to deal with the severance issues currently experienced by residents east and west of the A12. To facilitate and continue bus movements in the area a new junction onto the A12 from a realigned Abbott Road is proposed to the north of the current underpass. This junction would allow left turn movements for all vehicles into and out of Abbott Road to the A12.

#### *Transport Modelling:*

5.14 The Applicant has undertaken a modelling exercise to assess the potential impact of the proposal on the A12 traffic which shows that there would be no detrimental impacts on that traffic. LBTH are the highway authority for both Abbott Road and the underpass and would be the highway authority for any new junction opening on to the A12. Transport for London (TfL) is the highway authority for the A12 and own structural assets relating to the underpass. LBTH highways consider a high-quality safe crossing point for walking and cycling across the A12 to be essential whether the area is redeveloped or not. Currently crossing can only be done via subway or the pedestrian signals on the A12 by Lochnagar Street.

5.15 Any proposed facility must be considered desirable and safe and not just accepted because it is the only option being proposed. An at-grade pedestrian crossing option was discounted due to the additional delay it would likely cause on the A12. The modelling for an 'at grade' indicates delays to the A12, which TfL has stated are unacceptable, although LBTH highways would argue that this option should have been explored further. Pedestrian crossing times would also be long as they would be expected to cross in two stages. A road safety audit was also carried out and this indicated potential safety issues to pedestrians and cyclists, mainly because of the potential for pedestrians to cross the A12 when the signals were not in their favour. A further option of a bridge was also raised during pre-application stage, but this was discounted earlier due the amount of land required to provide an all-inclusive access.

5.16 The Applicants have always favoured the re-provisioning of the underpass as the preferred option as this allows additional building to take place within the redevelopment and additional density. From a highways perspective the preference would have been to have as much effort to assess all the potential options to dealing with the severance issues from the outset, but the submission has mainly been concentrated on the underpass closure to traffic. As such we can only assess that and whether it is fit for purpose and whether it proposes a betterment of the current situation where subterranean access is already available.

5.17 The delivery of the underpass proposal is still uncertain in terms of funding and there is no guarantee that it will be delivered. The proposals for the underpass follow the general line of the existing vehicle underpass which forms a bend. It is proposed to raise the carriageway so that the gradient will be more user friendly to both pedestrians and cyclists and meet accessibility standards.

*Jolly's Green:*

5.18 The amendments incorporating Jolly's Green means that with additional civil engineering works a straightening out of the underpass can be achieved and the walk / cycle distance shortened (45 m approx.). Whilst this is welcomed and offers a degree of comfort in terms of visibility, which may increase the perception of safety and attractiveness to use, the Applicant has not fully demonstrated how the proposal submitted (if deliverable) would provide a safe and inclusive link 24 hours per day. This realignment would also require additional works to Jolly's Green which would require approval and is not within the highway authorities remit.

*Impact on Traffic Journey Times:*

5.19 The traffic modelling shows that the closure of the underpass and introduction of a bus gate may result in an overall reduction in traffic journey times along the A12 in both directions, some of which appear quite substantial. Whilst it's welcomed that journey times for traffic on the A12 may not be delayed (A12 traffic delay is forecast to reduce through the opening of the Silvertown Tunnel anyway) this should not be at a cost where traffic on local roads increases. If the underpass is closed it will result in in any vehicle, resident or otherwise, finding an alternative route from turning right into the A12 via the underpass. Anyone with the triangle bounded by the A12, A13 and Leven Road would have two options of travelling north. They could either exit onto the A13, turning left to the Canning Town roundabout and then return along the A13 towards the A12 or Chrisp Street or they will be required to exit onto the A12 at Lochnagar Street via Leven Road and Bromley Hall Road. The approved developments at Leven Road gas works. Leven Road Bus Depot and Ailsa Wharf all have a considerable level of car parking and would also look at using this route as well as existing users located within the development area. Any modelling of the junction undertaken by these developments would not have taken into accounts the potential for the underpass to be closed. The green time afforded to vehicles exiting at Lochnagar Street onto the A12 is limited and there are concerns that queuing will take place. The modelling shows that these journey times will increase so whist the strategic roads will not be impacted greatly the main impact will be felt on the smaller local, residential roads where traffic will inevitably increase.

5.20 The proposal is for a bus gate which allows buses only (excluding all other vehicles) to turn right out of a realigned Abbott Road. The modelling exercise considered this aspect based on bus frequencies which are expected to rise with the Leven Road gas works development and the regeneration of the Teviot Estate. TfL has also requested a financial contribution to complement the bus gate which would be used to improve bus facilities along this corridor. This resulted in modelling the junction to be called up to twice the current level of frequency required to provide a robust assessment. The result indicate that this new bus gate would not detrimentally affect traffic on the A12. This modelling is based strictly on the facility being used by TfL buses only, no other vehicles although emergency services would be allowed. However, it is understood that up to twenty school buses, many of which are SEN, also use the underpass and delays to these would be unacceptable, although it has not been possible to ascertain the actual numbers that require this type of access and so it has not been modelled. Elsewhere within the Borough where bus gates have been installed the Council has granted resident exemptions because of local representation. In this case TfL has said that this would not be acceptable in peak times because the impact on the A12 would be too great. However, they have indicated that they may be open to discussions about allowing off peak access to other vehicles. This will require further work by the Applicant.

*Public Highway:*

5.21 Should permission be granted which includes the outline permission to close the underpass and create a new junction there would be the question of stopping up of public highway and adoption of other areas. The full mechanics of how this will be done is still being negotiated but it is likely that this would be done using the Town and Country Planning Act. The Applicant has stated that

they would wish the underpass to remain as public highway (LBTH are the highway authority which some of the other assets being TfL) and this will influence the final design of the underpass as the materials used will need to match the highway's palette of materials. Liability issues with regards public safety will also need to be considered as well as the general enforcement of the uses of the area. The highway authority would not keep an area of road space as public highway if it was not linked in some way to the existing highway network and so the Applicant has proposed a pedestrian and cycle link into the Aberfeldy estate on the eastern side. In principle this is acceptable. Maintenance is a further concern and a long-term maintenance agreement will be required where the Applicant funds maintenance over several years.

- 5.22 Emergency access to the underpass is also required should there be an incident or issues with ASB. The Applicants have provided details of how they consider this will be dealt with but there will be no direct vehicle access and so it is considered that the emergency services are consulted and that their concerns, if any, are factored into the final design.

*Stopping up of Public Highway:*

- 5.23 Some stopping up and adoption of public highway is also proposed within the development area and whilst most of the areas are not contentious there is a proposal to stop up Aberfeldy Street between Dee Street and Ettrick Street to provide a public square. It is considered that Aberfeldy Street plays an important role as a north / south route, particularly for pedestrians and cyclists. It is also part of the existing bus route and the local church requires access from that stretch of road. It is not considered that this location is either redundant as highway or necessary to close to aid development and the highway authority does not agree with the stopping up of this length of road. The highway authority will work with the Applicant to provide a design as part of the s278 agreement which will match the aspirations of the safe play street whilst maintaining the area as public highway. There are proposals for works to Abbott Road itself to calm traffic and provide better footway widths. Minimum road widths must be maintained to enable buses to pass and the final design details will be agreed as part of the RMA applications.

*Existing Subways:*

- 5.24 Proposals to enhance the current subway to the south of the underpass at Dee Street are also proposed. At the request of the highway authority these works have been brought forward in the phasing plans to ensure that the ability to cross the A12 is maintained at all times. These proposals are welcomed but require approval from TfL as it will impact on the footway on the A12 for which TfL is the highway authority. A separate s278 agreement with TfL will be required for works on their highway.

*Car Parking, Cycle Parking and Servicing:*

- 5.25 In terms of servicing within the development area six dedicated on-street loading bays will be provided as well as some on site servicing. A full waste and service management plan will be required as a condition should planning permission be granted.

- 5.26 Car parking is proposed, both accessible and general parking. Whilst the Council has policies to allow returning decantees to retain their existing permits and those who qualify for the Permit Transfer Scheme to obtain one permit per household the numbers still must be justified and at present these numbers are unknown. Would request that the figures put forward are conditioned as maximum numbers and that the exact level is determined under the RMA applications. New parking is proposed on Lochnagar Street which the highway authority does not agree to. With the potential increase in traffic from the underpass diversion alongside the new developments at Ailsa Wharf, Poplar Bus Depot and Poplar Gas Works, which combined have substantial parking, Lochnagar Street is not seen as suitable for parking.

- 5.27 All residential units should be subject to a 'Permit Free' agreement condition which would be secured via the s106 agreement (or alternate legal mechanism as approved by the case officer). The Applicant states that there is an opportunity to reduce car parking spaces as Applicants move out of the development. The Applicant should develop a mechanism for how this can be achieved, particularly as the bays would be on public highway.

- 5.28 The Applicant is also proposing car club spaces (4 No). It is not considered that car club provision aids the sustainable transport aims of local or regional policy and is not required. There are car

club spaces provided on Leven Road as part of the Gas Works site and the highway group would rather see these utilised from the outset and reviewed once both schemes are built out rather than provide more vehicles within the development from the outset. Should car club vehicles be approved they should be condition to be electric vehicles only and to serve residents who may have a disability but not have access to their own cars.

- 5.29 In terms of cycling the details will be required as part of a condition for Phase A, if approved, and through RMA applications for the remaining phases it would be expected that exemplary cycle facilities that meet, preferably exceed, London Plan numbers and the London Cycle Design Standards are provided. Facilities for larger / adapted cycles must be included and the use of cargo bikes encouraged though good design. Ancillary facilities such as repair stations etc should also be included in a development of this size.

*Conditions/Obligations:*

- 5.30 Conditions/S106 obligations would be required to secure a 'Permit Free' agreement, the retention of all accessible parking bays and cycle parking facilities, a travel plan, a S278 agreement, a Construction Management Plan, a Service Management Plan and an Access Plan. In terms of the underpass and new junction we require conditions which permit unfettered access to the public in regards to walking and cycling, details of emergency service access, details of the maintenance agreement to ensure that the underpass to retained and maintained in good condition throughout the life of the development, guarantee of funding to allow the works on the underpass and new junction, provision for an adjustment of the line of the underpass in the future to 'straighten out' and shorten the underpass and further modelling to include the scenarios outlined within these comments. Would support TfL's request for a condition which links development in Phases B-D to the satisfactory delivery of the highway interventions proposed i.e. the reprovisioning of the underpass and the proposed bus gate. With regards to any changes to structures on the LBTH road network these will require approval by the highway structures team and will be required to go through the Approval in Principle process.

*Summary:*

- 5.31 In summary the highways group fully supports aspirations to improve the east to west crossing across the A12 from the Aberfeldy Estate into the Teviot Estate (Jolly's Green) for pedestrians and cyclists. The only option which the highway authority considers to be fully explored is the repurposing of the underpass (which will allow a tower block to be built to increase density). In terms of pedestrian and cyclist movement this may or may not succeed and will depend on the safety, inclusiveness and attractiveness of the route during both light and dark hours. As a result, the highway authority remains to be convinced that another subterranean crossing is the best option to achieve this in terms of attractiveness and safety. However, this is the only option being proposed and it may be the only way to effect a viable change, if funded, to the current road layout in the area which severely restricts pedestrian and cycle movement on the east – west corridor across the A12, severing the connection between the Aberfeldy and Teviot Estates and further afield. The benefits this proposal may bring in terms of the achieving better permeability across the A12 for pedestrians and cyclists need to be considered against potential impacts on vehicles wishing to travel north from the Aberfeldy Estate and beyond who will face diversions and potential delays which will mainly occur on the local road network.

**LBTH Affordable Housing**

- 5.32 Phase A standalone scheme provides 47% by habitable (Hab) rooms, once you take off the 198 Hab rooms that are being demolished within the rented element of this phase the scheme provides 31% by hab rooms.
- 5.33 Outline Phase B is presented as providing 39% affordable housing by hab rooms, after reprovision the scheme will provide 26% affordable housing by hab rooms. There are no family Intermediate units and no family private units within this phase. This phase of the scheme has the highest number of demolished units, a total of 98 affordable rent of which 54 are family units and 44 private units.

- 5.34 Outline Phase C is presented as providing 19% affordable housing by hab rooms after reprovision the scheme presents -6.2% affordable housing by hab rooms. Demolished units within this phase consist of 94 affordable rented units of which 59 are family and 27 are private units.
- 5.35 Outline Phase D is presented as providing 38.5% affordable housing and after reprovision it provides 37% affordable housing.
- 5.36 Block J is not within the Applicant's ownership at present, although this block is currently shown within the redline of the scheme. This block provides a high number of family houses, which the Applicants states will be used for decants from the existing estate. We need to understand the timing around this process for the ownership and the timings of how long this part development will take to deliver to ensure these are built out within phase A. There appears to be a lack of communal amenity space for these residents. More detail is required to ensure doorstep play for Block J is achieved.
- 5.37 A large proportion of the flats are provided as 3 bed family affordable rented units, these are not designed with separate kitchens, these units also only provide one family bathroom and no separate toilet. The M4(3)2b wheelchair units proposed for Phase A within the Affordable Rented are welcomed. Clarification is required for any onsite parking for the affordable wheelchair units. Where possible we would like to ensure that the three bed units are three bed five person, as it is likely that the child will be the wheelchair user and will require a double bedroom to allow for additional equipment.
- 5.38 The total scheme presents itself as providing 1595 new homes comprising of 4386 habitable rooms. The affordable housing will provide 34% affordable housing by habitable rooms. After full reprovision the scheme will provide 19% affordable housing by habitable rooms. The scheme will need to be viability tested to ensure that phase A has maximised the affordable housing delivery. A mechanism will need to be put in place to ensure each subsequent phase that comes forward maximises the affordable housing delivery overall.

*Comments on October 2022 Amended Scheme:*

- 5.39 The Developer had submitted two proposals an Illustrative scheme and a maximised scheme. We need to understand how the details of the unit mix would be captured with the S106 for the Outline phases given that phase B has GLA grant for a specific affordable unit mix.
- 5.40 The applicant has provided details for an illustrative scheme and a maximum residential scheme but has not provided a scheme showing a minimum number of residential units by tenure. The split of the maximum scheme is 89/11 in favour of rented which is welcomed however, there is no intermediate family units and a 2% quantum of family private units which is not adhering to policy. The illustrative scheme also seeks the same outcome of no family units within the intermediate tenure and 2% provision family units within the Market. The developer will need to justify why they have not provided any family units within these tenures.
- 5.41 The illustrative scheme provides 34% affordable housing by habitable room with a total uplift of 16% by habitable rooms after reprovision. There are no three bed Intermediate units within the scheme; the Applicant will need to provide justification. Given the Borough's high need for family affordable rented homes, the Applicant needs to ensure that the scheme maximises family affordable rented homes within the total scheme and through each phase.
- 5.42 Phase A and phase B has GLA grant within the scheme which the applicant state provides 99 affordable units. Phase C & D currently does not have a GLA grant allocation. The applicant will need to provide clarification that the unit mix for those later phases will provide no less than the councils current minimum policy position. Phase A rental levels will be London Affordable & social rented for returning residents. Phase B will be social rent as per the later GLA grant programme for 21/26. Phases C & D are shown as social rent if grant is made available rental levels will be charged as per the grant allocation.

5.43 The developer needs to ensure that where possible the family affordable rented 3bed + homes have separate kitchens and have access to two WCs. The family units should be on the lower floors of the development.

#### **LBTH Occupational Therapists**

5.44 No Comments Received.

#### **LBTH Enterprise and Employment**

5.45 Although the Applicant's proposal on providing workspace with a 10% discount/10% of the floorplate quantum for 15 years meets our policy requirements and at 15 years exceeds the 10 years we want in Policy D.EMP2, initial thoughts here are:

- That the discount would need to be deeper than 10%, securing workspace at 90% of market rate, will mean that the workspace is unlikely to be successfully marketed in the marketing period and the Applicant will want to engage the borough for a change of use consent in the fullness of time. The discount secured for the workspace should also consider the type of workspace (Serviced office, makers spaces, artist studio etc) as the workspace typology influences the discount required.
- Given that this is an outline application – we should seek a workspace statement which commits to the policy with further details to be delivered in the workspace strategy in line with each of the phases of the scheme.

5.46 The Enterprise and Employment Team would also be seeking the following obligations:

- Construction Phase Employment and Skills Training Contribution: £610,244.00.
- End Phase Employment and Skills Training Contribution: £116,668.81.
- Construction Phase Apprenticeships: 91
- End Use Phase Apprenticeship 1
- 20% of the construction phase workshop to be local residents of Tower Hamlets
- 20% of goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.

#### **LBTH Waste Policy and Development**

5.47 For the individual properties, the Applicants would need to confirm that there will be space for 2 x 240l bins (for recycling and rubbish).

5.48 Bulky waste - Would recommend that a separate area to the bin store area is provided for the storage of bulky waste. However, this will be managed by on site management so it is fine in this case. It should be noted that if any bulky waste is blocking the bins on collection day, they will not be emptied.

5.49 Phase A:  
Bin store doors should not open onto the public highway.

- Bins should be easily accessible and manoeuvrable, with the crew not having to move bins out of the way to access other bins. The bin store for block F looks particularly problematic and we would like to see a better layout or onsite management on hand to assist the crew with pulling the bins out. Bin store for block H3 also a bit of a concern.
- Commercial waste - Confirmation required whether the site will be managed and the commercial units pay the landlord a fee to cover the waste collection costs. If not, each unit will need a separate bin store area and will be expected to separate food waste too (if appropriate).

#### Phases B-D:

- It would be useful to see the food waste collection points/bin store areas with vehicle tracking as a separate document as it's not very where the collection points are.
- Commercial waste- same comments as Phase A.
- It would be useful if the route that is proposed to take when transporting the 660l bins to the compactor units is shown.

#### **LBTH Environmental Health (Noise Team)**

- 5.50 No objections to proposal subject to the imposition of conditions relating to noise levels, noise mitigation measures, noise from plant and restrictions on demolition and construction activities.

#### **LBTH Environmental Health (Air Quality)**

- 5.51 The proposed development is located in an area where nitrogen dioxide (NO<sub>2</sub>) concentration levels are above the national objective. The NO<sub>2</sub> national objective is 40µm per m<sup>3</sup>. In this area, NO<sub>2</sub> concentration levels are above 60µm per m<sup>3</sup>.
- 5.52 The Air Quality Officer has strong concerns for the location of this proposed development, particularly for the residential units that will be located around the Blackwall Tunnel Northern Approach Road (on both sides).
- 5.53 If permission will be granted, recommends no residential units on ground floor, no private gardens (with the exception of the block in proximity to Abbot Road) but only landscape and a communal garden, with the exception of the block in proximity to Abbot Road, no terraces and no balconies until the 3<sup>rd</sup> floor including (only openable winter gardens) and incorporation of greenery/ landscape / horizontal or living green walls to try to reduce air pollutants.
- 5.54 Condition regarding a Dust Management Plan and PM<sub>10</sub> Monitoring Condition requested.

#### **LBTH Environmental Health (Contaminated Land)**

- 5.55 No objections to the proposal subject to conditions relating to the submission of a site investigation report, a risk assessment of the site and a remediation strategy and verification report have been submitted to for approval by the Council.

#### **LBTH Health and Safety Officer**

- 5.56 Construction Phase: The development should comply with the Construction (Design and Management) Regulations 2007 specifically in order to secure the incorporation of safety matters in the development from 'the start, including the production of a "Health and Safety File" for the client and future users(s).
- 5.57 The Health & Safety File constitutes a record of the health and safety information for the projects client or end user and the responsibility for its preparation and up keep rests with the Planning Supervisor.
- 5.58 It is considered desirable for the Planning Supervisor to discuss the Health & Safety file with the Client early on in the project and the contents of the file will vary according to the complexity of the project but typically will include;
- a) record or as built drawings and plans;
  - b) general details of the construction methods and materials;
  - c) details of the structure's equipment and maintenance facilities;
  - d) operating and maintenance manuals supplied by contractors and equipment manufacturers;
  - e) procedures for cleaning;
  - f) information relating to the location and type of emergency systems and firefighting equipment; etc.

- 5.59 The Applicant will be required to comply with various legislative requirements in respect of matters relating to workplace health and safety, asbestos, use of cooling towers and evaporative condensers and special treatment licences.

### **LBTH Biodiversity**

- 5.60 Ecology was correctly scoped out of the EIA. A Habitat Regulations scoping assessment found that there would be no significant adverse impacts on Epping Forest SAC. A transitory bat roost for a single Common Pipistrelle bat was found in Jura House, one of the existing buildings. Before demolition of this building, a licence will be required from Natural England, and a mitigation strategy approved. Existing vegetation on the site, including trees, scrub and tall herbaceous vegetation, is likely to support nesting birds. Vegetation should be cleared outside the nesting season, or a survey for nesting birds undertaken before clearance. This should be subject to a condition.
- 5.61 The site contains significant areas of greenspace. These are largely of low ecological value, but the loss of trees and other vegetation will be an adverse impact on biodiversity. The proposed biodiverse roofs and amenity landscaping will be enough to ensure net gains in biodiversity that contribute to the Local Biodiversity Action Plan (LBAP), as required by Policy D.ES3. A total of around 4800 square metres of biodiverse roofs are proposed across the site, though there is little biodiverse roof in Phase A of the development. There is no detail of the proposed design for these roofs. Other LBAP priority habitat proposed within the landscaping include meadow and mixed native hedge. The 400 or so proposed new trees include a good range of native species, though the inclusion of the non-native *Quercus palustris* in the palette for the “native corridor” seems odd. I don’t know whether this species is susceptible to the invasive oak processionary moth – advice should be sought on this from the Senior Arboricultural Officer.
- 5.62 The planting palettes of shrubs and perennials for most areas of public realm in Phase A include some good nectar plants, which will benefit bees and other pollinating insects. Some of these palettes could, however, be improved for pollinators by increasing the diversity of flowering plants. Other biodiversity enhancements which would be appropriate across the development include bat boxes, nest boxes for birds such as swift, house martin, house sparrow (swift bricks are also used by sparrows) and black redstart, and various features for invertebrates such as bee boxes, bug hotels and loggeries.
- 5.63 Full details of biodiversity enhancements for each phase of the development should be secured by a condition. A bat roost was found in Jura House, therefore a protected species licence is required from Natural England, and a bat roost mitigation strategy will be required.

#### *Updated Comments following April 2022 Amendments:*

- 5.64 The outline landscape proposals for Jolly’s Green look good. While a small area of existing young woodland will be lost, a larger area of woodland will be planted, along with significant areas of wildflower meadow. Subject to detailed design, which can be dealt with through conditions, the proposals for Jolly’s Green will provide additional biodiversity enhancements in line with the LBAP. The proposed new woodland should be added as an additional bullet point to the biodiversity mitigation and enhancement condition, which should now read: Biodiversity mitigation and enhancement Prior to the commencement of above-ground works of each phase of the development, full details of biodiversity mitigation and enhancements within that phase shall be submitted to and approved in writing by the local planning authority.
- 5.65 The biodiversity enhancements across the development shall include but not be limited to the following: biodiverse roofs following the best practice guidance published by Buglife; wildflower meadows; new woodland planting in Jolly’s Green consisting of mostly native tree species; mixed native hedges; ornamental landscaping to include a good diversity of nectar-rich plants to provide food for bees and other pollinators for as much of the year as possible.

## **LBTH Energy Efficiency**

- 5.66 The Energy Officer is satisfied with the proposed Energy Strategy subject to securing the required Carbon Off-setting Contribution and updated energy strategies submitted at Reserved Matters Stage for the Outline component of the scheme.

## **LBTH Sustainable Urban Drainage (SUDS)**

- 5.67 Flood Risk - As residential accommodation is not proposed on the ground floor there is a decrease in the site's vulnerability; however, as there is a proposed basement this will increase the overall flood risk for the development. Therefore, it is important that the development provides a resilient means of safe access and egress with evacuation routes and residential alerts in place to protect residents should a flooding event occur. Consequently, a Flood Warning and Evacuation Plan (FWEP) will need to be submitted and approved, this will need to be secured with a condition.
- 5.68 The FRA states a basement will be incorporated into the development but gives no information on the extent and location of the proposed basement. Subsequently, no consideration/assessment has been submitted or provided to show how the basement will be flood resilient. As a result, we have concerns with regards to the basements potential flood risk and considering the development is within both a flood zone 3, and a CDA (Critical Drainage Area) we believe the proposed basement needs to undergo a further flood risk assessment. The assessment will need to provide adequate detail regarding the basements flood risk posed and the mitigation measures employed to reduce flood risk. The Applicant identifies medium to high risk associated with groundwater flood risk and we do not see sufficient assessment of risk or consideration given. Moreover, there are additional flood risks associated with the potential interaction during the construction phase with the water table as suggested within the FRA. Therefore, flood mitigation measures would defiantly need to be established and incorporate no flooding onsite or further downstream during construction should the basement be incorporated into the development. This is further compounded by the risks associated with the proposed pumped drainage system that is required to be incorporated into the basement and any pump failure will need to be assessed and flood risk mitigated against.
- 5.69 There are surface water flooding risks associated within the site's catchment area, and the submitted FRA states a median to high risk of surface water flooding associated within the existing road sections of the development. However, the information submitted on the FRA provides little information on how this risk will be managed throughout the site. As a result, more information will need to be provided to show how surface water flooding risk will be managed and mitigated against throughout the development.
- 5.70 Drainage Strategy - The drainage strategy sets out proposals to limit the surface water runoff discharge rate in line with greenfield and sets a discharge rate of 22.4l/s for the whole site (5.92ha) in a 1in100-year + 40% storm event. Additionally, surface water will be discharged via 13 separate sewer connections around the development with discharge rates spread across all connections. As a result, the site will provide substantial betterment over the existing situation and meets with critical drainage area requirements. Therefore, the surface water discharge rate is accepted in principle.
- 5.71 The drainage strategy proposes to keep the private and public drainage areas separate within the development. This is accepted in principle. However, surface water will still need to be managed as close to source as reasonably practical. Therefore, the private drainage set up must not direct any pluvial flows onto or across the publicly owned land. As a result, surface water will need to be managed completely within the developments own private drainage network and it is noted that the development incorporates multiple parcels of land that will require separate private drainage systems to be incorporated. However, each separate parcel is required to provide a drainage technical drawing to show drainage layout.
- 5.72 The development has also incorporated onsite surface water storage of 3668m<sup>3</sup>, which has been provided using a vast amount of below ground cellular attenuation tanks, podium/ blue roofs, green roofs, SuDS bio-retention planters and permeable paving.

- 5.73 The drainage strategy predominantly focuses on the proposed buildings within the site. However, as the development incorporates large amounts of open space. We will require further information to be submitted on how surface water will be managed throughout the whole site including footways, car parks, open spaces, park spaces.
- 5.74 The Applicant proposes to provide and utilise a variety of onsite suds features throughout the development. The current suds proposed within the development are accepted in principle and would provide substantial betterment over the existing situation. However, due to the size and nature of the development. We do believe there is potential for additional suds measures to be included within the development's drainage strategy. These would include but not limited to the inclusion of a rainwater harvesting system, rain gardens, and tree pits etc. Subsequently, this would bring the development further in line with national and local policy requirements, would provide an extensive biodiversity gain and would go towards decreasing the surface water volume being discharged from the site.
- 5.75 The drainage strategy currently states that rainwater harvesting is being discounted due to the proposed usage of the building and limited external space which requires irrigation. However, considering the scale of the development, the inclusion of rainwater harvesting should be prioritised in line with the Tower Hamlets Local Plan, and we believe the Applicant should reconsider this provision within their proposal.
- 5.76 Additionally, the current proposed drainage strategy for the site because of the above does not comply with the London Plan Policy SI.13, Tower Hamlets Local Plan Policy D.ES5 and isn't in line with the requirements set out within our IWMP.
- 5.77 Maintenance - A typical maintenance regime for the drainage scheme has been submitted. It's important to confirm details of agreed adoption, monitoring and maintenance of the drainage and suds features.
- 5.78 Residual Risk - Safe and appropriate flow routes from blockage and exceedance of the drainage system must be evaluated. This must demonstrate no property flooding or increase in flood risk, either offsite or to third parties.

### **LBTH Parks**

- 5.79 The LBTH Parks Department has worked closely with the Aberfeldy Big Local, Poplar HARCA and Ecoworld to consult residents and develop designs for Braithwaite Park and Leven Road Open Space. The Parks service is generally supportive of a number of key features of the design – the improved connectivity, good through routes between green spaces, and multiple new green spaces, we must express our concern at the omission of Millennium Green from the scheme, and the complete lack of detail on Jolly's Green and how it would fit with the scheme.
- 5.80 Connections: LBTH Parks welcome the proposed connection through the Leven Road Gasworks through the new Riverside Park to the River Lea and the new links across the River Lea. Welcome the identification of the need to improve the pedestrian and cycle links under the Blackwall Tunnel Approach Road but have concerns about the potential traffic implications of making the existing vehicle underpass for pedestrians and cycles only.
- 5.81 Open Spaces: LBTH Parks have been assured that Millennium Green will be improved in Phase B in the same way as the other two existing parks, but Millennium Green has been specifically excluded from the red line boundary. The commitment has not been incorporated into the planning application. What commitment if any has been given to Jolly's Green and how the vehicle free underpass will mesh with Jolly's Green.
- 5.82 Requests clarification as to who will manage the Allotments and Plot J and the meanwhile uses and community gardens.

*Updated Comments following April 2022 Amendments:*

- 5.83 **Play Strategy:** Play equipment should have a minimum of 50% inclusive equipment. Podia seem to be accessed via steps this is not good for those with limited mobility. Supportive of informal play but need to ensure caution that equipment are inspected with the rigour of designated play equipment. Would like to know which of the permanent play areas is being referred to as replacement for the temporary play in subsequent phases of the masterplan.
- 5.84 **General Comments:** Require clarification that the space to widen the pavement alongside Abbott Road will not be at the cost of some of the Parks areas. Lots of planting across the open space proposed, wildflower meadows are great for biodiversity and appear to be low maintenance. Clarity required as to who will manage the allotments and other areas.
- 5.85 **Inclusion and Access:** General comments have been provided regarding furniture design, access for people with limited mobility and parents with buggies and guardrails.
- 5.86 **Braithwaite Park:** Will need to accommodate LBTH requirements for sand, water, wood in ground and should have a minimum of 50% inclusive play equipment.
- 5.87 **Millennium Green:** References to Millennium Green are confusing as outside of the application boundary. Would like clearer information on how improvements to Millennium Green progress, and a firm agreement to be framed through planning.
- 5.88 **Jolly's Green:** There has been no conversation with LBTH Parks about the decision to include Jolly's Green within the red line. LBTH Parks are not opposed to this however given that the Applicant committed to discuss this with LBTH Parks, there have been no further discussions. The interface between the underbridge and Jolly's Green is not shown in the Design and Access Statement. LBTH Parks are not generally keen on the removal of 40 trees from Jolly's Green. The woodland area on the east edge of Jolly's Green may attract Anti-social behaviour. There are concerns about cyclists and cycle route and potential conflict with pedestrians, riders can ride at high speed on such routes and there will need to be good barriers between cycle and pedestrian paths to prevent cyclists darting from one to another. Need to consider the implications for lighting and cycle routes need to be well away from play areas.

**LBTH Asset Management**

- 5.89 No comments received.

**LBTH Town Centres Team**

- 5.90 No comments received.

**LBTH Regeneration**

- 5.91 No comments received.

**External Consultees:**

**Mayor of London/Greater London Authority (GLA Stage 1 Report)**

- 5.92 **Principle of Estate Regeneration:** The proposal would secure a net increase in existing affordable housing floorspace on a like for like tenure basis and would generally accord with the Mayor's key principles for estate regeneration schemes.
- 5.93 **Land Use Principles:** The principle of the optimisation of the site to deliver a mixed-use scheme with an uplift in housing and affordable housing is supported. The quantum of development beyond Phase A relies on highway amendments to unlock development plots which require further resolution. The provision of retail and workspaces for small shops is supported however further information is required to demonstrate that consideration has been given to the retention of existing businesses within the scheme. Further information is also required to demonstrate

that existing sports and play facilities are being re-provided within the future scheme. An equalities impact assessment must be provided.

- 5.94 **Affordable Housing:** The scheme proposes 35% affordable housing (including re-provision of existing social rent homes). The affordable housing delivered in addition to the social rent provision will have a tenure split of 70% affordable rent to 30% intermediate. The submitted viability report concludes the scheme generates a deficit. GLA Officers will continue to work with the Council and Applicant to ensure the scheme provides the maximum viable amount of affordable housing. Early, mid and late-stage reviews, and affordability/eligibility criteria must be secured.
- 5.95 **Urban Design:** The layout principles underpinning the scheme are rational and the range of different character areas within the masterplan is broadly positive. Due to the density of the development, the delivery of the new and improved underpass connections are vital to its success. The design code and parameter plans demonstrate that a high-quality development can be achieved. The site is not identified in the development plan as suitable for tall buildings; however subject to addressing the criteria in Policy D9, the proposed tall buildings could be acceptable on balance.
- 5.96 **Transport:** Further information and clarification, as well as further discussion are required for TfL Officers to confirm support for the proposal. Besides completing and report on the proposals impact on strategic and local highways and the effect on and mitigation for buses, further information or clarification is required on three-hour AM and PM peak trip generation figures; Canning Town station impacts and design codes.
- 5.97 **Environmental and Sustainable Development:** Further information required in respect of matters concerning flood risk, energy, wholelife carbon, circular economy and air quality.

#### **Transport for London (TfL)**

- 5.98 An initial comprehensive stage 1 response was received from TfL focused on the following: Principle of Abbott Road highway proposals; Approvals, funding and delivery; Highway modelling and assessment; Public Transport, Design and Access, Car Parking, Cycling, Cycle Hire, Delivery and Servicing Planning, Construction and Management Plans and Travel Plans. In summary, TfL required further information, clarification and further discussion with the GLA and Tower Hamlets for TfL to confirm any support for the proposal. Besides completing and reporting on impact on strategic and local highways and effect on public transport and need for potential mitigation, further information or clarification was required on the following:
- Provision of Stage 1 Road Safety Audit.
  - Confirmation of TfL Structures approval in principle for the access proposed.
  - Confirmation of Strategic Impact Report, including impact on local highways.
  - Clarification of proposed highway arrangements including swept paths.
  - Three hour AM and PM peak trip generation figures.
  - Further information on Underground, DLR and Rail trip generation and distribution.
  - Canning Town Station impacts.
  - Design codes including for bus access.
  - Clarification of approach to disabled persons parking.
  - Confirmation of a minimum 20% active charging point provision and 80% passive charging point provision for the proposed disabled persons parking.

*Updated Comments following April 2022 Amendments:*

#### Principle of Abbott Road highway proposals:

- 5.99 Further material has been provided of views within and through the underpass including with the new connection to Jolly's Green which is now included in the application boundary which is welcomed. This is a key element in insuring certainty about the delivery of a viable and attractive east west route.

### Structures, approvals, funding and delivery:

- 5.100 Any planning permission must ensure that all necessary Structures approvals are in place prior to commencement of the underpass works and A12 junction and A12/Zetland Street junction.
- 5.101 A planning mechanism, funding strategy for delivery and maintenance such as commuted sums and trigger points for the proposed A12 bus gate, Abbott Road underpass works, and A12/Zetland Street junction works would also need to be agreed, and the timing and phasing of payments and delivery of the junctions will therefore need to be discussed. TfL are satisfied that changes to the highway network could be delivered through a Section 278 agreement and that the indicative layout is capable of being implemented and there will not be any technical barriers at that stage to delivering it.
- 5.102 TfL would support the inclusion of an obligation with the S106 that restricts the commencement of any residential or other development within Phases B-D, to the delivery of the underpass improvements and A12 bus-gate junction, and the delivery of Highland Place.
- 5.103 Costs associated with removal of the existing Abbott Road pedestrian subway would need to be borne by the Applicant and scope of works and mechanism for delivery of the Balfron/Dess Street subway improvements would need to be agreed.

### Highway modelling and assessment:

- 5.104 A12 at-grade crossing: The Applicant has undertaken a separate modelling exercise to look at an option for an at-grade pedestrian crossing on the A12 which would be called about 30 times an hour. The Applicant's conclude that at an at-grade crossing in conjunction with a new bus gate at the top of Abbott Road is not feasible on the grounds of road safety and the detrimental impact on the operation of the strategic road network which TfL would not support.
- 5.105 Proposed A12 bus gate, Abbott Road works and A12/Zetland Street junction: The outputs from microsimulation modelling of the proposed design identify some potential delay to bus journey time alongside other benefits for overall impacts on A12 and on local highway network. The modelling for the bus gate is based on up to 10 buses an hour northbound through the bus gate, whereas only route 309 currently operates along this corridor. This provides the necessary resilience should TfL decide to introduce another bus service into the area in future.
- 5.106 The model forecasts that for general traffic within the model area:
- Total number of vehicles passing through the model area will increase, and average journey time will reduce.
  - Average delay time per vehicle will reduce by 40% in the morning peak period and 27% in the evening peak period.
- 5.107 The model forecasts that in respect of the A12 (between Bow Roundabout and Abbott Road):
- Average journey time per vehicle reduces in both directions in the morning peak period by 34 seconds northbound and 7 minutes 37 seconds southbound.
  - Overall, there is a minor increase in average journey time in the evening peak period – an improvement north bound (73 seconds) and a delay southbound (+80 seconds).
- 5.108 There is no adverse impact on the operation of the Blackwall Tunnel. The improvements in journey time stem from the additional northbound traffic lane being created at A12/Zetland Street junction.
- 5.109 Bus Impact: 309 westbound journey time increases by +77 seconds in the morning and increases by +80 seconds in the evening (primarily due to the introduction of the bus gate). 309 eastbound journey time reduces 6m46s in the morning (mainly due to reduced congestion between Zetland Street and Abbott Road) and increases by +3 seconds in the evening. Overall, bus delays are reduced significantly across the model network (37% AM and 27%PM).
- 5.110 For general traffic, there are some journey times that increase: A12 southbound traffic in the PM peak and general traffic wishing to leave Aberfeldy Estate and travel northbound on the A12 (estimated increase by 32 seconds in AM and 42 seconds in PM peak).

- 5.111 The Road Space Performance Group (RSPG) consider that on balance the proposed changes to the TLRN are not considered to have a material impact on the TLRN.
- 5.112 Further discussions are required at detailed design stage to inform the Traffic Order which will need to be placed on the proposed A12 bus gate junction.
- 5.113 A sum of £450,000 is required for bus priority measures to mitigate the impact on the bus network.
- 5.114 Design and Access: Welcome amendments to Design Code to provide segregated cycle route within the underpass. There should be engagement with TfL's Compliance, Policing, Operations and Security Directorate and the Metropolitan Police Service Designing Out Crime Officers to provide advice on the underpass design. This should be secure by condition.
- 5.115 Balfron/Dee Street Subway: The precise mechanism for securing a scope of works for enhancements to TfL assets and Tower Hamlets assets will need to be agreed, the works and the timing of the works would need to be agreed in detail.
- 5.116 Planning conditions/appropriate mechanisms should secure wayfinding; details of design and construction methodology, demolition, excavation, foundations and superstructure; car club provision and membership; electric vehicle charging points; cycle parking and facilities; Delivery and Servicing Plan; Construction and Management Plans and Travel Plan.

### **Historic England**

- 5.117 Historic England initially requested further views showing Balfron Tower, they were then subsequently directed to the specific views within the submitted TVIA in response to Historic England's. Historic England confirmed they were content with the Local Planning Authority to determine this application without any further reference to Historic England.

### **Metropolitan Police (Designing Out Crime Officer)**

- 5.118 No objections to the proposal subject to a condition requiring the submission of details of security measures demonstrating that secure by design standards shall be achieved.

#### *Updated Comments following April 2022 Amendments:*

- 5.119 We confirm that we have had a meeting in connection with the amended project and welcomed the opportunity to provide recommendations based on the inclusion of Jolly's Green and underpass areas. We have raised concerns regarding the opportunity for the underpass to be misused for drink, drug and rough sleeping offences as well as by moped delivery riders for cutting through the area en-route to drop off venues. These are areas that can be mitigated against; however, it will require the assistance of the both the planning department and the developer to try and ensure the risk is minimized through the final design. Crime figures have previously been provided that show the area is subject to significant volume of crimes. We reinforce our request for a Secured by Design condition on this scheme that would allow further input through the design and build process to assist in the safe and secure environment for both residents and visitors to the estate for many years to come.

### **London City Airport**

- 5.120 No objections subject to the imposition of a condition requiring the submission of construction methodology and diagrams for the erection of cranes.

### **Sport England**

- 5.121 Existing Sport Provision: There are sports facilities within the application site, namely the Multi-Use Games Area (MUGA) at Leven Road Open Space, the MUGA with sports lighting adjacent to Aberfeldy Community Centre and Aberfeldy Boxing Club. It appears that Leven Road Open Spaces' MUGA would be retained however Sport England is unclear whether the application seeks to retain the other two facilities, and any other sports facilities that might be present within the application site. In particular, the MUGA at Aberfeldy Community Centre appears to be lost. As highlighted above, Sport England's policy seeks to protect existing facilities which is reflected in the NPPF, paragraph 99, and it does not appear, at this stage, that any losses

proposed by the application would meet the requirements of either Sport England's or national policy. As a result, Sport England object to the loss of the MUGA and, if the Boxing Club facility is not secured/replaced by the proposals, then Sport England would also object to the impact on the Boxing Club. In order to overcome these concerns, the proposal would need to robustly demonstrate that the facilities to be lost are either surplus or that they would be replaced before they are lost.

- 5.122 Community Sports Facility Provision: The application appears to propose up to 1628 residential units, the occupiers of which will generate demand for sporting provision. The existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as a Playing Pitch Strategy, Built Facility Strategy or another relevant robust and up-to-date needs assessment. In this respect, Sport England is unaware that the Council has robust and up-to-date sport facility strategies.
- 5.123 Although there is floorspace proposed for uses falling within Use Class E it is not clear whether any of these would actually be sport facilities and, if there were to be sport facilities, then it is not clear what sport facilities would be provided. As a result, it would be unknown if any sport facilities would meet the sporting demands arising from the development.
- 5.124 Changes to CIL Regulations in 2019 has resulted in the Council having the opportunity to seek contributions through CIL or via a S. 106 Agreement however it is not clear how, or if, the Council intends to mitigate the impact of the increase of sporting demand on local sport facilities. If provision for sports facilities is to be made by the CIL charge, it is acknowledged that there is no requirement to identify where those CIL funds will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development and direct funds to deliver new and/or improved facilities for sport based on local priorities.
- 5.125 In the event that the Council decides to seek provision for sports facility provision through a S.106 agreement rather than the CIL charge then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool.
- 5.126 In relation to built sport facilities, Sport England's established Sports Facilities Calculator (SFC) indicates that a population of 3,908 (calculated by multiplying the number of residential units by the average occupation rate of 2.4) in the London Borough of Tower Hamlets would generate a demand for 0.3 sports halls (£961,731), 0.21 swimming pools (£989,535), 0.15 artificial grass pitches (£190,311 if 3G or £173,097 if sand) and 0.03 rinks of an indoor bowls centres (£12,246). Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sport facility provision was to be made through a S.106 agreement.

#### Updated Comments

- 5.127 Following comments received from the Applicant responding to Sport England the following updated comments have been provided.
- 5.128 Multi-Use Games Area (MUGA): Sport England appreciate the works proposed to Leven Road and these are welcomed as they have the potential to encourage the local community to engage in different forms of physical activity. However, ultimately, the works to Leven Road do not appear to create any additional courts therefore there is still a net loss of MUGA/court provision proposed.
- 5.129 Boxing Club: the NPPF, paragraph 99, and Sport England Policy does not make an exclusion regarding 'meanwhile' uses especially since these could be operating for a number of years and could establish to a point where they are significant for the local community although it is appreciated that the intention would always to occupy a site for a limited time. In this instance,

albeit vague, it now appears that the Boxing Club would have a new home once the masterplan is developed according to the agents' comments but this does not appear to be clarified in the documentation nor explained how this would be secured. Sport England would like to understand what space the Boxing Club would actually occupy and whether it would be the same size (or larger than) as the existing. In addition, could the interim arrangements be clarified that ensures that the Boxing Club has access to a facility sufficient for the needs.

- 5.130 Community Sports Provision: The Agents comments do not change Sport England's position in this respect. If the Boxing Club were to occupy one of the units falling within Use Class E then this would be to serve existing demand (unless the unit is bigger) and not future demand.
- 5.131 Active Design: Sport England welcome that some principles have been incorporated but would encourage further consideration, albeit it appreciates that is a late stage of the design process and should have been factored in at the pre-application stage.

#### **Thames Water**

- 5.132 No objections to surface water network infrastructure capacity or foul water sewage network infrastructure capacity. Request conditions requiring the submission of a Piling Method Statement, details that all water network upgrades required to accommodate the additional flows beyond the occupation of 99 dwellings have been completed or the submission of a development and infrastructure phasing plan, and informatives in respect of minimising risks to public sewers.

#### **Cadent Gas**

- 5.133 Cadent have identified low or medium pressure assets within the vicinity of the application site. Cadent Gas have no objection to this proposal from a planning perspective. Requests that an informative is imposed.

#### **L.B Greenwich**

- 5.134 No objections to the application.

#### **Crossrail**

- 5.135 No comments to make on the application.

#### **Network Rail**

- 5.136 No objections to the proposals.

#### **Environment Agency**

- 5.137 No objections to the application.

#### **Health and Safety Executive (HSE) Gateway One**

- 5.138 Blocks H1 and H2 – The firefighting shaft should be approached by firefighters via a firefighting lobby or protected corridor. The fire statement in Section 14 indicates the proposal to install the Dry Rising Main inlet at the entrance on Aberfeldy Street which leads into the lobby and post area. This is not a protected route.
- 5.139 Plan drawings show that the escape route from flats on each storey includes a balcony in excess of 2m wide. Where an escape route is via a balcony having width of more than 2m, there is a risk that the balconies might become smoke-logged both along the balcony and on levels above.
- 5.140 Block I – Consideration should be given to the doors between the roof gardens and the stair. A fire on the roof garden could penetrate the door and fill the stair with heat, smoke and fire gasses. A fire resisting door and a suitable self-closing device should be considered.
- 5.141 Block F – The high voltage and low voltage electrical intake room appears to be entered via a lobby at first floor level, such areas can be regarded as at more serious risk of fires starting within them. The intention to install sprinklers and firefighting shaft is noted. It is noted that corridors

will be ventilated. Areas that could be used for appliance access are pedestrianised. Any such paving should be able to withstand the weight of a fire appliance and access is not restricted by using bollards or planters or other objects.

- 5.142 Following receipt of further information addressing the above, the HSE are now satisfied with the information provided with the application including the Fire Statement.

#### **TfL Infrastructure Protection**

- 5.143 London Underground/DLR Protection has no comment to make on this application.

#### **Port of London Authority (PLA)**

- 5.144 The PLA have no objection to the proposed development and have the following comments to make. The redline boundary for the development does not border the River Lea, located towards the east of the proposed development. However, the application documents references to improving pedestrian and cycle links east/west towards the River Lea which is welcomed. The application documents also contain reference to the work the London Boroughs of Tower Hamlets and Newham are carrying out in partnership with developers to introduce new pedestrian and cycle bridge links over the River Lea. As part of this it must be made clear that any new crossings proposed over the River Lea must not hinder navigation and the PLA must be involved in any discussions with regard to any proposed river crossings in this area at an early stage.

#### **Greater London Archaeological Advisory Service (GLAAS)**

- 5.145 The site lies in a potentially highly productive and well-preserved riverside landscape and includes buried gravel islands which would have been prominent dry spots along the Lea, making them attractive to human habitation. Waterlogged deposits connected with prehistoric and later activity can be expected. There is opportunity to partially offset any consented loss by bringing the heritage of the site to the attention of residents and visitors in an engaging and interesting way. No objections subject to conditions securing a detailed pre-development geoarchaeological modelling, a stage of trial trenching, any appropriate wide area investigations and a programme of public heritage outreach and presentation in the final scheme.

#### **National Air Traffic Systems (NATs) Safeguarding**

- 5.146 The proposal does not conflict with NATs safeguarding criteria and therefore there are no safeguarding objection to the proposal.

#### **Natural England**

- 5.147 No objections to proposal.

#### **Canal and River Trust**

- 5.148 The application site lies some distance from the River Lea/Bow Cree, which the Trust is the Navigation Authority for only. The Trust therefore have no comments make in terms of the direct impact of the proposed development except to offer support for contributions towards wayfinding and other improvements that would help existing and future communities in this area to appreciate the value of Bow Creek, and the Limehouse Cut, which is a very short walk away.

#### **Marine Management Organisation**

- 5.149 No objections to the proposal. Advise provided that any works within the Marine area require a licence from the Marine Management Organisation. It is the Applicant's responsibility to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

#### **London Borough of Southwark**

- 5.150 No comments to make.

### **City of London**

5.151 No comments to make.

### **Twentieth Century Society**

5.152 While the Society's Casework Committee has no objections to the redevelopment of the site in principle and would not oppose low-rise, high-density development here, its members have expressed concern about the high-rise buildings proposed and the impact these proposals will have on the views of the listed Goldfinger buildings, particular the Grade II\* Balfron Tower and Balfron Tower Conservation Area.

5.153 Balfron can be clearly seen in views from Abbott Road and along Etrick Street and Dee Street. Balfron currently terminates these views and towers these low-rise dwellings. The proposed buildings will block these views to Balfron and will lessen the tower's visual impact (Views 3, 31 and 32) and the development will harm Balfron's significance as a landmark building within the borough.

5.154 The development will harm the setting of St Nicholas and All Hallows church. The church's spire currently rises above the roofs of the low-rise post-war residential buildings, allowing it to be seen as a local landmark and appreciated as a building of townscape merit. The proposed development will enclose and overshadow the church and will reduce views of it from a distance, ultimately harming its heritage significance.

5.155 Due to the harmful impact the proposed high-rise buildings would have on nearby heritage assets, the Society object to the current application.

### **Aberfeldy Big Local**

5.156 Aberfeldy Big Local is a residential led organisation which comprises a group of local residents who collectively work together to invest lottery funding to improve the wider Aberfeldy Estate. A number of comments and objections which can be summarised as follows:

- The underpass has not been widely consulted on and residents were unaware that housing regeneration would involve major road changes.
- The 3 existing green spaces are not sufficient provision for existing residents.
- It is essential that no green space is lost to development in this process.
- What provision will be made for children's play space during development work?
- Height of taller buildings will block natural light to homes, green and open spaces, especially homes on Abbott Road in the shadow of proposed 24 and 28 floor blocks.
- Concerned about the lack of car parking being provided for new homes.
- Lack of community engagement and estate wide consultation.
- How will demolition work and construction traffic be managed to ensure minimum disruption, pollution and environmental impact.
- Impact from noise and dust will affect resident's health.

### **Maritime Greenwich World Heritage Co-Ordinator**

5.157 No comments received.

### **National Amenities Society**

5.158 No comments received – but see separate comments from Twentieth Century Society above.

### **The Gardens Trust**

5.159 No comments received

### **Historic Royal Palaces**

5.160 No comments received.

### **London Transport Property**

5.161 No comments received.

### **London Bus Service Ltd**

5.162 No comments received.

### **London Legacy Development Corporation**

5.163 No comments received.

### **L.B Newham**

5.164 No comments received.

### **L.B Lewisham**

5.165 No comments received.

### **L.B Hackney**

5.166 No comments received.

### **Lea Valley Regional Park Authority**

5.167 No comments received.

### **London Fire Brigade**

5.168 No comments received.

## **6. RELEVANT PLANNING POLICIES AND DOCUMENTS**

### **Development Plan**

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

6.2 The adopted Development Plan comprises:

- The London Plan 2021 "The London Plan" (Published March 2021)
- Tower Hamlets Local Plan 2031, "The Local Plan" (Adopted January 2020)

6.3 The key adopted Development Plan policies relevant to the determination of this proposal are:

Growth (building strong and inclusive communities, making the best use of land, opportunity areas, strategic and local regeneration, areas of growth and opportunity, delivering sustainable growth)

- London Plan Policies: GG1, GG2, SD1, SD10.
- Local Plan Policies: S.SG1, S.SG2.

Land Use (opportunity areas, principle of housing, principle of retail uses, supporting the network and hierarchy of centres, new employment space, retention of social infrastructure)

- London Plan Policies: SD1, E3, H1, S1.
- Local Plan Policies: D.TC2, DEMP.2, S.TC1, S.H1. S.CF1, D.CF2, D.CF4.

Design (layout, townscape, appearance, materials, tall buildings, public realm, safety and security, fire safety, inclusive design)

- London Plan Policies: GG2, D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12.
- Local Plan Policies: S.DH1, D.DH2, D.DH4, D.DH6, D.DH7.

Heritage (historic environment, world heritage sites, local and strategic views)

- London Plan Policies: HC1, HC2, HC3, HC4.
- Local Plan Policies: S.DH3, D.DH4, S.DH5, D.DH6.

Housing (increasing housing supply, estate regeneration, affordable housing, housing mix, housing quality, play and informal recreation, accessible housing)

- London Plan Policies: GG4, D7, H1, H4, H6, H7, H8, H10, S4.
- Local Plan Policies: S.H1, D.H2, D.H3.
- Leaside Area Action Plan: LS2

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

- London Plan Policies: D3, D6, D9, D14.
- Local Plan Policies: D.DH8, D.ES9

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

- London Plan Policies: T1, T2, T3, T4, T5, T6, T6.1, T7, T8.
- Local Plan Policies: S.TR1, D.TR2, D.TR3, D.TR4.
- Leaside Area Action Plan: LS8

Environment (air quality, wind/microclimate, urban greening, biodiversity, contaminated land, energy efficiency and sustainability, sustainable drainage, flood risk, waste)

- London Plan Policies: D1, D3, D8, D9, G1, G4, G5, G6, G7, SI1, SI2, SI3, SI4, 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.MW2, D.MW3, S.OWS1, D.OWS3.

### **Other Policies and Guidance**

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- GLA Affordable Housing and Viability SPG (2017)
- GLA Housing SPG (Updated 2017)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- GLA London View Management Framework SPG (2012)
- LBTH Reuse, Recycling and Waste SPD (2021)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (December 2020)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- LBTH Parks and Open Spaces; An Open Space Strategy for the London Borough of Tower

Hamlets 2017-2027.

- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)
- Tower Hamlets Open Space Strategy 2017-2027

6.5 The following draft guidance is also relevant, although they have limited weight:

- Tall Buildings SPD (consultation draft 2021).
- Leaside Area Action Plan Regulation 18 (November 2021)

## **7. PLANNING ASSESSMENT**

The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Quality of Accommodation
- iv. Design
- v. Landscaping, Public Realm and Biodiversity
- vi. Heritage
- vii. Amenity
- viii. Transport and Servicing
- ix. Environment
- x. Infrastructure Impact
- xi. Equalities and Human Rights

### **LAND USE**

#### **Principle of Development**

- 7.1 The National Planning Policy Framework ('NPPF') promotes a presumption in favour of sustainable development through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environmental benefits. Planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.2 Objective GG2 of the London Plan requires that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must amongst other things, enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites.
- 7.3 Policy SD1 of the London Plan identifies Poplar Riverside as a designated Opportunity Area. The London Plan recognises Opportunity Areas as being the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. The policy expects development proposals within Opportunity Areas to amongst other things, support wider regeneration, maximise the delivery of affordable housing, support the creation of employment opportunities and the creation of mixed and inclusive communities and integrate development proposals to the surrounding areas for regeneration.
- 7.4 Table 2.1 to Policy SD1 indicates that the Poplar Riverside Opportunity Area is capable of accommodating an indicative capacity of 9,000 new homes and 3,000 new jobs up to 2041. The Opportunity Area is covered by the Mayor of London's Lower Lea Valley Opportunity Area

Planning Framework (*hereinafter referred to as the OAPF*) which was adopted in January 2007. The OAPF sets out a balanced and comprehensive approach to land use and development within the Lower Lea Valley area and identifies a series of key strategic and local interventions that will be required to achieve Valley-wide objectives.

- 7.5 The Tower Hamlets Local Plan 2031 (*hereinafter referred to as the Local Plan*) identifies that the application site lies within 'Sub-area 3: Lower Lea Valley'. The overarching vision for this sub-area is that by 2031, the Lower Lea Valley will experience comprehensive regeneration and redevelopment of former and underused industrial areas. Connectivity will be transformed with a series of new bridges and riverside walkways across the River Lea, and new crossings along the A12 and A13, which will intergrade existing and new communities in the area.
- 7.6 There is no Site Allocation for the Aberfeldy Estate under the Local Plan however the site does have a site allocation in the Regulation 18 Consultation Version of the Leaside Area Action Plan (*hereinafter referred to as the "Leaside AAP"/"AAP"*) and whilst this document has limited weight given its unadopted status, it is considered to be a material consideration in the assessment of this planning application given that it has undergone public consultation. Regulation 18 version of the AAP designates site allocation LS-A as the Aberfeldy Estate. The site allocation states that the Council encourages proposals for residential-led redevelopment of the Aberfeldy Estate, where they meet the design, connectivity, infrastructure and delivery criteria set out in the AAP as well as being in accordance with other Development Plan policies.
- 7.7 Appropriate land uses identified in the AAP for the Aberfeldy Estate include Housing, Community, Retail and other Town Centre Uses and Public Open Space. It is also noted that Plot J of the masterplan falls within Site Allocation 3.1: Ailsa Street which identifies Housing and Employment as being appropriate land uses.
- 7.8 The residential-led development would align with the land use requirements of the Site Allocation of the Leaside AAP and given the site's location in an Opportunity Area, the redevelopment of the site to contribute to the delivery of growth is supported in principle subject to all other relevant Development Plan policies being adhered with.

### **Principle of Housing**

- 7.9 The NPPF seeks the delivery of a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 119 of the NPPF sends a core message that previously developed land (brownfield land) should be effectively reused in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Chapter 11, paragraph 120, Part C) of the NPPF emphasises that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 7.10 The London Plan emphasises that there is a pressing need for more homes in London and that providing a range of high quality, well-designed, accessible homes is important to delivering Good Growth, ensuring that London remains a mixed and inclusive place in which people have a choice about where to live. Strategic objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must, amongst other things, under Part (C) create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.
- 7.11 Policy H1 of the London Plan sets a ten-year target for net housing completions that each Local Planning Authority should plan for. As such, the Borough is required to deliver 34,730 (3,473 per year) new homes between 2019/20 and 2028/29.
- 7.12 At the local level, Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.13 As the site falls within an Opportunity Area whereby growth is expected to be accelerated and will achieve Site Allocation designation in the forthcoming Leaside AAP whereby residential use has

been deemed an appropriate land use, the provision of a maximum of 1,582 residential units which would result in the net gain of 1252 new dwellings of which 38.8% (equating to an indicative maximum 447 dwellings) would be affordable would positively contribute to the Borough's housing stock, noting that there is an acute local and national demand for increased housing. The principle of housing on this site is therefore supported and considered acceptable.

### Redevelopment of the Aberfeldy Street Neighbourhood Centre

- 7.14 Policy S.TC1 of the Local Plan requires development to support the role and function of the Borough's town centre hierarchy and the provision of town centre uses. In terms of Neighbourhood Centres, development is required to amongst other things support the provision of a range of shops and services to meet the needs of their local catchments and ensure that development is appropriate to the nature and scale of each individual centre.
- 7.15 Policy D.TC2 (Part 5) of the Local Plan requires that within Neighbourhood Centres, the proportion of units with A1 retail use should not fall below 40% of all units within the designated centres. New development should also be appropriate to the nature and scale of the individual Neighbourhood Centre/Parade.
- 7.16 The existing Neighbourhood Centre is contained to the southern portion of Aberfeldy Street and consists of 24 commercial units containing a mixture of 'original tenants' and 'meanwhile tenants' as a result of the Meanwhile Project undertaken within the Neighbourhood Centre. Members are advised that as of 1<sup>st</sup> September 2020, the introduction of Statutory Instrument no.757 resulted in changes to the Town and Country Planning (Use Classes Order) and the creation of three new uses classes, Class E (Commercial, Business and Service), Class F1 (Learning and Non-Residential Institutions) and Class F2 (Local Community Uses).
- 7.17 Use Class E effectively amalgamates a number of use classes into this new use. In the context of the application proposals, units within the Neighbourhood Centre that were previously classified as Use Classes A1 (Shops), A2 (Financial and Professional Services), A3 (Food and Drink), B1 (Business), D1 (Non-Residential Institutions) and D2 (Assembly and Leisure) all now fall within Use Class E. Use Classes A4 (Drinking Establishments) and A5 (Hot Food Takeaways) now fall within the Sui Generis category. The table below sets out the existing uses within the Neighbourhood Centre and highlights their assumed former Use Class categorisation.

Address	Occupant	Current Use Class (Post 1 <sup>st</sup> September 2020)	Previous Use Class
<b>Aberfeldy Street – Western Side</b>			
25 Aberfeldy Street	Perfect Fried Chicken	Sui Generis	Class A5
27 Aberfeldy Street	The People Speak	Class E	Class B1 (Office)
29 Aberfeldy Street	Boxing Club	Class E	Class D2
31 Aberfeldy Street	Newsagent and Off Licence	Class E	Class A1
33 Aberfeldy Street	Bike Repair Shop	Class E	Class A1
35 Aberfeldy Street	Britannia Pharmacy	Class E	Class A1
37 Aberfeldy Street	Digi-barber	Class E	Class A1
39 Aberfeldy Street	Aberfeldy Big Local	Class F1	Class B1/D1
41 Aberfeldy Street	More Life Home	Class E	Class A1
43 Aberfeldy Street	Development Drop-in Centre	Class E	Class A1

45-47 Aberfeldy Street (2 Units)	Costcutter	Class E	Class A1
49-51 Aberfeldy Street (2 Units)	Culloden Bangladeshi Parents Association	Class F2	Class D1
53 Aberfeldy Street	Woodwork Shop	Class E	Class B1
55 Aberfeldy Street	Miu Valley Takeaway	Sui Generis	Class A5
<b>Aberfeldy Street – Eastern Side</b>			
36-38 Aberfeldy Street (2 Units)	Aberfeldy Islamic Cultural Centre	Class F1	Class D1
40 Aberfeldy Street	Boxing Club	Class E	Class D2
42-44 Aberfeldy Street (2 Units)	Umar Grocery Store	Class E	Class A1
46 Aberfeldy Street	Fabric Shop/Tailor	Class E	Class A1
48 Aberfeldy Street	Fitzrovia Noir Exhibition Space	Class E	Class B1
50 Aberfeldy Street	Tommy Flowers Pub	Sui Generis	Class A4

**Table 7:** Existing Neighbourhood Centre Uses

- 7.18 The replacement Neighbourhood Centre on the southern portion of Aberfeldy Street (within Plots H1/H2 and H3) will provide 1,088sqm of retail floorspace consisting of 16 units within Class E use. Within Block H1/H2 there would be 12 units at ground floor level whilst the ground floor of Block H3 will contain 4 commercial units. This will be a reduction in commercial floorspace (-426sqm) along the High Street and a reduction of units from 24 to 16 units, however within Phase A as a whole, the scheme will provide 1,341sqm of retail (Use Class E) floorspace and across the wider masterplan, the scheme will deliver 2,586sqm of retail floorspace. It can be seen that whilst the High Street itself will experience a reduction in floorspace and the quantum of units, the proposal would overall provide an uplift (+1,072sqm) in commercial floorspace thus providing an enhanced convenience offer and other localised services to meet the immediate needs of local residents. The proposed uplift in commercial retail focused floorspace would be consistent with the Leaside AAP which identifies that this site allocation has the capacity to provide 3000sqm of retail space. Officers would also be seeking to secure that the delivery of the development is linked to the delivery of retail floorspace to ensure that the scheme delivers the appropriate levels of replacement retail floorspace as the construction of the development progresses. This would be secured by the S106 legal agreement.
- 7.19 The existing Neighbourhood Centre currently has 14 out of the 24 units in retail use equating to 58% of the proportion of units within this Neighbourhood Centre and therefore does not conflict with Policy D.TC2 of the Local Plan. It should also be noted that a number of existing units would not benefit from permitted development rights to occupy any of the new flexible Class E uses in the replacement Neighbourhood Centre. These include existing units that were previously occupied as hot food take-away (Sui Generis) and as such all the proposed units could potentially be used for uses that would have traditionally been considered as Class A1 retail. However, to ensure that Policy D.TC2 is adhered with, should planning permission be granted for this development, Officers would be seeking to impose a condition that requires that a minimum of 40% of the units contained within Plots H1/H2 and H3 are provided as Use Class E(a); shops other than for the sale of hot food.
- 7.20 The existing commercial units in the High Street which are fairly similar in their size measuring between 4.9m and 5.27m wide (Aberfeldy Street West) or between 5.38m and 5.58m wide (Aberfeldy Street East). The proposed new High Street will provide a greater variety of widths and floor areas to enable diversity in retail uses. Overall, the provision of a replacement

Neighbourhood Centre to support the residential-led development is considered to be acceptable. Notwithstanding the above, Members are also advised that the principle of the redevelopment of the Neighbourhood Centre has essentially been established by the extant planning permission and this particular plot within the new wider masterplan also falls within Phase 4 of the extant planning permission.

*Decant Strategy for Commercial Units:*

- 7.21 In terms of the existing commercial occupiers within the Neighbourhood centre, this comprises a mixture of long-standing ‘original retailers’ and a number of new retailers/community uses that have been brought in under the Meanwhile scheme. Relocation packages have been agreed with all original retailers as part of the Compulsory Purchase Order negotiations associated with the extant planning permission.
- 7.22 Poplar Harca have engaged with all current operating businesses and community uses to discuss future opportunities. This includes possible relocation to a new Meanwhile use (referred to as Meanwhile 2 in the submitted planning application) proposed by Poplar Harca within the wider site and located temporarily within the future Phase D. This would come forward as a separate standalone planning application and Poplar Harca have commenced pre-application engagement with Officers to this effect.
- 7.23 The position of current occupiers of the commercial units within Aberfeldy Street and the decant options for them are summarised in the table below.

<b>Address</b>	<b>Current Use</b>	<b>Status/Future Plans</b>
25 Aberfeldy Street	Original Tenant – Perfect Fried Chicken	Relocation package agreed. Relocating to Meanwhile 2 with opportunity to move into the new permanent High Street once built.
27 Aberfeldy Street	Meanwhile Tenant – The People Speak	Option to relocate to Meanwhile 2 being considered.
29 Aberfeldy Street	Meanwhile Tenant – Boxing Club	Relocating to Meanwhile 2
31 Aberfeldy Street	Original Tenant - Newsagent	Retiring when Vacant Possession is required. Extinguishment package agreed.
33 Aberfeldy Street	Meanwhile Tenant – Bike Repair Shop	Option to relocate to Meanwhile 2 being considered.
35 Aberfeldy Street	Original Tenant - Pharmacy	Relocation package agreed. Business moving to new premises in Aberfeldy Phase 3B in September 2022.
27 Aberfeldy Street	Meanwhile Tenant – Digi-barber	Option to relocate to Meanwhile 2 being considered.
39 Aberfeldy Street	Meanwhile Tenant – Aberfeldy Big Local	Option to relocate to Meanwhile 2 being considered.

41 Aberfeldy Street	Meanwhile Tenant – More Life Home	Option to relocate to Meanwhile 2 being considered.
43 Aberfeldy Street	Meanwhile Tenant – Development Drop-in Centre	Will be closed when Vacant Possession is required. Facilities for ongoing community engagement to be incorporated into new Neighbourhood Centre in Phase 3B, opening Autumn 2022.
45-47 Aberfeldy Street	Original Tenant – Costcutter Grocery	Relocation package agreed. Business to be closed when Vacant Possession is required.
49-51 Aberfeldy Street	Original Tenant – Culloden Bangladeshi Association	Charity is closing down and will vacate when Vacant Possession is required.
53 Aberfeldy Street	Original Tenant – Woodwork Shop	Business closed. Owner deceased.
55 Aberfeldy Street	Original Tenant – Chinese Takeaway	Business closed. Extinguishment package agreed.
36-38 Aberfeldy Street	Original Tenant – Aberfeldy Islamic Cultural Centre Mosque	Agreement in place to relocate to converted GP premises at 2a Ettrick Street.
40 Aberfeldy Street	Meanwhile Tenant – Boxing Club	Relocating to Meanwhile 2
42-44 Aberfeldy Street	Original Tenant – Umar Grocery Store	Relocation package agreed and part paid. Originally planning to relocate off Aberfeldy but now considering a move to Meanwhile 2.
46 Aberfeldy Street	Meanwhile Tenant - Tailor	Option to relocate to Poplar Works under discussion.
48 Aberfeldy Street	Meanwhile Tenant – Fitzrovia Noir Exhibition Space	Option to relocate to Meanwhile 2 being considered.
50 Aberfeldy Street	Meanwhile Tenant – Tommy Flowers Public House	Option to relocate to Meanwhile 2 under discussion.

**Table 8:** Decant Strategy for Neighbourhood Centre

7.24

There are therefore potentially 10-11 businesses that will need to be accommodated in Meanwhile 2 and design options are currently being developed to accommodate this potential need. The Applicant has advised that it is intended that the rental strategy for Meanwhile 2 will be similar to existing i.e., an affordable rent ladder that escalates towards more commercial rents in the future as and when businesses are able to support these. The aspiration is that the Meanwhile

businesses can grow to a point where they are sustainable and can relocate to the new High Street eventually on commercial terms.

### **Loss of Existing Social Infrastructure**

- 7.25 Policy S1 of the London Plan seeks to enhance and protects social infrastructure needs of London's diverse communities. Social infrastructure can include health provision, education, community, play, youth, early years, recreations, sports, faith, criminal justice and emergency facilities.
- 7.26 Policy S.CF1 of the Local Plan states development which seeks to protect, maintain and enhance existing community facilities will be supported. Policy D.CF2 (Part 1) of the Local Plan requires existing community facilities to be retained unless it can be demonstrated that:
- Under Part A), there is no longer a need for the facility or an alternative community use within the local community, or
  - Under Part B), a replacement facility of similar nature that would better meet the needs of existing users is provided.
- 7.27 The proposal would result in the loss of the existing Aberfeldy Neighbourhood Centre and the space within the Neighbourhood Centre currently occupied by the Aberfeldy Islamic Cultural Centre. However, under the extant planning permission a new larger community centre (955sqm) is being constructed under Phase 3 with improved facilities to replace the Aberfeldy Neighbourhood Centre and as part of the extant planning permission, it was intended that Aberfeldy Neighbourhood Centre would be relocated to Phase 3 of the extant scheme. It is noted that Sport England have objected to the loss of the MUGA (Multi-Use Games Area) however, the loss of this particular facility without replacement was essentially established under the extant planning permission. It should be noted however, the scheme seeks to enhance an existing MUGA located on the Leven Road Open Space.
- 7.28 In terms of the Aberfeldy Islamic Cultural Centre, due to the phasing and construction programme linked to the extant planning permission, the Faith Centre was temporarily relocated to Aberfeldy Street. As the Faith Centre is currently located within Aberfeldy High Street and under Phase A of the masterplan proposals, the Faith Centre will need to be relocated prior to the demolition of the buildings within Phase A. Officers would be seeking to secure via the S106 legal agreement that the existing Faith Centre is reprovided.
- 7.29 There is an aspiration by the Applicant to relocate the Aberfeldy Islamic Cultural Centre to the existing GP Practice at 2a Ettrick Street occupied by The Aberfeldy Practice. The GP Practice will be relocated to a new larger Health Centre (up to 960sqm) currently being constructed under Phase 3b of the extant planning permission. The submitted planning application documents states that the move to the new Health Centre is anticipated to take place in February 2023 thus unlocking 2a Ettrick Street for future occupation by the Faith Centre. The use of 2a Ettrick Street as a place of worship however would be subject to a separate planning application for the change of use of the premises. Members are advised that the change of use application is not included within this planning application as the Applicant is currently working with the Aberfeldy Islamic and Cultural Centre to understand their requirements.

### **Loss of Public House**

- 7.30 Policy D.CF4 of the Local Plan seeks to protect public houses and requires that where the loss of a public house is proposed, under Part A) evidence must be provided that all reasonable efforts have been taken to preserve the facility as a public house, under Part B) evidence that the public house has been marketed for at least 12 months as a public house at a reasonable market rent and there is no realistic prospect of continuing its current use and under part c), marketing evidence demonstrating there has been no interest in the property for an alternative community use over further 12-month period following the marketing period under Part B).
- 7.31 As reported earlier, the Neighbourhood Centre contains the Tommy Flowers public house and given that it falls under the Sui Generis category, the public house would have no permitted development right to occupy any of the units within the new Neighbourhood Centre. However, planning permission for the Tommy Flowers public house was granted on a temporary 3-year

basis until 16<sup>th</sup> January 2023 and therefore never intended to be permanent. Notwithstanding this, as set out above discussions are being undertaken between the Applicant and the public house with regards to a possible relocation to Meanwhile 2.

- 7.32 Overall, given the temporary status of the existing public house, Officers consider that Local Plan Policy D.CF4 would not be applicable to a public house with temporary status and therefore it is not considered that there would be any conflict in this instance.

### **Affordable Workspace**

- 7.33 Policy D.EMP2 of the Local Plan requires major commercial and mixed-use development schemes to provide at least 10% of new employment floorspace as affordable workspace. To meet the needs of local businesses and start-ups the workspace should be let at an affordable tenancy rate of at least 10% below the indicative market rate for the relevant location, for a period of not less than ten years.

- 7.34 The scheme will provide 3,084sqm of employment floorspace of which the Applicant has committed to providing 10% (308sqm) of the total employment floorspace as affordable workspace for a period of 15 years at a 25% discount which would equate to £22.50psqf (£30psqf at market rate). The proposal is therefore considered to be policy compliant in this regard and the provision of affordable workspace will be secured via the S.106 legal agreement should planning permission be granted for this development.

## **HOUSING**

### **Estate Regeneration**

- 7.35 Policy H8 of the London Plan requires that the loss of existing housing should be replaced at existing or higher densities with at least equivalent level of overall floorspace. The policy goes on to state that before considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. Affordable housing that is replacing social rent housing must be provided as Social Rent housing where it is facilitating a right of return for existing tenants.

- 7.36 Policy D.H2 (Part 5) of the Local Plan requires estate regeneration development schemes to:
- a) protect and enhance existing open space and community facilities;
  - b) protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels;
  - c) provide an uplift in the number of affordable homes, and
  - d) include plans for refurbishment of any existing homes to the latest decent homes standard.

- 7.37 The Mayor of London's Good Practice Guide to Estate Regeneration (GPGER) provides detailed guidance for assessing approaches to estate regeneration. The overarching objective of the Guide is to ensure that any estate regeneration scheme delivers safe and better quality homes for local people, increases the overall supply of new and affordable homes; and improve the quality of the local environment through a better public realm and provision of social infrastructure (e.g., schools, parks, or community centres).

### **Like for like replacement and right to return**

- 7.38 Policy H8 (Part D) of the London Plan confirms that replacement affordable housing must be provided at Social Rent levels, where it is being provided to facilitate a right of return for existing social rent tenants. Where there is no right to return, the replacement floorspace can be either Social Rent or London Affordable Rent (LAR) tenure. The GPGER makes it clear that to ensure that new homes of appropriate sizes are provided, replacement of affordable homes should be on the basis of floorspace rather than the number of units.
- 7.39 There are 330 dwellings proposed to be demolished as part of this estate redevelopment. Of the 330 dwellings, 252 units are Social Rent and 78 Private/Leaseholder properties. As seen in the

table below, the proposed development would result in a net increase (based on maximum number of proposed units) in terms of residential floorspace, units and habitable rooms.

	Existing (Social Rent)	Proposed LAR/Social Rent	Change
Floorspace Sqm (NIA)	18,112	32,001	+13,889
Habitable Rooms	880	1,522	+672
Number of Units	252	368	+116

**Table 9:** Comparison between Existing and Proposed Residential based on maximum parameters

7.40 The development would re-provide social rent homes for existing secure tenants at the same Social Rents as currently charged and the Applicant has confirmed that the Council will retain 100 per cent nomination rights for first lettings. The proposed phasing strategy and approach to redevelopment will allow affected residents the opportunity to move only once and stay on the Aberfeldy Estate should they wish to do so. Officers would be seeking to secure these commitments in the S106 legal agreement should planning permission be granted.

7.41 It should be noted that the Applicant's Grant Funding application to the Greater London Authority (GLA) for Phase A has been made under the Affordable Homes Programme 2016-2021 which provides funding for London Affordable Rent (LAR) units. As such affordable rented units within Phase A will all be LAR units with the exception of any existing Social Rent returning tenants. At this stage the Applicant is unable to confirm a definitive number of the existing 252 Social Rent tenants that will be returning to the redeveloped estate. Phases B-D will provide rented affordable housing product at Social Rent levels.

### Alternatives to demolition

7.42 Policy H8 (Part C) of the London Plan requires that before considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. They should balance the potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts and consider the availability of Mayoral funding and any conditions attached to that funding.

7.43 The Applicant has advised alternative options to redevelopment were ruled out on the basis that the refurbishment of the existing buildings alone would not have resolved the fundamental issues with the estate and a comprehensive redevelopment programme was required to improve the quality of life for existing residents. The existing buildings are poor quality, unsuited to modern living and inefficient in energy terms.

7.44 The proposed regeneration programme seeks to re-provide homes to modern standards by delivering high-quality residential development, increase housing choice, increase affordable housing provision and contribute to the wider regeneration of the Aberfeldy Estate including the provision of a new modern replacement local Neighbourhood Centre. Given this, Officers support the proposed demolition.

### Maximising additional genuinely affordable housing

7.45 As set out in the Mayor of London's GPGER, in addition to ensuring no net loss of affordable homes, estate regeneration schemes must provide as much additional affordable housing as possible. This is discussed in detail under the Affordable Housing section below however in summary the scheme will deliver 38.8% affordable housing (based on habitable rooms) overall of which 23.5% would be an uplift in affordable housing. Officers consider that the proposed development would provide the maximum reasonable amount of affordable housing.

## **A fair deal for leaseholders and freeholders**

- 7.46 As set out in the Mayor of London's GPGER, leaseholders and freeholders affected by estate regeneration should be treated fairly and fully compensated if their homes are to be demolished. Resident leaseholders will be offered full market value for their existing home plus a 10 per cent home loss payment and eligible moving costs such as removals. Those leaseholders wishing to move into the development will be given the opportunity to buy a new home outright or, if they cannot afford to do so with the proceeds from the sale of their existing property, there will be options to part purchase with Poplar Harca. Resident leaseholders will also be incentivised to relocate into the new development via an equity gifting scheme. This is an offer to existing leaseholder of up to £100K of equity if they remain owners of the property for 7 years after taking occupation.
- 7.47 In terms of non-resident leaseholders and freeholders, Poplar Harca will buy their property at full market value and pay an additional 7.5 per cent home loss payment. Costs for additional services such as removals will be reimbursed.
- 7.48 Overall, Officers consider that based on the above, leaseholders and freeholders would be offered fair compensation in line with the GPGER.

## **Full and transparent consultation**

- 7.49 The Mayor of London's GPGER requires any landlord seeking GLA funding for estate regeneration projects which involve the demolition of existing affordable or leasehold homes to demonstrate that they have secured resident support for their proposals through a ballot, subject to certain specified exemptions and transitional arrangements.
- 7.50 A ballot with residents for the redevelopment of the site was undertaken in September 2020. The ballot result was 93% in favour of regeneration from a 91% turnout. The residents offer (landlord offer) in the ballot is summarised below:
- Resident and wider community stakeholder involvement in masterplan and detailed design via the Resident Steering Group;
  - Well designed, energy efficient new homes planned to meet resident needs;
  - Beautiful, useable public spaces;
  - Improved infrastructure, better walking and cycling routes, new shops and new community facilities;
  - Initiatives to keep the community together and strong;
  - Offer to social rent tenants: each tenant will be offered a right to return to a new home that meets their needs and will receive a home loss payment. Costs for additional services such as removals will be reimbursed;
  - Offer to resident leaseholders: As set out earlier in paragraph 7.46, resident leaseholders will be offered full market value for their existing homes plus a 10% home loss payment and eligible moving costs. Leaseholders will be provided the opportunity to move into the development by either buying a new home outright or, if they cannot afford to do so with sale proceeds from their existing home, there will be the option to part purchase a property.
  - Offer to non-resident leaseholders and freeholders: As set out earlier in paragraph 7.47, Poplar Harca will buy their property at full market value and pay an additional 7.5% home loss payment. Costs for additional services such as removals will be reimbursed.
- 7.51 The Applicant has also submitted a Statement of Community Involvement that sets out details of the public consultation and engagement undertaken from June 2019 onwards with the wider residents of the estate and includes public consultation events, workshops and engagement with various stakeholders including but not limited to; the Aberfeldy Resident Steering Group,

Aberfeldy Big Local, Culloden Primary School, St Nicholas Church. Officers are therefore satisfied that this approach generally accords with the key principles set out in the Mayor of London's GPGER.

7.52 In conclusion the proposed development would result in the net increase in existing affordable housing floorspace in the Social Rent tenure and accords with the requirements and key principles for estate regeneration as set out in Policy H8 of the London Plan and the associated guidance in the Mayor of London's Affordable Housing and Viability SPG and the Mayor of London's GPGER.

### **Affordable Housing**

7.53 Policy H4 of the London Plan sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. Specific measures to achieve this aim include the requirement to deliver 50 per cent affordable housing on public sector land on each site. For the purpose of this policy, the application site is considered to constitute public land in accordance with the GLA's Threshold Approach to Affordable Housing on Public Land Practice Note (July 2018).

7.54 Policy H8 of the London Plan requires all proposals demolishing and replacing affordable housing to be subject to viability tested route and seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.

7.55 Policy H6 of the London Plan under Part A establishes the split of affordable products that should be expected from proposals for residential development. It can be summarised from Part A (1-3) as a minimum of 30 per cent low-cost rented homes, a minimum of 30 per cent Intermediate products and the remaining 40 per cent to be determined by the Borough as low-cost rented homes or Intermediate product based on identified needs.

7.56 At the local level, Policy S.H1 of the Local Plan requires developments to contribute towards the creation of mixed and balanced communities that respond to local and strategic need by amongst other things:

- Under Part 2(a), setting an overall target for 50% of all new homes to be affordable.
- Under Part 2(a) (iii), requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more residential units (subject to viability).

7.57 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable rooms. Explanatory paragraph 9.30 of the Local Plan makes it clear that rented housing is expected to be 50% London Affordable Rent and 50% Tower Hamlets Living Rent).

7.58 Policy D.H3 of the Local Plan requires development to provide affordable housing which is not externally distinguishable in quality from private housing.

7.59 Policy LS2 of the Regulation 18 version of the Leaside Area Action Plan under Part A stipulates that proposals for schemes that include the demolition of existing affordable rented housing are expected to replace any existing affordable housing that will be demolished and provide a minimum of 35% affordable housing on the uplift in housing numbers on the site, subject to viability. The re-provision of existing affordable housing will not count towards the minimum requirement for affordable housing.

### Amount and Tenure

7.60 In order to test the proposed development for Affordable Housing purposes, the Applicant has based their affordable housing assessment on an illustrative scheme. The illustrative scheme represents *one possible way* the principles defined in the Parameter Plans, Development Specification and Design Guidelines can be brought forward into the design of the proposal, along with the detailed elements in Phase A. The illustrative unit and tenure mix on which the Affordable Housing assessment has been modelled on is set out in the table below. It should be noted that

the illustrative scheme does not incorporate the maximum number of units sought by the development. As can be seen below, the illustrative scheme is based on 1,556 units which would be 26 units below the maximum of 1,582 units.

Unit Size	Total Units	Market Housing			Affordable Housing					
		Units	As a %	Policy Target %	Intermediate			Social Rent/Affordable Rent		
					Units			Units	As a %	Policy Target %
Studio	137	137	12.3%	/	/	/	/	/	/	/
1-bed	507	402	36%	30%	46	59.7%	15%	59	16.3%	25%
2-bed	676	551	49.4%	50%	31	40.3%	30%	94	25.9%	30%
3-bed	172	26	2.3%	20%	0	/	45%	146	40.2%	30%
4-bed	60	0	/		0	/		60	16.5%	15%
5-bed	0	0	/	/	0	/	/	0	/	/
6-bed	4	0	/	/	0	/	/	4	1.1%	/
<b>Total</b>	<b>1556</b>	<b>1116</b>	<b>/</b>	<b>100%</b>	<b>77</b>	<b>/</b>	<b>100%</b>	<b>363</b>	<b>/</b>	<b>100%</b>
<b>Hab Rooms</b>	<b>4405</b>	<b>2698</b>			<b>185</b>			<b>1522</b>		

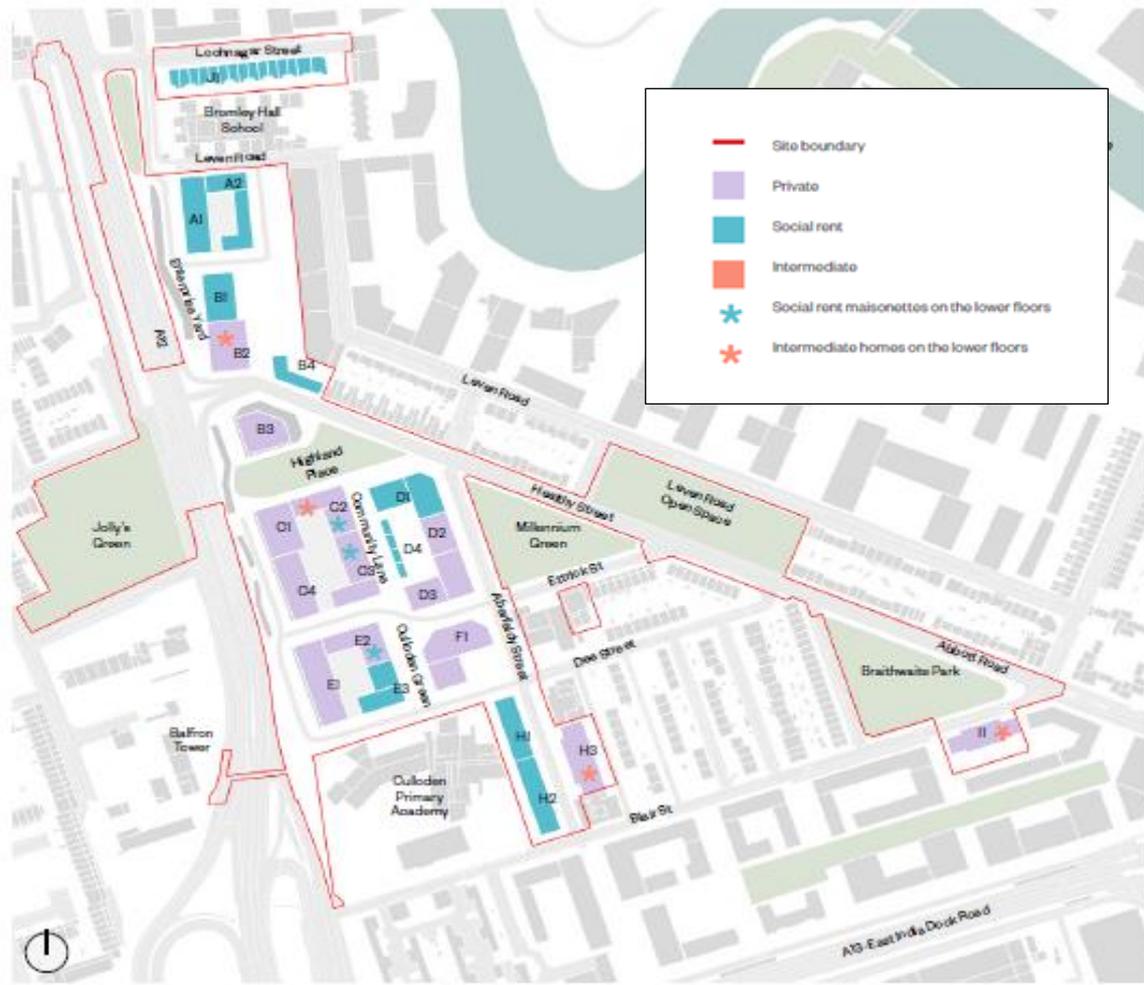
**Table 10:** Illustrative affordable housing unit mix based on 1556 units

7.61 Based on the illustrative scheme presented in the submitted Affordable Housing Statement and subject to securing grant funding, the scheme provides 4,405 habitable rooms in total (1,556 units) of which 1,707 habitable rooms (440 units) would be affordable representing 38.8% and 28.2% based on the total number of units. The existing affordable housing provision equates to 880 habitable rooms and therefore excluding this from the affordable housing provision would result in an uplift of 23.5% (rounded up) in affordable housing with the reprovision equating to 15.3%.

7.62 The tenure split for the affordable housing element (1,707 habitable rooms/440 units) is proposed to be split 89.2%:10.8% in favour of Social Rent (1522 habitable rooms/363 units) to Intermediate (185 habitable rooms/77 units); this is based on the inclusion of the reprovision of 880 affordable rent habitable rooms (252 units). When considering the affordable housing component based on the uplift alone (827 habitable rooms/188 units) the scheme would deliver a 77.6%:22.4% split in affordable housing in favour of Social Rent/Affordable Rent (642 habitable rooms/111 units) to Intermediate (185 habitable rooms/77 units) on a habitable rooms basis (59%:41% based on units). The tenure split in affordable housing therefore does not comply with Local Plan policy requirement to provide a 70%:30% split between Affordable Rent and Intermediate, however as detailed in the Housing Mix and Tenure section in the report below, the Applicant has sought to align the unit mix to Local Plan policy requirements as closely as possible without compromising the delivery of the scheme as currently designed.

Affordable Housing Provision Per Phase

7.63 The image below taken from the submitted Masterplan Design and Access Statement indicates the proposed illustrative site wide tenure strategy.



**Figure 10: Tenure Distribution**

- 7.64 In terms of the Affordable Housing provision for Phase A, Phase A will provide 833 habitable rooms (277 units) in total of which 408 habitable rooms (96 units) would be affordable. This equates to 49% affordable housing (by habitable rooms) within Phase A and an affordable rented tenure split of 92.2%:7.8% in favour of Social Rent/Affordable Rent to Intermediate. The proportion of affordable units within Phase A would equate to 21.8% of the total quantum of affordable units proposed overall (i.e., 96 units from a total of 440 affordable units).
- 7.65 The Applicant's grant funding application for Phase A falls under the Mayor of London 2016-2021 Affordable Homes Programme whereby all the Affordable Rented units are expected to be at London Affordable Rent levels. Phase B has secured grant funding under the 2021-2026 Affordable Homes Programme and as such all of the affordable rented housing would be at Social Rent levels. This would be a departure from the Local Plan policy requirement to split affordable rented products 50:50 between London Affordable Rent (LAR) and Tower Hamlets Living Rent (THLR). However, whilst not policy compliant, as the affordable rented units within Phases A and B will not include service charge, the affordable rented units within the first two phases will be advantageous to tenants than a policy compliant split of 50:50 between LAR and THLR. In terms of Phases C-D, at this stage no grant funding for affordable housing has been secured for the later phases. The expectation would be that the affordable rented housing coming forward in these phases would be split 50:50 between LAR and THLR or the nearest equivalent (or better) requirement depending on the grant funding programme at the time. However, Members are advised that in the first instance the social rent units that are required to be reprovided are delivered at the earliest opportunity in Phases B and C. Should planning permission be granted for this application, Officers would be seeking to secure the above via the S106 legal agreement.
- 7.66 In terms of remaining phases, Officers will be seeking to secure that a minimum required affordable housing provision is secured in each phase. This will be secured via the S106 legal agreement.

7.67 Officers would also seek to ensure that Reserved Matters applications will be assessed to ensure that the overall site wide quantum and tenure mix of housing will still be delivered with the unit mix as presented in Table 10 above (Illustrative affordable housing unit mix) being set as the minimum benchmark. This will be secured in the S106 legal agreement.

### Housing Mix and Tenure

7.68 Policy H10 of the London Plan promotes the provision of a range of unit mix and sizes having regard to robust local evidence of need where available, to deliver mixed and inclusive neighbourhoods. .

7.69 At the local level, Policy S.H1(2) of the Tower Hamlets Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in Part 3 of Policy D.H2 of the Local Plan.

7.70 The table below sets out the existing homes across the site including their occupancy level, number of habitable rooms and tenure.

Unit Size	Social Rent		Leaseholders/Freeholders	
	No of Units	No of Hab. Rooms	No of Units	No of Hab. Rooms.
1-bed	39	78	8	16
2-bed	73	219	21	63
3-bed	123	492	45	180
4-bed	13	65	4	20
5-bed	2	12	0	0
6-bed	2	14	0	0
<b>Total</b>	<b>252</b>	<b>880</b>	<b>78</b>	<b>279</b>

*Table 11: Existing Homes Breakdown*

7.71 The proposed unit and tenure mix is set out below in the table below as an assessment against Policy D.H2. This is based on the maximum parameter scheme and incorporates all phases (Detailed and Outline). The preferred housing unit mix is set out in the 'Policy Target %' in the table.

Unit Size	Total Units	Market Housing		Affordable Housing						
		Units	As a %	Policy Target %	Intermediate			Social Rent/Affordable Rent		
		Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	138	138	12.2%	/	0	/	/	0	0%	/
1-bed	515	409	36%	30%	48	60.8%	15%	58	15.8%	25%

2-bed	688	562	49.5%	50%	31	39.2%	40%	95	25.8%	30%
3-bed	175	26	2.3%	20%	0	/	45%	149	40.5%	30%
4-bed	61	0	/		0	/		61	16.6%	15%
5-bed	0	0	/	/	0	/	/	0	0%	0%
6-bed	5	0	/	/	0	/	/	5	1.4%	0%
<b>Total No. Units</b>	<b>1582</b>	<b>1135</b>		<b>100%</b>	<b>79</b>		<b>100%</b>	<b>368</b>		<b>100%</b>
<b>Total Hab Rooms</b>	<b>4487</b>	<b>2746</b>			<b>189</b>			<b>1552</b>		

**Table 12: Proposed Unit and Tenure Mix against Policy D.H2.**

- 7.72 With regard to the Market housing mix, there would be 12.2% Studio units for which there is no policy requirement, and an over provision of 1-bed units (+6%) over a policy target of 30% and a very marginal under provision of 2-bed units. There would also be a substantial under provision of 3 and 4-bed units (-17.7%).
- 7.73 In the Intermediate housing mix, there would be a substantial over provision of 1-bed units (+45.8%) over a policy target of 15% and a marginal under provision of 2-bed units (-0.8%) against a policy target of 40%. No 3-4 bed family units are proposed against a policy target of 45%.
- 7.74 In the Social Rent/Affordable Rented tenure there would be an under provision of 1-bed units (-9.2%) against a policy target of 25%, an under provision of 2-bed units (-4.2%) against a policy target of 30%. There would be an over provision of 3-bed units (+10.5%) against a policy target of 30% and an over provision of 4-bed plus units (+3%). Combined, the family (3 bed plus) provision in this tenure equates to 58.5% which substantially exceeds the 45% policy target set against the 3 and 4-bed units in this tenure.
- 7.75 As the above indicative unit mix has been partially predicated by the requirement to re-provide existing affordable housing, an assessment of the unit mix excluding the reprovided affordable homes should also be considered against Policy D.H2 to provide further context. This is set out in the table below. The key difference between the two tables being the Social Rent/Affordable Rent column as there are no existing Intermediate tenure units within the site. The number of units cited against each occupancy level is essentially the uplift provision above the existing amount Social Rent units.

		Market Housing			Affordable Housing					
					Intermediate			Net change in Social Rent/Affordable Rent (excluding reversion)		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	138	138	12.2%	/	0	/	/	0	0%	/
1-bed	515	409	36%	30%	48	60.8%	15%	19	16%	25%
2-bed	688	562	49.5%	50%	31	39.2%	40%	22	19%	30%
3-bed	175	26	2.3%	20%	0	/	45%	26	22%	30%

4-bed	61	0	/		0			48	41%	15%
5-bed	0	0	/	/	0			-2	/	0%
6-bed	5	0	/	/	0			3	3%	0%
<b>Total No. Units</b>	<b>1582</b>	<b>1135</b>			<b>100%</b>	<b>79</b>		<b>100%</b>	<b>116</b>	<b>100%</b>
<b>Total Hab Rooms</b>	<b>4487</b>	<b>2746</b>				<b>189</b>		<b>672</b>		

**Table 13:** Proposed unit and tenure mix excluding reprovision against Policy D.H2.

7.76 In considering the unit mix excluding the reprovided Social Rent homes into the housing mix, there would be an under provision of 1-bed units (-9%) against a policy target of 25% and an under provision of 2 and 3-bed units (-12% and -8%) against a policy target of 30% for each respectively. There would however be an over provision of 4-bed plus units equating to 44% which substantially exceeds the policy target of 15%.

7.77 The overall indicative unit and tenure mix does not provide a policy compliant unit mix however the Applicant has stated that the proposed development optimises the potential of the site to provide the maximum number of residential units, in line with the site's status as an Opportunity Area and Housing Zone, thus achieving the Mayor of London's and the Council's strategic housing objectives for the site by providing a balanced and integrated mix of new homes to support a mixed and balanced community. The scheme provides for a range of unit types and seeks to proportion them within the tenures most effective without compromising the submitted affordable housing offer of 38.8% and also places a greater emphasis on the delivery of larger family affordable rented units for which there is an acute need in the Borough. Explanatory paragraph 9.37 to Policy D.H2 of the Local Plan states that where a development proposes to deliver at least 35%, whilst meeting the affordable housing tenure mix, and/or propose to deliver significant social infrastructure on-site, a different housing mix will be considered having regard to the following:

- a) The proposal must meet maximise affordable housing in accordance with a 70% rented and 30% intermediate tenure split.
- b) The 70% rented element should comprise 50% London Affordable Rents and 50% Tower Hamlets Living Rents and the 30% Intermediate element can include London Living Rent, Shared Ownership and other Intermediate products.
- c) Greater unit mix flexibility can be applied to the market tenure unit mix, as opposed to the unit mix for affordable housing. However, the scheme must still provide a significant proportion of family housing in the Market tenure unit mix and proposals will be expected to meet the Local Plan policy requirement unit mix requirement to deliver family housing in the affordable tenures.

7.78 The scheme will deliver a new Neighbourhood Centre, new workspace, the delivery of the repurposed underpass, traffic calming measures to Abbott Road and improvements to cycling and walking routes generally, and new public open space and play space. The Applicant contends that they have sought to align with the housing mix as set out in the Local Plan as closely as possible, however there has been a requirement to balance this against other factors to ensure that the proposals are able to provide as much affordable housing as is viably possible, whilst still bringing forward a scheme that is deliverable. The Applicant have also suggested that they have experienced there being a lack of demand for 3 bedroom Intermediate homes due to affordability.

7.79 Whilst the Applicant is unable to provide complete certainty on the exact housing mix of the Outline phases, the S.106 legal agreement will secure that a minimum unit mix for the entire scheme is secured as per table 10 of this report. The Applicant has also stated that as Phase A will be delivering 49% affordable housing (proportionate to this phase only) and will have a

number of high costs associated with improvement works to the two local parks within this phase (Braithwaite Park and Leven Road Open Space) in addition to the delivery of the replacement High Street, a higher proportion of studio and 1-bed Market homes would be necessary to help ease the financial burdens of this phase, without which would render the phase undeliverable.

7.80 Supporting text to Policy H10 of the London Plan identifies that Boroughs are encouraged to set out the preferred housing size mix (for all tenures) as part of a site allocation, ensuring that the housing size mix is determined in accordance with Parts A and B of the policy. Thus, Officers consider that it would be appropriate to expect the scheme to provide a policy compliant overall unit mix. It is also acknowledged that the scheme will deliver a number of social infrastructure improvements, it should be noted however a number of these improvements are required to meet other elements of Local Plan policy such as justification for the scheme’s tall building strategy and play place provision (discussed later in this report). Officers do not consider that the exceptions tests can be applied under Policy D.H2 of the Local Plan in this instance to justify the proposed unit mix.

7.81 Notwithstanding the above however, as an Estate Regeneration scheme the proposal has been viability tested as outlined in the Affordable Housing section below which demonstrates through robust evidence that a policy compliant unit mix could not be provided without further impacting on the viability of the scheme. There may be an alternative mix that would maintain the viability position however this is not before officers and therefore on balance, the indicative unit mix for the scheme is accepted.

### Phase A Unit and Tenure Mix

7.82 In terms of the unit and tenure mix for Phase A specifically, this is set out in the table below:

Unit Size	Total Units	Market Housing			Affordable Housing					
		Units	As a %	Policy Target %	Intermediate			Social Rent/Affordable Rent		
					Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	32	32	17.68%	/	/	/	/	/	/	/
1-bed	74	63	34.81%	30%	1	9.09%	15%	10	11.76%	25%
2-bed	111	77	42.54%	50%	10	90.91%	40%	24	28.24%	30%
3-bed	39	9	4.97%	20%	0	/	45%	30	35.29%	30%
4-bed	17	/	/		0	/		17	20%	15%
5-bed	0	/	/	/	0	/	/	0	4.71%	0%
6-bed	4	/	/	/	0	/	/	4	/	0%
<b>Total</b>	<b>277</b>	<b>181</b>		<b>100%</b>	<b>11</b>		<b>100%</b>	<b>85</b>		<b>100%</b>
<b>Total Hab Rooms</b>	<b>833</b>	<b>425</b>			<b>32</b>			<b>376</b>		

**Table 14:** Phase A unit mix against Policy D.H2.

7.83 The unit mix for the detailed phase exhibits similar conflicts with Policy D.H2. In the Market tenure there is an over provision of studio and 1-bed units combined (+22.4%) over a policy target of 30% and a substantial under provision of 2-bed units (-7.46%) and 3 and 4-bed units (-15.03%) against a policy requirement of 20%.

- 7.84 In the Intermediate tenure, there is an under provision of 1-bed units (-5.91%) against a policy target of 15% and a substantial over provision of 2-bed units (+50.9%) over a policy target of 40%. There are no 3-bed plus units proposed for which there is a policy requirement of 45%.
- 7.85 In the Social Rent/Affordable Rent tenure, there would be an under provision of 1 and 2 bed units (-13.24% and -1.76%) against policy targets of 25% and 30% respectively and an over provision of 3 and 4 bed units (+5.29% and +9.71%) over policy targets of 30% and 15% respectively.
- 7.86 Whilst the unit mix for the detailed phase would not be policy compliant, the scheme does prioritise the early delivery of affordable housing in the first phase of the development as discussed earlier in the Affordable Housing Section of this report. It is also noted that this phase provides a substantial amount of family sized Social/Affordable Rented units equating to 60% (51 units) of the total units within this tenure of which 17 would be 4-bedroom units and 4 would be 6-bedroom units and therefore, on balance Officers consider the Phase A unit and tenure mix to be acceptable.

### Conclusions on Unit and Tenure Mix

- 7.87 Overall, on balance, Officers consider given that the proposed development will provide 38.8% affordable housing (as discussed further below) and it has been demonstrated that it would not be viable to deliver a policy compliant unit mix and the provision of family housing substantially exceeding the policy requirement of 45% (excluding re-provision) proposed in the Affordable Rented tenure overall, noting that there is a pressing need for larger family homes in this tenure, in the absence of an alternative mix, Officers consider the housing mix to be broadly acceptable.

### **Viability**

- 7.88 The proposed scheme has been viability tested in accordance with London Plan and Tower Hamlets policy and guidance. The application is supported by a Financial Viability Appraisal (FVA) prepared by DS2, which has been robustly reviewed and scrutinised by the Council's Viability Team and GLA officers. Following a review of the submitted viability evidence, the Council's Viability Team has concluded that there would be a financial deficit against the scheme of £32.86 million and consequently it would not be possible to secure any further affordable housing. The Council's Viability Team therefore confirm that 38.8% affordable is the maximum reasonable amount of affordable housing (including re-provision) that could be provided. This is a disappointingly low affordable housing offer particularly given the requirement to provide at least 35% affordable housing in any uplift provision, however Officers accept that the scheme as designed cannot viably provide any more than currently proposed.
- 7.89 To ensure that affordable housing is maximised throughout the lifetime of the development, should planning permission be granted for this development, Officers would be seeking to secure Early Stage, Mid-Stage and Late Stage reviews via the S106 legal agreement which would allow the viability of the full scheme to be re-assessed on an open book basis as the scheme progresses. The Early Stage Review would be triggered if the development is not implemented within two years from the date it is granted planning permission. Officers would be seeking to secure at least two mid-stage reviews; these have initially been suggested to be triggered on submission of the first Reserved Matters application and the second would be triggered on occupation of 50% of the Market units across the whole scheme. In the event that any surplus is found, 100% of the surplus would be used to provide additional affordable housing on site. A Late Stage Review would be triggered upon 75% completion of the final phase of the development. As an Estate Regeneration scheme requires that affordable housing should be maximised following the viability tested route thus there should be no cap that should be applied on the level of affordable housing that should be secured throughout the lifetime of the development. Officers recognise however that there are significant pressures in the construction programme to secure the GLA grant funding and make a start on site (in accordance with the GLA grant funding criteria) before the end of March 2023 to ensure the delivery of the affordable housing proposed on this scheme and given these exceptional circumstances, Officers have agreed to accept an affordable housing cap of re-provision of the existing affordable housing plus 50% uplift in additional affordable homes. This has been agreed between the Applicant and Officers on the basis that the potential loss of grant funding is a material consideration in the

assessment of this application in that the consequence of not securing the grant funding would significantly impact on the delivery of affordable housing and have wider planning policy implications. The acceptance of the cap in affordable housing therefore should not be taken to mean that this approach can be applied to all future Estate Regeneration schemes and it is the material considerations in this particular scheme which has resulted in an agreed position that departs from the Development Plan.

### **Affordability**

- 7.90 For the Social Rent tenure, the Applicant is unable to provide exact rental levels as the Applicant has advised that this can only be established once the buildings have been constructed, however the Applicant has provided an indicative range based on present day values as set out below:

#### Indicative Social Rent levels

1bed	£131.52 per week
2bed	£151.38 per week
3bed	£174.04 per week
4bed	£183.19 per week
5bed	£192.34 per week
6bed	£201.51 per week.

- 7.91 In terms of London Affordable Rent (LAR) levels, the 2022/23 rent levels (as published by the GLA) for each of the LAR product are set as follows:

#### London Affordable Rent (exclusive of service charges)

1bed	£168.34 per week
2bed	£178.23 per week
3bed	£188.13 per week
4bed	£198.03 per week
5bed	£207.92 per week

#### Tower Hamlets Living Rents (inclusive of service charges)

1bed	£232.10 per week
2bed	£255.31 per week
3bed	£278.52 per week
4bed	£301.73 per week
5bed	£313.34 per week

- 7.92 The Intermediate housing will consist of Shared Ownership homes whereby a tenant can purchase an initial equity share of a property of between 25% to 75%. The rent payable on the percentage of equity not owned would typically range between 0.5% - 2.75%, plus service charges with the maximum rent limit set at 3% of the value of the equity not purchased. The combination of mortgage, rent and service charge forms the purchaser's housing costs.

- 7.93 As set out in the Mayor of London's Affordable Housing and Viability SPG, housing costs must not exceed 40% of net household income. In addition, the gross household income threshold for home ownership is capped at £90,000. The Affordable Housing Statement confirms that the FVA included a valuation of the Intermediate homes on a Shared Ownership basis based on the GLA's maximum £90,000 household cap.

### *Conclusion*

- 7.94 In conclusion, whilst the affordable housing provision of 38.8% would fall short of the 50% target for development on public land, it is accepted that this offer represents the maximum reasonable amount that can be provided based on the submitted scheme as demonstrated through the submitted Financial Viability Appraisal.

### **Quality of accommodation**

- 7.95 London Plan Policy D6 sets the expected minimum internal space required within new dwellings, across all tenures. Policy D6 incorporates the Nationally Described Space Standards (NDSS) It sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights. The standards seeks to ensure that amongst other things new homes have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners without differentiating between tenures.
- 7.96 The above targets are reflected at the local level by Policy D.H3 of the Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan.

### Housing Standards

- 7.97 The submitted Planning Statement confirms that all homes will be designed to exceed the Nationally Described Space Standards and therefore comply with the London Plan. All residential units will have private amenity space accessed directly from a living room, as either a garden, balcony/wintergarden or roof terrace. Officers are satisfied that all the residential units within the detailed component (Phase A) within Plots F, H (H1/H2 and H3), I and J meet the London Plan's space standards for internal GIA, bedroom sizes, ceiling heights, storage provision and private amenity space. In terms of the Outline component, the space standards will be assessed in subsequent Reserved Matters planning applications.

### Layouts and Circulation

- 7.98 Standard 12 of the Housing Supplementary Planning Guidance states that each core should be accessible to generally no more than 8 units on each floor. In terms of the detailed component of the development, all the plots with the exception of Plot F will have no more than 8 units per core.
- 7.99 In terms of Plot F, this building is principally composed of 2 wings forming an 'L' shaped footprint. On the lower floors (L02-L06), 12 homes are arranged around a central core however whilst this exceeds the 8 units per core as required by the Housing SPG, the length that occupiers would need to travel to access units is mitigated by the fact that each wing would be occupied by only 6 units and they do not all share one corridor. This can be seen in the floorplan for Levels 02-06 below. As such Officers find the internal arrangement for Plot F to be acceptable.



**Figure 11:** Block F typical floorplan.

### Aspect, Outlook and Privacy

#### *Aspect:*

- 7.100 Policy D6 (Part C) of the London Plan states housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.
- 7.101 In terms of the Outline proposals, the submitted Masterplan Design and Access Statement states that the Outline proposals have been designed to maximise the number of dual aspect homes where possible. Where buildings are orientated north-south, they are typically double loaded with central corridors and where there are single aspect homes they face east and west. Dual aspect homes are located on the corner of these buildings.
- 7.102 Within tower buildings, larger homes would be positioned on corners to make the most of long views and dual aspect. In summary the illustrative breakdown as set out in the Masterplan Design and Access Statement for the outline proposals would be as follows:
- 50% of homes would be dual or triple aspect.
  - Of the single aspect homes, 2% would be north facing and the remaining 98% would be south, east or west facing.
- 7.103 Ideally, Officers would be seeking to secure a greater percentage of the proposed units to be at least dual aspect. However, Officers are satisfied that the Applicant has sought to minimise any north facing single aspect units by concentrating the majority of single aspect units facing east, west and south. The Applicant has also confirmed that during subsequent Reserved Matters phases, every opportunity will be made to increase the number of dual aspect homes.
- 7.104 In terms of the Detailed component, a breakdown of the percentage of units representing dual/triple aspect units for each plot is detailed in the table below. It can be seen that of the 277

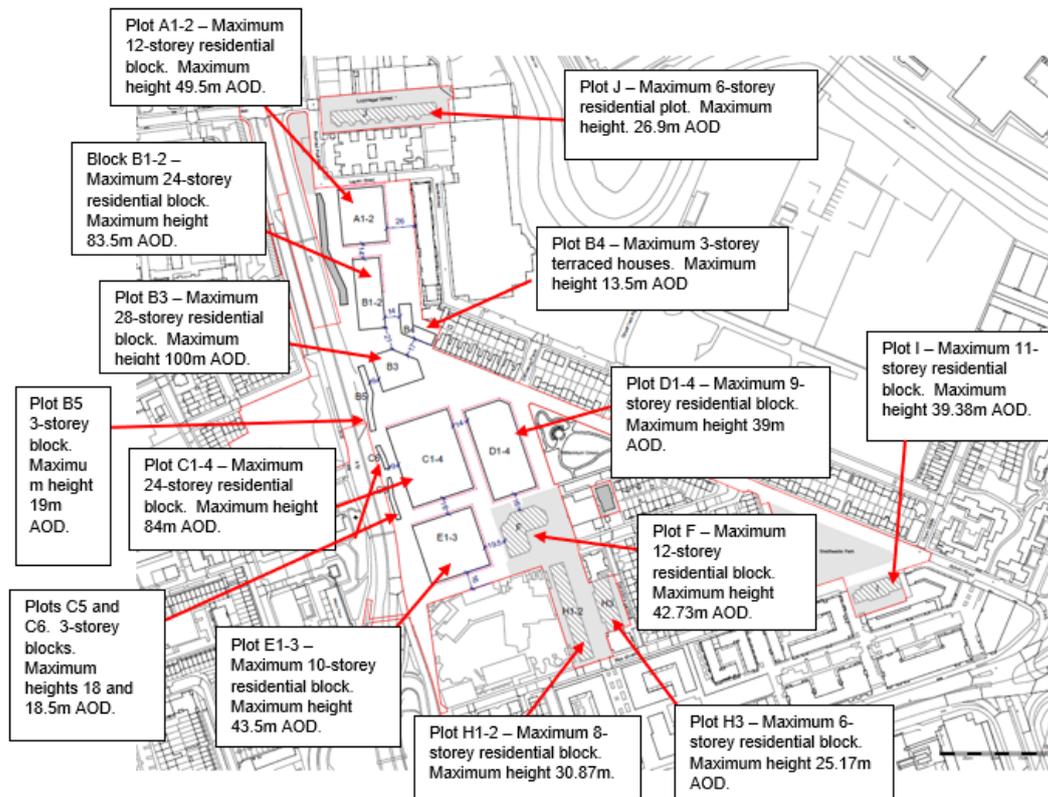
units proposed in Phase A, 175 (63%) units will be dual/triple aspect and this would increase to 221 (80%) when taking into account any semi-dual aspect units. Overall, Officers note that in most instances at least half the units of each building plot will have more than 50% of units being at least dual aspect and in some instances 100% of units providing dual/triple aspect. The only exception being Plot H3 which has a high proportion of semi-dual aspect units.

Plot	Number of Units	Number of Single Aspect Units	Number of Semi-Dual Aspect Units	Number of Dual Aspect Units	Number of Triple Aspect Units	Total Dual & Triple Aspect Units Combined	% of units representing Dual/Triple Aspect
F	102	46	0	40	16	56	55%
H1/H2	66	0	0	66	0	66	100%
H3	38	10	20	8	0	8	74% or 21% (excluding semi-dual aspect units)
I	52	0	26	16	10	26	100% or 50% (excluding semi-dual aspect units)
J	19	0	0	14	5	19	100%
<b>Total Overall</b>	<b>277</b>	<b>56</b>	<b>46</b>	<b>136</b>	<b>31</b>	<b>175</b>	<b>58% or 41% (excluding semi-dual aspect units)</b>

*Table 15: Phase A aspect breakdown*

Outlook and Privacy within the Development:

- 7.105 Policy D.DH8 of the Local Plan seeks to protect amenity and explanatory paragraph 8.86 to this policy states that in the interest of ensuring that there is sufficient privacy and that there is no unreasonable loss of overlooking between habitable rooms of adjacent residential properties a distance of approximately 18 metres between windows of habitable rooms reduces inter-visibility to an acceptable degree. The explanatory text goes onto highlight that the 18 metres distance is intended to be applied as a guideline depending upon the design and layout of the development.
- 7.106 In terms of outlook and privacy within the development, the building arrangement and site layout would result in the overlooking of private communal amenity and courtyard areas and activated spaces and areas of public realm within the site thus encouraging passive surveillance.
- 7.107 Separation distances between residential buildings are generally quite varied with some instances of separation distances in excess of 18m and in other instances ranging between 14m-17m. Plot B3 will be separated from the towers on Plots B1-2 and C1-4 by 21m and some 31m respectively. In an urban context and in Opportunity Areas where growth is expected to be accelerated and density optimised, it is not unusual for separation distances to fall below 18m and as such Officers find the separation distances between proposed buildings to be broadly acceptable with the exception of Plot B4.
- 7.108 The relationship between residential building plots can be seen in the extract from the submitted Building Plots plan below which has been overlaid with building height dimensions to provide context for the purpose of this assessment.



**Figure 12: Building Plot Heights**

7.109 It can be seen that Plot B4 in the Outline component will come forward as 3-storey dwelling houses. There would be a separation distance of only 14m between the northern wing of Plot B4 and Plot B1-2 however Members are advised that the distance between building plots represent the worst case scenario and the maximum height indicated on a building plot may not necessarily cover the entire footprint of a particular building plot. The Design Code which is a control document submitted with the planning application sets maximum heights in addition to a number of other specific design criteria with regards to each building plot which must be adhered with as future Reserved Matters planning applications come forward. The expectation would therefore be that the detailed design of the Outline phases of the development would seek to further minimise any potential impact to buildings within the development.

7.110 Below are examples of massing diagrams taken from the Design Code for Plots B1-2 and B3; both of which are the tallest plots sited within close proximity of Plot B4. As can be seen in the diagram for Plot B1-2, the building plot would incorporate a drop in height from 83.5m AOD to 34m AOD to the north and whilst Plot B3 would be a single tower reaching 100m AOD, it can be seen from the diagram that the Design Code requires the tower to have a 15m AOD plinth around the central massing thus effectively setting the tower back from the plot boundary and allowing for a slightly greater separation distance between the tower element of Plot B3 and Plot B4 beyond that shown on the Building Plots plan for example.

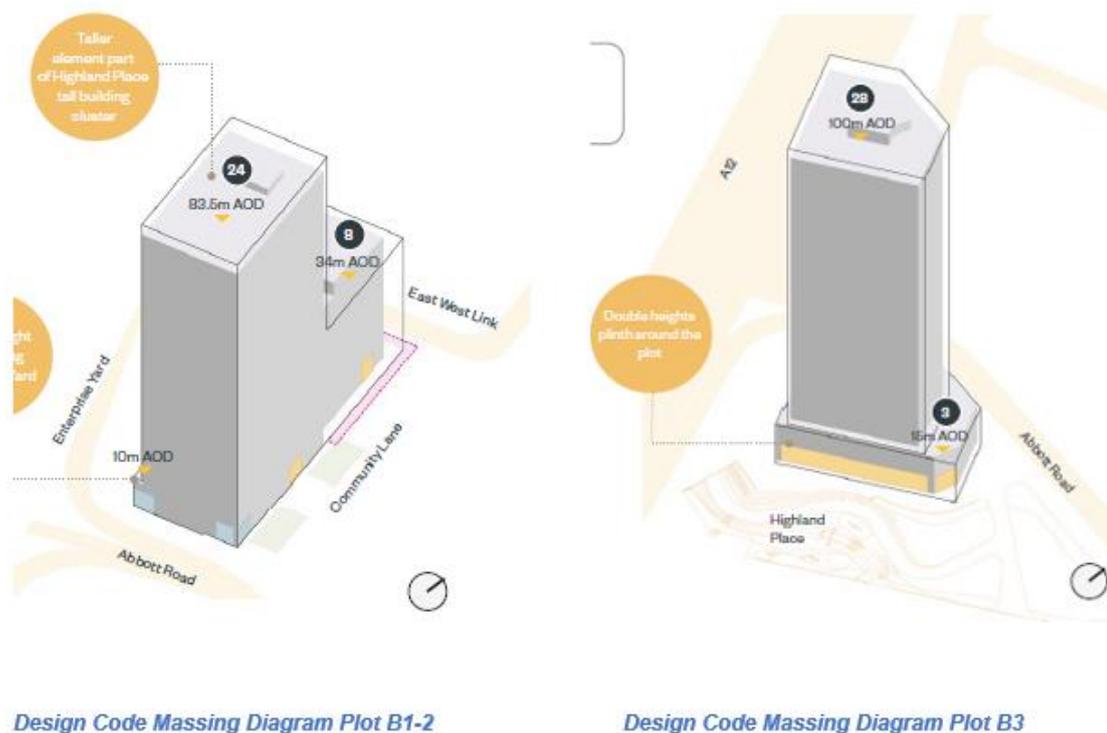


Figure 13: Parameters for Plots B1-2 and B3 extracted from the Design Code

7.111 Overall, Officers are satisfied that the plots within the development would achieve acceptable levels of outlook and privacy and whilst there are likely to be instances where separation distances between habitable rooms will fall below 18metres, on balance Officers consider that having regard to the site's location within an Opportunity Area, whereby there is an expectation for the delivery of high density development and the need to optimise site capacity and the wider regeneration benefits associated with the development, the proposal would be acceptable in this regard.

### Wheelchair Accessible Housing

7.112 Policy D7 of the London Plan requires residential developments to provide at least 10% per cent of dwellings meet M4(3) (wheelchair user dwellings) and all other dwellings (90%) should meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: *Access to and use of buildings*.

7.113 Policy D.H3 of the Local Plan requires the same provision as London Plan policy however, supporting paragraph 9.44 clarifies that all 'wheelchair user dwellings' in the Affordable Rented tenure should meet M4(3)(2)(b), i.e., built to fully accessible standards and capable for immediate occupation rather than adaptable for wheelchair users (M4(3)(2)(a)).

7.114 The submitted Planning Statement confirms that across the Masterplan as a whole, the scheme would provide 90% M4(2) units and 10% M4(3) units in accordance with the London Plan.

7.115 In terms of Phase A specifically, the breakdown of M4(2) and M4(3) units across Phase A is detailed in the table below.

Plot	Number of Units	Tenure of Plot	Number of M4(2) Units	Number of M4(3) Units
Plot F	102 Units	Market	86	16 x 2B4P M4(3)(2a)
Plot H1 and H2	66 Units	Social Rent/Affordable Rent	56	10 x 3B5P M4(3)(2b)
Plot H3	38 Units	Market/Shared Ownership	36	

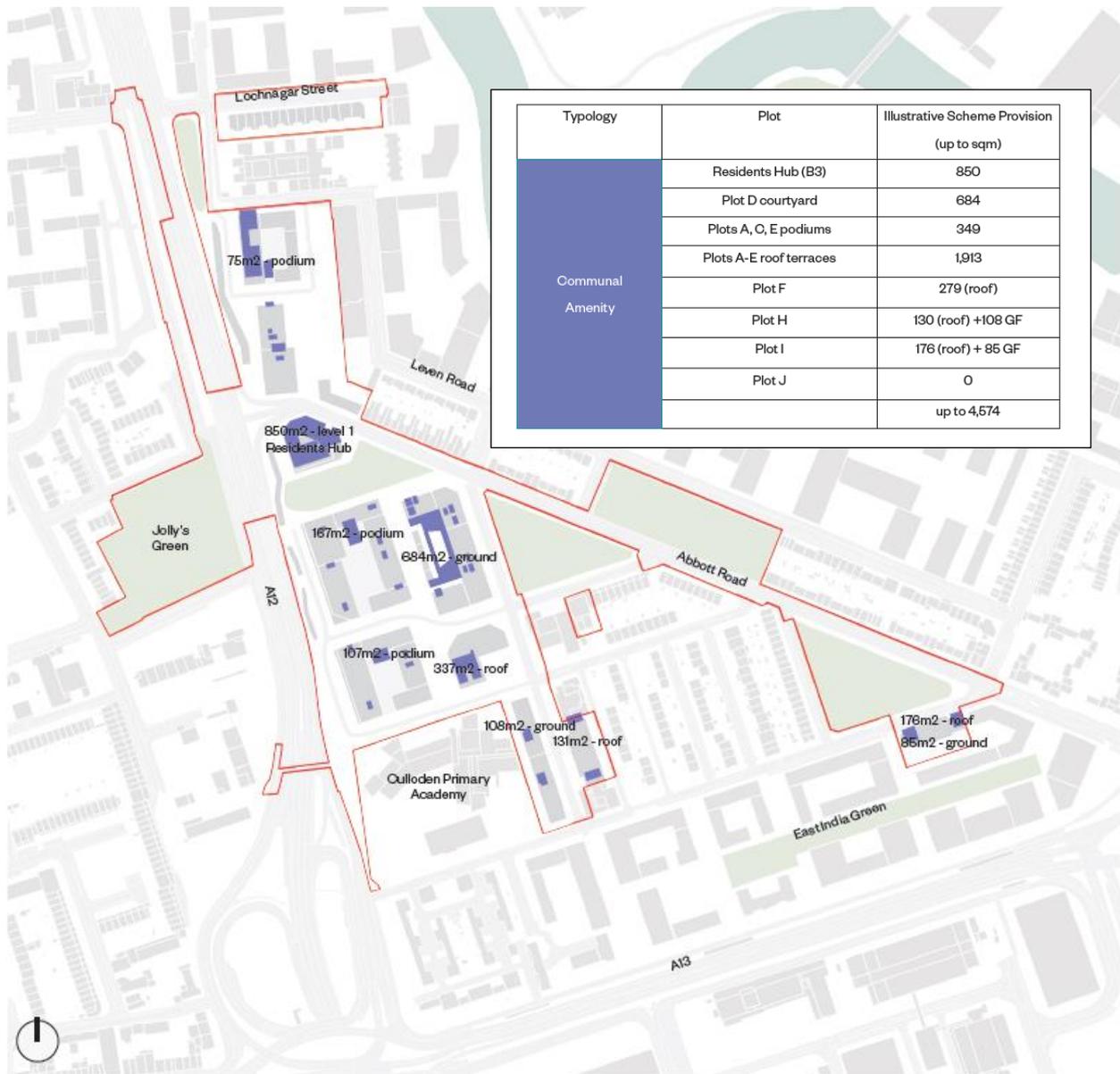
				2 x 2B4P M4(3)(2a) – All Shared Ownership
Plot I	52 Units	Market/Shared Ownership	50	2 x 2B4P M4(3)(2a) – All Market
Plot J	19 Units	Social Rent	19	0
<b>Total</b>	<b>277</b>	<b>/</b>	<b>247</b>	<b>30</b>
<b>Total %</b>				
			<b>89%</b>	<b>11%</b>

**Table 16:** Phase A wheelchair accessible and adaptable unit breakdown.

- 7.116 Phase A proposes to provide 30 out of the 277 units designed to Part M4(3) accessible or adaptable standards equating to 11% of Phase A in total with the remaining 89% (247 units) designed to Part M4(2) standards.
- 7.117 There would be 18 x 2B4P wheelchair adaptable units in the Market tenure, 2 x 2B4P wheelchair adaptable units in the Intermediate tenure and 10 x 3B5P wheelchair accessible units in the Social Rent/Affordable Rent tenure. The Social/Affordable Rent fully wheelchair accessible units will be located on Levels 03-07 of Plot H1/H2 whilst the Intermediate wheelchair adaptable units will be located on Level 01 of Plot H3. Within Plot F, the wheelchair adaptable units will be located on Levels 01-11 whilst the wheelchair adaptable units within Plot I will be located on Levels 06-07.
- 7.118 Overall, the provision of M4(2) and M4(3) units within Phase A is acceptable and welcomed noting the over provision of M4(3) units within this Phase. Full details of compliant accessible and adaptable layouts for residential units would be secured by condition and S106 legal agreement, should planning permission be granted.

### **Communal Amenity Space**

- 7.119 Policy D.H3 (Part C) of the Local Plan requires that for major developments (10 residential units or more) communal amenity space should be provided. The provision should be calculated based on 50sqm for the first 10 units with an additional 1sqm for every additional unit thereafter. Based on the maximum parameter of 1,582 units, the proposal is therefore required to provide 1,622sqm of communal amenity space.
- 7.120 The scheme proposes an illustrative provision of up to 4,574sqm of communal amenity space which substantially exceeds the policy requirement of 1,622sqm. The illustrative external communal amenity spaces include a combination of ground level courtyards, Level 01 Podiums and Roof Gardens. Plot B3 will have a large communal amenity area measuring up to 850sqm however this space is intended to be a 'residents hub' that could potentially serve the wider estate and not just the residents of Plot B3.
- 7.121 General distribution of the proposed communal amenity areas including the indicative quantum of communal amenity space designated to each building plot across the masterplan can be seen in the image below.



**Figure 14:** Distribution of communal amenity space

7.122 In terms of Phase A, the quantum of communal amenity space distributed across this phase will equate to 778sqm in total and located within Plots H1/H2 (108sqm), H3 (130sqm), I (261sqm) and F (279sqm). This would substantially exceed the minimum requirement of 317sqm of communal amenity space required for Phase A. It should be noted that Plot J has no communal amenity space however, the majority of the units within Plot J are terraced houses with private gardens measuring at least 40sqm in area. There are also 6 maisonettes within plot J of which 2 at ground floor level would have private amenity areas measuring at least 65sqm and the remaining 4 maisonettes would have policy compliant private terraces and therefore on balance, the absence of communal amenity space for Plot J is considered to be acceptable.

7.123 Notwithstanding the image above, the submitted floorplan for Plot H1/H2 suggest that this plot does not provide the minimum quantum of communal amenity required (106sqm required) providing 96.8sqm of communal amenity space consisting of 2 internal community areas measuring 48.4sqm each. However, these two areas would have the ability to open out onto Kirkmichael Street which is intended to be transformed into a 'Play Street' thereby enhancing the overall play value of the street allowing activities from within the internal communal amenity areas to spill outdoors onto the play street and allowing greater opportunities for passive surveillance. On balance, as the overall quantum of communal amenity space for Phase A substantially exceeds policy requirement, the distribution of communal amenity space in this phase is considered to be acceptable. The detailed design elements of these areas would be secured via the imposition of a suitable condition should planning permission be granted for this development.

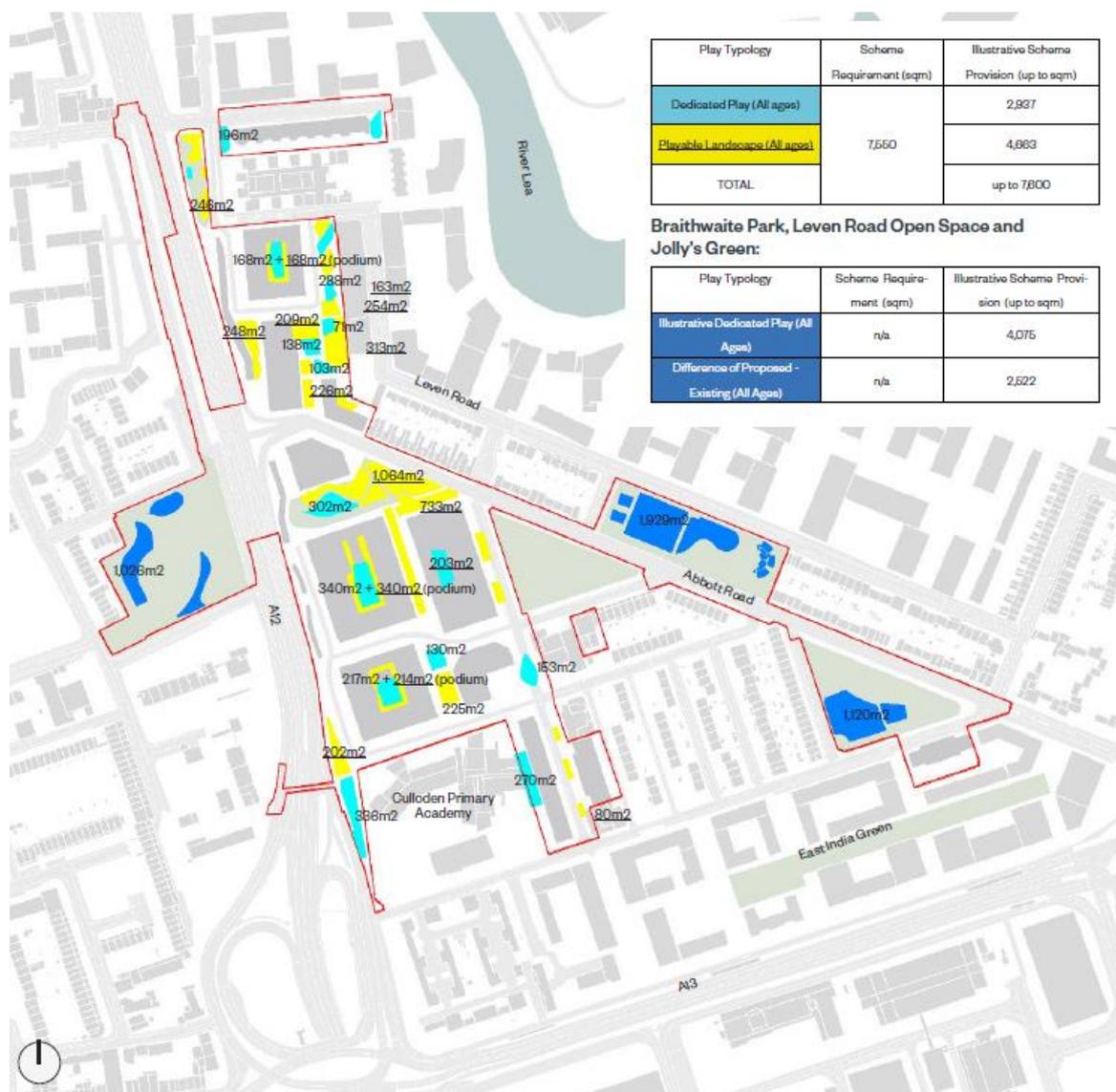
### Children's Play Space:

- 7.124 Policy S4 of the London Plan seeks to ensure that development proposals that include housing make provision for good quality accessible play and informal recreation and enable children and young people to be independently mobile. Areas of play should provide a stimulating environment, be accessible in a safe manner from the street by children and young people, form an integral part of the surrounding neighbourhood, incorporate trees and/or other forms of greenery, be overlooked to enable passive surveillance and not be segregated by tenure. The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Recreation sets out guidance to assist in this process.
- 7.125 At the local level, Policy D.H3 of the Local Plan requires major developments to provide a minimum of 10sqm of high-quality play space for each child. The Tower Hamlet's child yield calculator should be used to determine child numbers in a development. The child yield, required associated children's play and the provision proposed based on the maximum unit mix (1,582 units as set out in the Planning Statement) is set out in the table below:

Age Group	Child Yield	Area Required (sqm)	Sqm Play Area Proposed (Upto)
Aged 0-4	282	2823	2776
Aged 5-11	239	2389	2345
Aged 12-18	250	2497	2479
<b>Total</b>	<b>771</b>	<b>7710</b>	<b>7600</b>

*Table 17: Child yield and required play space provision.*

- 7.126 The LBTH Playspace Calculator requires the development to provide 7,710sqm of children's play provision and the scheme proposes to provide up to 7,600sqm of children's play. However, it should be noted that this overall quantum does not fully consist of dedicated play provision (spaces where play is identified as a prime function) within the Applicant's land ownership but incorporates a combination of dedicated play space and playable landscape. The Council's High Density Living SPD defines playable space as one where children and young people can legitimately use it for play and informal recreation and can include: incidental play opportunities such as planting, level change, boulders and logs; public art, open areas, SuDs and water features. In this regard it can be seen that playable landscape would fall within the definition of playable space.
- 7.127 The distribution of dedicated play and playable landscape proposed across the masterplan can be seen in the image below.

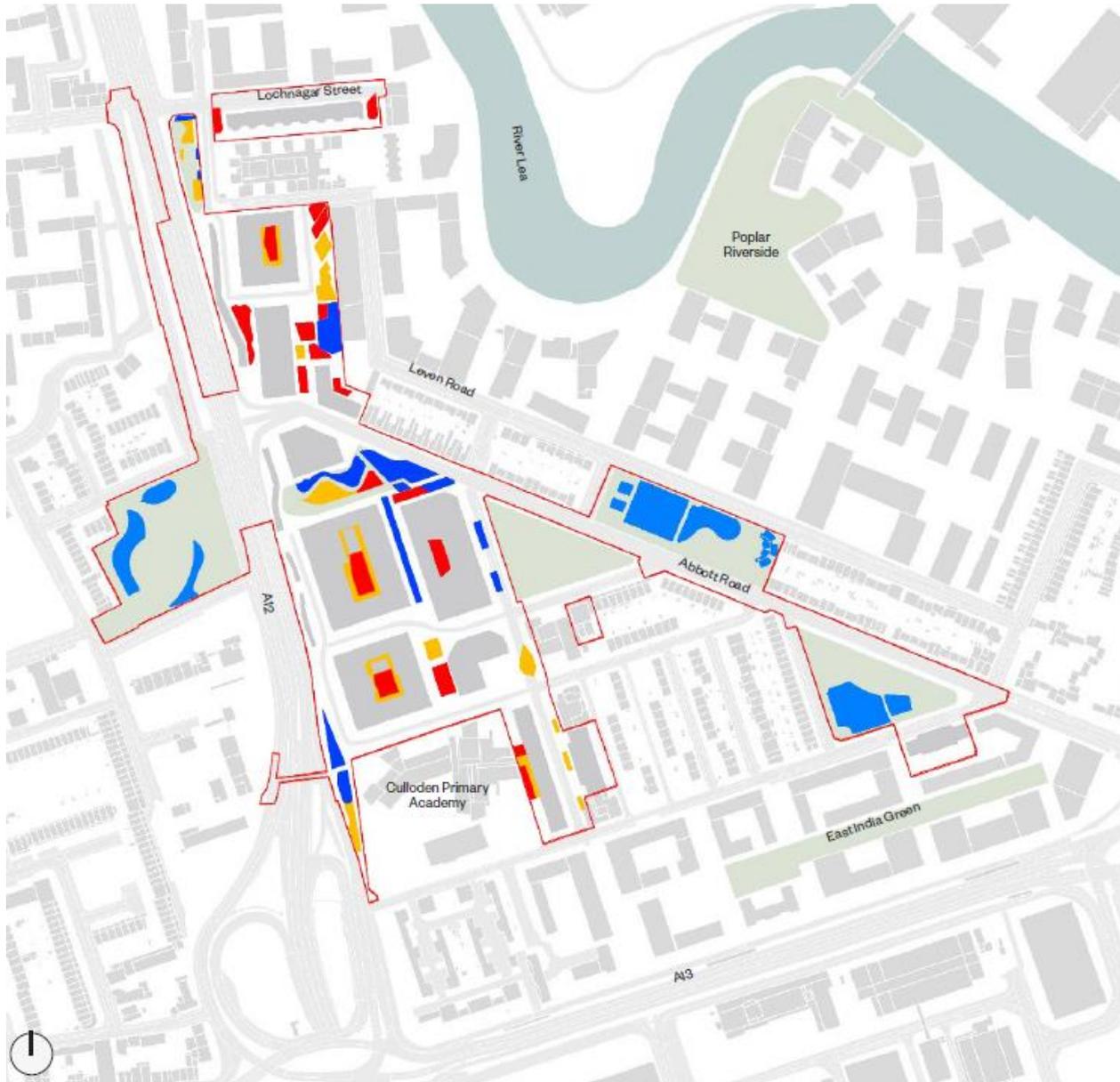


**Figure 15:** Distribution of children's play space

7.128 As can be seen from the image above, the scheme proposes 2,937sqm of dedicated children's play (All Ages) and 4,663sqm of playable landscape (All Ages) and thereby resulting in a deficit of 4,773sqm of dedicated play space which equates to approximately 62% below the required dedicated play provision. In terms of how the overall quantum of combined play space will be distributed according to age this can be seen in the table and image below.

Age Profile (Proposed Play Typology)	Scheme Requirement (sqm)	Illustrative Scheme Provision (up to sqm)
Under 5 years (Doorstep Play)	2,770	2,776
5 - 11 years (Local Play)	2,341	2,345
12 - 18 years (Neighbourhood Play)	2,439	2,479
TOTAL	7,550	up to 7,600

**Table 18:** Play space distribution according to age groups  
(Note: Scheme Requirement breakdown based on illustrative unit mix)



**Figure 16:** Distribution of play space according to age

- 7.129 In terms of distribution of the play space according to age, the allocation of play for each age range would be provided through the combination of dedicated play and playable space.
- 7.130 Whilst there is clearly a substantial deficit in *dedicated* play space, the supporting Play Strategy document submitted with the planning application suggests that the overarching vision for the masterplan is to place children at the heart of the masterplan design process and delivers placemaking that can be enjoyed and accessed by everyone within the community. As such a range of different spaces, comprising different character areas to meet different needs are woven throughout the masterplan. To this end, the masterplan seeks to deliver a stimulating environment through the use of colour, texture, materiality, nature, pattern and topography.
- 7.131 The use of incidental play space include features like low walls, stepping stone long, interesting furniture, steps and terraces, elaborate paving patterns, interesting planting and tree arrangement and seat configuration: all of which extends to and beyond the areas quantified as dedicated play space.
- 7.132 Across the masterplan, play is woven across podiums, incidentally along car free routes, distributed across neighbourhood spaces and across numerous other incidental locations, built into street furniture and integrated into public realm structures, to ensure that it forms an integral

part of the surrounding neighbourhood. The Computer Generated Images (CGI's) below indicate how playable landscape is proposed to be provided within the masterplan.



**Figure 17:** CGI of playable landscape

7.133 As part of the wider masterplan, the scheme also proposes to substantially upgrade the facilities within existing public open spaces; Jolly's Green, Leven Road Open Space and Braithwaite Park. These three areas combined currently provide 1,553sqm of dedicated play which includes a 1,093sqm MUGA. The scheme proposes to provide an illustrative total of 4,075sqm of dedicated play across all three areas of public open space resulting in an uplift of 2,522sqm of dedicated play. Indicative proposals for Leven Road Open Space and Braithwaite Park have been developed following community consultation with input from the Council's Parks Team. A similar consultation exercise will be required to fully develop proposals for Jolly's Green.

**Phase A Detailed Component play space**

7.134 In terms of Phase A, the child yield, required associated children's play and the provision proposed based is set out in the table below:

Age Group	Child Yield	Area Required (sqm)	Sqm Play Area Proposed (Up to)
Aged 0-4	64	637	643 (Includes 324sqm of temporary play)
Aged 5-11	56	560	564
Aged 12-18	63	632	62
<b>Total</b>	<b>183</b>	<b>1830</b>	<b>1269</b>

**Table 19:** Phase A required children's play provision.

7.135 Phase A is required to provide 1,830sqm of dedicated children's play and proposes 1,269sqm thus resulting in a shortfall of 561sqm. The strategy for Phase A consists of a mixture of outdoor play spaces with dedicated and playable components woven incidentally throughout the public realm. A temporary doorstep play (0-4 years) is proposed north west of Plot F within the location of future Plot C and is currently occupied by Kilbrennan House. This temporary play will be replaced by permanent play in subsequent phases of the masterplan.

7.136 The temporary play area will accommodate a range of play equipment to provide different settings and possibilities for children to explore individually or play in groups. Colourful bird houses, insect hotels, raised planters, and sensory/edible planting mix will also be included to create a vibrant

environment for children to play and learn. Log benches and other street furniture will be provided as seats for parents. The temporary play area will remain for approximately 7 years until it is replaced by permanent play areas that will come forward in subsequent phases of the masterplan.

7.137 Other areas of play within Phase A include local play for 5-11 years and will consist of elements upon which children can play and be physically active. This could range from changes in levels, undulating forms, raised platforms and playful terrains to fixed equipment integrated into the landscape that allows children to swing, slide and climb. Seating areas would be set slightly further back from the play space to allow for passive natural surveillance. It is noted that part of this type of local play (153sqm) is identified to be provided on the northern part of Aberfeldy Street and incorporated within wider proposals for a new Town Square.

7.138 This would rely on this part of Aberfeldy Street being pedestrianised and as this falls within the public highway, full agreement would be required from the Council's Transport and Highways Team. Agreement of the proposals would need to be secured via S278 Agreement under Section 278 of the Highways Act 1980. S278 Agreements allow developers to enter into a legal agreement with the Council (In the capacity as the Highway Authority) to make permanent alterations or improvements to a public highway, as part of a planning approval. Should an agreement not be reached then the Applicant has confirmed that the quantum of play will be reallocated elsewhere in the masterplan and the overall required minimum quantum of play will still be provided.



**Figure 18:** CGI of Pedestrianised Aberfeldy Street

7.139 The image above is an illustrative view of the pedestrianised part of Aberfeldy Street and east of the new Town Square which depicts how play equipment can form part of the proposed furniture in the wider area and designed to create smaller scale, intimate spaces in contrast to the open square. The form of the tables, seats, raised planters and play structure are intended to take shape and form of a unique curved kantha pattern that appears in the existing Neighbourhood Centre. Bright colour would be used to express the components and enliven the space.

7.140 In terms of play for 12-18 year olds, Phase A proposes only 62sqm of play for this age group however it should be noted that Phase A will bring forward the improvements to Braithwaite Park and Leven Road Open Space as highlighted above. In each of these areas, the scheme proposes to provide 171sqm and 3,072sqm (including 1,093sqm MUGA) of neighbourhood play

### Conclusions on Children's Play:

- 7.141 Overall, whilst the play strategy for the masterplan does not provide the minimum quantum of dedicated play provision, Officers consider that the Applicant has provided a considered approach to the play strategy; ensuring that all forms of play have been designed to be safe, secure and well overlooked. Officers consider that in this instance that greater weight should be given to the quality of play which seeks to provide opportunities for socialising, playing and learning. The play strategy will form an integral part of the wider Aberfeldy Neighbourhood which seeks to weave in upgraded existing public open space areas. It is acknowledged that upgrading these public open space areas by introducing a greater quantum of dedicated play equipment will technically result in the loss of public open space however, the quality of these spaces are proposed to be increased as a result of these upgrade works which will also include new planting, street furniture such as picnic benches and seating areas, lighting and drinking water fountains and therefore overall the repurposing of some of these greenspaces is considered acceptable. It is also noted that as previously mentioned, the proposals for Leven Road Open Space and Braithwaite Park have evolved through consultation with the Council's Parks Team and the local community.
- 7.142 In conclusion, Officers find the proposed play strategy and provision acceptable. The detailed elements of the play areas would be secured via the imposition of a suitable condition should planning permission be granted for this development.

### **Daylight and Sunlight for Proposed New Development**

- 7.143 Policy D.DH8 of the Local Plan seeks to ensure that amongst other things, adequate levels of daylight and sunlight for new residential developments, including amenity spaces within the development are achieved. The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) guide to good practice 'Site Layout Planning for Daylight and Sunlight' (2022) (Referred to as BR 209). The updated guidance replaces the previous primary method of assessment of new build accommodation through calculating the average daylight factor (ADF) and No Sky Line (NSL). The BRE sets out the methods for assessing daylight withing a proposed building based on methods detailed in BS EN 17037: 2018 "Daylight in buildings", the UK National Annex of the British Standard and the CIBSE publication LG 10 'Daylighting – a guide for designers'.
- 7.144 BS EN 17307 suggests two possible methodologies for appraising daylight:
- Illuminance Method
  - Daylight Factor Method
- 7.145 The Illuminance Method uses Climate Based Daylight Modelling (CBDM) to predict daylight illuminance using sun and sky conditions derived from standard meteorological data (climate or weather data). This method allows the prediction of absolute daylight illuminance based on the location and building orientation, in addition to the building's daylight systems (shading systems for example). Annex A within the BS EN 17037 proposes values of target illuminances and minimum target illuminances to exceed 50% of daylight hours. One of the methodologies that can be used to interrogate data is Spatial Daylight Autonomy (sDA) which is designed to understand how often each point of the room's task area sees illuminance levels at or above a specific threshold.
- 7.146 BS EN 17037:2019 National Annex sets out minimum illuminance levels (300lx) that should be exceeded over 50% of the space for more than half of the daylight hours in the year. However, the National Annex suggests that these targets can be challenging to achieve within residential settings, particularly in areas of higher density and so suggests lower targets can be considered in this situation and as such reduced targets are suggested within BS EN 17037:2018 and they are provided so as to be comparable with the previous BRE guidance for ADF. Therefore, the relevant targets for this application are 100 lux for bedrooms, 150 lux for living rooms and 200 lux for living/kitchen/diners, kitchens and studios. The BRE guidance specifies however, that where a room has a shared use, the highest target should apply. For example, in a bed sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day.

- 7.147 The Daylight Factor Method involves calculating the median daylight factor on a reference plane. In this regard the BRE guidance states that the daylight factor is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage. This method considers an overcast sky, and therefore the orientation and location of buildings is not relevant. The median daylight factor (MDF) should meet or exceed the target daylight factor relative to a given illuminance for more than half of daylight hours, over 50% of the reference plane.
- 7.148 With regard to the assessment of sunlight, the BRE guidance refers to BS EN 17037 criterion that the minimum duration of sunlight exposure in at least one habitable room of a dwelling should be 1.5 hours on March 21<sup>st</sup>. Medium and high sunlight targets are set at 3 and 4 hours respectively. The assessment is undertaken at a reference point located centrally to the window's width and at the inner surface of the aperture (façade and/or roof).
- 7.149 In general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21<sup>st</sup> March. This is assessed at the inside centre of the window(s); sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.
- 7.150 The Applicant has submitted an Internal Daylight and Sunlight report outside of the Environmental Assessment which has been prepared by GIA Chartered Surveyors. The assessment has been reviewed independently by Delva Patman Redler (DPR).

Assessment of Daylight/Sunlight against BRE Guidance

- 7.151 The assessment of daylight to the proposed dwellings within Phase A (Plots F, H, I and J) have been assessed for spatial Daylight Autonomy (sDA) according to the targets set out in the UK National Annex of BS EN 17037, which sets illuminance targets to be achieved for over 50% of the space for more than half of the daylight hours in the year.
- 7.152 A total of 869 habitable rooms have been analysed for daylight and the results suggest that 679 (78.1%) out of the habitable residential rooms meet or exceed the recommended levels of sDA within the UK National Annex. This figure considers the higher recommendation of 200 lux for combined Living/Kitchen/Dining spaces. In addition to the above, 27 (3.1%) LKDs or studios achieve the recommendation of 150 lux for living rooms. A further 6 (0.7%) kitchens, 12 (1.4%) living spaces (LKDs, living rooms or studios) and 27 (3.1%) bedrooms fall slightly below guidelines (i.e seeing 200 lux, 150 lux and 100 lux respectively on more than 40% of their space for half the daylight hours in the year) therefore the assessment reports that a total of 751 rooms (86.4% of the total) are considered to offer adequate daylight levels in the context of this urban regeneration.
- 7.153 Of the rooms seeing lower levels of light, 4 (0.5%) kitchens, 17 (2.0%) LKDs and 18 (2.1%) bedrooms would achieve 200 lux, 150 lux and 100 lux respectively on more than 30% of their space for half the daylight hours in the year. The remaining rooms seeing lower levels of light are 33 (3.8%) living spaces (LKDs, living rooms or studios), 37 (4.3%) bedrooms and 9 (1.0%) kitchens. A detailed breakdown of rooms tested per plot is provided below as extracted from the submitted Internal Daylight Sunlight Report.

Plot	Total rooms tested	Compliance for sDA (LKDs Living Rooms Kitchens Bedrooms Studies)	LKDs or Studios achieving target for Living Rooms (sDA/150)	LKDs, Studios or Living rooms slightly below target for Living Rooms (sDA/150>40%)	Kitchens slightly below target (sDA/200>40%)	Bedrooms slightly below target (sDA/100>40%)
F	247	191 (77.3%)	12 (4.9%)	7 (2.8%)	- (-)	7 (2.8%)
H	372	290 (78.0%)	9 (2.4%)	5 (1.3%)	6 (1.6%)	9 (2.4%)
I	134	125 (93.3%)	6 (4.5%)	0 (0.0%)	- (-)	2 (1.5%)
J	116	73 (62.9%)	- (-)	0 (0.0%)	0 (0.0%)	9 (7.8%)
All blocks	869	679 (78.1%)	27 (3.1%)	12 (1.4%)	6 (0.7%)	27 (3.1%)

Plot	Total rooms tested	LKDs moderately below target for Living Rooms (sDA/150>30%)	Kitchens moderately below target for Living Rooms (sDA/200>30%)	Bedrooms moderately below target (sDA/100>30%)	Other LKDs, Studios or living rooms	Other Bedrooms or Kitchens
F	247	9 (3.6%)	- (-)	5 (2.0%)	13 (5.3%)	3 (1.2%)
H	372	8 (2.2%)	4 (1.1%)	7 (1.9%)	8 (2.2%)	26 (7.0%)
I	134	0 (0.0%)	- (-)	1 (0.7%)	0 (0.0%)	0 (0.0%)
J	116	0 (0.0%)	0 (0.0%)	5 (4.3%)	12 (10.3%)	17 (14.7%)
All blocks	869	17 (2.0%)	4 (0.5%)	18 (2.1%)	33 (3.8%)	46 (5.3%)

Figure 19: Daylight results per plot for Phase A

7.154 The rooms that fall short of BRE recommendation are located on the lowest floors, and the majority of them are located beneath or behind a balcony, which inherently reduces access to daylight whilst providing the required provision of private amenity space. The assessment states that the rooms that fail are all generously sized and whilst the rear sees lower levels of light their front portions will see higher levels of daylight.

7.155 In terms of sunlight, 223 (80.5%) out of all the 277 proposed dwellings within Phase A meet the criterion of at least one habitable room receiving at least 1.5 hours of sunlight on 21<sup>st</sup> March. The detailed breakdown of the results according to each plot can be seen below as extracted from the submitted Internal Daylight Sunlight Report.

Plot	Total dwellings tested	Dwellings with the living space meeting recommendation	Dwellings with a secondary room meeting recommendation	Dwellings with at least one habitable room meeting recommendation
F	102	69 (67.6%)	4 (3.9%)	73 (71.6%)
H	104	74 (71.2%)	14 (13.5%)	88 (84.6%)
I	52	36 (69.2%)	7 (13.5%)	43 (82.7%)
J	19	7 (36.8%)	12 (63.2%)	19 (100.0%)
All blocks	277	186 (67.1%)	37 (13.4%)	223 (80.5%)

Figure 20: Sunlight results per plot for Phase A

- 7.156 The occurrence of sunlight levels lower than recommendation in a small number of units is typical of an urban environment, especially for rooms on the lowest floors, which are provided with balconies. The assessment reports that whilst providing a valuable form of amenity, balconies also intercept sun rays acting as shading devices, therefore reducing sunlight ingress within the rooms. In addition, the main facades of Block H face due west or east and can only naturally see a limited portion of the sun path, resulting in lower exposure levels.

#### Outline Proposals

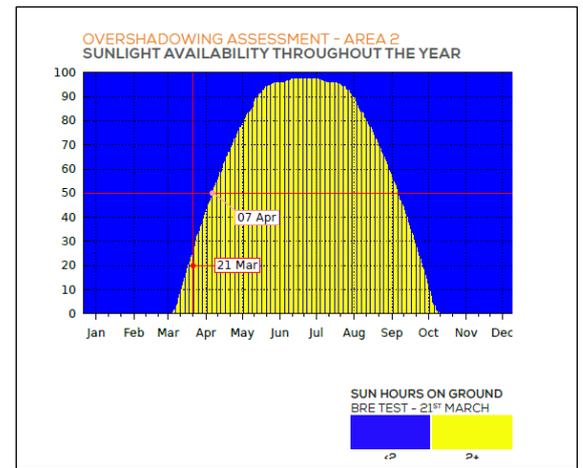
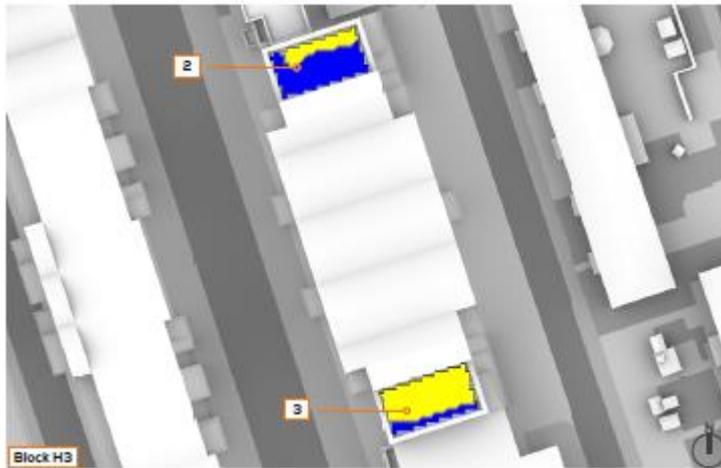
- 7.157 In terms of the outline component of the scheme, a Vertical Sky Component (VSC) façade study has been undertaken to gauge the daylight potential of these blocks. The assessment reports that overall, the results demonstrate that 65.5% of all facades would see VSC levels in excess of 27% and would allow for typical façade design to deliver good internal levels of light for future Reserved Matter Applications.
- 7.158 A further 23% (88.5% in total) would see VSC levels in excess of 15%, which would allow for good internal levels of light with wider windows and consideration of balcony locations. The remaining 11.5% of facades would see VSC levels below 15% of which 1% of facades achieve below 5% VSC. The report states that in these areas acceptable levels of light can still be achieved adopting mitigating design strategies such as larger windows, shallow layouts, lighter internal finishes and optimised balcony strategy.
- 7.159 The assessment concludes that with 88% of all facades seeing levels of VSC above 15%, the scheme sees very good daylight potential and where areas of lower levels of VSC are seen, acceptable levels of light can still be achieved in future Reserved Matters applications by adopting some mitigating design solutions. 85.5% of all facades would also see at least 90 minutes of sunlight on 21<sup>st</sup> March.

#### Summary

- 7.160 Overall, Delva Patman Redler confirmed in their initial review that the development appeared to provide a very good level of adherence to daylight guidelines for a dense housing development.
- 7.161 In terms of the results of VSC façade assessment for the Outline component, DPR confirmed that the configuration of the Outline proposals has been designed to allow for potentially good levels of internal daylight to be delivered as and when the Reserved matter Applications come forward.
- 7.162 Following the October 2021 amendments to the planning application the Applicant submitted an updated Internal Daylight Sunlight Assessment based on the revised 2022 version of the BRE Daylight and Sunlight Guidance as detailed above. Officers are satisfied that the scheme demonstrates adherence to daylight guidelines under the revised guidance.

#### Assessment of Sunlight/Overshadowing to Amenity Areas

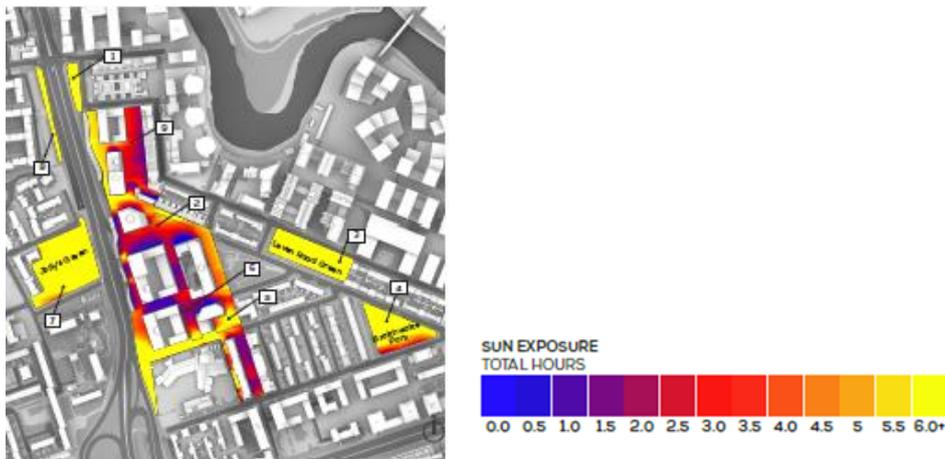
- 7.163 The assessment of sunlight and overshadowing to the amenity areas within the development has been undertaken in accordance with the BRE guideline '2 hours sun on ground' test, on 21 March (Spring Equinox). The BRE guidelines recommend that at least 50% of the amenity area should receive at least 2 hours of sunlight on 21 March.
- 7.164 Within the Detailed component of the development, 5 communal terraces located of which 1 is located within Plot F, 2 within Plot H3 and 2 within Plot I have been assessed. The results demonstrate that 4 out of the 5 areas would see at least 2 hours of direct sunlight on 21 March. The northern terrace in Plot H3 falls shy and sees 2 hours of sunlight to 27% of the area however this area would see the minimum 2 hours from the 7<sup>th</sup> April each year. The sun hours on ground diagram below indicates that this area (identified as Area 2) will be well sunlit from the beginning of April to the end of August seeing in excess of 6 hours of sunlight in June. As such the assessment concludes that the area would be adequately sunlit throughout the summer months, when it is most likely to be used.



**Figure 21:** Sun on Ground Block H3 on 21<sup>st</sup> March

7.165 In terms of Plot J, the assessment has not provided a sun-on-ground assessment to the main back gardens of houses in Plot J, however DPR have confirmed that given the low-rise massing of the former Bromley Hall School immediately to the south of Plot J and the layout and massing of the proposed and cumulative developments, the back gardens of Plot J will have reasonable access to sunlight.

7.166 In terms of the Outline component and the wider Masterplan, the assessment demonstrates that the majority of the proposed external public open space and amenity space areas would meet BRE's recommendation with the ground floor public realm seeing very good levels of sunlight, with areas such as Highland Place and the new Square far exceeding BRE recommendation and being well sunlit throughout the year. This can be seen in the sun exposure diagram below.



**Figure 22:** Sun Exposure on Ground – 21<sup>st</sup> March

7.167 The four proposed courtyards to Plots A1-2, C1-4, D1-4 and E1-3 would fall short of recommendation on 21<sup>st</sup> March however the assessment reports that this is a typical occurrence of courtyard shaped blocks which are enclosed from all sides. The assessment reports that three of these blocks are provided with rooftop amenity spaces which would meet the minimum BRE recommendations and will be excellently sunlit throughout the year.

Conclusion on Daylight/Sunlight for Proposed Development

7.168 In conclusion, Officers agree that broadly speaking the development appears to provide good levels of daylight and sunlight to the residential dwellings within the building and good levels of sunlight to the public open space area and amenity areas and are satisfied that Phase A will achieve good levels of daylight and sunlight. It is also noted that DPR consider that in terms of the VSC façade assessment for the Outline component, the configuration of the Outline proposals

have been designed to allow for potentially good levels of internal daylight to be delivered as and when Reserved Matter application(s) come forward.

- 7.169 The submitted daylight/sunlight assessment has been independently reviewed by Delva Patman Redler and there have been no concerns raised to dispute the findings presented in the submitted daylight/sunlight assessment for the proposed development.

## **URBAN DESIGN**

- 7.170 Chapter 12 of the NPPF attaches great importance to achieving well-designed places. Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.171 Chapter 3 of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces. Policies D1-D9 of the London Plan collectively emphasises the expectation for high-quality design in all developments.
- 7.172 Specifically, Policy D1, Part B(3) of the London Plan requires Boroughs to advocate the design-led approach by establishing acceptable building heights, scale, massing and indicative layouts for allocated sites and, where appropriate, the amount of floorspace that should be provided for different land uses. Policy D3, Part A states that the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. Part D(1) of the policy goes on to require that in relation to form and layout, development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, having regard to existing and emerging street hierarchy, building types, forms and proportions.
- 7.173 At the local level, Policy S.DH1 of the Local Plan echoes strategic objectives and requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.174 Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability and legibility across the Borough.
- 7.175 Policy D.DH4 of the Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.

## **Density**

- 7.176 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services (both existing and proposed) as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change and the importance of securing well-design, attractive and healthy places. To this end Local Planning Authorities should set their own approach to housing density and plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. In some instances, it may be appropriate to set out a range of densities that reflect local circumstances rather than one broad density range.
- 7.177 The London Plan 2021 does not incorporate a density matrix unlike its predecessor. Policy D3 of the London Plan requires that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.

- 7.178 Policy D4 of the London Plan requires all proposals exceeding 30 metres high and 350 units per hectare to demonstrate they that they have undergone a local borough process of design scrutiny.
- 7.179 Policy D.DH7 of the Local Plan requires that where residential development exceeds the density set out in the London Plan, it must demonstrate that the cumulative impacts have been considered (including its potential to compromise the ability of neighbouring sites to optimise densities) and any negative impacts can be mitigated as far as possible.
- 7.180 The proposed development would have a density of 179 dwellings per hectare (calculated proportionately based on 1582 units/8.8 hectares and not including the non-residential floorspace and areas of existing public open space) or 500 habitable rooms per hectare (4405 habitable rooms/8.8 hectares). The London Plan no longer includes a density matrix as this has been replaced with a requirement to consider a design-led approach to optimising site capacity and this is now the principal approach to assessing the acceptability of the density of a scheme. The scheme is considered to be a higher density development that broadly accords with all other intertwining policy considerations, and therefore the proposal is considered to be appropriate to its site context.

### **Site Layout and Masterplanning**

#### *Character Areas:*

- 7.181 The layout of the masterplan is underpinned by six 'threads' as described in the submitted Design and Access Statement which are summarised as follows:
- 7.182 **The Healthy Street:** A 2.5km green loop central to which is the inclusion of Abbott Road as a green spine that connects a network of green spaces such as Millennium Green, Braithwaite Park, East India Green, Leven Road Open Space, Jolly's Green and Poplar Riverside Park. The Healthy Street is intended to encourage a healthy lifestyle and prioritises pedestrians and cyclists over the motor vehicle. Landscaping, trees and planting is intended to play an integral role in creating the Healthy Street environment, offering opportunities for play, recreation, and leisure.
- 7.183 **The High Street:** Replacement of the existing High Street and Neighbourhood Centre with a new pedestrian friendly High Street with residential above. The High Street will connect into the previously approved Phases 1-3 of the extant planning permission and towards East India Station to the south, and to Abbott Road to the north where the High Street will join the Healthy Street. Landscaping would be integrated into the streetscape and it is intended for non-residential uses at street level to activate the public realm. Plots H and F within Phase A of the masterplan will face onto the southern portion of the new High Street whilst Plot D1-4 will lie towards the northern portion and opposite Millennium Green.
- 7.184 **Enterprise Yard:** Taking inspiration from Poplar Works, Enterprise Yard is proposed to be a creative linear route which runs north-south through the masterplan, from Lochnagar Street through to Dee Street and beyond to the Old Poplar Hospital to the south. The route will run parallel to the A12 and will incorporate workspace buildings and intended to build on the creative narrative and crafts spaces established by Poplar Works.
- 7.185 **Community Lane:** This will be a new route through the masterplan connecting the site north-south from Nairn Street to Dee Street. Community Lane will be residential in character with a variety of homes along its length and front doors to homes directly off the street to encourage neighbourliness and doorstep play and activation of the street. Community Lane will have integrated soft landscaping which will create outdoors paces for residents and the wider community to enjoy and a focus on child friendly streets to encourage incidental and door step play and promote a strong sense of community.
- 7.186 **East West Links:** The masterplan seeks to improve east-west links throughout the masterplan and reinstate historic east-west links which have been eroded by post war redevelopment of the estate. The reinstatement of the east-west streets is intended to improve permeability and connectivity within the masterplan and its surrounds.
- 7.187 **Blue Loop** – The Blue Loop forms an improved connection to the River Lea, via Poplar Riverside Park, linking into the new routes proposed as part of the Leven Road Gasworks development.

The aim of the Blue Loop is to encourage the use of the River Lea as a leisure route and connect into the wider blue network by encouraging walking, cycling and running within the site and its surrounds.

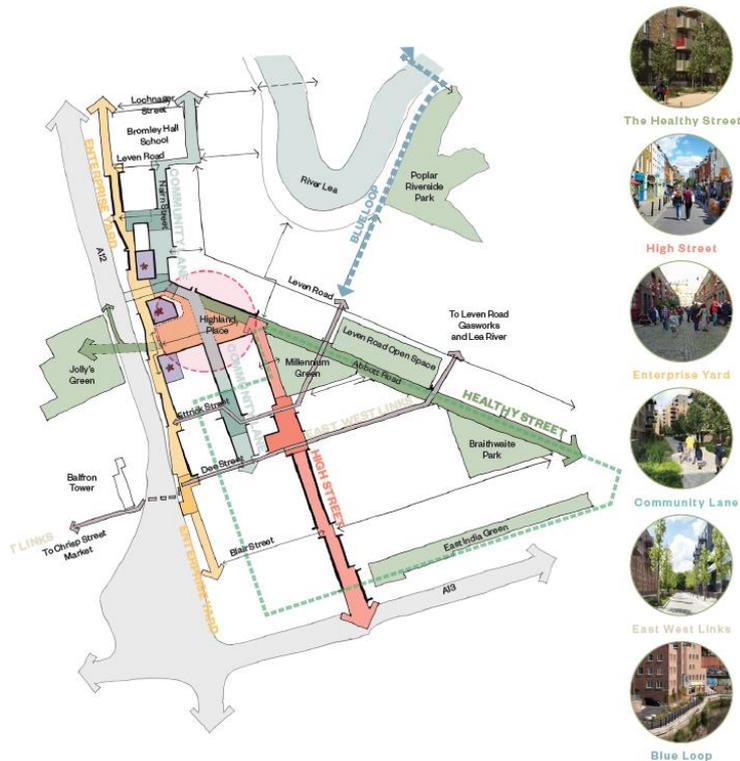


Figure 23: 'Threads' of the masterplan

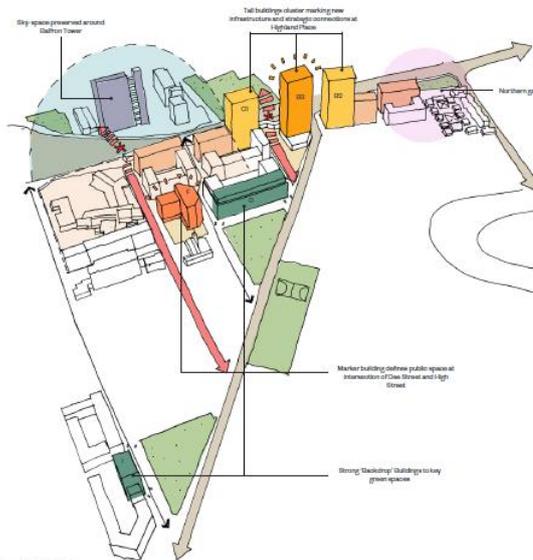
### Location of Buildings

- 7.188 Buildings within the masterplan will be arranged running on a north-south axis with the majority of the building plots bound by Enterprise Yard to the west and Community Lane to the east. The character areas identified above will enable buildings to be arranged in a manner that creates a network of streets and spaces around the buildings.
- 7.189 The tallest building within the masterplan will be building B3 (maximum 28-storeys); located at the top of Abbott Road and intended to act as a landmark within the masterplan that seeks to 'mark' Highland Place. On either side of building B3 will be buildings C1 and B2 (both maximum of 24-storeys) and the three buildings together form a 'cluster' that announces Highland Place as a key node.



**Figure 24:** CGI of Highland Place

- 7.190 Highland Place will be a new public space forming the heart of the masterplan that brings together the cluster of tall buildings fronting the A12, the repurposed pedestrian and cycle underpass, the slip road on the western side of the A12 and the connection to Jolly's Green and strengthens the connectivity between neighbourhoods on both side of the A12.



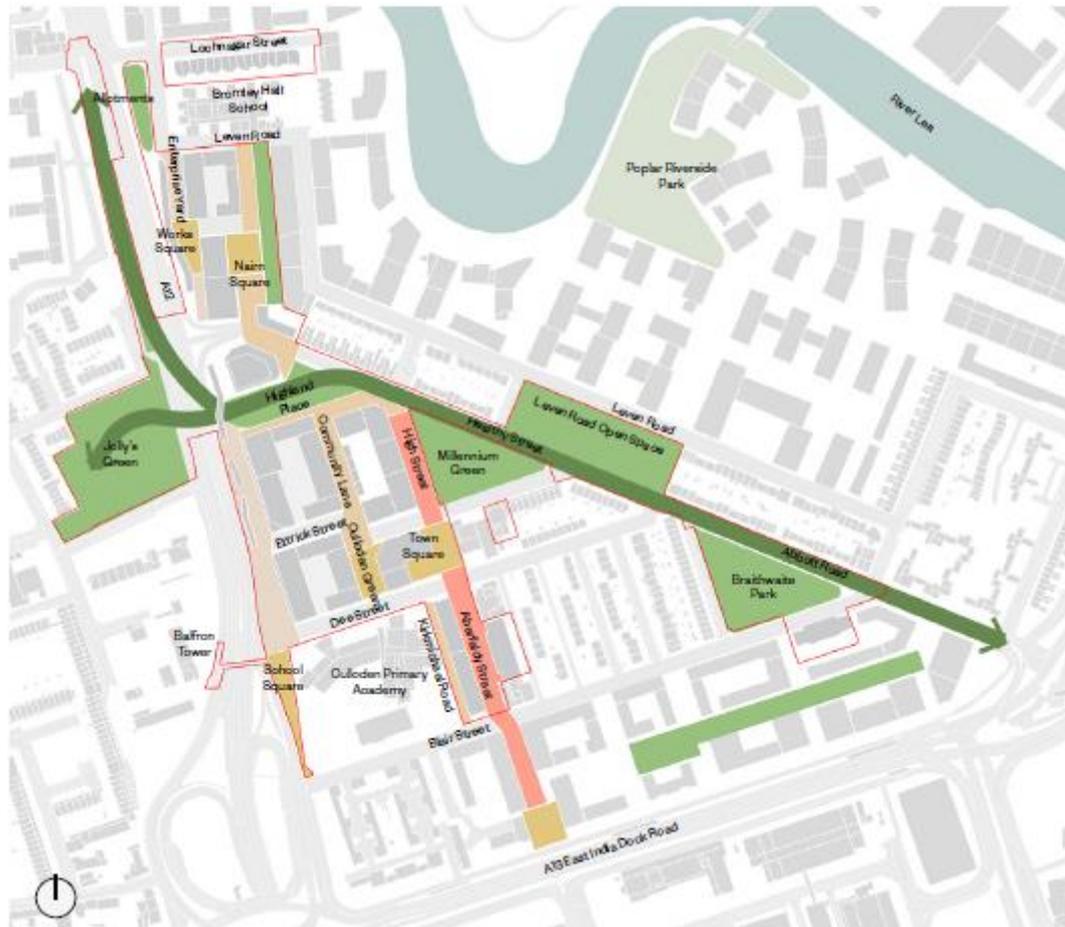
**Figure 25:** Location of tallest buildings

### Network of Public Spaces

- 7.191 The remaining parts of the masterplan incorporates a network of existing and new public spaces of varied character. Weaved into the masterplan will be existing green open spaces Braithwaite Park, Leven Road Open Space, Jolly's Green and Millennium Green all of which are proposed to be enhanced and improved as part of the proposals. Millennium Green is not included in the application red-line boundary, however improvements to the Green will be secured via the S106 legal agreement should planning permission be granted.
- 7.192 A new public space within the masterplan will be the 'Town Square'. Located along the High Street, the new Town Square will be a flexible public space intended to perform a civic and social function for the wider neighbourhood. The Town Square will offer opportunities for a diverse

range of community events including markets, music, theatre, games, exhibitions and community gatherings.

- 7.193 Other smaller areas of public space weaved into the masterplan include Nairn Square; a local square located along Community Lane North intending to provide a variety of different areas for social opportunities, and for families and neighbours to gather and play, Works Square; a flexible space along Enterprise Yard with seating and tables to encourage workspaces to spill out into the street, School Square; located adjacent to Culloden Primary School, it includes seating and play for use during school drop off and collection, Kirkmichael Road; a play street on the western side of Plot H1/H2 which promotes play on the way and will incorporate the existing exit form Culloden Primary School, The Allotments; community gardens for use by all residents and Culloden Green; a key local square, or green space along Community Lane South.



**Figure 26:** Diagram illustrating the network of open spaces across the masterplan

### Summary of Site Layout

- 7.194 Overall, Officers consider that in urban design terms, the proposed site layout is considered to positively respond to the site constraints, opportunities and local context and through the establishment of different character areas aspires to provide a development with place-making at the centre, encouraging sustainable and healthy lifestyles and responding to the local character. The proposal strengthens and enhances the existing street pattern within the Aberfeldy Estate thus improving connectivity and legibility.
- 7.195 The permeability and spatial integration of the site would be substantially improved and the site layout principles are supported by LBTH Design Officers who consider that that the network of streets and spaces presented are logical and create a strong hierarchy of spaces throughout the masterplan and develop a well-considered character to the Aberfeldy Estate.

## **Townscape, Massing and Heights**

- 7.196 Policy D9 of the London Plan is specific to tall buildings and sets a number of criteria against which tall buildings should be assessed. Policy D9 directs development proposals to address visual (long, mid and immediate views, spatial hierarchy and legibility, architectural quality, protection of heritage assets, water spaces, visual glare and light pollution), functional (construction, servicing, access, transport network, economic outputs, the protection of the aviation and telecommunications industry) and environmental impacts (wind, daylight, sunlight, enjoyment of water spaces, air and noise pollution) and any cumulative impacts.
- 7.197 Policy D.DH6 of the Local Plan sets out the criteria for assessing the appropriateness of a tall building. Part 1 of the policy set out a series of stringent design and spatial criteria which tall buildings must adhere to whilst Part 2 of the policy directs tall buildings towards the designated Tall Building Zones (TBZ). Outside of these zones, Part 3 of the policy states that tall building proposals will be supported provided they meet the criteria set out in Part 1 and can demonstrate how they will:
- a. Be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas.
  - 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 civic or visual significance within the area.
  - d. Not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.
- 7.198 The explanatory text for Policy D.DH6 emphasises that in such locations, tall buildings will be expected to serve as landmarks and unlock strategic infrastructure provision (such as publicly accessible open space, new transport interchanges, river crossings and educational and health facilities serving more than the immediate local area) to address existing deficiencies and future needs (as identified in the Infrastructure Delivery Plan and other relevant strategies). The height of these buildings should relate to their role as a local, district or metropolitan landmark and the surrounding context height. In addition, proposals should ensure that the positive aspects of the existing local character and legibility are maintained and/or enhanced.

### **Principle of tall buildings**

- 7.199 The scheme proposes 15 building plots of which 7 building plots would range from maximum heights of 13m AOD to 26.9m AOD resulting in a range of maximum building heights of between 3-6 storeys. The remaining building plots would have maximum heights ranging from 30.87m AOD to 100m AOD resulting in a range of maximum building heights of between 8-28-storeys.
- 7.200 The image below sets out the distribution of height within the masterplan. The tallest buildings (C1, B3 and B2) within the masterplan are positioned in a cluster of three, marking Highland Place and the underpass and as mentioned earlier in this report this cluster of buildings reach maximum heights of 84m AOD/24-storeys, 83.5m AOD/24-storeys and 100m AOD/28-storeys respectively.



**Figure 27: Building Heights**

- 7.201 Lower rise building Plot B4 which reaches a maximum height of 13.5m AOD/3-storeys is located around the perimeter of the site adjacent to existing low-rise buildings along Abbott Road. The building height along the High Street and north of the new Town Square reaches up to 39m AOD/9-storeys (Plot D1-4) and forms the backdrop to western side of Millennium Green. A taller building (Plot F) of up to 42.73m AOD/12-storeys marks the Town Square adjacent to St. Nicholas Church. The buildings along the East-West links vary between 6 to 10-storeys and provide a continuous frontage along these connections. To the south of the masterplan, building heights step down where they front Culloden Primary Academy along Dee Street. Community Lane, which will be a new route within the masterplan will have buildings of between 3 to 6-storeys.
- 7.202 This section of the report will address the criteria set out in Policy D.DH6 (Part 3) of the Local Plan in turn:
- Be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas.***
- 7.203 The site benefits from low-good Public Transport Accessibility Level (PTAL) with a rating of 1b-4 where 6b constitutes the best PTAL rating. The site also includes a Neighbourhood Centre and falls within the Poplar Riverside Opportunity Area. The site has been earmarked for regeneration both within the London Plan and within the draft Leaside AAP. Policy H1 of the London Plan promotes the optimisation of housing delivery on all suitable and available brownfield sites with PTALs of 3-6 which are located within 800 metres distance of a station or town centre boundary.
- 7.204 Whilst the PTAL rating varies across the site with some areas of poor accessibility, the proposed repurposing of the underpass between Highland Place and the west of the A12 into a pedestrian and cycle connection will bring further benefits and improve walking routes between the eastern and western side of the A12 addressing the barrier and severance caused by the A12 and better connect to the existing and proposed green spaces, local centres and transport hubs.
- Address deficiencies in the provision of strategic infrastructure.***
- 7.205 The Aberfeldy Estate is very much an 'Island', surrounded by the A12, A13 and the River Lea causing severance with its surroundings with the A12 being a significant physical barrier to east-west movement. As mentioned above the proposed development will address the severance caused by the A12 through the repurposing of the underpass. Connections also to new services and amenities within the previously approved extant permission (Phases 1-3) will be enhanced, and connections to Aberfeldy Street strengthened. Routes to other local centres, including Crisp

Street Market and All Saints local centre would also be improved through reduced A12 severance and the improved legibility offered by tall buildings at this key nodal point along the new east-west connection.

- 7.206 At this new east-west connection point, the scheme will create new public open space in Highland Place. In addition, connections between new and existing open space provision will be improved by 'linking' the spaces of Millennium Green, Leven Road Open Space and Braithwaite Park, in addition to the proposed new Highland Place and the transformed Healthy Street (Abbot Road). This will create a green grid promoting and aiding accessibility to these spaces and encouraging active lifestyles. The enhanced east-west connection will also include a direct physical link to from the underpass into Jolly's Green; the public open space directly on the western side of the A12.

***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.***

- 7.207 The location of tall buildings adjacent to the repurposed underpass will mark Highland Place as a significant area of new public realm and civic space for existing and future residents of the Aberfeldy Estate and the surrounding neighbourhoods. This space will offer play and amenity spaces, workspaces, retail opportunities and cafes, creating a hub of community activity within the masterplan.

***Not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.***

- 7.208 The tallest buildings within the masterplan are located to mark Highland Place and the underpass however set away from the Grade II\* listed Balforn Tower. Tall buildings within the masterplan that are within the vicinity of Balforn Tower will be lower and not undermine the impact of this significant building. By keeping buildings near Balforn Tower lower in scale, the sky space around Balforn Tower and the Balforn Tower Conservation Area will be protected, ensuring that the proposed development is read separately from nearby heritage assets. The Heritage implications of the proposal is considered in more detail in the Heritage section of this report.

- 7.209 The tallest buildings that are set around Highland Place have been designed to take into account the 'Principles of Tall Buildings Clusters' as required by the explanatory text accompanying Policy D.DH6 of the Local Plan. In this regard, the cluster of the tallest buildings are located at a significant distance from the designated Tall Buildings Zones within the Local Plan and notably, Canary Wharf, Blackwall and Leamouth Tall Building Zones.

- 7.210 Building heights step down significantly at the edge of the proposed development albeit they would still be classified as tall buildings under the Local Plan, however the cluster of the tallest buildings around Highland Place (C1, B2 and B3) would be clearly defined thus avoiding the merging of tall building clusters. These three buildings will display variation in height and a hierarchy of importance. The tallest building (B2) which marks the entrance of the underpass will also act as a terminus to Abbott Road and will be expressed differently to buildings C1 and B2 both of which will be slightly lower. This would be a peak moment of height within the masterplan and remaining tall buildings within the masterplan are not proposed at heights that could undermine this cluster.

#### Summary:

- 7.211 Overall, Officers consider that the principle of the tall buildings outside of a Tall Building Zone has been justified against the criteria set out in Part 3 of Policy D.DH6. It is apparent however, that critical to this masterplan is the delivery of the strategic infrastructure intervention that is proposed; namely the repurposed underpass and the significant east-west connectivity improvements that it will bring and the new public open space at Highland Place which is marked by the tallest buildings within this masterplan.

- 7.212 The masterplan incorporates a substantial number of tall building plots with 9 out of 15 building plots reaching maximum heights in excess of 30 metres. The height and scale of the cluster of the tallest buildings within the masterplan would be significant and at a maximum height of 100m AOD. Whilst there are nearby developments that incorporate tall buildings such as Ailsa Wharf (up to 17-storeys/59.5m AOD), Islay Wharf (up to 21-storeys/80.38m AOD), Former Poplar Bus Depot (up to 20-storeys/72.7m AOD) and Leven Road Gas Works (Poplar Gas Works) site (up to 21-storeys/66m AOD), none of these developments would incorporate buildings reaching up to 28-storeys (100m AOD).
- 7.213 Notwithstanding the above however, Officers accept that there is a clear relationship between the cluster of the tallest buildings within the masterplan, Highland Place and the underpass and that there is a logic to 'marking' Highland Place and the underpass connection with this cluster. Without these strategic infrastructure interventions, the height strategy for this proposal and the density proposed would be considered unacceptable and not justified against Policy D.DH6. The successful delivery of this masterplan is wholly contingent on the delivery of the public open space improvements at Highland Place and the connectivity improvements from east-west links and the repurposing of the underpass.

### **Assessment against tall building criteria**

- 7.214 Policy D.DH6 of the Local Plan requires developments with tall buildings to demonstrate the following (as summarised):
- a) have a proportionate height, scale, mass and volume.
  - b) be of exceptional architectural quality (including sustainable building design),
  - c) enhance character and distinctiveness of the area ensuring that townscapes, heritage assets, key views, skylines and landmarks are not affected,
  - d) provide a positive contribution to the skyline (day and night),
  - e) not prejudice future development potential of neighbouring sites,
  - f) maintain adequate distances between buildings and ensure a high quality ground floor experience,
  - g) demonstrate public safety requirements,
  - h) present a human scale of development at street level,
  - i) provide high quality private communal open space/play space and public realm,
  - j) avoid microclimate impacts,
  - k) ensure no adverse impacts on biodiversity, open space or watercourse sand water bodies,
  - l) comply with civil aviation requirements and not have unacceptable impact on telecommunication.
- 7.215 Matters relating to the criteria b), f), g), h), i), k) and l) are considered elsewhere in this report under the Materials and Appearance, Quality of Residential Accommodation, Landscaping and Public Realm and Wind/Microclimate sections of this report and conclusions drawn are considered acceptable. The scheme is not considered to prejudice future development potential of adjacent/neighbouring buildings or plots and therefore there are no conflicts with criterion e). In terms of criteria a), c) and d) these are assessed below:

### Townscape Views and Impact

- 7.216 The proposal would introduce prominent visual additions to the immediate and local townscape having regard to the heights, scale and massing of buildings within the masterplan. The application has been accompanied by a Townscape and Visual Impact Assessment (TVIA) that forms part of the Environmental Statement (ES) and includes verified views (34 verified views) that were agreed with Officers during the EIA Scoping and pre-application process. The location of the viewpoints considered in the ES are indicated on Appendix 4 of this report. The sensitivity of the views have been determined through consideration of their importance/value and their susceptibility to change.
- 7.217 The TVIA assesses the potential visual impacts of the proposed development on the character of the local and wider townscape, protected views, and the setting of heritage assets. The varying townscape impacts are considered throughout the TVIA from sensitive close-range views, to wider protected strategic views. Within the TVIA, the magnitude of change (impact) is assessed as high, medium, low or very low using the following criteria:
- High – considerable change to the townscape or view.
  - Medium – an obvious change to the townscape or view.
  - Low – a small change to the townscape or view that would not be readily noticed.
  - Very Low – there would be minimal change to the townscape or view.
- 7.218 An impact of high magnitude is likely to involve extensive visibility of the proposed development and/or visibility at an apparent scale that may be as large or larger than most existing elements in the townscape or view, or the appearance of the proposed development may be in notable contrast to the existing character of the townscape or view. An impact of medium magnitude is likely to involve considerable visibility of the proposed development and/or visibility at an apparent scale similar to existing elements in the townscape or view and/or it may form a noticeable contrast with the general existing character of the townscape or view. A change of low magnitude is likely to involve a relatively small degree of visibility of the proposed development, and/or visibility at a similar or lesser apparent scale than existing elements in the townscape or view, or it may be of greater visibility and scale, but consistent with the existing character of the townscape or view to the extent that it would be little noticed. The measure of the significance of effect resulting from the development on townscape or views are identified in the TVIA as being Major, Moderate, Minor or Negligible.

#### *Townscape Character Areas (TCA):*

- 7.219 The TVIA considers the townscape impact of the proposed development on five Townscape Character Areas (TCA) as follows: TCA 1 (Poplar), TCA 2 (Poplar Riverside), TCA 3 (East India Dock), TCA 4 (East of the River Lea) and TCA 5 (Limehouse Cut). The location of each TCA in the context of the site can be seen in Appendix 5. The likely effect of the proposed development on these Townscape Character Areas are summarised as follows:
- 7.220 TCA 1 – Poplar: This TCA is intersected by the major roads of the A12 and the A13 and the Limehouse Cut canal forms its north-western border. The TCA comprises predominantly residential development of varied ages, heights and architectural style dominated by post-war housing estates including the application site (Aberfeldy Estate), the Brownfield Estate, Lansbury Estate and the Teviot Estate. The TVIA reports that the proposed development would redevelop the existing site which makes limited positive contribution to the character of this TCA, with a development that would have significant urban design benefits. The height and scale of the development would allow it to take advantage of the townscape opportunities offered by its location, such that it would mark the new replacement Neighbourhood Centre at the heart of the regenerated estate and improve legibility by signalling key nodes and crossing points.
- 7.221 The buildings to be delivered in Phase A would enhance their respective surroundings and help integrate the site with its surrounding context. The TVIA reports that the architecture of buildings would be of a high quality, and their appearance would enhance the views in which they are seen within this TCA. The scale of buildings reflects their townscape role such as Plots H1/H2 and H3 marking the Neighbourhood Centre and Plot F1 marking the new Town Square opposite St. Nicholas Church.

- 7.222 The scale, form and proportions of buildings within the Outline phases would mark a considerable improvement on the existing situation in terms of urban design and the townscape of this area. The hierarchy of proposed tall and large scale buildings, which are focused along the A12 will give the site a defined urban edge along to this busy main road. The tallest buildings are focused on Highland Place, signalled by the tallest building (B3); the only stand-alone tower proposed. The ES reports that there would be a change of high magnitude overall to the TCA of Medium sensitivity. The significance of effect to this townscape receptor would be Moderate to Major (Significant) and Beneficial. This effect would be the same in the cumulative scenario.
- 7.223 The impact of the proposal on this TCA can be best be seen in views 1 (South of East India Dock Road), 4 (Portree Street, junction with Abbott Road), 6 (A12, junction with Zetland Street), 13 (Borough designated view 5: view from Langdon Park to Balfron Tower and Canary Wharf), 31 (Dee Street/Abbott Road) and 32 (Brownfield Street, outside no.30) of the TVIA.
- 7.224 All the above views with the exception of View 13 will have either Low or Low-Medium sensitivity and the magnitude of change would range from Minor to Moderate significance (Not Significant) to Moderate to Major significance (Significant). View 13 has a view of medium to high sensitivity, is also a Borough designated view (View 5) within the Local Plan; view from Langdon Park to Balfron Tower and Canary Wharf in the background. In this view, as indicated in the image below the proposed development would represent a significant, positive addition to the varied local townscape. Buildings in outline phases B and C are shown in purple and yellow wirelines respectively.



**Figure 28:** TVIA View 13/Borough Designated View 5 – Proposed view from Langdon Park to Balfron Tower and Canary Wharf in the background.

- 7.225 The TVIA reports that the development would be seen to form a well-considered composition of buildings of different scales and typologies that introduce a sense of balance in the skyline. The buildings seen will mark the site's western boundary and the tallest building seen at the centre of the group (building B3) will signal the location of Highland Place, which will become an important point of entry to the site, leading to the riverside area beyond. Building B3 is flanked by building B2 to the north and C1 to the south and there are clear sky gaps between the three towers. Proposed buildings heights of other buildings seen in this view are then seen to fall noticeably to the north and south. This will ensure that Balfron Tower maintains its prominence in this borough-

designated view, standing in isolation on the local skyline. Visibility of Carradale House will also be unaffected and the spire of St Michael and All Angels church will continue to be seen to punctuate the skyline, albeit framed by the buildings of the proposed development.

7.226 The ES concludes that there would be a change of medium magnitude to a view of medium to high sensitivity, however the significance of effect would be Moderate (Significant) and Beneficial. In the cumulative scenario, the significance of effect would be as per the proposed development in that it would be Moderate (Significant) and Beneficial.

7.227 TCA 2: Poplar Riverside: This TCA is located along the western side of the River Lea and is mostly covered by industrial or former industrial land located along the river, much of which is undergoing significant regeneration with recent developments that incorporate tall buildings such as Leven Road Bus Depot, Leven Road Gasworks site, Islay Wharf and Ailsa Wharf. The TVIA reports that the proposed development would be a further example of the changing character in this part of Poplar, indicating the positive change taking place at Aberfeldy Village. In respect of this TCA, there would be a change of medium magnitude overall to a TCA of low to medium sensitivity. The significance of effect to this TCA would be Moderate (Significant) and Beneficial. This would also be the same in the cumulative scenario whereby there would be a change of Medium magnitude overall to the TCA of Low to Medium sensitivity and the significance of effect would be Moderate (Significant) and Beneficial.

7.228 The TVIA reports that the mid-distance view from which this can be best appreciated from is TVIA View 5: View from East India Dock Road to Balfour Tower. This view is also the same view as Borough Designated View 6 in the Local Plan. TVIA View 5 (LBTH View 6) lies on the highly trafficked East India Dock Road, near the Blue Bridge, a pedestrian bridge over the River Lea. The view looks south-west in the direction of the site, which lies approximately 245m from this viewpoint. The foreground of this view is dominated by the highway on East India Dock Road whilst the middle ground takes in the modern buildings of Aberfeldy Village (Phases 1-3 extant planning permission). The office towers of Canary Wharf are visible in the distance whilst Balfour Tower is seen centrally in the view. This view is reported to be of medium to high sensitivity.



**Figure 29:** TVIA View 5/Borough Designated View 6 – Proposed view from East India Dock Road to Balfour Tower and Canary Wharf in the background.

7.229 As can be seen in the image above, the proposed buildings would be a noticeable addition to the skyline. Phase A buildings are outlined in blue wireline and the assessment reports that they would appear as high quality buildings in the vicinity of Balfour Tower. They would be residential

in expression and serve to highlight the location of the Neighbourhood Centre on Aberfeldy Street. The building indicated in turquoise wireline would be the residential courtyard building coming forward in Phase D which would overlook Millennium Green. Beyond this would be the group of towers marking Highland Place and the underpass located in Phases B and C (purple and yellow wirelines respectively). Seen from this view, the development would aid legibility in the local townscape and would signal the major neighbourhood regeneration taking place at Aberfeldy Village and contribute to a variegated (multi-coloured) skyline composition that includes Balfron Tower. The appreciation of this robust post-war landmark building would not be diminished, rather its townscape setting would be seen to be enhanced.

- 7.230 The assessment concludes that there would be a change of medium magnitude to a view of medium to high sensitivity, however the significance of effect would be Moderate (Significant) and Beneficial. In the cumulative scenario, the significance of effect would be as per the proposed development in that it would be Moderate (Significant) and Beneficial.
- 7.231 TCA 3 – East India Dock: This TCA is located to the south of the site and is bound by East India Dock Road to the north, the Blackwall Tunnel Northern Approach to the west, the A1020 to the east and the A1261 and Naval Row to the south. The TVIA reports that this TCA has an enclosed, inward-looking character such that the proposed development would not be visible from the vast majority of this area. Where glimpsed, the proposed development would be visible in the middle distance, lying beyond medium scale apartment buildings of recent construction on the Aberfeldy Estate (Oxbow) on the northern side of East India Dock Road.
- 7.232 The TVIA concludes that there would be a change of Very Low magnitude overall to a TCA of Low to Medium sensitivity. The significance would be Negligible (Not Significant) and the effect would be Neutral. This would also be the same in the cumulative scenario whereby there would be a change of Very Low magnitude overall to the TCA of Low to Medium sensitivity and the significance of effect would be Negligible (Not Significant) and Neutral.
- 7.233 TCA 4 – East of the River Lea: This TCA is located east of the site and covers the area to the east of the River Lea as far as the A1011 (Silvertown Way/Manor Road). This TCA is covered largely by industrial and business parks, comprising low scale, large footprint sheds, planned around large car parks or yards. Modern tall buildings are on an established aspect of the background of views from this TCA. Examples include the commercial cluster at Canary Wharf, London City Island and the St Andrew's development at Bromley-by-Bow.
- 7.234 The TVIA reports that in views, the scale and form of the proposed development would be consistent with the existing character of views of this evolving townscape. It will indicate the changing character of Poplar Riverside and its visually interesting composition of buildings would signal the major estate regeneration taking place on the site. This would result in a change of Low to Medium magnitude overall to a TCA of Low to Medium sensitivity. The significance would be Minor to Moderate (Not Significant) and the effect would be Beneficial. In the cumulative scenario, the magnitude of impact of the proposed development on this TCA would be reduced resulting in a change of Low magnitude overall to a TCA of Low to Medium sensitivity. The significance of effect would be Minor (Not Significant) and Beneficial.
- 7.235 The proposed development would be particularly visible in some views from the riverside as illustrated in TVIA View 7 (Riverside footpath north of River Lea/Bow Creek), View 8 (Bow Creek/River Lea Bridge) and View 28 (South side of Bow Creek). TVIA View 7 is of a medium sensitivity and in the proposed scenario View 7 would experience a change of Medium magnitude and the significance of effect would be Moderate (Significant) and Beneficial. In the cumulative scenario in this view, the proposed development will be partially obscured by schemes at the Former Leven Road Gasworks and the Former Leven Road Bus Depot and as such in this scenario the proposed development would represent a change of Low to Medium magnitude and the significance of effect would be Minor to Moderate (Not Significant) and Beneficial.
- 7.236 In TVIA View 8, buildings across all four phases would be visible to varying degrees from this part of the riverside. As can be seen in the image below, they would form a layered composition of low-scale, mid-rise and tall buildings and building up to the tallest buildings within Phase B, located at Highland Place.



**Figure 30:** TVIA View 8 – Proposed view from Bow Creek/River Lea Bridge.

- 7.237 The assessment reports that the proposal would signal the transformation of this regeneration area. It would no longer be possible to view Balfron Tower or the Canary Wharf cluster from this view and therefore there would be a change of Medium to High magnitude to a view of Medium sensitivity. The significance of effect would be Moderate to Major (Significant) and Beneficial. In the cumulative scenario, the character of this part of the riverside is set to change dramatically as a result of schemes coming forward at Ailsa Wharf, Islay Wharf and the former Poplar Bus Depot on Leven Road. As a result, only a tiny portion of the proposed development will be seen in this context and as such in the cumulative scenario, the proposed development would represent a change of Very Low magnitude and the significance of effect would be Negligible (Not Significant) and Neutral.
- 7.238 In terms of TVIA View 28, the assessment reports that there would be a change of Low to Medium magnitude to a view of Low to Medium sensitivity. The significance of effect would be Minor to Moderate (Not Significant) and Neutral. In the cumulative scenario the proposal would represent a change of Very Low magnitude and the significance of effect would be Negligible (Not Significant) and Neutral.
- 7.239 TCA 5 – Limehouse Cut: This TCA is located to the north of the site and includes the Limehouse Cut Canal. The A12 runs through the eastern part of this TCA creating a visual and physical severance between the main part of the TCA and the eastern portion, closest to the site. The ES reports that the proposed development would not be seen from the majority of this TCA. The development would appear as an obvious addition to the skyline in long views from in and around Bow Creek. In such views it would appear as a coherent composition of buildings that mark the neighbourhood centre on the site and a number of tall buildings are seen in such views today. The assessment reports that there would be a change of Low to Medium magnitude overall to a TCA of Low to Medium sensitivity. The significance of effect would be Minor to Moderate (Not Significant) and the effect would be Neutral. This would also be the same in the cumulative scenario whereby there would be a change of Low to Medium magnitude overall to the TCA of Low to Medium sensitivity and the significance of effect would be Minor to Moderate (Not Significant) and Neutral.

## Proportionate height, scale, mass and volume

### *Plots A1-2, B1-2, B3:*

- 7.240 Notwithstanding the justification accepted by Officers for the acceptability of the principle of tall buildings outside of a TBZ and the acknowledgement that there is a logic to the strategy for buildings heights across the masterplan particularly in how Highland Place is marked, and whilst the assessment in the townscape views and impacts section above indicates that the proposed scheme in mid-long distant views would be acceptable, the results of the daylight/sunlight assessment on neighbouring receptors indicate that the height, scale, mass and volume of some of the buildings would result in significant impacts on existing neighbouring buildings (namely Atelier Court and building identified as Leven Road Phase Three) to a degree that would be Major Adverse (in terms of daylight to both) and Major and Moderate to Major Adverse (in terms of sunlight to each receptor respectively) . The degree of impact is detailed in the relevant section of this report. These buildings would be largely impacted by the scale and massing of building plots proposed in Phase B of the masterplan which are located in the northern part of the masterplan and namely building plots A1-2, B1-2 and B3.
- 7.241 However, as detailed later in the relevant section of this report that covers daylight and sunlight impacts on neighbouring buildings, strategic developments of this nature and particularly those in Opportunity Areas are expected to come forward with an appropriate level of density to boost the supply of housing and accelerate growth. As a consequence, this may in some instances result in the reduction in daylight and sunlight to neighbouring properties as a result of the height, scale, massing and volume of some building plots. However, the density of this scheme is justified through its very high standard of design and placemaking principles. The detailed design, architectural language and design principles for these building plots and the wider masterplan are discussed in detail elsewhere in the report and the regeneration benefits associated with this development. As such on balance, Officers find the height, scale, mass and volume of these particular building plots to be acceptable.

### *Plot I:*

- 7.242 Plot I is proposed to reach a maximum of 12-storeys (39.38m AOD) however, Place Shaping Officers have raised objections to the height of this particular block. Phases 1-3 of the extant planning permission have been delivered on site with buildings running along the length of East India Dock Road to the south and Blair Street to the north. The buildings fronting East India Dock Road are notably taller than the buildings fronting Blair Street and comprise largely of courtyard blocks with heights ranging between 4-6-storeys for the lower portions of the blocks and taller elements ranging from 10-11-storeys. The buildings fronting Blair Street are largely 6-storeys in height. Plot I will front Blair Street however its form will take shape as a central taller element reaching 11-storeys with lower shoulder blocks reaching 6 and 7-storeys respectively. The Applicant puts forward that this height is necessary to complete the urban block and to 'mark' Braithwaite Park.
- 7.243 Place Shaping Officers consider that there are no justification for a building of the height presented for Plot I. Whilst a building of height might be appropriate in this location to complete the urban block, the height should respond appropriately to the context and the clear hierarchy of height that exists within this area and should not be taller than buildings on East India Dock Road. The hierarchy of existing heights respond appropriately to the Blackwall and Leamouth Tall Building Zones on the southern side of East India Dock Road and Plot I should not break this townscape relationship or be taller than the 10-storey buildings that form important edges and gateways into the Aberfeldy Estate. Equally, there is no need for a building of height in this location to mark Braithwaite Park.
- 7.244 Officers have sought for the Applicant to respond to address Place Shaping Team comments however the Applicant has resolved to retain the height of Plot I as submitted. Officers agree with Place Shaping Officers that the height of Plot I should be lower than the buildings fronting East India Dock Road and should be comparable to the height hierarchy fronting Blair Street. However, it is also acknowledged that to make Plot I acceptable in the context of its immediate surrounding townscape, would require more than simply reducing the height. Careful consideration would

need to be given as to how this would impact on the shoulder blocks so as to ensure that Plot I does not appear unduly bulky in massing and scale and appearance. When balancing the benefits of the proposal against this policy conflict in the masterplan in isolation, Officers do not consider that the townscape harm outweighs the public benefits of the proposal and therefore on balance, the proposed height of Plot I is considered to be acceptable.

- 7.245 Overall, following the assessment of the acceptability of tall buildings outside of a Tall Building Zone under Part 3 of Policy D.DH6 of the Local Plan and assessing the tall buildings within the masterplan against Part 1 of Policy D.DH6, Officers conclude that the proposed tall buildings on site broadly accords with the ambitions and policy objectives of criteria set out in Policy D.DH6 through their considered distribution of massing through the site, exceptional architectural quality and attention to pedestrian and human scale as discussed elsewhere in this report. The masterplan as a whole is considered to meet Objective GG2 and Policy D3 of the London Plan which identifies that to create successful sustainable-mixed use places that make the best use of land, those involved in planning and development must amongst other things apply a design-led approach to determine the optimum development capacity of sites.

### **Demolition and Construction Phase**

- 7.246 During the demolition and construction phase of the development, the ES reports that there would be temporary and unavoidable impacts, however these would be typical in urban areas. In terms of views, there would be Moderate to Major (Significant) and Adverse effects experienced on the following views : 3 (Abbott Road/Etrick Street), 8 (Bow Creek/River Lea), 14 (Jolly's Green) and 32 and Moderate Adverse effects on views 1 (South of east India Dock road), 5 (View from East India Dock Road to Balfron Tower & Canary Wharf), 6 (A12 Junction with Zetland Street), 7 (Riverside footpath north of River Lea/Bow Creek), 12 (Uamvar Street), 13 (View from Langdon Park to Balfron Tower & Canary Wharf), 15 (St Leonards Road), 30 (A12 Junction with East India Doc Road, looking north) and 31 (Dee Street/Abbott Road).
- 7.247 The significance of effect for all remaining views would range from Minor to Moderate Adverse, Minor Adverse, Minor/Negligible Adverse (all Not Significant) and neutral in nature for views 25 (Nutmeg Lane), 26 (Upper Bank Street) and 27 (Trafalgar Way). There would be no effect on views 9 (Cody Road), 20 (Upper North Street) and 33 (Brownfield Street outside no.30).
- 7.248 In terms of the townscape character areas, the likely effect would be Moderate to Major Adverse (Significant) in respect of TCA 1(Poplar), Moderate Adverse (Significant) effect in respect of TCA 2 (Poplar Riverside), Minor to Moderate Adverse (Not Significant) effect to TCA 4 (East of River Lea) and TCA 5 (Limehouse Cut) and Negligible and Neutral effect in respect of TCA 3 (East India Dock).

### *Summary on Townscape Impacts:*

- 7.249 Overall, it is considered that the principle of tall buildings outside of a Tall Building Zone are acceptable and the scheme does not impact on mid-range and long-range townscape views with views 1, 5, 6, 7, 12, 13, 15, 30 and 31 reported to have Moderate Beneficial effects (Significant) and views 3, 8, 14 and 32 to have a Moderate to Major Beneficial effect (Significant) during operation. There are isolated instances within the masterplan where the proportion, height, scale and massing of the buildings will result in material reduction in daylight and sunlight to neighbouring residential buildings and occupiers however, the proposed development as a whole would contribute to an existing diverse and changing townscape, comprise high-quality architecture (as detailed in other sections of this report), relate well to its surroundings and help deliver significant improvements to the public realm and strategic infrastructure improvements that will strengthen the legibility, permeability and connectivity of the site with its wider environs.

## Architecture and Appearance

### Outline Component:

#### Plot and Building Typologies

- 7.250 The building plots across the Outline component of the masterplan have been classified into four plot typologies: courtyard, standalone, residential only and workspace.
- 7.251 Courtyard plots represent the majority of the plots with Plots C1-4 and E1-3 being mixed use with non-residential uses along the western edge along Enterprise Yard. The courtyard plots include a podium car park with private communal amenity space on top. The standalone Plots (B1-2 and B3) are where the tallest buildings of the masterplan are located. These plots act as the marker buildings, highlighting the main pedestrian, cycle and vehicular routes to and from the site. The standalone buildings include some non-residential uses at ground floor and lower ground floor. The residential only Plot B4 is located to the north of the masterplan and addresses the Community Lane character area and comprises lower density family houses set within a pedestrian and cycle area. The workspace Plots (B5, C5 and C6) are narrow plots that address Enterprise Yard and overlook the key pedestrian and cycle routes and animate the entrance to Highland Place.
- 7.252 There are seven building typologies within the outline component which have been designed to respond to the existing context and to help define new and improved public spaces and the different character areas. These typologies are defined in the submitted Design Code as follows: Primary Tower, Tower with Leg, Courtyard Addressing Public Space, Courtyard Building, Courtyard with Tower, Linear Residential and Linear Workspace.

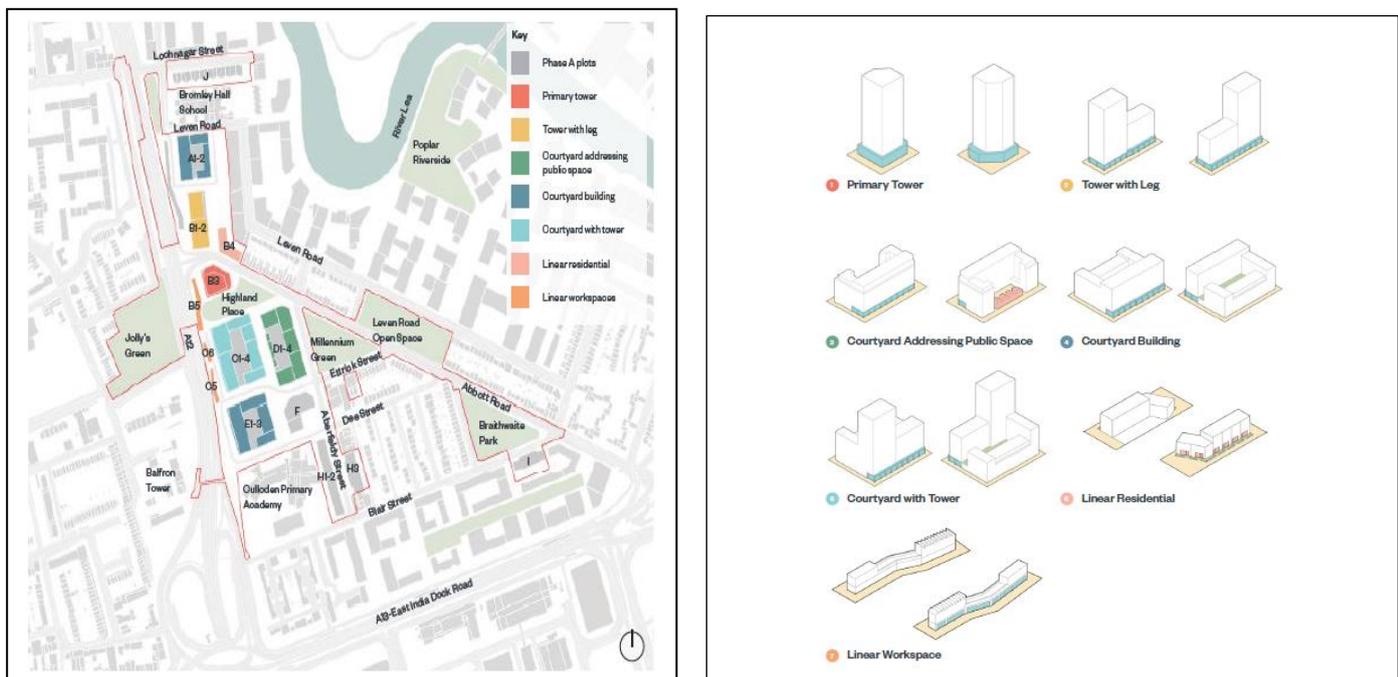


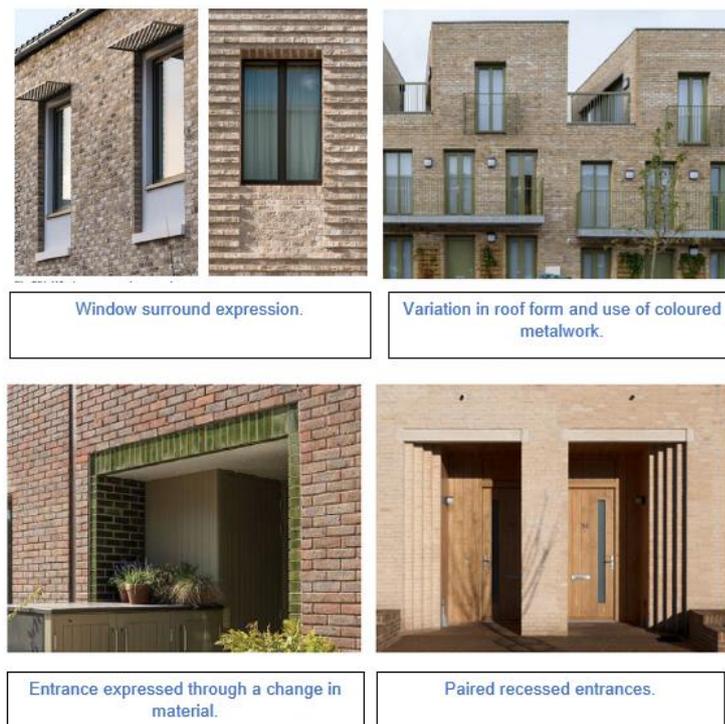
Figure 31: Building typologies

#### Appearance and Materiality

- 7.253 In terms of appearance and materiality, full details of appearance and materiality are not provided for buildings within the Outline component of the masterplan. These are expected to come forward in future applications for Reserved Matters as the design for these buildings and the later phases evolve as the construction programme progresses. However, as mentioned earlier, the planning application has been submitted with an accompanying Design Code. The Design Code will act as a tool to coordinate the detailed design of the buildings in the Outline phase as they are evolved and subsequently submitted as Reserved Matters Applications. Key expectations and design principles within the Design Code include but not limited to; minimum and maximum heights/height ranges for each building plot, requirement for plinths and upper floor residential

set-backs on particular building plots, balcony strategies for building plots and the expected materiality which the Applicant/Developer would need to respond to and which all future applications on the site (coming forward as Reserved Matters) would need to adhere with.

- 7.254 The Design Code is a comprehensive and detailed document and the table below provides an overview of the building typologies within the Outline component, with details of the key design principles and materiality expected for each typology. All of the building plots within the masterplan will be designed to reflect the character area within which they reside. The Design Code also establishes design principles for each of these character areas.
- 7.255 The proposed masterplan will have a clear and holistic material strategy that is tied to building typology and the character areas. The overarching material palette and strategy for each character area is also set within the Design Code to ensure the delivery of high quality design and architecture. The Design Code establishes that brick will be the primary material for residential facades. Differentiation in the colour, type, and detailing of brickwork will help to define families of buildings and character areas. Where residential buildings address commercial streets, these buildings will typically have non-residential uses at ground level. The commercial and residential components will be differentiated through the use of concrete plinths to define change in use and character. In locations where there would be direct access to residential units brickwork should be used to ground level and relate to a more domestic and pedestrian focused public realm.
- 7.256 On Community Lane for example, residents will have direct street level access to their front doors. In this instance the Design Code requires that brickwork should typically come to ground level and relate to a more domestic and pedestrian focused public realm. Residential entrances should be paired and recessed, with high quality materials and finishes and glazed brick being a suitable material for entrances to houses. Window openings should be expressed and articulated through the use of materials such as concrete and render. Detailing should be in brick and, the use of branded and textured brickwork would be appropriate and balconies at upper levels should be in projecting metalwork. Building plots that will have elevations facing Community Lane include E1-3 (eastern elevation), C1-4 (eastern elevation), F (north-western elevation), D1-4 (western elevation), A1-2 (eastern elevation), B1-2 (eastern elevation), and B4. The images below taken from the Design Codes provides an indication as to how the above design principles could be incorporated and below which is an illustrative artistic visualisation of Community Lane looking south.



**Figure 32:** Materials palette for Community Lane North.



**Figure 33:** Artistic impression of Community Lane North.

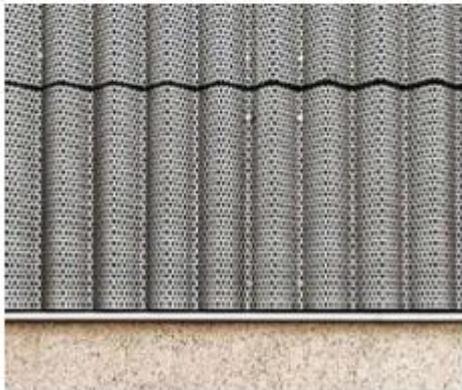
7.257 In terms of Enterprise Yard, the residential buildings will incorporate workspace and the Design Code requires that workspaces at the base of the buildings must be contained within a concrete plinth. Design features such as cast-in folds or pleats would be the expectation for this location in addition to the incorporation of integrated and patterned metal shutters. A requisite of the Design Code is that the residential component should be set back from the plinth and should incorporate concrete detailing and horizontal banding where appropriate. Workspace buildings on the west side of Enterprise Yard (B5, C5, and C6) will have their own language. They must incorporate a plinth with a clear relationship to the bases of the buildings on the east side: eastern elevations of building plots A1-2, B1-2, C1-4 and E1-3. The tops of these buildings should be playful and incorporate a change in material such as corrugated/perforated metal. The images below provide an indication of the expected palette of materials for Enterprise Yard followed by an illustrative visualisation of Enterprise Yard looking north which depicts the building plots on both the eastern and western side of Enterprise Yard and how they relate to one another.



Horizontal concrete banding within brick façade.



Horizontal concrete banding within brick façade.



Corrugated, perforated metalwork façade.



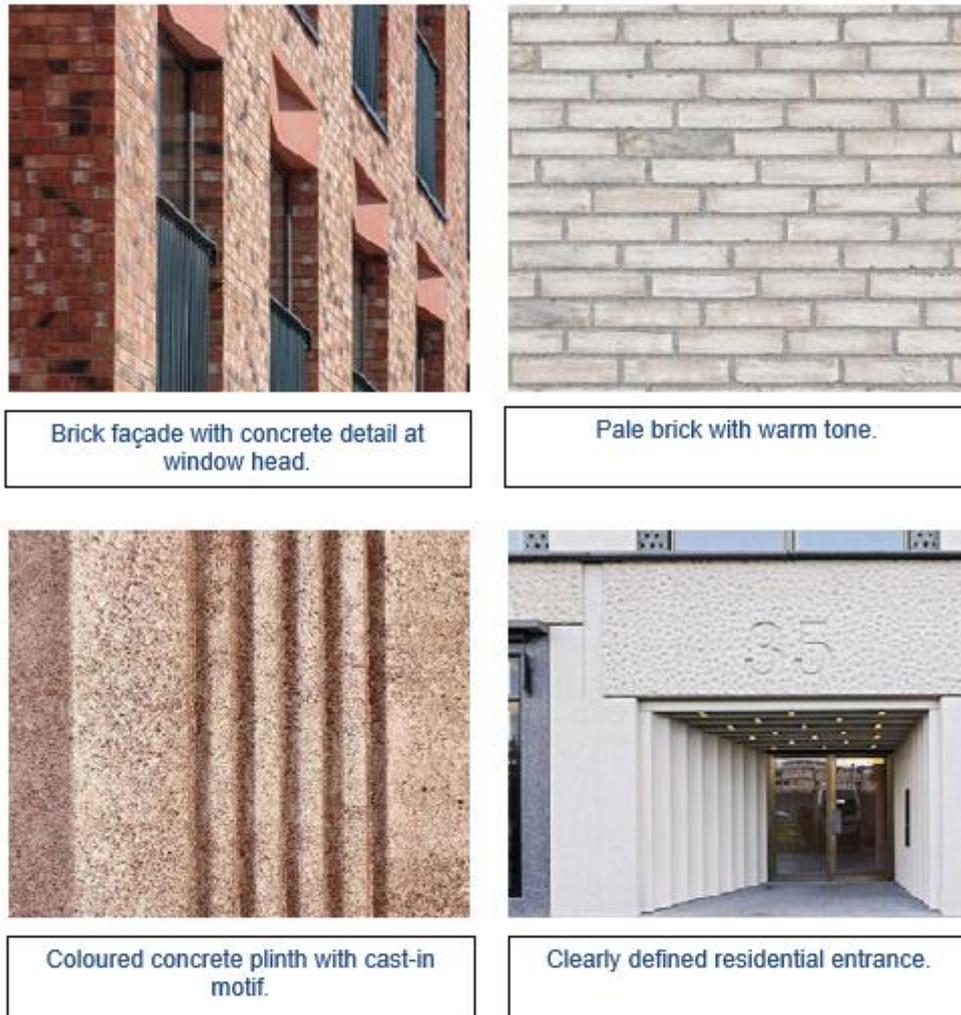
Cast pleats in concrete façade.

**Figure 34:** Materials palette for Enterprise Yard.



**Figure 35:** CGI of Enterprise Yard.

7.258 The design of the High Street buildings within Phases B-D must respond to the design of Phase A to create a consistency of materiality, detailing, texture, and motif. The Design Code requires that a plinth must be used on Aberfeldy Street to define non-residential uses at ground level. Coloured concrete and cast-in motifs should be used and these should refer to the design of Phase A. At the upper levels, detailing should be in brick or concrete and balconies should be predominately formed in projecting metalwork with a sense of lightness. Residential entrances should be differentiated from non-residential function through changes in form and pattern within the plinth. Building plot D1-4 will be the only building within the Outline component which will front the High Street. The examples of materials expected for the Outline component of the High Street can be seen in the images below.



**Figure 36:** Materials palette for the High Street.

7.259 In considering the overarching design principles set out in the Design Code for the different character areas within the Masterplan, the Code sets clear guidance and a detailed expectation for the building plots coming forward. Through adopting the design principles and guidance, the Design Code is able to illustrate how each building plot could come forward to deliver high quality architecture and design.

7.260 As an example, Plot B3 would be the 'landmark' building within the masterplan and the Design Code stipulates that this building must be differentiated from other buildings in the masterplan to emphasise its status as a marker building at the new connection between Highland Place and Jolly's Green. The Design Code requires that the form, materiality and design must mark building B3 as a singular element and that the building should create a dialogue with Balfron Tower and respond subtly and sensitively to its scale and geometry. A high quality façade with a robust,

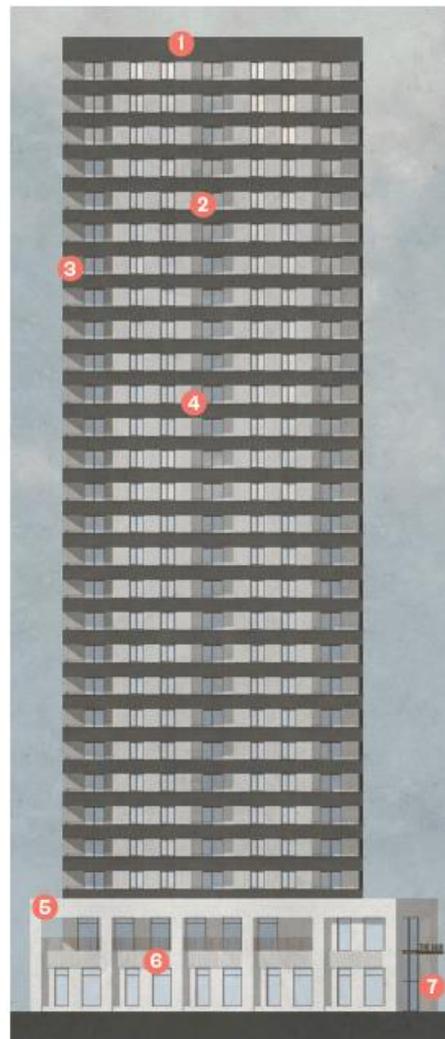
industrial aesthetic would be the appropriate architectural response in this location with variations in colour texture and finish that are simple and subtle.

7.261 The table below provides an overview of the key design principles and materiality expected for building B3 as set out within the Design Code.

Typology	Design Principles	Materiality and Architectural Expression
Primary Tower – Building B3	<ul style="list-style-type: none"> <li>• Maximum 100m AOD with double height plinth at 15m AOD around the central massing.</li> <li>• Chamfered corner, recessed balconies, textured façade, vertical and horizontal expression.</li> <li>• A material with a contrasting colour, texture or motif to that of the primary façade should be used to emphasis the façade geometry.</li> </ul>	<ul style="list-style-type: none"> <li>• Materials must be durable, robust and of the highest quality.</li> <li>• Variation in colour and texture should be incorporated such as cast materials to lend the building a sense of mass and solidity.</li> <li>• Windows must be metal and should be finished in a dark colour.</li> <li>• Base of building should be robust and industrial in appearance.</li> </ul>

**Table 20:** Design principles for Plot B3

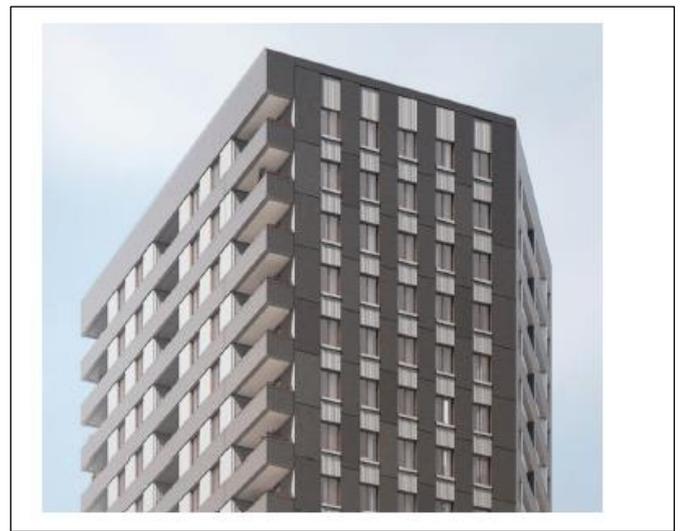
7.262 Based on the design principles and expected palette of materials identified within the Design Code for the building plot and the character area in which it sits, the image below illustrates just one way in which this building could come forward and demonstrates how the design criteria established within the Design Code can be incorporated. As B3 is the tallest element of the scheme, it is intended that the architectural expression of this building establishes a dialogue with Balfour Tower and therefore would seek to convey a similar vertical and horizontal language as Balfour Tower.



Key			
1	Dark concrete with smooth, polished finish	5	Pale concrete plinth
2	Paler (mid grey) concrete with cast-in fluted motif	6	Concrete panel with cast-in fluted detail
3	Recessed balcony at building corner	7	Double order entrance to resident's hub with metal canopy
4	Anodised aluminium windows in dark bronze		

**Figure 37:** Architectural language for Building B3.

7.263 The primary façade material is a dark concrete panel with a smooth polished texture. Within this façade, horizontal and vertical strips of a paler concrete with cast-in fluted motif are employed. On the broader façade (south) the secondary geometry is expressed horizontally by the paler bands whilst on the slenderer facades (north and east) the paler expression is vertical to emphasise the vertical proportion. Windows, in anodised aluminium are grouped within these concrete bands to further emphasise the overall elevational expression. A concrete plinth, paler than the fluted banding, forms the base of the façade above. A double height plinth is used to indicate entrances to the residential core and the communal residents hub.



**Figure 38:** CGI's of Building B3.

7.264 The computer generated images above demonstrates how building B3 appears as a robust elegant building standing proud at Highland Place. Its chamfered elevation is considered to add architectural interest and assist in reducing its potential bulk and massing of the building. The vertical and horizontal expression depicted by the paler concrete creates a grid-like weaved language across the building that represents an acknowledgement to Balfron Tower. Officers consider that the architectural appearance and materiality of the building B3 would be dynamic and of a high standard and quality and the application has successfully demonstrated how a high standard of design and quality could be delivered at building Plot B3.

### *Summary on Outline Component:*

- 7.265 In summary, Officers are confident and comfortable that building plots coming forward in the Outline component of the masterplan would be of high quality of design, incorporate appropriate strategies to address the base and upper level of buildings and respond to the different character areas proposed within the masterplan. Officers are satisfied that the detailed Design Code appropriately sets out how the delivery high quality buildings and associated public realm and landscaping could be successfully achieved. The overarching design principles and criteria would ensure that buildings are well articulated, use materials that enhances design quality and ensures that the buildings have a positive relationship with each other and the character areas within the wider masterplan.

### Detailed Component (Phase A)

- 7.266 As mentioned earlier in this report, the Detailed component of the masterplan comprises four building plots as follows: Plot F, Plot H (H1/H2 and H3), Plot I and Plot J. The four Phase A plots sit at both the heart (Plots F and H) and the edges (Plot I and Plot J) of the wider masterplan. The 'High Street' thread is marked by Plot H and F and includes a new Town Square at the centre of Aberfeldy Street and in front of Plot F. The Community Lane thread leads from Dee Street and Plot F northwards up to Plot J. Kirkmichael Road to the rear of Plot H will also act as an extension of Community Lane as a dedicated play street.

### Character Areas

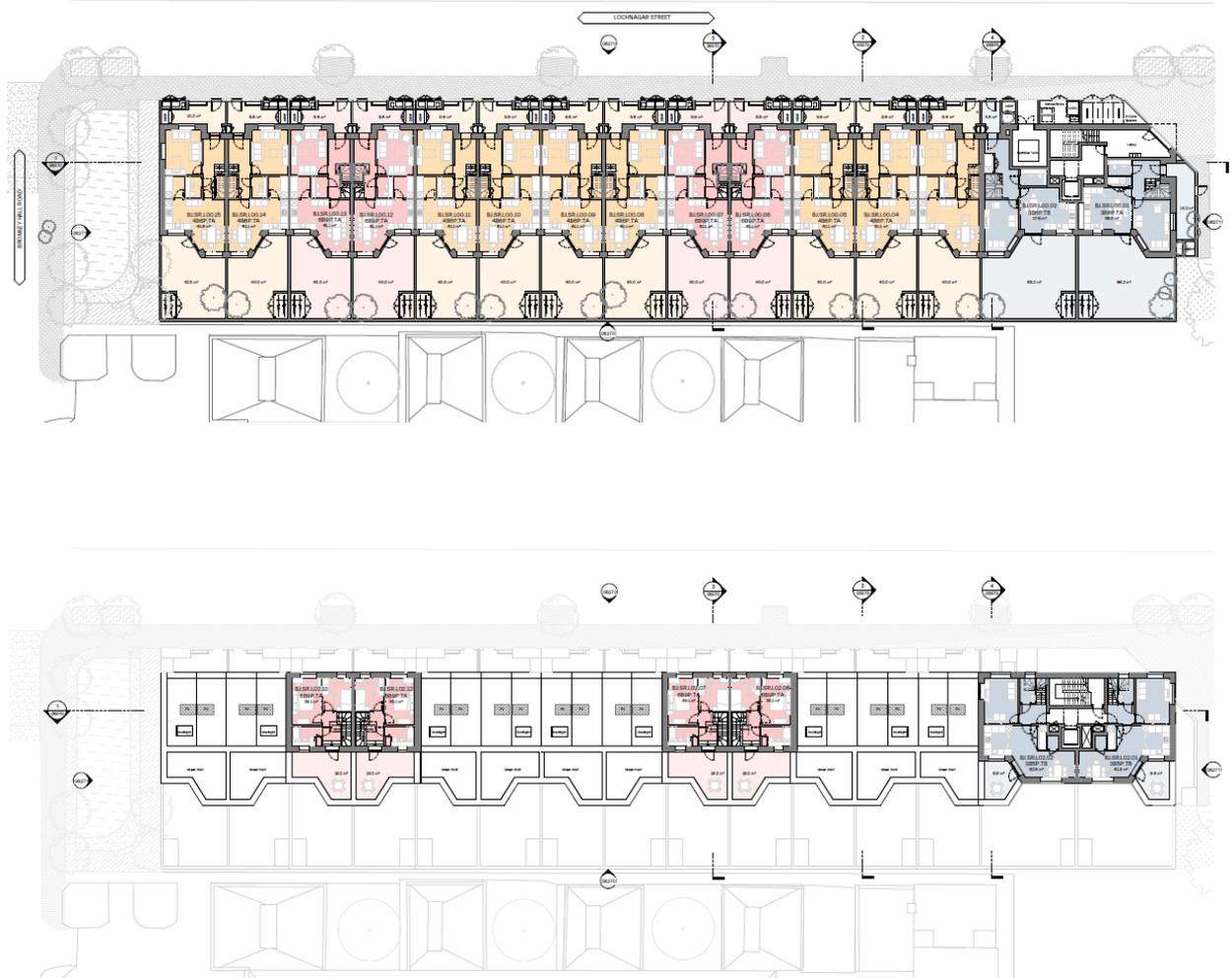
- 7.267 The submitted Design and Access Statement for Phase A describes the four Phase A plots as being different 'patches' each of which would have a distinct character and focus as follows:
- 7.268 Plot J (Family) – This would be a new street of affordable family housing, with private and communal green spaces, new playspaces, and enhanced pedestrian and cycle links to the River Lea. Plot J is intended to represent 'family', be domestic in feel and provide improved green space and open links to the river, school and nearby allotments.
- 7.269 Plot H (Vibrant) – Plot H intends to deliver a local, connected, dynamic, diverse and multi-functioning new Neighbourhood Centre in Aberfeldy Street. The aspiration for the new Neighbourhood Centre is to provide a hub of activity that reflects the vibrancy and identity of the local community.
- 7.270 Plot F (Civic) – Located within the heart of the masterplan, Plot F seeks to connect the community by providing a new meeting and event space at its public square. The new Town Square will have a key role in linking to Millennium Green and provide new play space at this junction.
- 7.271 Plot I (Park) – Plot I fronts Braithwaite Park and seeks to celebrate the public green space. The homes within this plot will maximise long views to the park and beyond.

### Appearance and Materiality

- 7.272 The appearance and materiality of each of the four Phase A plots are now discussed in turn.

#### **Plot J**

- 7.273 Plot J consists of a terrace of low rise 2-storey houses (2B6P) and 3-storey townhouses (4B6P) that terminate in a 6-storey stacked maisonette block to the east of the plot and fronts Lochnagar Street to the north. This plot will be solely dedicated to providing Social Rent housing. The terrace of houses incorporate a distinctive butterfly roof profile fronting Lochnagar Street as does the maisonette block which represents a grander reinterpretation of the townhouses pitched form which provides external amenity at the roof level of projecting bays at the rear. The northern elevation is also animated by front doors and defensible spaces to provide privacy to street level living rooms. The southern boundary abuts the Grade II listed Bromley Hall School curtilage and therefore the southern elevation of Plot J is set back by gardens measuring some 8 metres deep and is calmer in appearance than the rhythmic northern elevation. The southern elevation of both the maisonette block and the dwellings incorporate chamfered rear projections that allow access to ground floor or roof level amenity space. This can be seen in the typical internal layout for the ground and second floors of this plot.



**Figure 39:** Internal layout plans for Plot J.

7.274 Plot J would be primarily clad in rich red brickwork with flush faced colour matched mortar to emphasise the steps and chamfers in the massing. The steps in massing which create rooftop terraces whose solid balustrades are distinguished from the body of the buildings by textured brickwork. Window openings will be visually elongated by metalwork panel above the window and a portion of textured brickwork below each window and in some instances to the side of windows. On the northern elevation, textured brickwork will also run along the base of the plot which steps up to celebrate entrances and communal bike stores.



North Elevation (Lochnagar St)



South Elevation

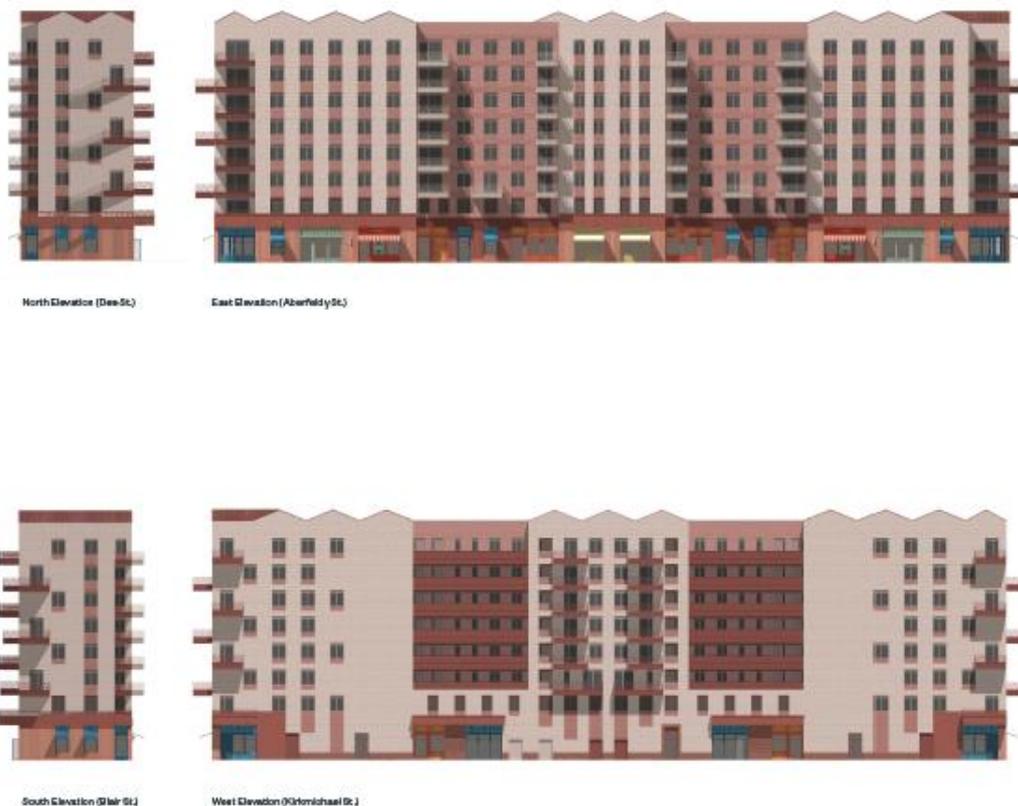


*Figure 40: CGI images of Plot J.*

7.275 Given the plots proximity to the listed Bromley Hall School site, Officers support the use of a simple palette of materials and simplicity in elevation along the southern elevation whilst providing rhythm and animation along the northern elevation.

### Plot H (H1/H2 and H3)

- 7.276 These buildings will replace the existing buildings within Aberfeldy Street Neighbourhood Centre. As previously mentioned, Aberfeldy Street has been revitalised through a Meanwhile Use project that saw colourful Kantha and pattern-making prints inspired by the Bangladeshi heritage painted and embodied across the facades of the existing buildings along the high street. The design of Plot H seeks to take inspiration from the existing colourful high street and aims to adopt a similarly dynamic, bright and playful design response. The buildings will replicate the existing arrangement of retail/commercial units at ground floor with residential homes immediately above.
- 7.277 Building H1/H2 will be the longest and tallest of the 'H' plots reaching an overall height of 30.87m AOD and consisting of 8-storeys. Building H3 on the eastern side of Aberfeldy Street will have 6-storeys and reach an overall height of 25.17m AOD.
- 7.278 Building H1/H2 will be a rectilinear and its composition is expressed as a collection of 3 distinct masses (blocks) with 2 connecting 'insets' to break down the linear nature of the building. The blocks will visually 'light' in appearance whilst the 'insets' will be darker in colour further breaking up the massing. This essentially creates the impression of 5 visual masses along the building length. The 'lighter' blocks are also distinguishable by a variety of rooflines which are orientated to face key views and approaches to aid with wayfinding. The base of the building will comprise a precast textured base that steps with the forms of the floors above. On the rear elevation (facing Kirkmichael Street), the base of the building steps down and rises only to define secondary residential entrances and access to communal amenity spaces. The base is punctured by large curtain wall glazing for the shop fronts and signage could be incorporated within the framework of the plinth. The precast elements of the building will be textured and embossed with 'Kantha' inspired patterns influenced by the existing Kantha patterns on Aberfeldy Street.



**Figure 41:** illustrative images of Plot H1/H2.

- 7.279 The corners of the building are activated by a varied balcony arrangements of hit and miss or inset balconies and the building has been designed to ensure that no balconies sit directly above the High Street at L01. The eastern elevation has a restrained and orderly fenestration and

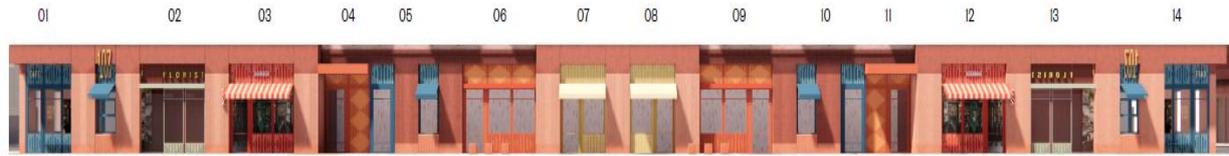
balcony arrangement fronting onto Aberfeldy Street whilst the western elevation incorporates a mixture of deck access and balconies. The palette of materials proposed would be a light sand/beige coloured brickwork for the 3 light 'blocks' with a flush faced white mortar to retain the texture of the brickwork. The 'insets' will comprise a warmer orange/peach brick with a colour matched mortar thus the variation in colour and breaking up the massing allows for the building to be read as a collection of buildings rather than a single composition. The geometry of the building will incorporate both vertical and horizontal with the lighter components incorporating vertically arranged windows whilst deck access and darker brick detail banding emphasises the horizontal geometry. Window openings are visually elongated by metalwork panel above the window and balconies will incorporate dynamically angled balustrades which will be finished in a red polyester powder coating to add vibrancy and visual interest.

7.280 In terms of Block H3, this will reflect the key design principles of H1/H2 and its composition consists of a central lighter 'block' with 2 connecting 'insets' either side which step down where the building plot adjoins neighbouring buildings Loren Apartments and Sherman House. As per H1/H2, building H3 has a precast textured base which steps down at the rear of the building facing Lansbury Gardens. The Lansbury Gardens elevation (eastern) seeks to improve on the existing street presence by delivering active frontages in the form of secondary residential entrances, cycle parking entrances and windows to postal rooms and cycle parking to ensure that this building avoids the "service yard" feel that currently exists on Lansbury Gardens. The building will share the same material palette as H1/H2 with large curtain wall glazing for the shopfronts, textured and embossed precast plinth and the same light and dark brick colours arranged in the same manner to emphasise the horizontal and vertical geometry of the building.



**Figure 42:** Illustrative images of Plot H3.

7.281 In terms of the replacement Neighbourhood Centre, Officers consider that given the success of the colourful Meanwhile project along Aberfeldy Street it is especially important that the sense of individualism and identity that each retail unit has is similarly captured in the new Neighbourhood Centre. The proposed retail frontages within the new Neighbourhood Centre represents a reinterpretation of the existing streetscape. At the base of H1/H2 a total of 12 commercial units of varying sizes, widths and floor areas are provided whilst a further 4 commercial units are provided at ground level of building H3. On building H1/H2, to the north and south corners of the street, the ground level has repeated the upper massing indents to provide greater generosity at street level. This helps to 'reveal' the street and provide unique spaces from the spill out from the inner retail units. This can be seen in the image below which is a CGI of the proposed view through Aberfeldy Street. Below the image is the ground floor only elevation of building H1/H2 which shows all the commercial units on this block alongside each other.



**Figure 43:** CGI image of Aberfeldy High Street.

7.282 Each unit will have a degree of uniqueness by virtue of their colourful shopfronts and a mixture of plain coloured and patterned awnings. Officers welcome the use of colour and individualism proposed and the vibrancy it brings to the new High Street and consider that the High Street has been successfully designed to similarly capture the narrative of the existing High Street in a contemporary manner.

**Plot F**

7.283 Plot F sits within a key location of the masterplan where Phase A and the Outline phases of the wider masterplan unite and merge. As such Plot F is described as a ‘local’ marker building and key public space at the intersection of Dee Street and Aberfeldy Street. Plot F would be an ‘L’ shaped building comprising a taller east-west wing that comprises of 12-storeys (ground plus 11-storeys) and reaching an overall height of 42.73m AOD. The north-south wing sits lower at 7-storeys (ground plus 6-storeys) and reaches an overall height of 27.90m AOD.

7.284 The massing and height principles for building F has been designed to respond to its setting against the backdrop of Balforn Tower in views from Dee Street (this is discussed in more detail in the Heritage Section of this report). The variation in height allows Plot F to fulfil its intention of being a local ‘marker’ building providing a civic presence around the new Town Square yet enabling Balforn Tower’s presence to be notably visible in the background.

7.285 The building composition employs a plinth, middle and crown approach and will have a sculptured form with chamfered corners, chamfered balconies and the crown of the building will incorporate

a castellated profile making this building uniquely distinctive and recognisable within the wider masterplan and emphasising its 'civic' importance. The building will predominately be a brick building with a robust precast concrete plinth that wraps around the perimeter of the building and defining shopfronts and primary residential openings. The plinth steps up to secondary facades grounding taller parts of the block and also serves to define the new Town Square referred to in the planning application documents as 'All Hallows Square'. The plinth is punctuated by large format curtain wall glazing which defines the shopfronts whilst signage for the commercial units will be embedded into the plinth framework. The precast elements of the building will be textured and embossed with 'Kantha' inspired patterns influenced by the existing Kantha patterns on Aberfeldy Street.



**Figure 44:** CGI images of Plot F and the Town Square.

7.286 The middle of the building will be more restrained and orderly in composition with large windows and the chamfered brick clad balconies. The proposed distinctive brick clad balconies appear to 'bounce' along the perimeter of the block providing a sense of rhythm and playfulness to the building. This serves to add further visual interest to the building and contributing to the building's sense of identity. The crown extends directly from the brickwork piers of the building and is completed by precast elements which are identifiable in profile against the sky from a distance.



**Figure 45:** Materials palette for Plot F.

7.287 In terms of detailed bay elevations, the window openings within the building will be visually elongated by metal panels above and below the glazing to achieve more elegant proportions. To emphasise the horizontal rhythm of the floors up the façade, a tonally darker brickwork with darker mortar will be used and the base of the balconies will tie into the banded language of Plot F. As can be seen in the image above, the palette of materials will embody rich red tones in combination with the textured application of precast concrete. The indicative brick shown represents a textured face whilst consistent in tone to enable a ‘sculpted’ monolithic impression to the building. A colour matched, flush faced mortar would be utilised to realise this and all balustrades, window/door frames and vents would be finished in a polyester powder coating. Officers welcome the proposed use of bold colour and the rich tones to the building which serve to assist in ‘celebrating’ this building’s location at the heart of the wider masterplan.

### Plot I

7.288 Plot I sits amongst constructed buildings forming Phases 1-3 of the extant planning permission. Plot I comprises an 11-storey building with a central taller portion reaching an overall height of 39.98m AOD and 2 shoulder portions to the east and west that reach 22.20m AOD and 25.73m AOD respectively. The form and massing of Plot I takes its cue from the built out phases of the extant planning permission. Namely, buildings delivered under the extant consent that span the length of East India Dock Road and turn the corner onto Blair Street and the massing along this stretch is articulated by a series of courtyard style blocks punctuated by higher projections intruding into the sky space. This principle is not replicated along Blair Street where constructed Phase 1-3 buildings are lower in height than buildings fronting East India Dock Road and have a fairly uniform height strategy.

7.289 The composition of Plot I consists of a base, middle and crown with the base comprising a mixture of brickwork and precast concrete. A rippled crown balustrade adorns the 2 shoulder wings and the central mass to mark rooftop terraces on the wings and to screen the rooftop plant on top of the central block. The crown also serves to accentuate that vertical proportions of the building.

7.290 In terms of materiality and architectural expression, the primary material will be a textured grey brick with the base of the building adorned by plum/pink coloured brickwork which are arranged in a concertina pattern around the inset residential entrances and large glazed openings to the ground level cycle stores. The façade of the building comprises large window fenestration in a regular and orderly arrangement and dual aspect balconies at corners where required to introduce a step in the mass. The larger windows on Plot I will have triple bays to maximise views across Braithwaite Park and openings are bound by metal panel to the head of the window and a double row of vertically arranged soldier brick panel to the cil. Each floor is also expressed by a double row of vertically arranged soldier brickwork and precast datum which also defines the base of the balconies. The balconies and window/door frames will be finished in 'champagne' coloured metalwork to provide a warm and complementary finish to the façade.



Figure 46: CGI's for Plot I

*Summary on Detailed Component:*

7.291 Overall, Officers consider the architectural appearance and materiality of the proposed building plots within Phase A are dynamic and are of an exceptionally high standard and quality. Plot H along Aberfeldy Street focuses on the vibrancy of the existing Neighbourhood Centre and brings strong colouration at ground floor both in terms of the base treatment and the shopfronts proposed. Plot F will be a 'local' landmark within Phase A and has an extremely strong visual identity and a strong relationship with the new Town Square. Plot J has been designed to protect the key aspects of the setting and minimises the impact of the proposals on the listed Bromley Hall School using a simple palette of materials and directing animation on the building plot away from the listed building and notwithstanding concerns with regards to the height of Plot I as discussed earlier in this report, the architectural language, materials and appearance of Plot I is considered to be acceptable

7.292 Should planning permission be granted for this development, Officers would seek to ensure that the design quality of the development is maintained through to the detailed design stage and as such conditions will be imposed to secure full details of materials.

## Safety and Security

- 7.293 Policy D11 of the London Plan requires all forms of development to provide a safe and secure environment and reduce the fear of crime. This is similarly reflected in Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users.
- 7.294 The submitted supporting planning application documents including the Design Code makes various references to safety and security measures including animating street frontages of buildings to provide passive surveillance and safety, adequate lighting for areas of public realm to increase the sense of security and well-being, ensuring that all crossings vehicular streets and pedestrian and cycle friendly routes meet inclusive design standards to ensure safety of users and providing clear sightlines through the underpass to the other side.
- 7.295 Officers have expressed particular concerns with regards to how safety and security measures would be employed to ensure that the repurposed underpass is not misused by motorcyclists, moped drivers and e-scooter riders who could potentially use the underpass as a rat-run. In addition, Officers have expressed concerns that the underpass could encourage antisocial and illegal offenses such as the dealing in illegal substances or encourage rough sleeping with the removal of cars from the underpass.
- 7.296 The Applicant has advised that the above matters will be considered in detail at the Reserved Matters stage however have provided some indicative high level responses to concerns raised as follows:
- The Applicant considers that there is ample capacity to successfully accommodate various strategies such as railings/low rail around Jolly's Green with bollards at entrances to the approach on Highland, Jolly's Green and the Slip Road. The Applicant expects to develop appropriate strategies with the Council's Highways Team and the Metropolitan Police Secure by Design Team at the appropriate stage.
  - The Applicant contends that a key principle of the Design Code is to clearly establish that this space provides a clear line of sight, would be well lit, and be activated as much as possible. A future application will need to be consistent with these principles.
  - The Applicant considers that the underpass is proposed to have substantial use which will be intensified by the new bridges coming forward at Mayer Parry and Poplar Reach which will give more extensive east-west movement and greater use enabling the space to have good self-surveillance.
  - Active green spaces at each end would help to activate the underbridge and these include play, exercise, social terraces, cycle hub and café at the entrance at Highland Place. It also includes the opportunity for activity to be included in the underpass or at its entrance through means such as climbing walls and play however there may be opportunities for other uses that can be developed in consultation.
  - The Applicant considers that the Design Code would ensure that the underpass is bright, active and provides clear sight lines. These requirements would likely act as a deterrent for uses such as rough sleeping and in any case ensures that users of the underpass will feel safe when using it. The Applicant's response also states that irrespective of use by cars, there is sufficient space for rough sleepers under the current condition and it is not used as such.
- 7.297 The above comments have been reviewed by the Designing Out Crime Officer who has confirmed that there are concerns regarding the opportunity for the underpass to be misused for various offences as well as by moped/delivery riders. The Designing Out Crime Officer considers that these are areas that can be mitigated against and reinforces the request for a Secured by Design condition that would allow further input from the Metropolitan Police through the design and build process. Officers remain concerned that the underpass could potentially be misused and the Applicant's response appears to be focused on safety and security measures during the daytime as opposed to later in the evening or at night when any potential active uses would naturally cease

activity. However, notwithstanding this, Officers accept that the finer details of the safety and security strategy could be considered further at the condition stage and as such would be seeking to impose an appropriate condition accordingly should planning permission be granted.

## **Fire Safety**

- 7.298 Policy D12 of the London Plan requires all development proposals to achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. Policy D5(B5) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12(A).
- 7.299 The application has been accompanied by a Fire Statements for both the Outline and Detailed components of the masterplan prepared by Elementa and details how the development would achieve the highest standards of fire safety, including details of fire safety systems, means of escape, internal fire spread, external fire spread and access and facilities for fire-fighting. The Greater London Authority (GLA) and the Health and Safety Executive (HSE Gateway One) have reviewed the Fire Statements.
- 7.300 The Health and Safety Executive (HSE) have recommended that in respect of the Outline component of the application that a condition is imposed requiring the submission of a satisfactory Fire Statement with any Reserved Matters application. In respect of Phase A, detailed comments have been made and clarifications sought for each of the proposed blocks. These can be summarised as matters relating to approach to firefighting shaft (Blocks H1/H2), escape route from balconies (Blocks H1/H2), location of high voltage and low voltage electrical intake rooms (Block F), commentary that any pedestrianised areas that could be used for appliance access should be able to withstand the weight of a fire appliance and access must not be restricted, additional measures are required for the 2-storey flats in Block H1 and H2 such as additional exits and fire resisting doors should be provided between the roof gardens and the stairs in Blocks I and F.
- 7.301 The Applicant has provided a detailed response to HSE Gateway One which includes confirmation that the detailed design shall ensure compliance with Approved Document B of the Building Regulations and the additional comments provided by HSE Gateway One including providing duplex apartments with a protected hallway/stair which will provide all occupants with a route to the front door thus negating the need for further exits, ventilated corridors at all levels including where access is provided to a roof terrace and committing to fire resisting doors where required. The HSE Gateway One have subsequently confirmed that they are satisfied with the information provided.
- 7.302 In terms of the GLA, they requested that the Applicant specifically address the 6 criteria under Policy D12 (Part B) of the London Plan that requires submitted Fire Statements to detail how the development proposal will function in terms of 6 criteria. The Applicant has addressed each criterion as follows:
- 7.303 *Criterion 1 – The building’s construction: methods, products and materials used, including manufacturers’ details:* The Applicant has stated that structural fire protection will be provided in accordance with Approved Document B of the Building Regulations. All materials within the external wall construction for all blocks will be non-combustible. Manufacturer details are unable to be provided at this stage however such details will be available as the design develops.
- 7.304 *Criterion 2 – The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach:* The Applicant has advised that residential apartments and ancillary accommodations will evacuate independently of one another. The residential apartments will implement a stay-put policy, whilst the ancillary accommodation (i.e., roof terraces) will adopt independent simultaneous evacuation approaches. Roof terraces that only have one exit will have restrictions on occupancy of 60 occupants. One evacuation lift will be provided alongside the firefighting lift to provide a dignified escape for disabled occupants within buildings.

- 7.305 *Criterion 3 – Features which reduced the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans:* The Applicant has advised that residential units will be provided with an automatic fire alarm and detection system and common corridors at upper levels of buildings will be provided with a mechanical smoke ventilation system. Automatic fire alarm and detection systems will also be provided in amenity accommodations, ancillary spaces, stores, plant and refuse rooms. Sprinkler coverage is provided to all the residential apartments and shall be extended to cover the ancillary accommodations. The apartments shall be enclosed in fire rated construction with fire doors, as will the staircases, lifts and risers.
- 7.306 *Criterion 4 – Access for fire service personnel and equipment: How this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these:* The Applicant has advised that where blocks exceed 18m in height, they will be provided with a firefighting shaft and a dry riser inlet will be located on the façade of all blocks and adjacent to the entrances and they will also be within 18m of the fire appliance parking location. All parts of the floorplates will be covered within 60m when measured along a suitable route for laying a hose from a dry riser outlet or within 60m of the fire appliance parking location. Hydrants will be provided within 90m of the wet riser inlet and smoke ventilation will be provided to common corridors where appropriate.
- 7.307 *Criterion 5 – How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building:* The Applicant has advised that fire tender access will be provided and this will be via the surrounding roads and access will be provided from the street direct into each firefighting core (where appropriate).
- 7.308 *Criterion 6 – Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures:* The Applicant has advised that a fire safety information pack will be submitted to the end users upon handover in accordance with Regulation 38 (Fire Safety Information) of the Building Regulations. This will contain all of the details of the building fire safety/protection measures. Any changes to the buildings following their construction will need to maintain the original design intent of the fire strategy and be assessed by a suitable competent person, so as not to reduce the built-in safety measures. As a minimum the fire safety information pack will contain the fire strategy (including the evacuation strategy), fire drawings, information on the systems included including operation manuals and maintenance and testing regimes.
- 7.309 The Applicant has also advised that further fire safety enhancement measures are being currently considered including protected lobbies to be added to all evacuation lift locations, evacuation alert systems to be added to all blocks, Fire Warden Training, restriction on combustible materials on the roof and sprinkler system upgraded to all ancillary spaces. Furthermore, as detailed earlier, the scheme has been amended to include a second staircase to buildings F and I in Phase A. This is as a direct response to the government's consultation (commenced in December 2022) on options to introduce clear guidance in Approved Document B of the Building Regulations recommending the provision of a second staircase above a certain height (currently suggested at 30 metres).
- 7.310 Overall, Officers are satisfied that the Applicant has demonstrated compliance with London Plan Policy D12 however, Officers will be seeking to impose an appropriate conditions are imposed securing compliance with the Fire Strategy for Phase A and requiring further Fire Strategies to be submitted with each Reserved Matters application.

#### Design Conclusions

- 7.311 In conclusion, Officers are satisfied that the proposed masterplan as a whole would deliver a scheme of high quality design and landscaping strategy demonstrating good urban design and placemaking principles within the masterplan and accept that there is justification for the strategy of tall buildings outside of a Tall Building Zone. There are parts of the masterplan whereby the scale, form, massing and height of some of the proposed buildings would impact on neighbouring amenities in terms of reduction in daylight and sunlight, however these impacts are considered to be outweighed by the regeneration benefits of the proposal and the proposal is considered to

broadly accord with relevant Local Plan and National policies on matters concerning design and townscape.

## LANDSCAPING, PUBLIC OPEN SPACE/PUBLIC REALM AND BIODIVERSITY

- 7.312 Policy G1 of London Plan expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London’s wider green infrastructure network. Policy G5 of the London Plan requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The policy also recommends that predominately residential developments should achieve an Urban Greening Factor (UGF) target score of 0.4. Policy G6 of the London Plan requires developments to amongst other things, manage impacts on biodiversity and aim to secure net biodiversity gain.
- 7.313 Policy D8 of the London Plan requires development proposals to amongst other things, ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.
- 7.314 At the local level, Policy D.DH2 of the Local Plan promotes the use of using high quality paving slabs, bricks and pavers for footways, parking spaces and local streets to create attractive, accessible, comfortable and useable development. Soft landscaping should be maximised to soften the streetscape and provide visual and environmental relief from hard landscaping, buildings and traffic. Policy D.ES3 of the Local Plan seeks to protect and enhance biodiversity in developments by ensuring that new developments maximise the opportunity for biodiversity enhancements, proportionate to the development proposed. Policies S.OWS1 and D.OWS3 of the Local Plan seeks the delivery of new publicly accessible open space on-site which should be amongst other things, visible and accessible from the public realm surrounding the site and be of a high quality and inclusive design and provide facilities to promote active recreation and healthy lifestyles.

### Landscaping and Public Realm Strategy

- 7.315 The overarching landscaping strategy for the wider masterplan seeks to provide each of the main character areas (‘threads of the masterplan’) a look and feel that represents the life of their spaces and informed by their prevailing uses. An overview of the intended overarching strategy for each character area can be seen in the image below.

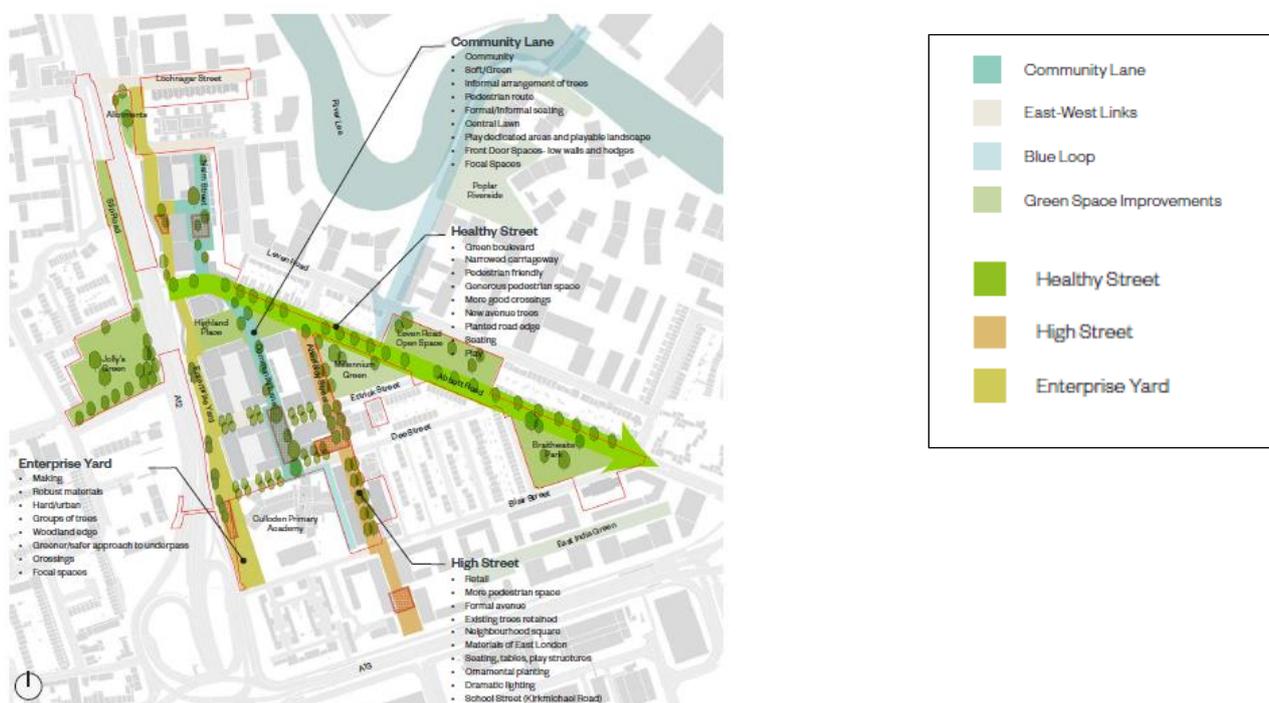


Figure 47: Overview of landscaping strategy for each character area.

High Street:

7.316 The High Street (Aberfeldy Street) will be the vibrant and active part of the masterplan, celebrating and supporting local retail and promoting a variety of community events within the flexible new Town Square (identified by key 1 in the image below) which can host events and market days. Also included within this character area would be a newly redesigned play street along Kirkmicheal Road. Existing trees along the High Street will be retained to signify a formal avenue redesigned to provide more pedestrian space. The Town Square will be delivered as part of the Phase A proposals. The character of the High Street will revolve around bright outdoor seating and dining tables, colourful play structures, ornamental planting and dramatic lighting.

7.317 The new Town Square is defined by the space framed by the angle of Plot F and will be the space between Plot F and St Nicholas Church at Aberfeldy Street. This will be a multifunctional square which could be used for small scale community events such as markets, music, theatre, games, exhibitions and other such community gatherings. The square will also include a spill out zone for the commercial space at the base of Building F. To enable this square to function as intended; to perform an important civic and social function for the neighbourhood, the application proposes to pedestrianize a portion of Aberfeldy Street between Building F and the church which will contain areas of playable landscape and seating as mentioned earlier in this report. This area is described in the application as being a 'social/play hub'.



**Figure 48:** New Town Square within Phase A

7.318 The Town Square would be constructed from smooth in-situ concrete supplied from the most local East London source using the most commonly used East London aggregate. A kantha pattern of flowers, drawing inspiration from the existing kantha patterns along Aberfeldy Street would be etched into the surface as can be seen in the image above. This will connect the new Town

Square to the area's industrial past and capture the spirit of the existing community. The concrete square would be framed by the general paving of Aberfeldy Street (Perfecta Natural flags paving) and the space will be defined and activated by seating along the southern edge adjacent to Dee Street. Power and water supplies would be integrated into the ground to support events.

7.319 The social/play hub will be framed by existing mature trees and the layout is inspired by a curving kantha pattern that would be created by using three different colours of granite sett within a surface so that they are comfortable to walk upon. The furniture in the space creates smaller scale, more intimate spaces in contrast to the open spare. The form of the tables with seats, raised planters and play structure are also derived from the kantha pattern. The space would for permanent pedestrian and cycle access to connect north-south along Aberfeldy Street. The design of the Town Square and social/play hub would allow for access for emergency vehicles with a minimum 3.7m wide route left available between the two spaces.

7.320 In terms of proposals for the part of Aberfeldy Street that will provide the replacement Neighbourhood Centre (Aberfeldy Street South), the proposal seeks to remove car parking from Aberfeldy Street allowing for the carriageway to be narrowed. This enables additional space for the footways which is allocated to the eastern side of the street resulting in an active landscape zone wide enough to hold the functions of the street such as cycle parking, planters, bins, seating and tables and a bus stop whilst also making space for permanent and temporary seating/stalls and opportunities to activate the street. This would be achieved by allowing enough space for a 1-2m wide zone in front of the retail units to provide opportunities for the function of the buildings to spill out.



**Figure 49:** Aberfeldy Street landscaping strategy

7.321 The additional space gained for footway has been allocated to the eastern side of the street. This enables this side of the street to align directly with Blair Street. The active landscape zone between the pedestrian thoroughfare and the carriageway will be surfaced with a Tegula cobble. The paving surface for the pavement on both sides of the street would be Perfecta flags providing continuity between the southern part of the street and the areas around the Town Square. The

spill out zone around the base of the buildings (H1/H2 and H3) would comprise bespoke precast concrete unit in the same red concrete and kantha pattern as the façade. This colourful concrete detail would act as a 'forecourt' and integrates the building and the public realm.

- 7.322 To the west of building H1/H2 it is proposed to close Kirkmichael Street to traffic and create a play street. Play and seating facilities are located in the central part of the street, framed by secondary residential entrances and an exit from the school allowing opportunities for parents to linger in a safe car-free environment. Surface material for this section will be a soft safety surfacing and resin bound gravel in a colourful orange mix described as a 'tutti fruiti' colour. As per Aberfeldy Street and the Town Square a white coloured kantha patterns will be etched into this zone.
- 7.323 To the east of building H3, Lansbury Gardens will be freed from the existing visually unappealing and intrusive consequences of the rear servicing and associated parking that currently exists. The space will become a functional residential street providing pedestrian, cycle and vehicle access to the existing houses. It will also offer a secondary access to building H3 in addition to access to its bin and refuse stores. Proposals will retain the existing 7 parking spaces allocated to Lansbury Garden residents however, 2 accessible parking spaces and 2 car club spaces will be introduced on the western side of the road. Given the functional nature of this part of the Masterplan, the palette of landscaping materials will be limited with the footway comprising Perfeca paving flags with granite kerbs to be consistent with the High Street. Where there is space, new tree planting would break up the arrangement of the car parking spaces on the western side of the street and introduce greenery into this part of the street. A selection of images and illustrations for proposals for Kirkmichael Street and Lansbury Gardens are provided in Appendix 7 to this report.

#### Community Lane:

- 7.324 Community Lane; the key pedestrian north-south route through the masterplan is intended to feel soft and green through the inclusion of an informal arrangement of trees. The landscaping strategy for Community Lane has been designed with pedestrians and cyclists in mind with an emphasis on pockets of soft landscape, social spaces and play on the way to be established along its length. It's length is bookended by Nairn Square (a smaller local square) to the north which weaves into the residential and workplace streets and a central lawn to the south at Culloden Green. These spaces are intended to draw the community in to gather and play.
- 7.325 The northern part of Community Lane is on Nain Street and the proposal here is to keep the current conditions for traffic where there is no connection with Abbott Road. Nairn Square in the northern part of Community Lane will provide a variety of different areas for social opportunities, and for families and neighbours to gather. There will be a strong green planted strip, designed to bring greening and nature to the space. Nairn Square will lead to Nairn Park which was introduced as an amendment to the planning application in October 2022. Nairn Park will be an area of green space that forms the northern arrival space to Community Lane. Nairn Square and Nairn Park will include active play spaces, picnic areas, community growing gardens and lawn. The eastern edge forms a planted buffer zone to Atelier Court entrances and the northern part of the park acts as a community arrival platform and garden space offering opportunities for interaction for residents and users in a garden setting.



**Figure 50:** Illustrative view of Nairn Park looking North

**Healthy Street:**

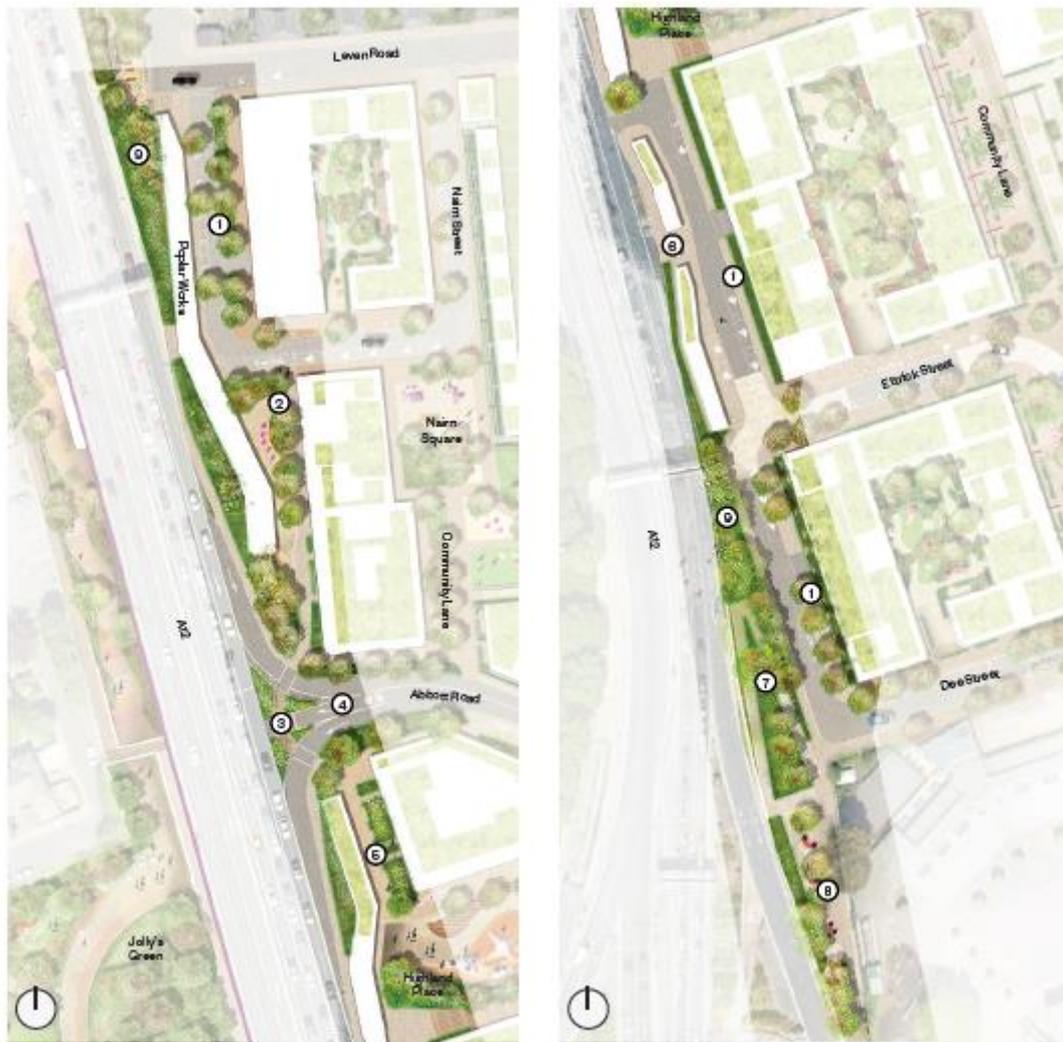
7.326 The landscaping strategy for Abbott Road intends to signify this road as a primary green space connector in the form of a green boulevard, designed for pedestrian and cyclist enjoyment with wide pavements and avenue tree planting. The healthy street forms the backbone of the illustrative masterplan and will facilitate access and movement between the areas of existing open space, new green spaces and connect of the new public realm at Highland Place and to the wider neighbourhood, west of the A12, via the underbridge, Jolly's Green and the Slip Road. The vehicular carriageway of Abbott Road will be narrowed to promote a pedestrian friendly environment by creating and providing generous provision of pedestrian space and additional crossings. New avenue trees will complement existing mature street canopy which will be further greened through a planted road edge, seating and play-along -the-way the intention being that these interventions will create a more attractive route for pedestrians and cyclists to walk or cycle along. The image below indicates an illustrative view of how Abbott Road could come forward.



**Figure 51:** Illustrative view of Abbott Road.

**Enterprise Yard:**

7.327 Enterprise Yard will be a contrasting secondary street primarily for residents and Poplar Works. Enterprise Yard is proposed as an active space of fashion designers, local makers and local businesses. It will be a hard/urban space with opportunities for spill out space in front of local makerspaces. As Enterprise Yard runs parallel to the A12, it will contain groups of trees selectively lining its length and will comprise robust native corridor tree and shrub planting. Alternating planting with the workshops and the incorporation of acoustic screens will create a varied edge condition along the A12.



- |   |  |
|---|--|
| ① | Tree planting and parking bays for new and existing Poplar Works users               |
| ② | Works Square: playable landscape and street furniture                                |
| ③ | Pedestrian crossing at new A12 junction surrounded by low ground cover planting      |
| ④ | New A12 junction highways layout with bus gate and kerb edge planting buffers        |
| ⑤ | Planting beds and pedestrian access to Highland Place past new Poplar Works building |
| ⑥ | Existing bus stop  |
| ⑦ | Green link to Dee Street Underpass with substantial planting and playable landscape  |
| ⑧ | School Square: dedicated play area, new trees and softworks planting                 |
| ⑨ | Native planting corridor of high shrubs and trees to provide protection from A12     |

**Figure 52:** Northern and Southern illustrations of Enterprise Yard

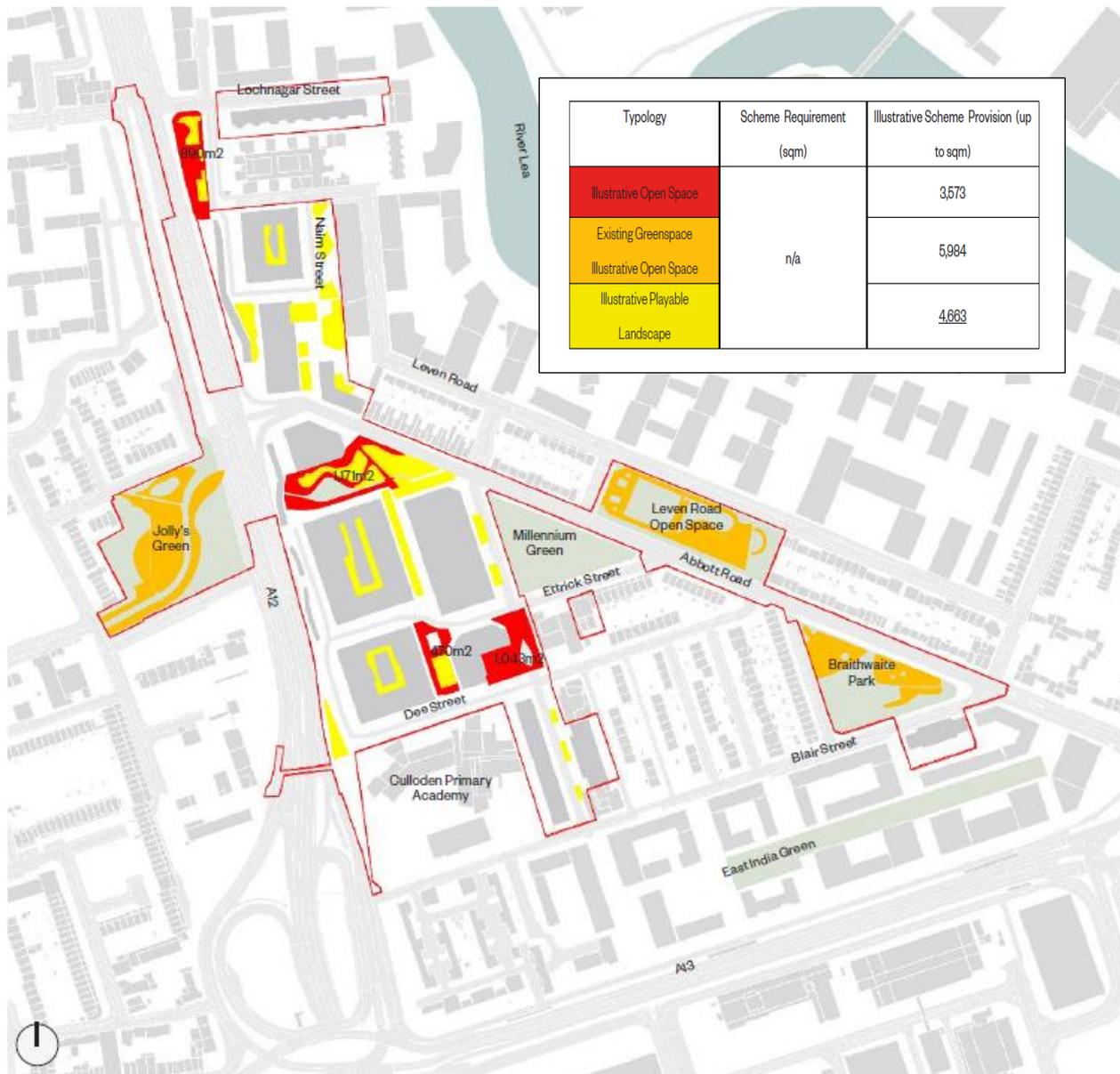
7.328 At the junction of Enterprise Yard will be Works Square which is intended to encourage outdoor working and meetings through its selection of furniture and will include flexible spaces to bring workshop activities into the street and provide additional outdoor space for makers. Clusters of seating are provided creating opportunities for gathering whilst a mix of tables and convex/concave seating allows for the ease of sitting alone or in groups. At the junction of Enterprise Yard and Blair Street is School Square (indicated by key 8 in the above images) and directly west of Culloden Academy. School Square has been designed to include play-on-the-way elements, areas of seating and dedicated play equipment for use whilst families wait at the school entrance with their children.

7.329 To the north of School Square is the Dee Street underpass (indicated by key 7 in the above image) whereby careful consideration has been given to the landscaping to ensure that opportunities have been created for overlooking, reconfiguring direct stepped access, increasing accessibility through 1:21 paths and improving sight lines. Views into and out of the underpass

would be improved by creating 1:2.5 – 1:3 slopes between the graded route from Enterprise Yard to the underpass thus avoiding the need for guard rails. The ramped access will incorporate planting and playful climbing elements between the levels to encourage play-on-the-way and to reinforce the illustrative masterplan principle for all public realm to be playable. Low planting with trees on the upper slopes will make the route greener and more pleasant, whilst allowing good visibility. An acoustic screen is also proposed to further mitigate the visual and noise impact of the A12. A selection of images illustrating these squares and the proposals for the Dee Street underpass is shown in Appendix 6 to this report.

## **Public Open Space**

- 7.330 Chapter 2 of the NPPF contends with achieving sustainable development. In this regard it stipulates that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These objectives being: An economic objective, a social objective and an environmental objective.
- 7.331 In terms of the social objective, this objective is required to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. Paragraph 92 of the NPPF requires planning policies and decisions to aim to achieve healthy, inclusive and safe places which amongst other things; enable and support healthy lifestyles, especially where this would address identified local health and well-being needs, for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 7.332 Policy G4 of the London Plan requires development proposals to where possible create areas of publicly accessible open space, particularly in areas of deficiency. Policy S.SG1 of the Local Plan directs new developments within the borough towards Opportunity Areas and highly accessible locations which have good links to public transport, walking and cycling networks and local services. Part 7 of the policy requires developments to support the delivery of significant new infrastructure to support growth within the four sub-areas, including social infrastructure, such as schools, open space, health centres and leisure facilities.
- 7.333 The submitted application correctly identifies that the majority of the application red-line boundary falls within an area of deficiency of access to nature as identified within the Local Plan. The proposed open space strategy for the masterplan proposes a mixture of new public open space and upgrades to existing public open/green spaces; Leven Road Open Space, Braithwaite Park, Jolly's Green and Millennium Green. The quantum of open space shared between existing and new public open space and the distribution of such space is indicated in the image below.



**Figure 53:** Proposed Public Realm and Landscaping Strategy

7.334 The proposed masterplan proposes 3,573sqm of new public open space distributed across Highland Place, the new Town Square, Culloden Green, Nairn Street (Nairn Park) and an area of existing allotments directly west of Plot J. The largest areas of new public open space would be the Town Square (as described in the earlier in the Landscaping Strategy section) providing 1,043sqm of public open space and Highland Place providing 1,171sqm of public open space.

*Highland Place, Jolly's Green and the Slip Road:*

7.335 Highland Place forms an instrumental component of the masterplan and embodies a multitude of characteristics; public open space, public realm, park and playable landscape. It will facilitate a transformative pedestrian and cycle connection between Aberfeldy and the western side of the A12 by repurposing the existing vehicle underbridge with a breakout into Jolly's Green. To enable this, the levels of the underpass would need to be raised by approximately 2m resulting in a 10.5m wide by 3.2m-4m tall east-west connection. 1:21 gradient pathways towards and from the underbridge (3.2m high at the Jolly's Green opening and 4m high at the Highland Place opening) utilise and interact with the level change along its length. This component of the masterplan will create a new destination which will be marked by the tallest building in the masterplan (Building B3).

7.336 Highland Place as the key piece of public open space within the masterplan will incorporate expansive open lawn, new tree planting and wildflower meadow planting with plenty of

opportunities for recreation. The lawns are framed by planting for comfort and to create a sense of distinct identity from surrounding spaces. Weaved into Highland Place are routes for pedestrians and cyclists that lead users to travel to the underpass/underbridge and on to the western side of the A12 via Jolly's Green and the transformed area of the slip road.

7.337 Highland Place incorporates level changes as it heads towards the underpass and as such the soft landscape and 'greener' areas of Highland Place transition to a harder, playable landscape in line with the graded level changes, which are designed to be incorporated as a landscape feature. The landscaping proposals for Highland Place allows for opportunities for spill-out space outside of Plot B3 where there is a 'Residents Hub' located at the upper level or sit and socialise on a terraced bleacher-style seating that transitions down to the lower level to meet the main through route. Opposite this and before the underpass entrance is a dedicated play area which can act as a destination play space, or play-on-the-way.



**Figure 54:** Illustrative proposals for Highland Place

7.338 The new pedestrian and cycle route through the underpass will connect to Jolly's Green whereby it will join with a new pedestrian cycle route (6m wide at a 1:21 accessible gradient) that meanders gently down through the park to the underbridge level. The existing dense cluster of trees to the east of the park will be mostly retained and reinforced to retain ecological value and a sound proofing barrier against the A12. The woodland edge is proposed to be expanded out to the southern side of the proposed new route through the park. The proposal also seeks to incorporate gym equipment which will form an exercise trail along the north west part of the park. A dense planted buffer is maintained to the back gardens along the edge of the park to keep a sense of privacy and soundproofing.



**Figure 55:** Illustrative proposals Jolly's Green

7.339 Members are reminded that both Highland Place and Jolly's Green fall within the Outline phase of the development and with particular reference to Jolly's Green, its inclusion within the application boundary came as a result of an amendment to this planning application. As such in accordance with requirement by the Council's Parks Team, proposals for Jolly's Green can only be finalised once appropriate consultation with local residents and the community have been undertaken and facilitated by the Parks Team and therefore proposals for Jolly's Green must be treated as indicative at this stage and could be subject to change at detailed design stage following appropriate consultation undertaken.

7.340 The slip road on the western side of the A12 which connects to Jolly's Green and the underpass will also be repurposed to provide a generous pedestrian and cycle route to Dewbury Close, Langdon Park School and potentially to the future redevelopment of the Teviot Estate. The masterplan proposes to activate this space with workshop units and spill out areas. The submitted Design and Access Statement also indicates that a potential workspace/commercial unit could also be provided at the entrance of the underpass by Jolly's Green end which would allow for a direct line of sight (albeit curved) from Highland Place to Jolly's Green with the workspace/commercial building visible from Highland Place.

7.341 Officers agree that activation of Jolly's Green is important and provides opportunities for passive surveillance as users travel through the underpass. However, it should be noted that the units indicated on the western side of the A12 are not included in the submitted Buildings Plots plan and therefore there is no guarantee that these buildings would be delivered in the future. The Applicant would also need to discuss and establish with the Council's Parks Team whether the principle of a building on Jolly's Green would be acceptable.

### Existing Parks and Open Space:

- 7.342 In terms of Braithwaite Park, Leven Road Open Space and Millennium Green, the improvements to these three spaces are intended to ensure that the parks can be enjoyed as a collective experience as well as individually. The proposals for each park/open space have been developed through consultations with the local community. The proposals for Braithwaite Park which has a neighbourhood garden character will offer a mix of activity, from formal and informal play, opportunities for picnics, walks, relaxation and socialising and plenty of seating and resting areas. It will have a sensory garden environment of flowers and habitat. The south-west corner will include an area of dedicated children's play and further open space is provided for informal play across amenity lawn areas which will also include colourful flowers and improved planting to convey a more 'garden like' feel.
- 7.343 Leven Road Open Space has an existing character influenced by sport, fitness and adventurous play. Through consultation with the local community, the proposals developed for Leven Road Open Space are focused on retaining and resurfacing the existing MUGA, adding complementary fitness equipment for a wider range of the community and providing an exciting range of urban games and free-form outdoor activity equipment as well as opportunities for more seating and socialising.



**Figure 56:** Illustrative proposals for Leven Road Open Space

- 7.344 Two gym areas are proposed to the north and south end of the space with the northern gym intended as a larger group space with closer proximity to the MUGA, whilst the southern gym homes individual or paired gym stations enveloped in planting to provide an element of screening. A 200m walking/running/scooter track will enclose the space and offers further opportunities for adults and children to explore the space. Within the track can be found dedicated play pieces, such as low level artificial climbing walls; parkour equipment; play surface for scootering and rollerblading and playable furniture. The eastern end is wrapped by bleacher-style terraced seating and a raised mounded area, blanketed in wild flower meadow planting, providing a soft open space for people to congregate and/or relax.



**Figure 57:** Illustrative proposals for Leven Road Open Space

- 7.345 With regards to Millennium Green, whilst this has not been included in the application red-line boundary, the Applicant has committed to the delivery of improvements to this space and this commitment has been expressed through agreement that such works will be secured as a planning obligation in the subsequent S106 legal agreement. The proposals for this space has been developed to provide a place for events with an amenity lawn to the centre for relaxing and picnics and a nature play trail and suitably dense planting, running parallel to the Abbott Road edge. The event space is located at the south-west corner, with planters and games tables. The submitted Design and Access Statement also suggests that the south-western corner would incorporate hardstanding to support small vans and vehicles that might need to pull up for an event. Officers do not support this aspect of the proposals for Millennium Green as it would result in the loss of public open space to facilitate car parking and would seek to ensure that when detailed proposals are submitted via as a planning obligation that this element is omitted from the proposals.
- 7.346 In all three areas of existing park/public open space, existing tree planting is enhanced by new tree planting in all three green spaces, and no trees are proposed to be removed from these area.

*Assessment on Public Open Space:*

- 7.347 Whilst there is no requirement under the Local Plan to provide a specific quantum of open space provision for this site, Officers have expressed concerns throughout the evolution of this scheme from pre-application stage that the quantum of new public open space provision proposed is not commensurate with the scale and density of development coming forward as a result of this scheme. Whilst the scheme identifies areas of new public open space within the masterplan, Officers consider that there are only two new areas that provide any meaningful quantum: Town Square and Highland Place with other areas being smaller, weaved around areas of playable landscape and localised across the masterplan.
- 7.348 It is acknowledged that Highland Place is a key component of the masterplan, however it is the only meaningful 'green infrastructure' within the proposals and comprises 1,171sqm of the overall provision. It is also a mixture of character areas comprising areas of dedicated play, seating and footpaths to facilitate the connectivity and movement that this focal point unlocks.
- 7.349 Town Square which has also been highlighted as a focal point in the masterplan would be completely hard surfaced in character and therefore this quantum of 1,043sqm of public open space would equate to 29% of the overall new public open space provision. Town Square does not provide a 'green' form of social infrastructure one would typically associate with public open space however, Officers acknowledge that a public square constitutes public open space as defined by the Local Plan. The masterplan also relies heavily on improving areas of existing open

space equating to 5,984sqm which would be a substantially greater quantum than any new provision proposed (3,573sqm).

- 7.350 It is acknowledged that the improvements proposed to existing areas of open space are proposed to an exceptionally high standard in particular to Leven Road Open Space which currently largely incorporates a mound and an enclosed MUGA court, restricting the opportunities for how this space could be used and providing a visual barrier. However, it must be recognised that these areas of public open space would not only serve the proposed development but also the wider community which includes new developments coming forward in the Lower Lea Valley area thus undoubtedly placing considerable pressure on these existing spaces.
- 7.351 Schemes coming forward include the comprehensive mixed-use redevelopment of the Poplar Gasworks Site on Leven Road which is anticipated to deliver up to 2800 new homes on an 8.3 hectare site; Ailsa Wharf which will deliver 785 residential units on a 2.39 hectare site; Poplar Bus Depot which will deliver 530 residential units on a 1.3 hectare site and Islay Wharf which will deliver 133 residential units on a 0.1 hectare site. There is also currently a planning application under assessment by the Council for the comprehensive redevelopment of the site at Ailsa Wharf to deliver 932 residential units. These developments combined will deliver up to some 4248 new residential units coming forward in the Lower Lea Valley area. The Poplar Gasworks Site will also deliver a public riverside park measuring 1.3 hectare in size whilst the Ailsa Wharf site will provide 5401sqm of public open space .
- 7.352 There is no doubt that based on the proposals described earlier in this report, such as the ‘threads’ of the masterplan and new character areas, the strategy for strengthening and enhancing east-west connections, the provision of high quality public realm and landscaping to give identity to the different character areas and encourage movement and activation of the wider estate are all demonstrative of strong placemaking principles and bring many benefits and advantages to existing and future residents. However, given the density proposed and anticipated additional population of 3,372 (as detailed in the ES) residents once completed, it is debatable whether the quantum proposed is commensurate for a scheme of this magnitude.
- 7.353 The Council’s High Density Living Supplementary Planning Document (SPD) states that high density developments should maximise the opportunities to create or increase publicly accessible open space on site. If this cannot be achieved, schemes should contribute to improve quality, increase quantity and improve links to the existing open spaces. The new provision or contribution should be proportional to the increase in population of the proposed development and the existing open space levels in the area, as identified in the Tower Hamlets Open Space Strategy 2017-2027 (hereinafter referred to as “The Strategy/The Open Space Strategy”). The Strategy incorporates standards for publicly accessible open space in accordance with standards set by the Fields in Trust who recommends that 1.2 hectares of open space should be provided per 1,000 resident. Based on these standards and the net additional population of 3,372 residents, the demand for additional open space within the application site would be approximately 2.8 hectares. It is acknowledged that the Open Space Strategy is not a planning policy document but a Borough wide strategy document however, its relevance to this assessment is that it provides a useful measure of open space need in the Borough. Its reference in the High Density Living SPD also reinforces that it must be given due consideration in the assessment of schemes of strategic nature such as the application proposal.
- 7.354 The proposed development would deliver 3,573sqm or 0.35 hectares of new public open space which would fall substantially below the 2.8 hectares which based on the Open Space Strategy would be an appropriate quantum of public open space to support this development. It is noted that the Open Space Strategy includes publicly accessible play space and space for outdoor sport for the purpose of assessing quantum. If the proposed quantum of dedicated children’s play provision (2,937sqm of dedicated play and not including play proposed on existing public open space or playable landscape) was taken into account the scheme would still only provide 0.61 hectares of publicly accessible open space.
- 7.355 However, Officers recognise in urban areas there are constraints to development and it would be extremely difficult to secure 2.7 hectares of public open space without fundamentally impacting on the viability of the scheme and compromising the ability to optimise site capacity. The scheme seeks to provide significant improvements to the existing public open spaces and to an

exceptionally high standard. The new proposals would open up opportunities to the wider community and will cater for adults, children and families as a whole, offering a multitude of opportunities for recreational use. The proposed new areas of public open space have also been designed to improve the quality of these spaces ensuring that these spaces are robust, durable, visually interesting and stimulating. The improvements to the existing areas of public open space and the proposed new areas will collectively offer and support a range of activities from recreation, play and sporting.

- 7.356 Officers consider that whilst the quantum of new public open space does not feel proportionate to the scale and density of development proposed, the proposal does seek to create a network and hierarchy of spaces (existing and new) and improve the site's permeability and connection to the surrounding network of streets and to new streets within the masterplan.
- 7.357 On balance therefore, Officers consider that notwithstanding concerns raised about the quantum of new public open space, the proposed public open space strategy positively creates a network and hierarchy of spaces, improves the site's permeability and connection to the surrounding network of streets (existing and new streets) and crucially, all of the spaces have been designed to be universally accessible to promote inclusiveness, safety and security, encourage a multitude of activities and create physical and visual connections to aid way-finding, legibility and connectivity throughout the development and as such find the proposal to be acceptable in this regard.

### **Ecology and Biodiversity**

#### *Tree Planting Strategy:*

- 7.358 The site currently benefits from 193 surveyed individual trees and the majority of these are to be retained. It is proposed to remove 66 of these trees of which 45 are mature Category A and Category B trees. For Member clarification, Category A trees are trees of a high quality and value capable of making a significant contribution and estimated to have a remaining life expectancy of at least 40 or more years. Category B trees are trees that might be included in Category A but are downgraded because of impaired condition such that they are unlikely to be suitable for retention beyond 40 years or they are trees lacking the special quality necessary to merit the Category A definition. Category B trees are estimated to have a remaining life expectancy of at least 20 years. A further 40 trees are proposed to be removed from Jolly's Green of which 21 would be retained and relocated thus resulting 19 trees proposed to be permanently removed from Jolly's Green.
- 7.359 Of the trees proposed to be retained, the majority (56) are London Plane trees, 7 are Japanese Cherry/Wild Cherry, 9 are European Hornbeam, 3 are Himalayan Birch, 2 are Oriental Plane, 11 are Cherry Plum and the remaining 4 are Small Leafed Limes/Common Lime trees. There are other groups of trees also proposed to be retained within the parks and the existing allotment area adjacent to Plot J. A further 67 trees and 1 group of trees (identified as G35 in the tree survey) along the eastern edge of Jolly's Green have also been surveyed of which 27 individual trees and the maximum possible area of G35 are proposed to be retained. Within the 40 individual trees to be removed at Jolly's Green, 21 are young trees that were planted in the last few years.
- 7.360 The illustrative masterplan proposes substantial planting of new trees to strengthen the wider green connections strategy, provide shade in the summer and shelter in cooler winter months and contribute positively to biodiversity and environmental objectives. The scheme proposes to plant up to 453 new trees across the masterplan of which 406 would be on the ground within the public realm with up to a further 47 trees on the three Level 1 podiums. Additional tree planting is proposed on the communal roof terraces coming forward as part of Phase A and further tree planting will be included in Phases B-D roof terraces in line with the submitted Design Code.



**Figure 58:** Illustrative tree planting strategy

- 7.361 Additional tree planning would also be included in the new woodland area (1,390m<sup>2</sup>) at Jolly's Green however as previously mentioned, proposals for Jolly's Green would be subject to consultation before any final landscaping scheme can be finalised. It is anticipated however that the new woodland area at Jolly's Green would be as close to the existing woodland on site as possible which incorporates a dense selection of native trees.
- 7.362 The illustrative masterplan tree species will be selected to maximise the site's potential for biodiversity and the Applicant has in the Design Code committed to delivering native species and trees with large canopies and trees known to have particularly notable wildlife value. Where appropriate, these will be planted in favour of non-native species, with ideally a minimum of 3 species native to the UK at each location.
- 7.363 It is noted that the Arboricultural Officer has expressed concerns with regards to the removal of the Category A and B trees and the more recent trees planted at Jolly's Green as part of a community programme. In terms of the Category A and B trees, the Applicant has confirmed that any trees planted as a direct replacement for removed trees shall be as a minimum of a Semi-mature size. The Arboricultural Officer has also advised that tree replacement should be provided at a ratio of 2:1 for every tree removed. In considering the loss of just the 19 individual trees on Jolly's Green and the 66 individual trees across the wider masterplan identified to be removed, the proposal would provide 406 trees within the public realm alone (excluding podiums, roofs and woodland area) which would represent a net gain of over 4:7 for any trees removed.

7.364 The 21 younger trees on Jolly's Green have been identified to be retained and relocated however this would be subject to detailed consultation. Notwithstanding this, the removal of these trees are not objected to given that they are not afforded any special status or value relevant to their species. It is recognised that these trees have social value given that they were planted by the local community, however Officers consider that given the wider regeneration benefits of the proposal, the substantial replacement tree planting proposed across the masterplan and the absence of any special protection for these trees that on balance their removal is considered acceptable.

*Biodiversity:*

7.365 The proposal will deliver a Biodiversity Net Gain of 21.48% and this is supported and welcomed by Officers. The masterplan proposes significant ecological and biodiversity enhancements across the site compared to the existing condition, offering a range of habitats for urban wildlife to flourish. Key ecological areas of note are the provision of intensive biodiverse roofs across the scheme, swathes of wildflower meadow planting, which will perform a vital role for pollinating insects and small mammals, the retention of mature street trees and the planting of new trees as identified above. Flower-rich shrub and herbaceous (plants that do not have woody stems) beds will contain a minimum of 10 pollinator species to enhance wildlife corridors and increase the ecological value of the site. Roofs and gardens will be designed to maximise habitat types for host of invertebrates and bird communities.

7.366 In terms of the Urban Greening Factor (UGF), this is a tool introduced by the London Plan to evaluate that quality and quantity of urban greening. It enables major developments to demonstrate how they have included urban greening as a fundamental element of site and building design from the outset. The proposal currently achieves a UGF score of 0.38 (rounded up) and therefore does not fully comply with Policy G5 of the London Plan. However, the Applicant has expressed a commitment to improving this figure at the Reserved Matters stage as the scheme evolves and this is also expressed in the Design Code. To this end Officers consider that a condition can be imposed on the application requiring that the development achieves a minimum UGF score of 0.4 should planning permission be granted.

7.367 The Council's Biodiversity Officer has considered the proposals and has no objections subject to a condition requiring full details of biodiversity enhancements for each phase of the development. This would also include details of but not limited to, bat boxes, nest boxes for birds and various features for invertebrates such as bee boxes, bug hotels and loggeries.

*Conclusions on Landscaping/Public Open Space/Public Realm and Biodiversity*

7.368 In conclusion, Officers welcome the landscaping, ecological and biodiversity enhancements proposed for the site. The overarching strategy is based on providing a 'green connection' between the series of improved dedicated parks, new public open spaces, interconnection between pieces of public realm which collectively seeks to enhance the streetscape and the different proposed character areas that form the 'threads' of the masterplan and informed by formal and informal recreation, biodiversity, ecology and nature to flourish and provide a range of new facilities across the wider estate for local people. The landscape and public realm would reinforce the core urban design principles within the Design Code to provide a development that seeks to exceptionally improve permeability and legibility, incorporate a clear and distinct route hierarchy, maximise opportunities for natural surveillance and design external spaces that are engaging, inclusive, multifaceted, attractive and accessible.

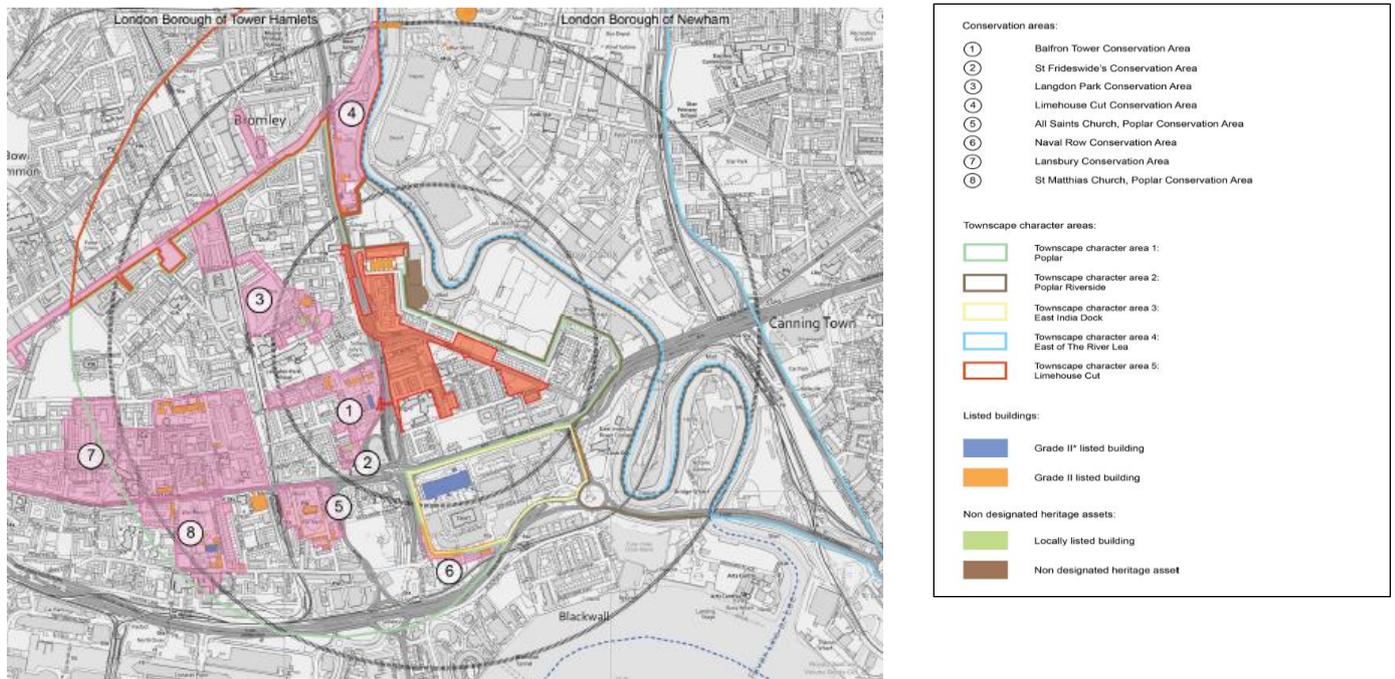
7.369 Officers consider that whilst the quantum of new public open space proposed is disappointing, the range and quality of materials proposed for the areas of public open space proposed and the wider landscaping strategy adopts a considered approach and helps to create an attractive and distinctive neighbourhood and character areas. The wider landscaping and public realm strategy and proposals are broadly supported by the Place Shaping Team who consider that a significant amount of work and thought has been put into delivering high quality public realm across the site that considers the wider network of uses and spaces; helping to add character and identity to the proposals and supporting the ambition to create streets that are safe and useable for all residents to the benefit of their health and well-being. Full details of the landscaping proposals including

details of materials, details of all biodiversity enhancements, ecological enhancements and the details of trees and planting will be secured via condition should planning permission be granted.

- 7.370 Overall, on balance the proposal is considered to be acceptable and broadly delivers Local Plan and national planning policies objectives with regards to matters concerning landscaping, public realm, ecology and biodiversity.

## **HERITAGE**

- 7.371 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on decision-makers, when considering to grant planning permission for development which would affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess. S72(1) of the Act places a similar duty and requires that in the exercise of planning functions, with respect to any buildings or other land in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.372 The NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the NPPF emphasises that great weight should be given to the conservation of designated heritage assets (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. Similarly paragraphs 200-204 of the NPPF sends comparable messages, however, emphasises that where a proposed development will lead to specifically substantial harm to (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.373 Policy HC1 of the London Plan requires amongst other things, development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy HC2 of the London Plan requires amongst other things, that development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value (OUV), including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their OUV, or the authenticity and integrity of their attributes.
- 7.374 At the local level in Policy S.DH3 of the Local Plan requires proposals to preserve or, where appropriate, enhance the Borough's designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough's 24 places. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.
- 7.375 As highlighted earlier in this report, the application boundary does not contain any listed buildings and neither does the site fall within a Conservation Area. The submitted TVIA has undertaken an assessment of the effects of the proposed development on the significance of a number of built heritage receptors, namely above-ground designated and non-designated heritage assets. The heritage receptors identified within the wider vicinity of the site are indicated in the diagram below.



**Figure 59:** Heritage Receptors Identified in Environmental Statement

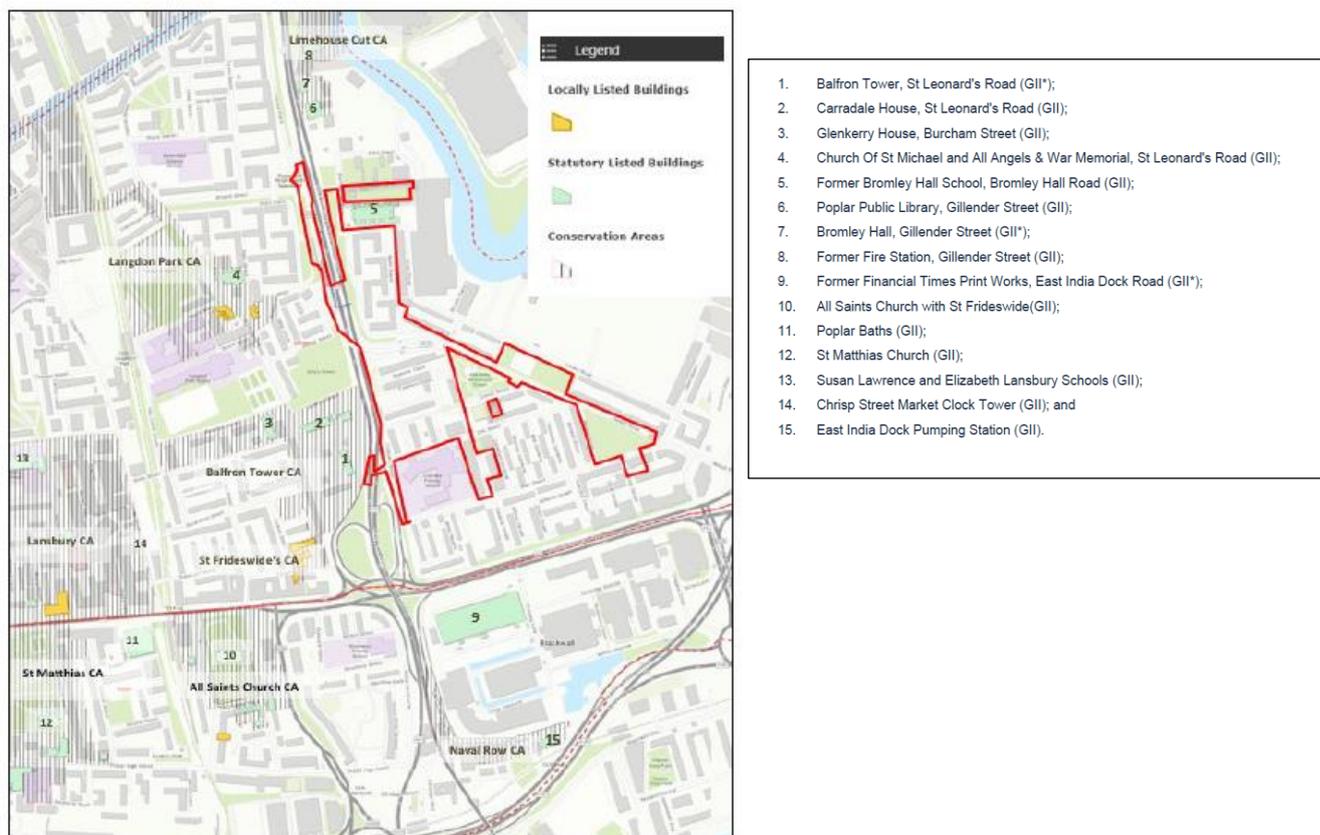
### Conservation Areas and Listed Buildings

7.376 The site is surrounded by a number of Conservation Areas (9 in total) within the wider context. These are listed below with Langdon Park Conservation Area, Balfour Tower Conservation Area, St Frideswide's Conservation Area and Limehouse Cut Conservation Area the closest to the application site:

- All Saints Church, Poplar Conservation Area
- Balfour Tower Conservation Area
- Langdon Park Conservation Area
- Lansbury Conservation Area
- Limehouse Cut Conservation Area
- Naval Row Conservation Area
- St Frideswide's Conservation Area
- St Matthias Church, Poplar Conservation Area
- Three Mills Conservation Area

7.377 All of the above Conservation Areas are identified within the Environmental Statement (ES) as having a medium sensitivity to change. In terms of listed buildings, the ES has considered a total of 36 individual or groups of heritage receptors. Appendix 8 to this report presents a tabulated list of Conservation Areas considered along with their associated designated and non-designated receptors. Any receptors not located within a Conservation Area are listed separately at the end of the table. The table presents the effects of the development on each receptor following completion of the development.

7.378 The diagram below identifies those heritage receptors located c.500m radius from the centre of the site.



**Figure 60:** Nearby Conservation Areas and Listed Buildings within c.500m

- 7.379 The Built Heritage Assessment of the ES report that the proposed development is of a considerable scale and density that may change the setting of heritage assets in the vicinity of the site by virtue of visibility and presence. The ES reports that the proposed development will provide a highly positive visual marker at a key point in the locality. It will enhance the legibility of Aberfeldy Neighbourhood Centre in the broader urban context and assist in placemaking. It's design breaks down the overall volume of accommodation in a way that responds to the circumstances of the site and the heritage sensitivities of its surroundings.
- 7.380 Heritage receptors identified will be subject to a range of permanent, indirect impacts, the effect of which will vary considerably depending on the distance from the proposed development and the sensitivity of the asset to change. For the surrounding Conservation Areas, the ES reports that there will be changes to distant views from within some limited parts of these areas, but this will have a negligible effect as to how the Conservation Areas are experienced. Designed to sit within an urban landscape of competing architectural expression, the individual heritage receptors (listed and locally listed buildings and other non-designated heritage receptors) are robust when it comes to absorbing change, and therefore a change in their setting which introduces new built form into the surrounding environment is not enough of a change to diminish their special interest as expressed through their architectural or historical significance.
- 7.381 The ES reports that due to the extended nature of the search area of up to 1500m from the centre of the proposed development, the majority of the identified designated heritage assets would not be affected during the completed development stage due to their distance from the site and the intervening built townscape. Commonly, the tallest elements of the site would be seen in distant views looking away from the receptor. The overall effect of the completed development on all the heritage receptors assessed would be medium term, temporary, indirect, and range from Minor-Beneficial to Negligible/None-Neutral and none of the effects ascribed are Significant.

7.382 A more detailed assessment has been provided on the following receptors due to either their highly graded status (Grade II\*) or being exceptionally close to the site.

*Balfron Tower (Grade II\*), Carradale House (Grade II), Glenkerry House (Grade II) and the Balfron Tower Conservation Area.*

7.383 Although these heritage assets are within close proximity of the development, the ES reports that the self-contained nature of the Conservation Area and the listed buildings within it means that their setting and significance will be largely unaffected by the proposed development. The absence of a meaningful, designed, fortuitous, desirable or even an inoffensive context for Balfron Tower means that development in its setting is an opportunity for enhancement rather than a risk of harm to its significance. There is little beyond the Brownfield estate boundaries (with the exception of Trellick Tower in North Kensington) that has any specific relationship to Balfron's heritage significance. The assessment finds that the opportunity lies in designing development so as to respond to Balfron's significance and to create connections with Balfron from its hinterland. The ES concludes that the effect upon heritage significance will be permanent, indirect and Negligible/Non-Neutral.

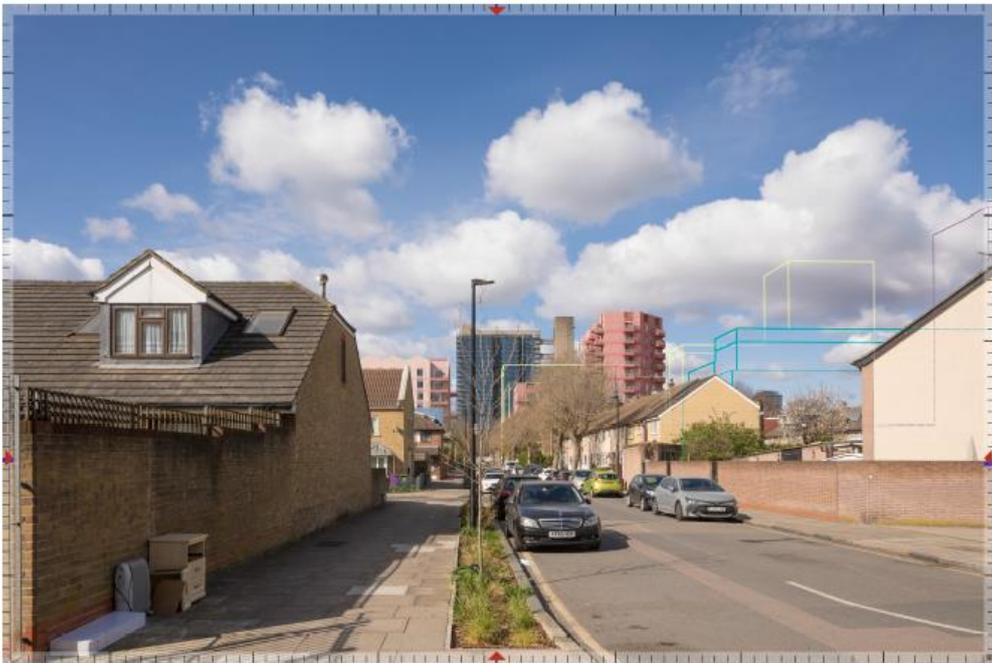
7.384 The impact of the proposal on Balfron Tower can be seen in TVIA View 31 (Dee Street/Abbott Road) as shown below. This view looks south-west towards Dee Street's junction with Aberfeldy Street. A noticeable aspect of the existing view is the contrast between the low scale residential buildings of the late 20<sup>th</sup> century Aberfeldy Estate seen in the foreground and the middle ground and the post-war Grade II\* listed Balfron Tower which forms a striking termination to the view. The ES highlights that this is not a designated view and the fact that one's eye is drawn to the tower is also partly a reflection of the unremarkable townscape quality of this part of Dee Street and thus identifies this view to have low to medium sensitivity.



**Figure 61:** TVIA View 31 Dee Street/Abbott Road existing

7.385 The proposed view can be seen below which identifies the buildings of Phase A are shown rendered in this view whilst the Outline parts of the development are showing in wireline form in purple, yellow and turquoise referencing Phases B-D respectively. The Outline buildings are visible on the right half of the image. The ES reports that in this view, Balfron Tower will continue to hold its own as a commanding post-war landmark, its distinctive silhouette remaining clearly discernible. It will continue to act as a draw along Dee Street, though it will now be seen in the context of characterful, high quality modern buildings on the site. These will increase the sense

that there is more to experience and appreciate as one moves west; and that approach along this street will be richer for the presence of thoughtfully designed street-scale apartment buildings and terraced development seen lying within Phase A, at the junction of Dee Street and Aberfeldy Street/High Street. They will signal the location of a revitalised neighbourhood centre and community focus around the Town Square at this junction.



**Figure 62:** TVIA View 31 Dee Street/Abbott Road Proposed

- 7.386 The ES concludes that the change would be of Medium to High magnitude to a view of Low to Medium sensitivity. The significance of effect would be Moderate (Significant) and Beneficial.
- 7.387 TVIA View 32 presents a second viewpoint from Dee Street which is closer to Balfour Tower taken from just east of the junction of Dee Street with Aberfeldy Street. The townscape in this view is more urban in character with buildings of different scales and uses including the St Nicholas Church; a post-war church on the corner with Aberfeldy Street. The ES notes that one notable influence on the viewer's experience of Balfour Tower on the approach from the east is the effect of trees which are bare during the winter months which allows a mostly uninterrupted view of Balfour Tower. For the rest of the year, trees in leaf affect the visibility of the tower as one moves along the street.
- 7.388 In the proposed view, the ES reports that at this point along Dee Street, there will be an awareness that one has come to a point of local significance within the Aberfeldy Estate; the Neighbourhood Centre. The scale, form, expression and uses accommodated within the Phase A buildings in this view will be commensurate with their roles in serving the local community and this important and focal point on the estate. On the left side of the view the corner of building H1 on the High Street can be seen and on the right side, beyond the trees the 'marker' building F1 can be seen stepping down in height to define the Town Square. The yellow outline shown in right of building F indicates a building lying within Phase C of the masterplan. It is seen to rise to a similar apparent height as the lower arm of Building F.



**Figure 63:** TVIA View 32 Dee Street/Abbott Road Proposed

- 7.389 The view of the service tower of Balfron Tower will be largely blocked from this particular viewpoint however the ES reports that the inviting nature of the buildings within the proposed development with their distinctive design and materiality, activated ground floor uses and relationship with the new Town Square will encourage one to continue along the street where views of the listed building will open up again. At that point the assessment finds that one will become aware of the improved Dee Street underpass at the A12 that will invite users to continue their journey westwards into the Balfron Tower Conservation Area and Chrisp Street beyond. The ES concludes that this would be a change of High magnitude to a view of Medium sensitivity and the significance of effect would be Moderate to Major (Significant) and Beneficial.

*East India Dock House, former Financial Times Print Works (Grade II\*)*

- 7.390 This receptor lies c.160m to the south of the boundary of the proposed development however it is separated from the main body of proposed development by the A13 and the low-rise Athol Square residential development and its setting at the merging of several extremely busy dual carriageways (A12, A13, A102 and underpasses and overpasses) means that the proposed development will have no effect upon it. The heritage receptor will still be experienced in the same way in views when travelling along these roads. The effect upon its heritage significance will be permanent, indirect, Negligible/None-Neutral.

*Bromley Hall (Grade II\*)*

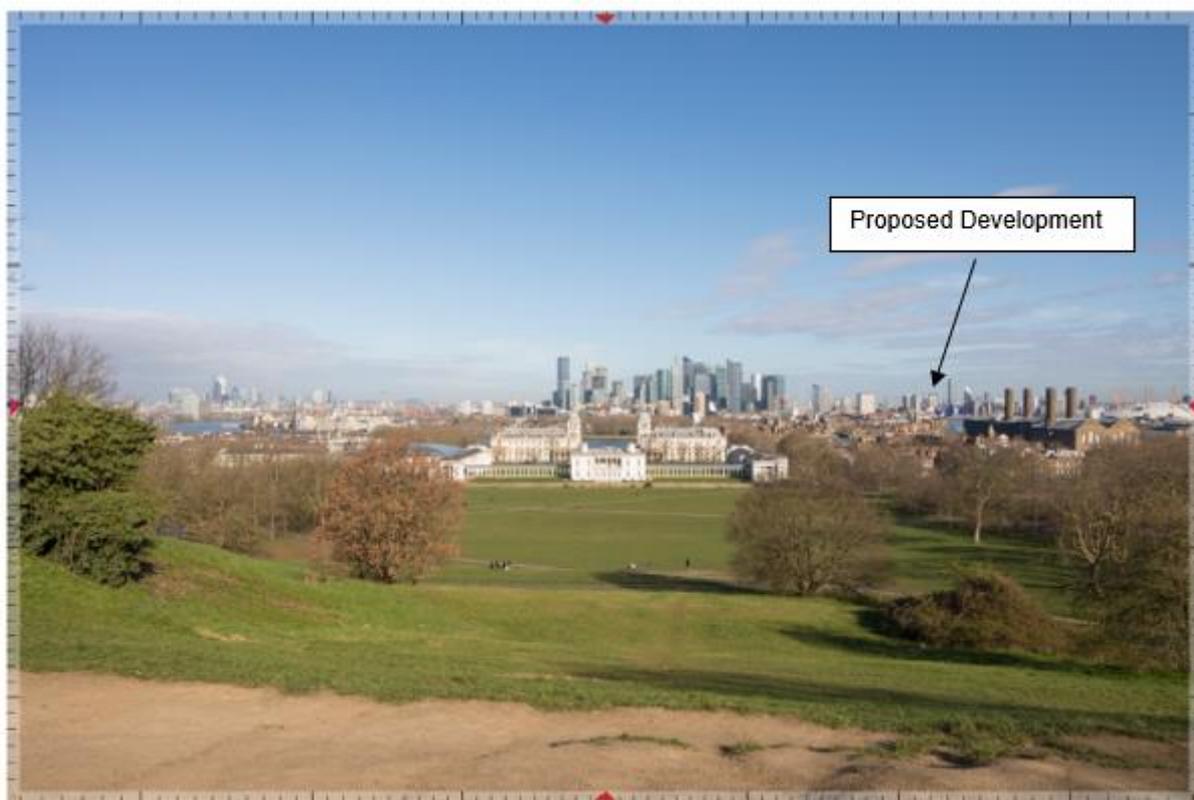
- 7.391 Bromley Hall lies c.180m to the north of the closest part of the site boundary. Its setting is heavily compromised by the proximity of the A12 which is a wholly negative factor in its setting and detracts from its significance. The already heavily compromised setting of Bromley Hall will not be directly affected by the proposed development. The tallest elements of the proposed development will be seen c.500m away in views south along the A12 and in views looking across the A12 towards the site however as the receptor's significance does not rely upon no change occurring in its setting, the ES ascribes the effects to be permanent, indirect, Negligible/None-Neutral.

### *Bromley Hall School (Grade II)*

- 7.392 Due to the location of this receptor near the proposed development, its immediate setting will be very clearly changed. The former school is located within the northern extent of the proposed development but does not form part of the scheme. New buildings of up to 13-storeys will be erected on the south side of the school and low rise up to 7 storeys on its north side. The assessment describes that the heritage significance of the school does not rely on its settings but lies in its architectural quality and meticulously planned spaces. Therefore, what is important to its significance will not be altered by introducing new built form into its vicinity. The assessment considers that its present setting amongst abandoned brownfield sites is a wholly negative factor in its setting and detracts from its significance. The ES therefore concludes that the effect of the proposed development, which has been carefully designed to respect the low-rise nature of the school, will vastly improve its setting by enlivening its surroundings and allowing it to sit within a vibrant, active community and as such effects are ascribed to be permanent, indirect, Minor Beneficial. It should be noted however, that Temple Group who reviewed on behalf of the Council disagrees that the proposed development will enhance the significance of Bromley Hall School as expressed through its distinctive architectural form which reflects the local industrial vernacular and considers the change to its significance is more likely to be None, Negligible Adverse or Minor Adverse.

### **Strategic Views and World Heritage Sites**

- 7.393 Policy HC3 of the London Plan confirms the Mayor's of London's list of designated Strategic Views that will be kept under review. These views are categorized as follows; London Panoramas, River Prospects and Townscape Views. The policy requires that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 of the London Plan states development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. The London View Management Framework SPD provides further guidance on the management of views designated in the London Plan.
- 7.394 At the local level, Policy S.DH5 of the Local Plan requires developments to ensure that it safeguards and does not have a detrimental impact upon the OUV of the UNESCO world heritage sites: The Tower of London and Maritime Greenwich, including their settings and buffer zones. Proposals affecting the wider setting of the Tower of London and Maritime Greenwich or those impinging upon strategic or other significant views to or from these sites will be required to demonstrate how they will conserve and enhance the outstanding universal value of the world heritage sites. Policy D.DH4 requires development to demonstrate amongst other things, how it complies with the requirements of the London View Management Framework (LVMF) and World Heritage Site Management Plans (Tower of London and Maritime Greenwich).
- 7.395 The TVIA includes the assessment of only one LVMF View: LVMF View 5A.1 (Panorama) – Greenwich Park Wolfe Statue. This view is identified as View 24 in the TVIA and lies approximately 3.9km from the site and is also located within the Maritime Greenwich World Heritage Site and the Greenwich Park Conservation Area. This is a panoramic view including several points of interest. The open green space of Greenwich Park dominates the foreground, sloping down to the Grade I listed Queen's House, which is also a scheduled monument, and Grade I listed Royal Naval College in the middle distance. The River Thames lies beyond,, creating a significant sense of separation between the buildings of the Maritime Greenwich WHS and the Isle of Dogs beyond.
- 7.396 The existing cluster of tall buildings on the Isle of Dogs is highly prominent in the distance. The cluster centres on One Canada Square, with the South Quay Plaza scheme appearing in front of part of it. In general, the apparent heights of buildings reduce as they are located further away from One Canada Square, with exceptions such as the Landmark Pinnacle building. The right side of the view takes in other tall buildings in the distance. They include those lying within the New Providence Wharf development at Blackwall.



**Figure 64:** TVIA 24/LVMF View 5A.1 Greenwich Park Wolfe Statue Proposed

- 7.397 In this proposed view, the development would appear in the distance, beyond the towers of New Providence Wharf. The visible parts of the proposed development (the upper levels of towers in Phases B and C, indicated by purple and yellow outlines respectively) would have a minor visual presence in this view; they would not be especially noticeable at this distance from the site. This would be a change of Very Low magnitude to a view of Medium to High sensitivity. The ES ascribes the significance of effect to be Minor/Negligible (Not Significant) and Neutral.
- 7.398 Overall, the TVIA demonstrates that the proposal would have limited to no impact on the identified strategic view and the Maritime Greenwich WHS and as such this is considered to be acceptable. There are no implications on the Tower of London World Heritage Site and thus an assessment on this WHS has not been included in the ES.

### **Archaeology**

- 7.399 Policy S.DH3 of the Local Plan requires developments that lies in or adjacent to an archaeological priority area to include an arachnological evaluation report and will require any nationally important remains to be preserved permanently in situ.
- 7.400 The site lies within Lea Valley Archaeological Priority Area (Tier 3) which has a known potential for remains of medium or high significance to be present.
- 7.401 The archaeological assessment has considered the potential effects resulting from the demolition and construction of the proposed development on buried archaeological remains. Impacts to buried archaeological remains that may be present underneath the site are limited to the demolition and construction phase works. Resulting effects will be permanent and would extend across the area of the site where excavation works occurs and where archaeology remains are present. Most effects may be mitigated by a programme of archaeological site investigations, prior to below ground demolition or construction works taking place, along with the potential publication of the results.
- 7.402 The ES advises however, that following the implementation of a programme of mitigation approved by the Greater London Archaeological Advisory Service (GLAAS), there would remain

significant residual effects from the proposed piling and basement construction for extensive strata of peat or other organic materials and evidence of prehistoric occupation and prehistoric cut features, revetments etc. The residual effects on all other receptors once mitigation has been implemented, would result in an adverse effect that this Not Significant.

- 7.403 GLAAS in their consultation response to the planning application advises that the site lies in a potentially highly productive and well-preserved riverside landscape and includes buried gravel islands which would have been prominent dry spots along the Lea, making them attractive to human habitation. Waterlogged deposits connected with prehistoric and later activity can be expected. GLAAS have expressed no objections to the proposal subject to conditions which would secure a detailed pre-development geoarchaeological modelling, a stage of trial trenching, any appropriate wide area investigations and a programme of public heritage outreach and presentation in the final scheme. GLAAS's suggested conditions will be imposed on the planning consent.

#### Conclusions on Heritage

- 7.404 Officers have considered the submitted Built Heritage Assessment and Townscape Visual Impact Assessment (TVIA) and Chapter 11 of the ES (Archaeology) and the conclusions drawn and agree with the findings of the Built Heritage Assessment, TVIA and ES that the proposed development would not result in harm to heritage assets assessed.
- 7.405 The ES has considered the Maritime Greenwich World Heritage Site, 9 nearby Conservation Areas, 36 groups and/or individual listed buildings, locally listed and non-designated heritage assets and 1 LVMF view and in all instances Officers concur with the assessment that the proposal would not have a detrimental impact on any of the affected heritage receptors. In addition, any potential harm to archaeological assets would be minimised through appropriately worded condition(s) should planning permission be granted.
- 7.406 It is noted that the GLA in their detailed Stage 1 response considered that there would be visual impact of the setting of Balfron Tower and the Balfron Tower Conservation Area based on TVIA Views 1 (South of East India Dock Road), 13 and 31 and consider that less than substantial harm would be caused by the development to the significance of these three heritage assets arising from the visual impact resulting from the height and massing of the scheme. The GLA requires that this harm must be given due weight and importance in the planning decision making process and must be outweighed by the public benefits associated with the proposal.
- 7.407 Officers have reviewed the aforementioned views with Place Shaping Officers who have advised that they do not agree that less than substantial harm will be caused to the above heritage assets. Officers agree that in View 31 impact would be caused however this impact is not deemed to be harmful and have been discussed earlier in this report as has View 13. In terms of View 1 (Appendix 9), the ES reports that the buildings within the Outline phase of the development (Phases B and C) will step up in height in a coordinated manner to the new local node at Highland Place which will provide access to the repurposed vehicular underpass that provides a new strategically important east-west connection. The proposed buildings are seen to step down in height towards the north and the proposed development will strengthen the sense of arrival at Highland Place. In addition, the proposal will be seen as a layered composition of buildings that step up progressively in height towards Balfron Tower which will maintain its pre-eminence as the borough landmark in this view, the proposed buildings playing a supporting role as a high quality, characterful development that is seen to enhance the local townscape setting of this robust post-war tower. Officers therefore concur with the conclusion of the ES that this would be a change of medium to High Magnitude to a view of Low to Medium sensitivity and the significance of effect would be Moderate (Significant) and Beneficial.
- 7.408 Overall, Officers consider that in this instance there is no requirement to balance the public benefits of the proposal against any identified material harm on heritage assets. The scheme has been carefully designed to ensure that it would have no adverse effects on the significance of heritage receptors analysed as a result of change in their setting. The high quality design, scale and massing of the development would be visible in relation to the setting of listed buildings and views looking out of Conservation Areas however, the proposal is not considered to cause

harm to or detract from the significance of heritage assets identified or the ability to appreciate them.

- 7.409 In reaching this conclusion, Officers have paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular Listed Buildings in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have also paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas and the World Heritage Sites identified above in accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

### **AMENITY**

- 7.410 Paragraph 130 of the NPPF details that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users,...'. Paragraph 185 of the NPPF outlines that development proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.
- 7.411 Policy D3 of the London Plan requires development proposals to amongst other things, deliver appropriate outlook, privacy and amenity and help prevent or mitigate the impacts of noise and poor air quality. Policy D14 of the London Plan requires development proposals to amongst other things, avoid significant adverse noise impacts on health and quality of life.
- 7.412 At the local level, Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight conditions of surrounding development. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space, private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

### **Daylight and Sunlight**

- 7.413 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.414 For calculating daylight to neighbouring properties affected by the proposed development, the BRE contains two tests which measure diffuse daylight (light received from the sun which has been diffused through the sky). These tests measure whether buildings maintain most of the daylight they currently received.

Test 1 is the vertical sky component (VSC) which is the percentage of the sky visible from the centre of a window.

Test 2 is the No Sky Line (NSL)/Daylight Distribution (DD) assessment which measures the distribution of daylight at the 'working plane' within a room where internal room layouts are known or can be reasonably assumed.

- 7.415 In addition, Average Daylight Factor (ADF) is sometimes considered an appropriate metric. This method of assessment for daylight is ordinarily applied to new developments rather than existing neighbouring buildings unless the internal subdivision of the properties is known; whereby the ADF may be used to determine the light potential daylight availability. The submitted Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare Assessment that forms Chapter 14 of the Environmental Statement (ES) identifies that where the internal subdivisions of rooms within the surrounding sensitive receptors are known (Ailsa Wharf, Former Poplar Bus Depot, Islay Wharf and 45-47 Abbott Road), the ADF method of assessment has been used as a supplementary assessment for these receptors.

- 7.416 In respect of VSC, daylight may be adversely affected if after a development the VSC measured at the centre of an existing main window is both less than 27% and less than 0.8 times its former value. The assessment is calculated from the centre of a window on the outward face and measures the amount of light available on a vertical wall or window following the introduction of visible barriers, such as buildings.
- 7.417 In terms of the NSL calculation, daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. The 'working plane is a horizontal plane 0.85m above the Finished Floor Level for residential properties.
- 7.418 The BRE guidance requires that sunlight tests should be applied to windows of main habitable rooms of neighbouring properties within 90° of due south. Sunlight availability may be adversely affected if the centre of the window receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between 21 September and 21 March, receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
- 7.419 The submitted daylight/sunlight assessment identifies significance criteria against the assessment results. The following significance criteria has been used to determine the nature and scale of effect to the identified receptors in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.

Scale of Effect	Daylight/Sunlight Criteria
Negligible	0-19.9% Alteration
Minor	20-29.9% Alteration
Moderate	30-39.9% Alteration
Major	≥ 40% Alteration

**Table 21:** Significance of Effects Criteria for Daylight/Sunlight.

- 7.420 It should be noted that the assessment identifies that where retained VSC levels are  $\geq 27\%$  (greater than or equal to) and the NSL levels are  $>80\%$  (greater than), the effects are considered negligible regardless of the alteration from the baseline. 'Moderate' or 'Major' effects are deemed to be 'Significant' and 'Minor' or 'Negligible' effects are considered to be 'Not Significant'.
- 7.421 The daylight and sunlight assessment within the ES identifies 34 surrounding sensitive receptors which totals to 42 buildings (including 3 future sensitive receptors). A total of 2699 windows serving 1470 habitable rooms were assessed for daylight and 1352 windows serving 895 rooms were assessed for sunlight.
- 7.422 The assessment highlights that for existing daylight baseline conditions, 1197 (44.3%) of the 2699 windows assessed for VSC and 1257 (85.5%) of the 1470 rooms assessed for NSL meet BRE guidelines criteria for daylight of 27% VSC and 80% NSL. For existing sunlight baseline conditions, 975 (72.1%) of the 1352 windows assessed would meet the BRE guidelines criteria of 25% total APSH.
- 7.423 The following daylight and sunlight receptors have been assessed and are identified in figure 65 below.
1. Carradale House
  2. Balfron Tower
  3. Culloden Primary School

4. Aberfeldy Estate Phase 3 – Block J
5. Aberfeldy Estate Phase 3 – Block G
6. Aberfeldy Estate Phase 2 – Block D
7. Aberfeldy Estate Phase 1 – Block A
8. Aberfeldy Estate Phase 1 – Block C
9. 49067 Abbott Road
10. 9-15 Wooster Gardens
11. 2-12 Lansbury Gardens
12. 1-7 Wooster Gardens
13. Loren Apartments (Aberfeldy Tavern)
14. Sherman House
15. St. Nicholas Church
16. 177-195 Abbot Road
17. 134-144 Leven Road
18. 128-132 Leven Road
19. 199-225 Abbott Road
20. 110-126 Leven Road
21. Devons Wharf
22. Leven Road Phase 3
23. Atelier Court
24. Bromley Hall School
25. Ailsa Wharf Block A
26. Ailsa Wharf Block D
27. Ailsa Wharf Blocks K-L
28. 2-14 & 16-46 Dewberry Street
29. 4, 6-14, 1-15, 17-33 & 35-41 Joshua Street
30. 1-9, 2-10, 9-15, 12-20, 17-25 Mills Grove
31. 118-132, 134-146, 148-154 St Leonards Road



**Figure 65:** Plan view of neighbouring receptors (buildings) in relation to the proposal.

## Future Sensitive Receptors

- 32. Former Bus Depot
- 33. Islay Wharf
- 34. 45-47 Abbott Road



**Figure 66:** Plan view of future sensitive receptors in relation to the proposal.

### Daylight:

7.424 The daylight assessment finds that of the 2699 windows assessed for VSC, 1776 (65.8%) would meet BRE criteria and of the 1470 rooms assessed for NSL, 1277 (86.8%) would meet BRE criteria. Of the 42 buildings assessed the following receptors meet BRE criteria for both VSC and NSL and would experience little to no impact (less than 20% alteration) or retain values in line with BRE criteria and would therefore experience Negligible (Not Significant) effect following completion of the development:

- 134-144 Leven Road
- 49-67 Abbott Road; and
- Aberfeldy Estate Phase One Block A

7.425 The ES reports that the following receptors experience effects ranging from Negligible to Minor Adverse (Not Significant).

- 128-132 Leven Road
- Aberfeldy Estate Phase Three Block G
- Ailsa Wharf Block A
- Ailsa Wharf Blocks K L

- Balfron Tower
- Bromley Hall School
- Dewberry Street 16-46
- Dewberry Street 2-14
- Joshua Street 1-15
- Joshua Street 17-33
- Joshua Street 35-41
- Joshua Street 4
- Joshua Street 6-14
- Mills Grove 1-9
- Mills Grove 12-20
- Mills Grove 17-25
- Mills Grove 2-10
- Mills Grove 9-15
- St Leonards Road 118-132
- St Leonards Road 134-146
- St Leonards Road 148-154
- Wooster Gardens 1-7
- Wooster Gardens 9-15

7.426 The remaining receptors have all identified to have Significant effects are considered further below:

110 – 126 Leven Road

7.427 This receptor comprises a terrace of 2-storey dwellings located east of the site and the rear gardens of which face towards the proposed development. A total of 95 windows serving 36 rooms were assessed for daylight within these buildings. Of these 36 rooms, 3 would meet BRE's criteria for both VSC and NSL and as such experience a Negligible effect. For VSC, 42 (44.2%) of the 95 windows assessed would meet BRE criteria with rooms experiencing a Negligible effect.

7.428 Of the 53 (55.8%) affected windows, 21 windows would experience an alteration in VSC between 20-29.9% which is considered a Minor Adverse effect and 24 windows would experience a VSC alteration of between 30-39.9%, which is considered a Moderate Adverse effect. The remaining 8 windows would experience a reduction in excess of 40%, which is considered a Major Adverse effect.

7.429 A total of 21 of the affected windows serve bedrooms on the second storey, which may be considered less important in the consideration of daylight. The bedroom windows would however retain 12-23.9% VSC. 16 affected windows serve 8 ground floor kitchens (2 windows per kitchen). Four kitchen windows serving 110-116 Leven Road would see moderate to major impacts in VSC, owing to their view of the tower (Building B3), retaining VSC levels of between 10.9-14.7%. The assessment reports that these windows are set back from the rear building line and thereby inherently obstructed. However, these 4 windows are supplemented by a second window which whilst impacted, would retain VSC levels of 18.7%-22.1%. The remaining 8 kitchen windows, which serve 4 kitchens, retain between 15.5-23.9% VSC.

7.430 The remaining 16 affected windows serve ground floor living rooms or assumed living-kitchen-diners (LKDs). These windows would experience minor to moderate impacts, retaining levels of VSC ranging between 17.1-24%. Additionally, all the living rooms/LKDs are served by at least one other window located on the front elevation, which is not significantly impacted by the proposed development, retaining VSC levels in excess of 24%.

7.431 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.432 Overall, owing to the number of affected windows being primarily bedrooms, the assessment reports that with the exception of 3 bedrooms which retain low-teen levels of VSC, the bedrooms are considered to retain good levels of light. The levels of VSC retained at the 8 impacted kitchens

may be considered acceptable when taking account of the retained levels of VSC at both windows per kitchen. Of the affected living rooms/LKD windows, the retained levels of VSC may be considered acceptable and moreover, each of the rooms are served by a mitigating window at the front of the property. The ES therefore ascribes the effect to this building as being **Moderate Adverse (Significant)**.

#### 177-195 Abbott Road

- 7.433 This set of properties comprises a terrace of predominantly 2-3 storey dwellings located east of the site. The front of these dwellings face towards the proposed development. A total of 85 windows serving 48 rooms were assessed for daylight within this terrace. Of these 48 rooms, 22 would meet BRE's criteria for both VSC and NSL and as such experience a Negligible effect. For VSC, 54 (63.5%) of the 85 windows assessed would meet BRE's criteria and would experience a Negligible effect.
- 7.434 Of the 31 (36.4%) affected windows, 15 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect, whilst 12 would experience a reduction of between 30-39.9%, which is considered a Moderate Adverse effect. The remaining 4 windows would experience a reduction in excess of 40% which is considered to be a Major Adverse effect.
- 7.435 A total of 22 affected windows serve bedrooms located on the second storey and are considered less important in the consideration of daylight by BRE guidelines. These bedrooms would, however, retain VSC levels of between 15.9-23.4%. A further 3 affected windows serve ground floor kitchens. One of these kitchen window at 195 Abbott Road, which is closest to the proposed development would see a Major Adverse impact, retaining 17.5% VSC. The 2 other kitchen windows would see Minor Adverse impact, retaining 21.8-23.1% VSC.
- 7.436 The remaining 6 affected windows serve living rooms located at ground level and of which 1 window retains 15.5% VSC and is located on the north west facing flank wall. However, this living room is served by 2 further windows which remain unaffected by the proposed development. The remaining 5 affected living room windows are located at ground floor level and retain 18-26.7% VSC levels and serve dual aspect living rooms which also have 2 additional windows not affected by the proposed development.
- 7.437 In terms of NSL, 43 (89.6%) of the 48 rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect. Of the 5 affected rooms, 2 would experience a reduction in NSL of between 20-29.9% which is considered a Minor Adverse effect and 2 would experience a reduction in NSL of between 30-39.9% which is considered a Moderate Adverse effect. The remaining room would experience a reduction in excess of 40% which is considered to be a Major Adverse effect. Of the affected rooms, 3 are bedroom located beneath overhanging eaves which exacerbate the impact by cutting out a view of the top of the sky, however bedrooms are considered to be less important by BRE in the consideration of daylight. 1 room is the affected kitchen at 195 Abbott Road which would see a Moderate Adverse reduction however would retain 57.9% NSL. The last affected room is a living room, which experiences a reduction only marginally beyond BRE criteria and is not affected in relation to VSC.
- 7.438 Overall, owing to the number of affected windows predominantly being bedrooms, and the retained levels of daylight in the affected kitchen windows (above 20%) and only 1 window (at 195 Abbott Road) experiencing significant impact, the ES ascribes the effect to this terrace as being **Minor to Moderate Adverse (Significant)**.

#### 199-225 Abbott Road

- 7.439 This set of properties comprises a terrace of 2-storey dwellings that faces towards the proposed development. A total of 179 windows serving 90 rooms were assessed for daylight within this terrace. Of these 90 rooms, 57 rooms would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 100 (55.9%) of the 179 windows assessed would meet BRE's criteria and therefore would experience a Negligible effect.

- 7.440 Of the 79 (44.1%) affected windows, all would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect and 12 would experience a reduction of 30-39.9% which is considered a Moderate Adverse effect. The remaining 64 windows would experience a reduction in excess of 40% which is considered a Major Adverse effect.
- 7.441 All but one of the 79 affected windows serve bedrooms which are considered to be less important by BRE guidelines in the consideration of daylight. These windows are located on both ground level (served by bay windows) and first floor level, served by windows which are located beneath overhanging architectural features which obstruct daylight availability. The remaining window serves a LKD and is located on the north western flank wall of 225 Abbott Road, therefore directly facing the proposed development at close proximity. However, this living room is served by a second window at the rear of the property, which is unaffected, receiving 23.5% VSC and therefore the assessment reports that this room remains well-lit overall.
- 7.442 In terms of NSL, 88 (97.8%) of the 90 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 2 affected rooms, both would experience a reduction in NSL of between 30-39.9% which is considered a Moderate Adverse effect. However, both rooms are bedrooms, which retain 59-61% NSL.
- 7.443 Overall, the assessment concludes that the majority of affected are bedrooms which are obstructed in the baseline condition or are served by bay windows. Whilst significant impacts occur, bedrooms are considered less sensitive to daylight alterations by BRE guidelines. The assessment confirms that the impacted living room window would remain well daylighted overall, despite seeing a reduction in VSC. The ES ascribes the affect to this building as being **Moderate to Major Adverse (Significant)**.

*Aberfeldy Estate Phase One Block C*

- 7.444 The assessment identifies that 6-storeys in this block which is located south-east of the site have been considered for assessment. A total of 98 windows serving 61 rooms were assessed for daylight within this building. Of these 61 rooms, 15 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 51 (52%) of the 98 windows assessed would meet BRE's criteria and therefore would experience a Negligible effect.
- 7.445 Of the 47 (48%) affected windows, 13 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect and 5 would experience a reduction of 30-39.9% which is considered a Moderate Adverse effect. The remaining 29 windows would experience a reduction in excess of 40% which is considered a Major Adverse effect.
- 7.446 A total of 20 affected windows serve bedrooms and 4 of these windows are situated beneath recessed balconies and therefore receive very low levels of VSC (below 2.5%) in the baseline condition. As such the assessment reports that the percentage alteration is disproportionate to what the occupant would perceive. The remaining 16 windows would retain 10-20.7% VSC however as bedrooms, they may be considered less sensitive to daylight alterations under BRE guidelines. A further 5 affected windows serve kitchens of which 2 serving one kitchen are located on the west facing flank wall overlooking the proposed development and each retaining 9.9-11.9% VSC whilst the remaining 3 kitchen windows are inset into the corner of the 2<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> storey of the block, retaining 11.4, 16.5 and 20.5% VSC respectively.
- 7.447 The remaining affected 21 LKDs and 1 living room window are located on the ground to 4<sup>th</sup> storey. The majority of these windows (17) are located beneath recesses and therefore the assessment reports that these are inherently obstructed as demonstrated by their low baseline values ranging from 0.1-6.7% VSC. On this basis, the assessment reports that the moderate to major alterations are disproportionate to what the occupants would likely to perceive. The remaining 4 LKD/Living Room windows would retain 7.6-13.7% VSC, however these windows are located on the ground level which can expect to receive lower levels of light. All 5 of these windows also serve four LKDs and a living room which has another window not affected by the proposed development.
- 7.448 For NSL, 46 (75.4%) of the 61 rooms assessed would meet BRE's criteria and therefore considered to experience a Negligible effect. Of the 15 (24.6%) affected rooms, 8 would

experience a reduction in NSL of between 20-29.9% which is considered a Minor Adverse effect, 4 would experience a reduction in NSL of between 30-39.9%, which would be a Moderate Adverse effect and the remaining 3 rooms would experience a reduction in excess of 40% which is considered a Major Adverse effect. A total of 6 of these affected rooms are bedrooms, which are considered to be less important by BRE guidelines in the consideration of daylight and the remaining 9 rooms are LKDs of which 8 are situated beneath recessed balconies and therefore inherently limited in terms of sky visibility in the baseline scenario. These rooms would retain 14.9-53% NSL and the 1 LKD not situated beneath a recessed balcony would continue to receive 65% NSL.

- 7.449 Overall, owing to the number of affected windows primarily being bedrooms, with the majority of impacted LKDs being situated beneath recessed balconies the ES ascribes the effect to this receptor as being **Minor to Moderate Adverse (Significant)**.

*Aberfeldy Estate Phase Three Block J*

- 7.450 The assessment identifies that 5-storeys in this block which is located south of the site have been considered for assessment. Windows and rooms on the north facing elevations overlook the proposed development. A total of 111 windows serving 56 rooms were assessed for daylight within this building. Of these 56 rooms, 22 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 74 (66.7%) of the 111 windows assessed would meet BRE's criteria and therefore would experience a Negligible effect.

- 7.451 Of the 37 (33.3%) affected windows, 11 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect and 10 would experience a reduction of 30-39.9% which is considered a Moderate Adverse effect. The remaining 16 windows would experience a reduction in excess of 40% which is considered a Major Adverse effect.

- 7.452 A total of 17 affected windows serve bedrooms, of which 2 are on the ground floor and retain 25-26% VSC. The remaining 15 bedroom windows are located beneath recessed balconies, thereby seeing lower levels of VSC in the baseline condition (13-14%) and exacerbating the reduction. These windows would retain 3.5-7.8% VSC however bedrooms may be considered less sensitive to daylight alterations. The remaining 20 affected windows serve LKDs, 7 of which would retain 23-26% VSC and are considered to remain well daylit. The remaining 13 LKD windows are situated beneath recessed balconies and therefore have lower levels of VSC in the baseline scenario with VSC levels of 6-7%. However, each of these LKDs are served by a secondary window which is not perceptibly affected by the proposed development and as such these rooms will remain well daylit overall.

- 7.453 In terms of NSL, all rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect.

- 7.454 Overall, owing to the number of affected windows serving bedrooms the majority of which are situated beneath a recessed balcony and affected LKDs remaining well daylit by virtue of a secondary window, the ES ascribes the impact to this building as being **Minor to Moderate Adverse (Significant)** Impact. The ES concludes that the impacts of the proposed development would be no worse than those which would occur as a result of the consented planning permission.

*Aberfeldy Estate Phase Two Block D*

- 7.455 The assessment identifies that 6-storeys in this block which is located south of the site have been considered for assessment. Windows and rooms on the north and east facing elevations overlook the proposed development. A total of 57 windows serving 35 rooms were assessed for daylight within this building. Of these 35 rooms, 15 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 35 (61.4%) of the 57 windows assessed would meet BRE's criteria and therefore would experience a Negligible effect.

- 7.456 Of the 22 (38.6%) affected windows, 14 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect and 4 would experience a reduction of 30-39.9%

which is considered a Moderate Adverse effect. The remaining 4 windows would experience a reduction in excess of 40% which is considered a Major Adverse effect.

- 7.457 A total of 9 affected windows serve bedrooms, of which 7 would retain 13.7-26% VSC with the remaining 2 windows located beneath recessed balconies and experiencing minor reductions above BRE criteria with absolute loss of 1.2% VSC occurring. A further 12 affected windows serve LKDs, of which 3 would experience minor impacts retaining 19-24% VSC levels. A further 6 LKDs are located beneath recessed balconies which exacerbate the reduction, owing to low baseline levels of VSC of between 1.9-6.7%. A remaining 3 LKD windows are located beneath cantilevered balconies, seeing Minor to Moderate impacts. All the windows beneath balconies serve LKDs which have one or two more windows which are not affected by the proposed development and remain well daylit overall. The remaining window serves a single aspect studio, which would see a Major Adverse impact to the site facing window which is located beneath a balcony.
- 7.458 For NSL, 34 (97.1%) of the 35 rooms assessed would meet BRE's criteria and therefore considered to experience a Negligible effect. The affected room would experience a reduction in NSL of between 30-39% which is considered a Moderate Adverse effect. This room is and bedroom which retains 61.3% NSL and is therefore not considered to be significantly affected.
- 7.459 Overall, owing to the affected windows being bedrooms which are considered less important by BRE guidelines in the consideration of daylight and these windows would retain levels of daylight which may be considered acceptable or experience a very small absolute loss of VSC and LKDs experiencing VSC reductions remain well daylit overall owing to mitigating windows which are not affected by the proposed development, the ES ascribes the effect to this building as being **Minor to Moderate Adverse (Significant)**.

#### Ailsa Wharf Block D

- 7.460 This block is located north of the site with windows and rooms on the south, east and west elevations of the lowest six residential floors overlooking the proposed development being assessed. The north facing windows are also assessed, as there are dual aspect rooms with windows spanning the breadth of the building with north and south facing windows. A total of 228 windows serving 88 rooms were assessed for daylight within this building. Of these 88 rooms, 49 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 164 (72%) of the 228 windows assessed would meet BRE's criteria and therefore would experience a Negligible effect.
- 7.461 Of the 64 (28%) affected windows, 31 would experience a reduction in VSC of between 20-29.9%, which would be a Minor Adverse effect whilst 14 would experience a reduction of 30-39.9% which is considered a Moderate Adverse effect. The remaining 19 windows would experience a reduction in VSC in excess of 40% which is considered a Major Adverse effect.
- 7.462 Of the affected windows, 45 serve bedrooms with 16 of these windows retaining VSC levels above 15% whilst the remaining bedroom windows are situated beneath balconies and therefore see lower VSC levels in the baseline scenario. 19 windows affected serve LKDs of which 6 retain VSC levels of between 17-26% whilst the remaining 12 LDK windows retain VSC levels of between 5-10%, however these living rooms are served by one or two further windows which are not affected by the proposed development, thus seeing good levels of VSC overall. The final window experiencing an impact in VSC serves a studio however the window will retain 24.7% VSC and is therefore not considered to be significantly affected.
- 7.463 For NSL, 86 (97.7%) of the 88 all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 2 affected rooms, 1 would experience a reduction in NSL of between 20-29.9% which is considered a Minor Adverse effect whilst the other would experience a reduction of between 30-39.9% which is considered a Moderate Adverse effect. Both rooms however are bedrooms retaining 68-71% NSL and are therefore not considered to be significantly affected.

- 7.464 The assessment has also undertaken an assessment of Average Daylight Factor (ADF) to gauge what the alterations and retained internal levels of daylight would be upon implementation of the proposed development. Of the 88 rooms assessed for ADF, 16 would experience no change, 13 would experience a marginal reduction by 0.1-0.2% ADF and 59 would see reductions ranging from 0.3% to 1.2% ADF. All rooms meeting or exceeding BRE's recommendation for ADF in the baseline scenario would still retain levels of internal daylight above guidelines in the proposed development scenario. There would be one bedroom that has ADF levels below BRE criteria in the baseline scenario however, this bedroom would experience no change as a result of the proposed development. There would be 5 LKDs that has ADF levels below BRE criteria in the baseline scenario however, these would experience Negligible or Minor reductions of 0.2%-0.4% ADF but will retain ADV levels in excess of 1.2%.
- 7.465 Overall, the majority of impacts occur to bedrooms which are considered less important by BRE criteria in the consideration of daylight. The majority of these bedrooms also retain ADF levels above BRE recommendation. There would be impacts experienced to LKD windows, however the majority of them retail levels of ADF above BRE recommendation, with only 5 falling short in the baseline scenario seeing Negligible to Minor reductions however still retailing ADF levels above 1.2%. The ES therefore ascribes the effect to this building as being **Minor Adverse (Not Significant)**. It should be noted however that Temple Group consider the effect to this receptor to be Moderate Adverse (Significant).

#### Atelier Court

- 7.466 This block is located east of the site and ranges from 4-8 storeys with the northern portion of the block reaching 8-storeys from ground and the southern portion reaching 4-storeys. Windows and rooms on the west elevation overlooking the proposed development are considered for assessment in addition to windows on the north facing façade as these serve rooms seeing alterations as a result of the proposed development. A total of 117 windows serving 97 rooms were assessed for daylight within this building. Of these 97 rooms, 10 would meet BRE's criteria and would therefore experience a Negligible effect. For VSC, 14 (12%) of the 117 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.467 Of the 103 (88%) affected windows, 3 would experience a reduction in VSC between of between 20-29% which would be a Minor Adverse effect and 9 would experience an alteration of between 30-39.9% which would be a Moderate Adverse effect. The remaining 91 windows would experience an alteration in excess of 40% which would be a Major Adverse effect.
- 7.468 Approximately 55 affected windows serve bedrooms which are considered less sensitive by BRE criteria in the consideration of daylight and would retain VSC levels of between 4.2-25%-25% with the lower levels of light retained occurring to bedroom windows situated beneath recessed balconies. A further 7 affected windows serve kitchens of which 6 would retain VSC levels of between 22.2%-26% and considered to remain well daylight. The remaining kitchen window is at ground level and would achieve 14.3% VSC with the amended proposed development in situ.
- 7.469 The remaining 41 affected windows serve living rooms or LKDs and 9 of these windows are flush with the façade of which 8 retain levels of VSC between 14.2%-24.8% whilst the ninth window would retain a marginally lower VSC level of 12.7% due to its location on the third storey beneath an overhang which limits the amount of daylight reaching the window. The final 32 windows serve LKDs and Living Rooms would retain lower levels of daylight with VSC levels ranging between 1-9.6% and the assessment reports that this is owing to their location beneath recessed balconies.
- 7.470 In terms of NSL, 35 (36%) of the 97 rooms assessed would meet BRE's criteria and therefore would experience a Negligible effect. Of the 62 (64%) affected rooms, 13 would experience a reduction in NSL of between 20-29.9% which is considered a Minor Adverse effect and 13 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 36 rooms would experience a reduction in excess of 40% which would be a Major Adverse effect. Of the affected rooms 47 are bedrooms whereby daylight distribution is considered less important by BRE guidance and the remaining 15 affected rooms are LKDs which would retain 29-78% NSL. The assessment reports that the living room and LKD windows on the

site facing façade are either located beneath balconies or are relatively narrow, meaning that the daylight distribution is limited to that which is received from across the site.

- 7.471 Overall, the ES reports that significant reductions would occur and ascribes the effect to this block to be **Major Adverse (Significant)**.

#### Carradale House

- 7.472 Carradale House is located west of the site and 10 storeys of this building have been considered for assessment. Windows and rooms on the eastern and southern façade have been assessed. A total of 77 windows serving 44 rooms were assessed for daylight within this building. Of these 44 rooms, 19 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 37 (48.1%) windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.473 Of the 40 (51.9%) affected windows, 10 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 22 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 8 windows would experience a reduction in excess of 40%, which would be a Major Adverse effect.
- 7.474 A total of 32 bedroom windows see VSC impacts however each of these retain 17-26% VSC and are not considered to be significantly affected. The remaining 8 windows are east facing kitchen windows, each situated beneath recessed balconies on the southern façade. These windows will experience minor to major reductions however the absolute change in VSC would be 1.9-3.5% which the ES reports may not be noticeable. Each of these kitchens has a mitigating south facing window retaining VSC levels in excess of BRE guidelines and are therefore well lit overall.
- 7.475 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.476 Overall, owing to the number of affected rooms being bedrooms which are considered by BRE guidelines to be less sensitive in the consideration of daylight, the retained VSC levels of these bedrooms and the 8 kitchen windows impacted are located beneath recessed balconies which have well daylight mitigating windows, the ES ascribes the effect to this building as being **Minor Adverse (Not Significant)**. It should be noted however that the Temple Group consider the effect to be Moderate Adverse (Significant).

#### Culloden Primary School

- 7.477 Culloden Primary School is located south of the site with offices, staff and teacher rooms, the main hall, nursery and reception rooms facing towards the proposed development. A total of 90 windows serving 21 rooms were assessed for daylight. For VSC, 33 (36.7%) windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.478 Of the 57 (63.3%) affected windows, 5 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 21 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 31 windows would experience a reduction in excess of 40%, which would be a Major Adverse effect. A total of 19 windows impacted serve offices or a staff room which are considered less sensitive. An additional 25 windows serve the main hall, which is also served by other 11 windows which are not impacted. Of the remaining 13 windows, 10 serve three reception rooms and a nursery, all of which also have other windows that are not impacted, and 3 serve a kitchen which retains 9.8% to 15.1% VSC.
- 7.479 The ES reports that whilst significant reductions occur, given their uses the sensitivity of the rooms may be considered lower and 16 of the affected rooms would retain above 15% VSC levels.
- 7.480 In terms of NSL, 18 (85.7%) of the 21 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. All the 3 affected rooms would experience a reduction

in NSL greater than 40% which would be a Major Adverse effect. However, the ES reports that each of the affected rooms have low levels of existing sky visibility and therefore the reduction may not be noticeable.

- 7.481 Overall, taking into consideration the lower sensitivity of the uses of the affected rooms and that the impacts of proposed development would be similar to those which would occur as a result of the consented planning permission, with isolated instances of additional impacts, the ES ascribes the effect to the school as being **Minor to Moderate Adverse (Significant)**.

#### Devons Wharf

- 7.482 This block is located to the east of the site with four storeys considered for assessment. Windows on the north west and south west elevations. Additionally, windows on the north eastern and south eastern elevations are considered as they serve rooms which could potentially be impacted by the proposed development. A total of 169 windows serving 91 rooms were assessed for daylight. Of these 91 rooms, 49 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 104 (61.5%) of the 169 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.483 Of the 65 (38.5%) affected windows, 52 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 5 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 8 windows would experience a reduction in excess of 40% which would be a Major Adverse effect. A total of 20 impacted windows serve bedrooms and half of these would retain VSC levels in the mid teen range and therefore the ES reports that these are not considered to be significantly impacted. The remaining 10 bedroom windows are located beneath balconies and are therefore inherently obstructed in the baseline scenario and would retain levels of VSC below 10%. Of these windows, 3 have very low baseline VSC levels (below 0.5% VSC) with the absolute reduction equating to 0.1-0.4% VSC and as such the assessment reports that these alterations are unlikely to be noticeable by the occupants.
- 7.484 There are 45 affected LKD windows which whereby primarily Minor Adverse impacts would occur with isolated instances of Moderate to Major impacts occurring to windows located beneath balconies and therefore obstructed in the baseline scenario. A total of 26 LKDs would retain 15-20% VSC with the final 18 windows retaining lower VSC levels of between 5-15% occurring on the lowest storeys. These windows are obstructed owing to their being set back from the building line, beneath overhangs (for those at ground level) or beneath balconies. However, the assessment reports that these LKDs have mitigating windows which sees at least 15% VSC and therefore considers that these rooms remain adequately daylight overall.
- 7.485 In terms of NSL, 86 (94.5%) of the 91 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 5 affected rooms, 1 would experience a reduction in NSL of between 20-29.9% which would be a Minor Adverse effect and 2 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 2 rooms would experience a reduction in excess of 40% which would be a Major Adverse effect. However, the ES reports that each of the affected rooms have low levels of existing sky visibility and therefore the reduction may not be noticeable. One bedroom would be impacted and 4 LKDs would retain sky visibility in 55-70% of the room.
- 7.486 Overall, the assessment finds that the majority of bedrooms retain mid-teen levels of VSC or the reduction to bedrooms would not be noticeable due to low base line levels of VSC and minimal absolute reductions. A proportion of bedrooms would experience noticeable change however bedrooms are considered by BRE guidelines to be less sensitive in the consideration of daylight. A number of LKD's would be affected, however the assessment reports that the majority would retain good levels of daylight. Those LKDs with windows falling short are obstructed in the baseline scenario however have mitigating windows. The ES therefore ascribes the impact to this building as being **Minor to Moderate Adverse (Significant)**.

### Joshua Street 1-15

- 7.487 These properties comprises a terrace of 8 x 2-storey terraced houses located to the west of the site. Windows and rooms on the north, south and eastern elevations were considered for assessment. A total of 77 windows serving 31 rooms were assessed for daylight. Of these 31 rooms, 16 would meet BRE's criteria for both VSC and NSL and would experience a Negligible effect. For VSC, 62 (80.5%) of the 77 windows assessed would meet BRE's criteria and would experience a Negligible effect.
- 7.488 Of the 15 (19.5%) affected windows, 3 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 6 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 6 windows would experience a reduction in excess of 40% which would be a Major Adverse effect. A total of 7 assumed bedroom windows on the first storey would be impacted, retaining VSC levels of between 5-13%. A further 6 windows serve assumed two living rooms and 4 LKDs, each located at ground level. These are all narrow east facing windows of a bay window, where the main south facing window is unaffected by the proposed development and continue to receive very good levels of daylight overall. The final 2 affected windows serve rooms of unknown uses however retain 19% VSC.
- 7.489 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.490 Overall, approximately half of the impacts would occur to assumed bedroom windows which are considered by BRE criteria to be less important in the consideration of daylight. The remaining LKDs or living affected rooms are served by mitigating windows and therefore would continue to receive good levels of daylight overall. The ES ascribes the impact to this terrace as being **Minor Adverse (Not Significant)**.

### Lansbury Gardens 2-12

- 7.491 This set of properties comprises a terrace of 6 x 2-storey dwellings located east of the site. The west (front) and east (rear) facing windows have been assessed. A total of 43 windows serving 18 rooms were assessed for daylight. For VSC, 25 (58.1%) of the 43 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.492 Of the 18 (41.9%) affected windows, 1 would experience a reduction in VSC of between 30-39.9% which would be a Moderate Adverse effect whilst 17 would experience reductions in VSC levels in excess of 40% which is considered a Major Adverse effect. A total of 12 affected windows serve bedrooms and retain VSC levels of between 13-18%. The remaining 6 windows serve living rooms which retain VSC levels of 11-14%. Each of these LKDs are served by multiple mitigating windows and thereby retain good daylight levels overall.
- 7.493 In terms of NSL, 7 of the 18 (38.9%) rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 11 affected rooms, 1 would experience a reduction in NSL of between 20-29.9% which would be a Minor Adverse effect whilst 10 would experience reductions in excess of 40% which would be a Major Adverse effect. All the affected rooms are bedrooms situated beneath overhanging eaves and therefore have limited visibility of the sky.
- 7.494 Overall, owing to the majority of impacts occurring to bedrooms which are considered by BRE guidelines to be less sensitive in the consideration of daylight and affected LKD windows being served by multiple mitigating windows, the ES ascribes the effect to these properties as being **Moderate to Major Adverse (Significant)**. The ES also reports that the impacts of the proposed development are similar to those which would occur as a result of the consented planning permission, with isolated instances of additional impacts.

### Leven Road Phase Three

- 7.495 Five storeys of this block located to the east of the site have been considered for assessment with windows and rooms on the western and south western elevations considered for

assessment. A total of 73 windows serving 62 rooms were assessed for daylight. Of these 62 rooms, 18 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 26 (35.6%) of the 73 windows assessed would meet BRE's criteria and would experience a Negligible effect.

- 7.496 Of the 47 (64.4%) affected windows, 4 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 2 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 41 windows would experience reductions in VSC levels in excess of 40% which is considered a Major Adverse effect. A total of 30 affected windows serve bedrooms which the ES reports receives uncharacteristically high levels of VSC in the baseline scenario due to their unobstructed view across the site, particularly those on upper stories. The assessment reports that due to the constraints of the building (irregular form and inset balconies), daylight availability is limited, with 18 bedroom windows retaining below 13% VSC and the remaining 12 retaining values in the mid teen range.
- 7.497 One kitchen window would be affected which is located on the north facing flank wall which would see a Minor Adverse impact retaining 11.8% VSC. The remaining 16 windows serve 12 living rooms and 1 LKD and 4 of these windows would retain 13.9-21.5% VSC. The remaining 12 are situated beneath overhangs or on a setback part of the building, which the ES contends inherently obstructs daylight availability resulting in lower retained values.
- 7.498 In terms of NSL, 28 (45.2%) of 62 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 34 affected rooms, 2 would experience a reduction in NSL of between 20-29.9% which would be a Minor Adverse and 3 would experience reductions of between 30-39.9% which would be a Moderate Adverse effect. The remaining 29 rooms would experience reductions in excess of 40% which would be a Major Adverse effect. A total of 25 affected rooms are bedrooms and the remaining 9 affected rooms are living rooms and an LKD which would retain 12-70% NSL.
- 7.499 Overall, the ES reports that the majority of impacts occur to bedrooms which are considered to be less sensitive in the consideration of daylight by BRE guidelines and the number of affected Living rooms/LKDs largely consist of rooms on the lower storeys which are located beneath balconies or overhangs which limit daylight availability. The ES ascribes the impact to this building as being **Major Adverse (Significant)**.

#### Loren Apartments

- 7.500 This is a 4-storey block which is located south east of the site with windows and rooms on the western and southern facades assessed for impacts. A total of 26 windows serving 18 rooms have been assessed for daylight. For VSC, 4 (15.4%) of the windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.501 Of the 22 (84.6%) affected windows, 3 would experience a reduction in VSC of between 30-39.9% which would be a Moderate Adverse effect whilst 19 windows would experience reductions in VSC levels in excess of 40% which is considered a Major Adverse effect. Half of the windows serve bedrooms however retain VSC levels ranging from 10.3-19.7%. The remaining 11 serve 7 LKDs which retain VSC levels ranging between 7.1-17.3% with the exception of 2 ground floor and 1 first floor single aspect LKDs which retain 7, 8 and 13% VSC. The remaining 4 LKDs each have additional windows which are either unaffected by the proposed development or retain at least 15% VSC.
- 7.502 In terms of NSL, 4 (22.2%) of the 18 rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect. Of the 14 affected rooms, 2 would experience a reduction in NSL of between 20-29.9% which would be a Minor Adverse and 1 would experience reductions of between 30-39.9% which would be a Moderate Adverse effect. The remaining 11 rooms would experience reductions in excess of 40% which would be a Major Adverse effect. A total of 9 bedrooms would be affected and of the remaining 5 LKDs affected, 3 are the single aspect LKDs on the ground and first floor. The remaining 2 LKDs are located on the second and third storeys and would retain 54-56% NSL.

- 7.503 Overall, the ES reports that the majority of impacts occur to bedrooms which are considered to be less sensitive in the consideration of daylight by BRE guidelines and the number of affected LKDs on the ground and first floor would be partially as a result of their design and single aspect, deep recessed rooms. The assessment also reports that the impacts of the proposed development are no worse than those which would occur as a result of the consented planning permission. Therefore, the ES ascribes the impact to this building as being **Moderate to Major Adverse (Significant)**.

Sherman House (54 Aberfeldy Street)

- 7.504 This is a 4-storey block located south east of the site and windows and rooms on all four elevations have been considered for assessment. A total of 69 windows serving 43 rooms were assessed for daylight. Of these 43 rooms, 11 would meet BRE's criteria for both VSC and NSL and as such would experience a Negligible effect. For VSC, 29 (42%) of the 69 windows assessed would meet BRE's criteria and would therefore experience a Negligible effect.
- 7.505 Of the 40 (58%) affected windows, 1 would experience a reduction in VSC of between 20-29.9% which would be a Minor Adverse effect and 2 would experience reductions of between 30-39.9% which would be a Moderate Adverse effect. The remaining 37 windows would experience a reduction in excess of 40% which would result in a Major Adverse effect. A total of 16 of the windows affected would be bedrooms which retain VSC levels of between 8-15% and 3 affected windows serving 2 ground floor kitchens would retain 12.2% and 5.4%-8.4% VSC respectively. The final 21 windows serve three living rooms and 18 LKDs, of which 13 would retain 12-20% VSC and 8 windows which retain below 12% VSC however all but 1 serve rooms with multiple aspects and remain adequately daylight. The remaining window serves a single aspect living room window located at ground floor level.
- 7.506 In terms of NSL, 23 (53.5%) of the 43 rooms assessed would meet BRE's criteria and would experience a Negligible effect. Of the 20 (46.5%) affected rooms, 3 would experience a reduction in NSL of between 20-29.9% which would be a Minor Adverse effect and 1 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect. The remaining 16 rooms would experience a reduction in NSL in excess of 40% which would be a Major Adverse effect. The NSL impacts occur primarily to bedrooms, with the exception of 1 kitchen and 1 living room which have less visibility of the sky due to their ground floor location.
- 7.507 Overall, owing to the number of impacts occurring to bedrooms which may be considered less sensitive by BRE guidelines in the consideration of daylight and the number of LKDs impacted being served by mitigating windows, the ES ascribes the effect to this building as being **Moderate to Major Adverse (Significant)**. The ES also reports that the impacts of the proposed development are similar to those which would occur as a result of the extant planning permission, with isolated instances of additional impacts.

St Nicholas Church

- 7.508 St Nicholas Church is located east of the site and all four elevations have been considered for assessment. A total of 59 windows serving 31 rooms were assessed for daylight within this building. Of these 31 rooms, 23 would meet BRE's criteria for both VSC and NSL and would therefore experience a Negligible effect. For VSC, 36 of the 59 (61%) windows assessed would meet BRE's criteria and therefore would experience a Negligible effect. For VSC, 36 (61%) of the 59 windows assessed would meet BRE's criteria and would experience a Negligible effect.
- 7.509 Of the 23 (39%) affected windows, 10 would experience a reduction in VSC of between 20-29.9%, which would be a Moderate Adverse effect whilst 13 would experience a reduction in excess of 40% which would be a Major Adverse effect. Twelve of the impacted windows serve an ancillary space whereby 4 of the windows have very low baseline levels of VSC (below 4%) and therefore would not experience a noticeable reduction (0.8% VSC) and the remaining windows retaining 16-18% VSC and would therefore remain adequately daylight. A further 6 windows serve 2 worship areas which retain 9.5-18.6% VSC however both rooms are served by additional windows which are not affected by the proposed development and remain well daylight overall. One window serving an unknown use would be affected however this window would retain 20% VSC.

7.510 In terms of NSL, all rooms assessed would meet BRE's criteria and would therefore experience a Negligible effect.

7.511 Overall, owing to the mitigating windows, the ES reports that the worship areas of the church are not considered to experience a noticeable change in daylight amenity and would remain well daylight. The ancillary space would experience a change in daylight quality, however given its use the assessment concludes that the church may be considered to be less sensitive in daylight considerations. The assessment also reports that the impacts of the proposed development are no worse than those which would occur as a result of the consented planning permission and further clarification provided by the Applicant's consultants GIA indicates that there are improvements in VSC levels by 3% which DPR have confirmed to be an accurate assessment of the results. The ES therefore ascribes the effect to the church as being **Minor to Moderate Adverse (Significant)**.

#### **Sunlight:**

7.512 With regards to sunlight, the ES reports of the 42 buildings assessed, that 1352 rooms were assessed of which 1008 (74.5%) would meet the BRE criteria for both Annual and Winter PSH and therefore would experience a Negligible effect. The ES identifies that 24 buildings experience little to no impact (less than 20% reduction) or retain values in line with BRE criteria and are therefore considered to experience a **Negligible effect (Not Significant)**. These are as follows:

- 128-132 Leven Road and 134-144 Leven Road
- 49-67 Abbott Road
- Aberfeldy Estate Phase One Block A
- Aberfeldy Estate Phase Three Blocks G, J,
- Aberfeldy Estate Phase Two Block D
- Balfour Tower
- Carradale House
- Culloden Primary School
- Dewberry Street 2-14, 16-46
- 4 Joshua Street, 6-14 Joshua Street, 1-15 Joshua Street and 17-33 Joshua Street
- 1-9 Mills Grove, 12-20 Mills Grove, 17-25 Mills Grove and 9-15 Mills Grove
- 118-132 St Leonards Road, 134-146 St Leonards Road and 148-154 St Leonards Road
- 1-7 Wooster Gardens and 9-15 Wooster Gardens.

7.513 The following receptors **Negligible to Minor Adverse** and **Minor Adverse** effects which are **Not Significant**.

- 110-126 Leven Road (Minor Adverse)
- 177-195 Abbott Road (Negligible to Minor Adverse)
- Ailsa Wharf Block A (Negligible to Minor Adverse)
- Ailsa Wharf Block D (Negligible to Minor Adverse)
- Ailsa Wharf Block K L (Minor Adverse)
- Bromley Hall School (Minor Adverse)
- Devons Wharf (Minor Adverse)
- Joshua Street 35-41 (Negligible to Minor Adverse)
- Mills Grove 2-10 (Minor Adverse)

7.514 The remaining buildings assessed are discussed in further detail below.

#### 199-225 Abbott Road

7.515 A total of 94 windows were assessed for sunlight within these properties of which 74 (78.8%) would meet the BRE's criteria for both Annual and Winter PSH (Probable Sun Hours) and therefore would experience a Negligible effect.

- 7.516 A total of 16 (17%) windows would be affected annually with each experiencing a reduction in excess of 40% in APSH resulting in a Major Adverse effect. A total of 20 (21%) windows would be affected in winter with each experiencing losses in excess of 40% in WPSH which would be a Major Adverse effect.
- 7.517 Each of the affected windows serve bedrooms which may be considered less important to sunlight alterations. These windows would retain 11-25% APSH.
- 7.518 Overall, the ES reports that whilst Major Adverse impacts occur to bedrooms, these retain good levels of sunlight and as such the ES ascribes the effect to these properties as being **Minor to Moderate Adverse (Significant)**.

Aberfeldy Estate Phase One Block C

- 7.519 This apartment block is located east of the site and windows and rooms to the north, south and west facades have been considered for assessment. The northern façade is defined by recessed balconies whilst the southern façade is defined by projecting balconies. A total of 43 windows were assessed for sunlight within this building of which 35 (81.4%) meet the BRE's criteria for both Annual and Winter PSH (Probable Sun Hours) and therefore would experience a Negligible effect.
- 7.520 A total of 8 (18.6%) windows would be affected annually of which 1 would experience a reduction of between 20-29.9% which would be a Minor Adverse effect, 1 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect and the remaining 6 would experience reductions in excess of 40% in APSH resulting in a Major Adverse effect. A total of 2 (4.6%) bedroom windows would be affected in winter with each experiencing losses in excess of 40% in WPSH which would be a Major Adverse effect. Four windows affected for APSH are bedrooms, retaining 13-17% APSH and 3 kitchen windows are affected, retaining 14,15 and 22% APSH respectively. Finally, 1 living room window is affected, seeing a major adverse impact to ASPH and retaining 9% APSH.
- 7.521 Overall, the ES reports that half the rooms affected annually are bedrooms and as significant reductions occur to both kitchens and living rooms, the ES ascribes the effect to these properties as being **Moderate to Major Adverse (Significant)**.

Atelier Court

- 7.522 A total of 110 windows were assessed for sunlight within these properties of which 7 (6,4%) would meet the BRE's criteria for both Annual and Winter PSH (Probable Sun Hours) and therefore would experience a Negligible effect.
- 7.523 A total of 101 (91.8%) windows would be affected annually and all would experience reductions in excess of 40% in APSH resulting in a Major Adverse effect. A total of 102 (92.7%) windows would be affected in winter experiencing reductions in excess of 40% WPSH.
- 7.524 The affected windows would retain 1-18% APSH which remains unchanged from the original assessment undertaken in the ES however, as a result of the removal of Block A3, within this range, improvements from 1-8% can be seen to 33 of the affected windows, thus the removal of Block A3 allows for additional sunlight to reach approximately a third of affected windows. In terms of WPSH, 6 windows would see an improvement in retained levels of 1-2%.
- 7.525 Overall, the ES ascribes the effect to this building as being **Major Adverse (Significant)**.

Lansbury Gardens 2-12

- 7.526 A total of 22 windows were assessed for sunlight within these properties of which 5 (22.7%) would meet the BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect.

- 7.527 A total of 17 (77.2%) windows would be affected annually, of which 1 window would experience a reduction of between 30-39.9% resulting in a Moderate Adverse effect and 16 windows would experience reductions in excess of 40% in APSH which would be a Major Adverse effect. Seven of these windows would be affected in winter and would experience reductions in excess of 40% in WPSH.
- 7.528 Eleven of the affected windows serve bedrooms which are considered less sensitive by BRE guidelines in the consideration of sunlight however retain 17-22% APSH and the remaining affected 6 windows serve ground floor living rooms which retain 10-22% APSH are already shaded in the baseline condition due to building design. One of these affected living rooms also has additional windows within 90 degrees of due south which remain well sunlit.
- 7.529 Overall, the ES ascribes the effect to this building as **Moderate Adverse (Significant)**. It should be noted however that Temple Group consider the effect on this receptor to be Major Adverse (Significant).

#### Leven Road Phase Three

- 7.530 A total of 44 windows were assessed for sunlight within this building of which 10 (22.7%) would meet BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect.
- 7.531 A total of 34 (77.2%) windows would be affected annually, of which 1 would experience a reduction of between 30-39.9% which would be a Moderate Adverse effect and 33 would experience reductions in excess of 40% in APSH which would be a Major Adverse effect. Twenty Seven of these windows would be affected in winter and would experience reductions in excess of 40% WPSH, would be a Major Adverse effect.
- 7.532 Twenty one of the affected rooms serve bedrooms experiencing significant impacts, however, may be considered less important in relation to sunlight considerations. The remaining 13 windows serve single aspect living rooms which are significantly affected however the assessment reports that these windows are already shaded in the baseline scenario. The ES also reports that these windows face west and are only just within 90 degrees of due south and would receive evening sun only and reductions of this magnitude can be expected given the low rise existing massing, the development stepping forward and the presence of balconies which shade these windows.
- 7.533 Overall, the ES ascribes the effect to this building as **Moderate to Major Adverse (Significant)**.

#### Loren Apartments

- 7.534 A total of 26 windows were assessed for sunlight within this building of which 5 (19.2%) would meet BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect.
- 7.535 A total of 19 (73%) would be affected annually, of which 3 would experience reductions of between 30-39.9% which would be a Moderate Adverse effect and 16 would experience reductions in excess of 40% in APSH which would be a Major Adverse effect. Seventeen of these windows would be affected in winter with 1 experiencing a reduction between 20-29.9% which would be a Minor Adverse effect and 3 experiencing reductions of between 30-39.9% which would be a Moderate Adverse effect. The remaining 13 windows would experience reductions in excess of 40% in WPSH, would be a Major Adverse effect.
- 7.536 Ten of the affected windows serve bedrooms which may be considered less important in relation to sunlight considerations. The remaining 9 windows serve 3 single aspect living rooms, which retain 3, 12 and 20% APSH and 3 LKDs with multiple aspects which remain well sunlight.
- 7.537 Overall, the ES ascribes the effect to this building as **Moderate to Major Adverse (Significant)**.

### Sherman House

- 7.538 A total of 35 windows were assessed for sunlight within this building of which 3 (8.6%) would meet BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect.
- 7.539 A total of 31 (88.5%) windows would be affected annually which would experience reductions in excess of 40% APSH which would be a Major Adverse effect. Thirty of these windows would also be affected in winter experiencing reductions in excess of 40% in WPSH which would be a Major Adverse effect.
- 7.540 Half the affected rooms serve bedrooms which may be considered less important in relation to sunlight considerations. The remaining 7 windows serve LKDs, living rooms and kitchens which would retain good levels of sunlight ranging between 13-24% APSH with the exception of 2 LKD windows which would retain 4-6% APSH.
- 7.541 Overall, the ES ascribes the effect to this buildings as being **Moderate Adverse (Significant)**. It should be noted however that Temple Group consider the effect on this receptor to be Major Adverse (Significant).

### St Nicholas Church

- 7.542 A total of 37 windows were assessed for sunlight within this building of which 31 (83.7%) would meet BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect.
- 7.543 A total of 6 (16.2%) windows would be affected annually which would experience reductions in excess of 40% APSH which would be a Major Adverse effect. Each of the impacts would occur to the ancillary space within the building and therefore the ES ascribes the effects to this building as being **Minor to Moderate Adverse (Significant)**.

### **Impacts to Sensitive Cumulative Schemes (Future Receptors)**

- 7.544 The scheme has also assessed daylight impacts on future sensitive receptors: Former Poplar Bus Depot, Islay Wharf and 45-47 Abbott Road. For all three receptors the ES reports that they will experience Negligible (Islay Wharf and 45-47 Abbott Road) and Minor Adverse (Former Bus Depot) effects which would all be Not Significant. It should be noted however that Temple Group consider the effect on the Former Poplar Bus Depot as being Moderate Adverse (Significant).
- 7.545 In terms of sunlight impacts on future sensitive receptors, the ES reports that Islay Wharf and 45-47 Abbott Road would experience Negligible (Not Significant) effects.
- 7.546 In terms of Former Poplar Bus Depot, a total of 367 windows were assessed for sunlight of which 263 (71.7%) would meet BRE's criteria for both Annual and Winter PSH and therefore would experience a Negligible effect. A total of 78 (21.2%) windows would be affected annually of which 5 would experience a reduction of between 20-29.9% which is considered a Minor Adverse effect, 7 would experience a reduction between 30-39.9%, which is considered to be a Moderate Adverse effect and 66 would experience a reduction greater than 40% which is considered a Major Adverse effect. The ES reports that the vast majority of windows retain levels of APSH in excess of 15%. A total of 94 (25.6%) windows would be affected in winter, which would experience a reduction in excess of 40% in WPSH which is considered a Major Adverse effect.
- 7.547 Overall, the ES concludes that considering the small number of shortfalls, the presence of mitigating and unaffected and well sunlit windows, in the rooms seeing reductions, and the retained levels of sunlight, the effect on this property is ascribed as **Minor to Moderate Adverse (Significant)**.

### **Overshadowing:**

- 7.548 In respect of overshadowing, the ES has adopted two methodologies to assess overshadowing of public and private amenity areas; Transient Overshadowing and Sun Hours on Ground.

7.549 For Transient Overshadowing, the assessment requires the plotting of a shadow plan to illustrate the location of shadows at different times of the day and year. The ES therefore mapped the hourly shadows for the following three key dates:

- 21<sup>st</sup> March (Spring Equinox)
- 21<sup>st</sup> June (Summer Solstice)
- 21<sup>st</sup> December (Winter Solstice)

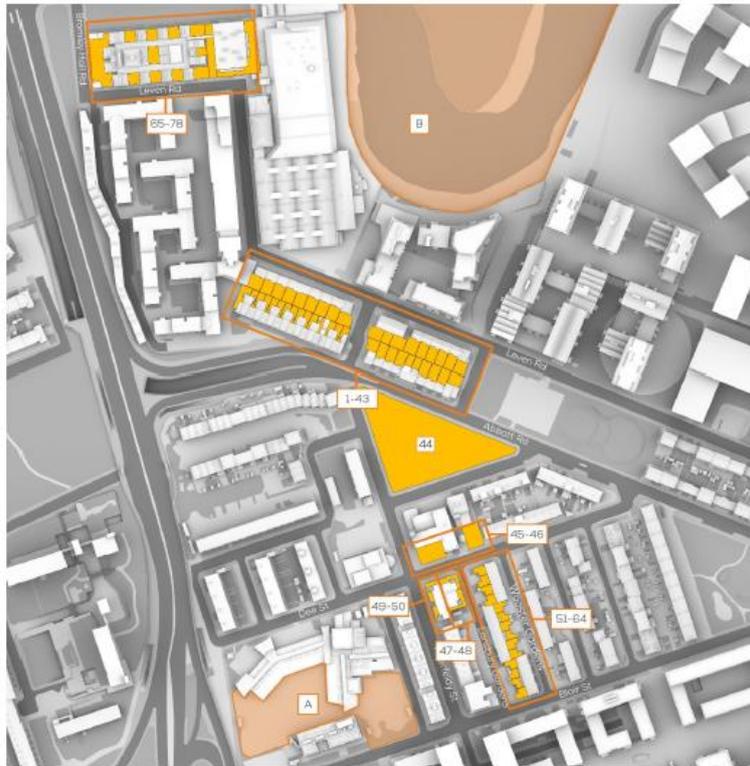
7.550 In relation to the Sun Hours on Ground test, the assessment requires that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21<sup>st</sup> March to appear adequately sunlit throughout the year. If as a result of new development an existing amenity area does not meet the above, and the area that can receive 2 hours of sun on 21 March is less than 0.8 times its former value (i.e., a 20% reduction), then the loss of sunlight is likely to be noticeable.

7.551 The ES identifies 7 groups of amenity areas for the assessment as follows:

Receptor Reference	Address	Description
1-43	Abbott Road and Leven Road	Rear Gardens
44	Aberfeldy Millennium Green	Public Amenity
45-46	St Nicholas Church	Private Amenity
47-48	54 Sherman House, Aberfeldy Street (east facing open space)	Private Amenity
49-50	54 Sherman House, Dee Street (west facing open space)	Private Amenity
51-64	Wooster Gardens and Lansbury Gardens	Rear Gardens
65-78	Bromley Hall School	Private Amenity
A	Culloden Primary School	Educational Playground
B	The River Thames Tidal Tributaries SINC (Bow Creek/River Lea	Sensitive Ecological Area

**Table 22:** Overshadowing receptors.

7.552 The location of the amenity areas assessed in relation to the application site can be seen in the image below.



**Figure 67:** Overshadowing amenity area receptors

### Transient Overshadowing

#### **21<sup>st</sup> March:**

- 7.553 The ES illustrates that on this day, shadows are cast from the proposed development from 08:00 AM GMT (Greenwich Meantime) in a north-westerly direction across the A12 onto Jolly's Green, a small portion of the rear gardens of the properties along Joshua Street, Mills Grove and Byron Street. These shadows clear by 10:00 AM leaving these spaces unaffected for the rest of the day. At 08:00 AM, Braithwaite Park is partially overshadowed by the proposed development, which reduces in size through morning, then moving towards the south eastern corner and clearing by 15:00 PM. From 08:00 AM additional shadows are also cast onto a portion of the eastern courtyard of Culloden Primary School and the westernmost open spaces of Bromley Hall School however in the case of Culloden Primary School, these shadows clear by 11:00 AM leaving the school unaffected the rest of the day. In terms of Bromley Hall School, the shadows clear by 13:00 PM as they move throughout the day and from 11:00 AM until 17:00 PM, these are cast onto the central and easternmost spaces of the school. During the same time frame, additional shadows are cast on the ground floor private open spaces of Sherman House and from 13:00 PM to 17:00PM, small strips of transient additional shadows are cast on a few rear gardens of the properties at 177-225 Abbott Road, 110-144 Leven Road and additional shadows are also cast on Aberfeldy Millennium Green.
- 7.554 From 14:00 PM GMT to 15:00 PM, additional shadows are cast on the rear gardens of 9-15 Wooster Gardens and Leven Road Open Space would be overshadowed from 16:00 PM until the end of the day whilst small strips of additional shadows reach Bow Creek/River Lea from 15:00 PM to 17:00 PM. Overall, the ES ascribes the effect of transient overshadowing to be **Negligible (Not Significant)** on this day. It should be noted however, that whilst DPR agree that the overshadowing effects of the proposed development have been appropriately described, they disagree that the significance of these effects are Negligible, particularly in light of the effects on the back gardens of the Abbott Road and Leven Road properties and Millennium Green. DPR consider that the transient overshadowing effects would be **Minor Adverse (Not Significant)**.

## **21<sup>st</sup> June:**

- 7.555 On this day, shadows are cast from the development from 06:00 AM BST (British Summertime) in a south-westerly direction whereby until 10:00 AM, the development casts shadows across the A12 onto Jolly's Green, a small portion of the rear gardens of the properties along Joshua Street and Mills Grove, and the communal open spaces of Carradale House and Balfron Tower however remain unaffected the rest of the day. The western courtyard of Culloden Primary School sees additional shadowing from 06:00 AM to 08:00 AM, whilst the eastern courtyard sees additional overshadowing from 07:00 AM to 10:00 AM, which clears by 12:00 midday.
- 7.556 Braithwaite Park would be overshadowed in the south east corner from 11:00 AM to 14:00 PM and from Midday to 15:00 PM, additional shadows are cast onto the southernmost open spaces of Bromley Hall School. From 15:00 PM to 20:00 PM, strips of transient shadows are cast on the gardens of 177-225 Abbott Road and 110-144 Leven Road and additional shadows are cast on Aberfeldy Millennium Green. From 18:00PM to 20:00PM, additional shadows are cast on the green space adjacent to St Nicholas Church and Leven Road Open Space begins to become overshadowed from 19:00 PM until the remainder of the day. From 19:00 to 20:00, small strips of additional shadowing occur to the rear gardens of 9-15 and 1-7 Wooster Gardens and no shadows reach Bow Creek/River Lea on this day.

## **21<sup>st</sup> December:**

- 7.557 On this day, shadows are cast from the development from 09:00 GMT in a north-easterly direction, beginning with small strip of additional shadow onto Jolly's Green, which clears by 10:00AM. Between 10:00AM and Midday, additional shadows are cast on a few open spaces of Bromley Hall School and between Midday and 15:00PM, additional shadows are cast additional shadows are cast on Aberfeldy Millennium Green, the green space adjacent to St Nicholas Church and the rear gardens of 9-15 Wooster Gardens. Leven Road Green would see very small periods of overshadowing between 14:00PM and 15:00PM and small strips of additional shadows would reach Bow Creek/River Lea from 13:00PM to 15:00PM.

### Sun Hours on Ground

- 7.558 The Sun Hours on Ground assessment reports that the receptors listed below would experience Negligible (Not Significant) effects upon implementation of the proposed development and as such these areas would either retain 2 hours of sun on at least 50% of their total area or do not experience a reduction in the total amount of sunlight by more than 0.8 (20% reduction) of its former value on March 21<sup>st</sup> as recommended by BRE criteria.
- Rear gardens of 110-144 Leven Road (18 properties in total)
  - Rear gardens of 177-195 Abbott Road (10 properties in total)
  - Rear gardens of 199, 203, 207, 211, 215, 219 and 223 Abbott Road
  - Aberfeldy Millennium Green
  - St Nicholas Church
  - Rear gardens of 1-7, 11-15 Wooster Gardens
  - Rear gardens of 2-12 Lansbury Gardens
  - 8 out of 14 amenity areas at Bromley Hall School.
- 7.559 The ES finds that on 21<sup>st</sup> March, the following amenity areas would experience reductions or retained levels of sunlight below BRE's criteria:
- Rear gardens of numbers 197, 201, 205, 209, 213, 221 and 225 Abbott Road
  - Private terraces at 3 and 4 Dee Street
  - Rear garden of 9 Wooster Gardens
  - 6 out of 14 spaces at Bromley Hall School

- 7.560 The ES reports that the rear gardens of properties identified above on Abbott Road all have baseline levels of overshadowing substantially below BRE's recommendation ranging between 3% to 18.1% and these areas will see absolute reductions ranging from 2.1% to 10%, which the

ES reports will result in disproportionately high relative reductions ranging from 29% to 100% however sun exposure diagrams undertaken for March and June as part of the assessment demonstrate that these areas would effectively retain levels of light that are almost identical to those in the baseline. Therefore, the ES ascribes the effects to these rear gardens as **Minor Adverse (Not Significant)**.

- 7.561 The private terraces at 3 and 4 Dee Street sees levels of overshadowing above BRE's criteria in the baseline scenario which would be reduced to 0% in the proposed development scenario, resulting in 100% loss. These areas would retain circa 1 hour of sunlight at the equinox (March 21<sup>st</sup>) and 3 hours at the summer solstice (June 21<sup>st</sup>). These spaces would experience **Major Adverse effect (Significant)**. The assessment reports however that these spaces when assessed under the consented planning permission, would also see Major Adverse (Significant effects) with reductions ranging from 77% to 99% and retained values of 13.1% and 0.9% respectively. The retained sunlight levels for these terraces under the proposed development would be similar to the levels retained as a result of the consented planning permission.
- 7.562 The rear garden of 9 Wooster Gardens has a baseline level of overshadowing below BRE's criteria of 25.4% and would see an absolute reduction of 16.6%, generating a relative reduction of 65%. The ES reports that sun exposure diagrams demonstrate that sunlight levels in the baseline scenario and the proposed development scenario are very similar and the high percentage reduction is given by a portion of this amenity area that sees marginally below the 2 hours recommended by BRE in the proposed development scenario, whereas in the baseline scenario this portion sees just marginally above the 2 hours threshold. Under the consented planning permission this garden sees an absolute reduction of 11.3% resulting in a relative loss of 44%. The ES therefore ascribes the effect as being **Minor Adverse (Not Significant)** however it should be noted that DPR do not agree with this effect ascribed and consider that the effect significance is **Moderate Adverse (Significant)**.
- 7.563 In terms of the 6 open spaces at Bromley Hall School seeing reductions, 1 would see a reduction of 28% which would be a Minor Adverse effect, 1 would see a reduction of 31% which would be a Moderate Adverse effect and 4 would see reductions beyond 40% ranging from 46% to 100% which would be a Major Adverse effect. Overall, the ES considers that given that 8 out of the 14 spaces within Bromley Hall School would see Negligible effects, the ES concludes that Bromley Hall School would see a **Minor to Moderate (Significant)**.

#### Solar Glare

- 7.564 The ES has undertaken a full solar glare assessment from 15 nearby locations which are considered sensitive in terms of solar glare. The assessment considers the potential occurrence, proximity and duration of solar reflections from the Phase A plots of the proposed development. All the plots are not visible from 3 out of the 15 viewpoints (namely viewpoints 3, 4 and 6) and as such there is no potential for any solar glare effects from these locations. Of the remaining 12 viewpoints assessed, 8 (viewpoints 1, 2, 7, 10, 11, 13, 14 and 15) would see Negligible effects due to the distance from the centre of the field of view, the broken-up nature of the small glazing elements of the facades, and the limited amount of time any small reflection would be visible. The remaining 4 viewpoints (5, 8, 9 and 12) would all experience Minor Adverse (Not Significant) effects. The location of all the viewpoints can be seen in the image below.



**Figure 68:** Solar glare assessment points

7.565 There is potential for significant solar glare arising from the future detailed design of Outline Plots A-E which will contain commercial uses, workspaces and retail provision which may comprise large areas of glazing and therefore would potentially cause significant reflections. However, given their Outline status a detailed technical assessment cannot be undertaken at this stage for the new buildings. The assessment identifies that the most sensitive viewpoints are those along the A12 (1,4, 5, and 6) given the speed of travelling vehicles and proximity to potentially reflective facades of future development within Plots A-E which could potentially be within 10° of a road users line of sight. Depending on the final uses, orientation and materiality of the future detailed design, the ES ascribes the effects to these viewpoints range from Negligible (Not Significant) to Major Adverse (Significant). The ES reports however that should significant effects be considered likely, mitigating design strategies will be implemented to reduce the effects to not significant.

### Cumulative Effects

7.566 Cumulative daylight/sunlight effects on nearby residential receptors have been assessed within the ES as an 'proposed development + cumulative schemes' scenario. In terms of daylight, the following 28 receptors will experience no greater effects in the cumulative scenario from the effects reported in the proposed development scenario:

- 134-144 Leven Road
- 177-195 Abbott Road
- 49-67 Abbott Road
- Aberfeldy Estate Phase One Blocks A and C
- Aberfeldy Estate Phase Three Blocks G and J
- Aberfeldy Estate Phase Two Block D
- Balfron Tower
- Carradale House
- Culloden Primary School

- Dewberry Street 2-14
- Joshua Street; 1-15, 17-33, 35-41 and 6-14
- Lansbury Gardens 2-12
- Loren Apartments
- Mills Grove; 1-9, 12-20, 17-25 and 2-10, 9-15
- St Leonards Road 134-146
- Sherman House
- Wooster Gardens; 1-7 and 9-15

7.567 The following receptors will experience alterations however; these alterations do not change the significance of effects ascribed from the proposed development scenario.

- 128-132 Leven Road
- 199-225 Abbott Road
- Atelier Court – Major Adverse (Significant)
- Dewberry Street 14-46 – Minor Adverse (Not Significant)
- St Leonards Road 118-132 – Negligible to Minor Adverse (Not Significant)
- St Leonards Road 148-154 – Negligible to Minor Adverse (Not Significant)
- St. Nicholas Church – Minor to Moderate Adverse (Not Significant)
- Leven Road Phase Three – Major Adverse (Significant)

7.568 The results for the cumulative assessment for those receptors that experience alteration greater from the effects reported in the proposed development scenario are summarised in the table below:

<b>Address</b>	<b>Significance of Daylight Effects Proposed Development Scenario</b>	<b>Significance of Daylight Effects Cumulative Scenario</b>
110-126 Leven Road	Moderate Adverse (Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block A	Negligible (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block D	Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block K L	Negligible (Not Significant)	Minor to Moderate Adverse (Significant)
Bromley Hall School	Negligible to Minor Adverse (Not Significant)	Moderate Adverse (Significant)
Devons Wharf	Minor Adverse to Moderate Adverse (Not Significant)	Moderate to Major Adverse (Significant)

**Table 23:** Cumulative daylight effects on nearby receptors

7.569 In terms of sunlight, 37 of the 42 receptors will experience no greater effects in the cumulative scenario from the effects reported in the proposed development scenario. Ailsa Wharf Blocks K L, Bromley Hall School and Devon's Wharf will all experience alterations however their effects will remain as per the proposed development scenario of Negligible to Minor Adverse (Not Significant) for the Ailsa Wharf Blocks K L and Minor Adverse (Not Significant) for Bromley Hall School and Devon's Wharf respectively. A summary of the alterations of the remaining 2 receptors is set out below:

Address	Significance of Sunlight Effects Proposed Development Scenario	Significance of Sunlight Effects Cumulative Scenario
Ailsa Wharf Block A	Negligible to Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block D	Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)

**Table 24:** Cumulative sunlight effects on nearby receptors

- 7.570 In the cumulative scenario for daylight effects, of the 2699 windows assessed for VSC, 1534 windows (56.8%) would meet BRE criteria. Of the 1470 rooms assessed for NSL, 1223 (83.1%) would meet BRE criteria. Seven receptors will experience a Negligible (Not Significant) effect and 14 receptors will experience Negligible to Minor Adverse (effects). Six receptors would experience impacts of Minor to Moderate Adverse, Moderate Adverse and Moderate to Major Adverse (All Significant) beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forwarded.
- 7.571 In the cumulative scenario for sunlight effects, of the 1352 rooms assessed for APSH and Winter PSH, 1008 rooms (74.5%) would meet BRE criteria. Of the 42 buildings assessed, 40 buildings will see no change in the reported effects from the proposed development scenario with 37 of these buildings experiencing no alterations. The remaining 2 buildings would experience additional impacts of Moderate to Major Adverse significance beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forward.
- 7.572 In terms of overshadowing and the 2 hours Sun-on-Ground assessments for the surrounding amenity spaces in the cumulative scenario, with the exception of Bromley Hall School, there would be no additional cumulative effects to all other receptors beyond the assessment reported in the proposed development scenario. For Bromley Hall School, the 6 amenity areas affected in the proposed development scenario would still be affected, one of which would have a reduction of 34% which would be a Moderate Adverse effect whilst the other 5 would all see reductions ranging from 46% to 100% which would be a Major Adverse effect. There would be 1 amenity area that meets BRE criteria in the proposed development scenario which would no longer comply in the cumulative scenario, seeing a 46% reduction and therefore would be a Major Adverse effect. Overall, the ES reports that the effect on Bromley Hall School would increase from Minor to Moderate (Significant) to Moderate (Significant).

#### Conclusions on Daylight, Sunlight, Overshadowing and Solar Glare.

- 7.573 In conclusion, the ES demonstrates that of the 42 buildings assessed for daylight, significant effects are likely to occur at 14 receptors with 7 buildings experiencing Minor to Moderate Adverse (Significant) effects, 1 building experiencing a Moderate Adverse (Significant) effect, 4 buildings (199-225 Abbott Road, Lansbury Gardens 2-12, Loren Apartments and Sherman House) experiencing a Moderate to Major Adverse (Significant) effects and 2 buildings (Atelier Court and Leven Road Phase 3) experiencing Major Adverse (Significant) effects.
- 7.574 In terms of sunlight, of the 42 buildings assessed for sunlight, significant effects would occur at 8 receptors with 2 buildings experiencing Minor to Moderate Adverse (Significant) effects, 2 buildings experiencing a Moderate Adverse (Significant) effect, 3 buildings (Leven Road Phase Three, Loren Apartments and 199-225 Abbott Road) experiencing a Moderate to Major Adverse (Significant) effect and 1 building (Atelier Court) experiencing a Major Adverse (Significant) effect.
- 7.575 The Daylight, Sunlight, Overshadowing and Solar Glare assessment has been independently reviewed by both Temple Group (ES Chapter 14, NTS and ES Statement of Conformity) and Delva Patman Redler (DPR). There are instances where DPR and Temple do not agree with some of the daylight and sunlight effects ascribed in the ES and this is a difference of professional

opinion. The table below sets out the effects ascribed by DPR and the Temple Group compared to the effects ascribed in the ES.

Receptor	Daylight/Sunlight Impacts Assessed	Number of Windows assessed	Number of Windows Meeting BRE Criteria	ES Effect Ascribed	DPR Effect Ascribed	Temple Effect Ascribed
Ailsa Wharf Block KL	Daylight (VSC)	62	58 (93%)	Negligible	Negligible	Minor Adverse (Not Significant)
Ailsa Wharf Block D	Daylight (VSC)	228	164 (71%)	Minor Adverse (Not Significant)	Minor to Moderate Adverse (Significant)	Minor to Moderate Adverse (Significant)
Carradale House	Daylight (VSC)	77	37 (48%)	Minor Adverse (Not Significant)	Minor to Moderate Adverse (Significant)	Minor to Moderate Adverse (Significant)
1-15 Joshua Street	Daylight (VSC)	77	62 (80.5%)	Minor Adverse (Not Significant)	Minor to Moderate Adverse (Significant)	Minor to Moderate Adverse (Significant)
Sherman House	Sunlight (APSH and WPSH)	35	3 (8.5%)	Moderate Adverse (Significant)	Moderate to Major Adverse (Significant)	Major Adverse (Significant)
2-12 Lansbury Gardens	Sunlight (APSH and WPSH)	22	5 (22.7%)	Moderate Adverse (Significant)	Moderate Adverse (Significant)	Major Adverse (Significant)
Former Bus Depot (Future Receptor)	Daylight (VSC)	470	357 (75.9%)	Minor Adverse (Not Significant)	Minor to Moderate Adverse (Significant)	N/A
	Sunlight (APSH and WPSH)	367	263 (71.6%)	Minor to Moderate (Significant)	Moderate Adverse (Significant)	N/A

**Table 25:** Effects ascribed by ES and independent consultants.

7.576 Notwithstanding the above, Officers have no objection to the analysis provided for each receptor identified above.

7.577 The greatest daylight impacts to neighbouring receptors resulting from the proposed development will be on Atelier Court and Leven Road Phase Three, with the significance of effect for both

receptors being Major Adverse (Significant). The detailed breakdown of the daylight results for these two receptors can be seen below:

Address	Vertical Sky Component (VSC)						No Sky Line (NSL)					
	Windows						Rooms					
	Total Windows	Total Windows Passing	20.1-29.9%	30-39.9%	40+%	Total	Total Rooms	Total Rooms Passing	20.1-29.9%	30-39.9%	40+%	Total
Atelier Court	117	14	3	9	91	103	97	35	13	13	36	62
Leven Road Phase Three	73	26	4	2	41	47	62	28	2	3	29	34
<b>Totals</b>	<b>190</b>	<b>40</b>	<b>7</b>	<b>11</b>	<b>132</b>	<b>150</b>	<b>159</b>	<b>63</b>	<b>15</b>	<b>16</b>	<b>65</b>	<b>96</b>

**Table 26:** Daylight results for Atelier Court and Leven Road Phase Three

- 7.578 With regards to Atelier Court, this is largely a 4-storey building that increases to 8-storeys at the junction of Nairn Street with Leven Road. The scheme would result in only 14 out of 117 windows assessed meeting BRE criteria for VSC levels resulting in only a 12% pass rate. The remaining 103 windows assessed would equate to a failure in BRE criteria of 88% of the total windows assessed. Of the 103 windows that fail, 91 windows (equating to 88.3% of all the affected windows) would experience in excess of a 40% reduction in VSC levels.
- 7.579 In terms of Leven Road Phase 3, this is a 5-storey building attached to the southern end of Atelier Court. The scheme would result in only 26 windows meeting BRE criteria for VSC levels resulting in a low pass rate of 35.6%. The remaining 47 windows assessed would equate to a failure in BRE criteria of 64.3% of the total windows assessed. Of the 47 windows that fail, 41 windows (equating to 87% of all the affected windows) would experience in excess of a 40% reduction in VSC levels.
- 7.580 The ES as originally submitted in the assessment of these two receptors had sought to justify the daylight impacts on these two buildings through a supplementary ‘no balcony’ test and considers whether the proposed VSC values without the balconies would be reasonable for an urban area by referring to suggested alternative target VSC values in the mid-teens were existing balconies were not in place. In essence, the Applicant sought to suggest that were there no balconies on these properties, the resultant VSC values would be in the mid-teens and this would be considered to be reasonable in an urban area. Following the October 2022 amendments to the planning application, updated assessments for these two receptors were provided in the Environmental Statement: Statement of Conformity which replaced the original assessments as set out in ES Chapter 14 (Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare) and the results of the ‘no balcony’ tests are no longer relied upon for the purpose of these two receptors.
- 7.581 Notwithstanding the above, for information Members are advised DPR had confirmed in their initial review of the ES that the ‘no balcony’ test had been incorrectly applied. The purpose of the ‘no balcony’ supplementary test is to establish what the impact of the proposed development would be within the BRE numerical guidelines were it not for the balcony or other projection. If, without it, the impact would be within the numerical guidelines but, with it, the impact would exceed the guidelines, then the appropriate conclusion is that it is the balcony or other projection that is the main factor in the relative loss of light, rather than the proposed development. Temple also concurred with DPR with regards to how the ‘no balcony’ test should be applied.
- 7.582 DPR reviewed the results of the ‘no balcony’ test and applied the BRE guidance and concluded that for both Atelier Court and Leven Road Phase Three, the VSC impacts without balconies would still mostly be Major Adverse (i.e., greater than 40% loss and in many cases greater than 50% and even 60% loss). DPR therefore confirmed that the balconies or other projections on

Atelier Court and Leven Road Phase Three are not the main factor in the Major Adverse daylight effects to these buildings.

7.583 Both Atelier Court and Leven Road Phase Three would also experience significant sunlight impacts with the significance of effect for each receptor being Major Adverse (Significant) and Moderate to Major Adverse (Significant) respectively. The detailed breakdown of the sunlight results for these two receptors can be seen below:

Address	Windows		Annual PSH			Winter PSH		
	Total Windows	Total Windows Passing <sup>3</sup>	20.1-29.9%	30-39.9%	40+%	20.1-29.9%	30-39.9%	40+%
Atelier Court	110	7	0	0	101	0	0	102
Leven Road Phase Three	44	10	0	1	33	0	0	27
Totals	154	17	0	1	134	0	0	129

Table 27: Sunlight results for Atelier Court and Leven Road Phase Three

7.584 In terms of Atelier Court, only 7 windows out of 110 windows assessed equating to 6.4% would meet BRE’s criteria for both Annual and Winter PSH and 101 windows equating to 91.8% affected annually would experience reductions in excess of 40% and 102 windows equating to 92.7% would be affected in winter experiencing reductions in excess of 40% in WPSH. With regards to Leven Road Phase Three, only 10 windows out of 44 windows assessed equating to 22.7% would meet the BRE’s criteria for both Annual and Winter PSH and a total of 34 windows equating to 77.2% would be affected annually with 33 of these windows equating to 97% of the total affected windows (or 75% of the total windows assessed) experiencing reductions in excess of 40% in APSH. In winter, 27 windows equating to 61.3% of the total windows assessed would experience reductions in excess of 40% in WPSH.

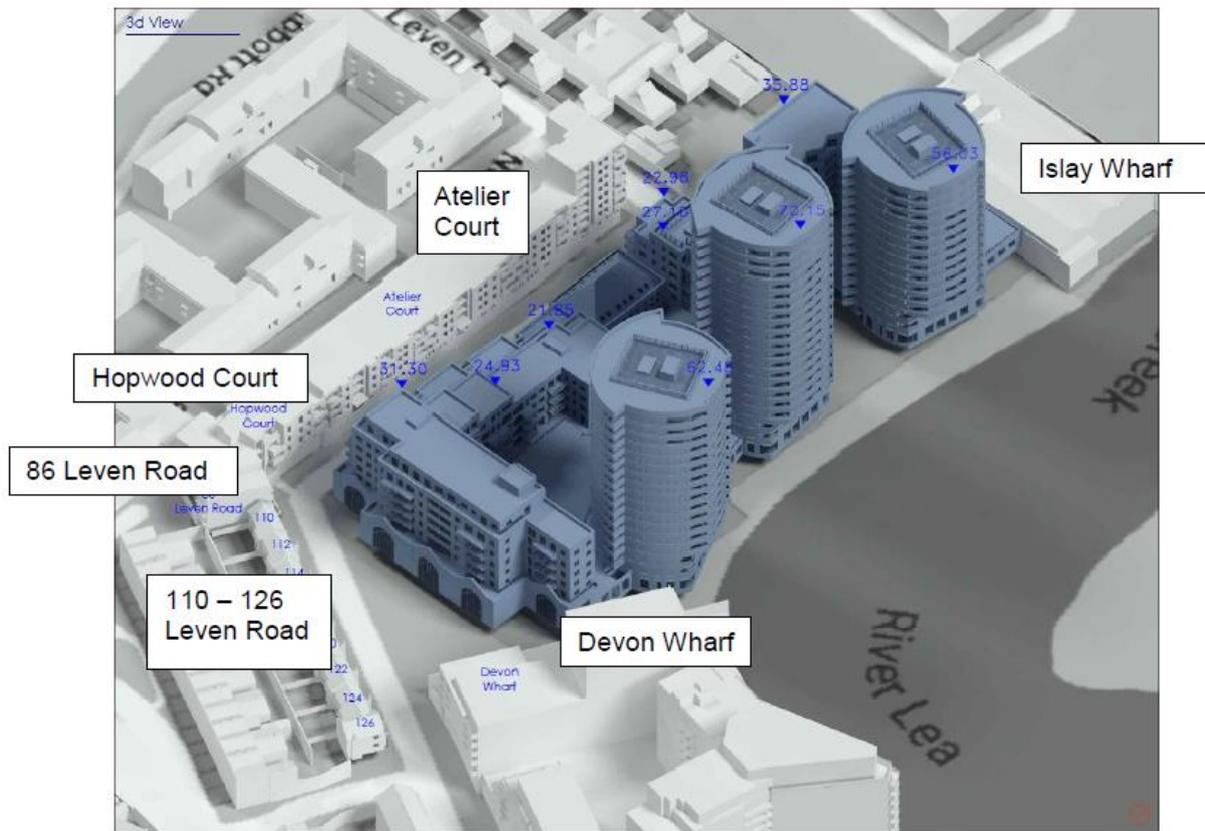
7.585 Officers have held discussions with the Applicant with regards to the impacts described above and in particular the impacts on Atelier Court; the receptor most affected by the development. The Applicant also puts forward that the impact on Atelier Court from the proposal is comparable to the impacts to the eastern elevation of this building by the Poplar Bus Depot planning application which was granted planning permission in October 2020 under decision notice PA/19/02148. Atelier Court was described as Leven Road Phases 1 and 2 in the Daylight and Sunlight Assessment submitted for the Poplar Bus Depot planning application. Officers have instructed DPR to undertake an exercise to compare the results of the two schemes on Atelier Court and Leven Road Phase 3 and the detailed results are set out below. For Member context, also below is a 3D image of the Poplar Bus Depot scheme in relation to Atelier Court as extracted from the Strategic Development Committee (SDC) Report presented at SDC for that planning application.

BASE SCHEME (A3 REMOVED)	VERTICAL SKY COMPONENT SUMMARY										BREAKDOWN OF HIGH MAGNITUDE IMPACTS								
	NO. WINDOWS TESTED	INSIDE BRE		OUTSIDE BRE						40-49.9%				50-59.9%		60-69.9%		70+%	
		NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
ATELIER COURT (PHASE 1 & 2 LEVEN ROAD)	117	5	4.3%	3	3%	9	8%	91	78%	31	26%	28	24%	14	12%	18	15%		
HOPWOOD COURT (PHASE 3 LEVEN ROAD)	73	26	35.6%	4	5%	2	3%	41	56%	6	8%	4	5%	17	23%	14	19%		
TOTALS	190	31	16.3%	7	4%	11	6%	132	69%	37	19%	32	17%	31	16%	32	17%		

LEVEN ROAD BUS DEPOT SCHEME	VERTICAL SKY COMPONENT SUMMARY										BREAKDOWN OF HIGH MAGNITUDE IMPACTS								
	NO. WINDOWS TESTED	INSIDE BRE		OUTSIDE BRE						40-49.9%				50-59.9%		60-69.9%		70+%	
		NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
ATELIER COURT (PHASE 1 & 2 LEVEN ROAD)	114	5	4.4%	0	0%	6	5%	103	90%	36	32%	23	20%	8	7%	36	32%		
HOPWOOD COURT (PHASE 3 LEVEN ROAD)	32	5	15.6%	5	16%	10	31%	12	38%	4	13%	3	9%	5	16%	0	0%		
TOTALS	146	10	6.8%	5	3%	16	11%	115	79%	40	27%	26	18%	13	9%	36	25%		

Figure 69: Daylight results comparing Aberfeldy Scheme and Poplar Bus Depot Scheme



**Figure 70:** 3D Image of Poplar Bus Depot Scheme extracted from SDC Report for PA/19/02148

7.586 In relation to the impact on Atelier Court, the assessment undertaken for the Poplar Bus Depot scheme found that for daylight, of 114 windows tested, 5 windows would meet BRE criteria for VSC, 6 would see Moderate Adverse effects and 103 windows would see Major Adverse effects. DPR's detailed breakdown of the results of the Poplar Bus Depot scheme compared to this application indicates that the impact of the Aberfeldy Estate proposal on the western elevation of Atelier Court is lower than the impact on the eastern elevation of Atelier Court from the Poplar Bus Depot scheme. In the Poplar Bus Depot scheme, of the 103 windows that experienced in excess of a 40% reduction in VSC; 8 windows (7%) would experience reductions in VSC of between 60-69.9% and 36 windows (32%) would experience reductions in excess of 70% compared to the Aberfeldy scheme whereby of the 91 windows experiencing Major Adverse effects; 14 windows (12%) would experience reductions in VSC of between 60-69.9% and 18 windows (15%) would experience reductions in excess of 70%.

7.587 Officers acknowledge that the daylight impacts on Atelier Court from both schemes are comparable however, this does not negate from the fact that the impact on the western elevation of Atelier Court from the application scheme would be Major Adverse. Officers also note however, that the Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves, particularly to higher density development in London, in central and urban settings. Guidelines should also be applied sensitively to consider local context, circumstances and the need to optimise housing capacity in accordance with policies set out in the London Plan. Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London. Similarly, paragraph 125 (Part C) of the NPPF, advocates Local Planning Authorities to refuse applications which fail to make efficient use of land however in this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

7.588 The windows and rooms on the western elevation currently look out onto car parking areas for buildings within the Nairn Street Estate. There are currently separation distances ranging between approximately 11-14m between Atelier Court and the closest building in the Nairn Street Estate. The October 2022 amendments to this planning application which resulted in the removal of Block A3 have not resulted in any material improvements to the daylight and sunlight impacts on Atelier Court, however it has allowed for the opportunity to create a very generous space between Atelier Court and building Plots A1-2 and B1-2 of the masterplan with a separation distance of 26m between Plot A1-2 and Atelier Court and a greater distance of approximately 34m between Atelier Court and building Plot B1-2. Between these buildings there will be areas of public open space in Nairn Square and Nairn Park which comprises new areas for communal community growing, recreation play lawn as well as the planting of additional trees and landscaping. This will create a visually greater quality of environment, improved setting and improved outlook from windows and rooms on the western elevation of Atelier Court to that which currently exists.

7.589 Members are also reminded that given the hybrid nature of this planning application, 3 out of the 4 phases have been submitted as Outline proposals relying on maximum parameter plans. The daylight and sunlight assessments undertaken reflect a 'worst-case' scenario based on the maximum parameters sought. The maximum parameters include buffer space for balconies, rooftop maintenance areas and heating, ventilation and air conditioning systems. Therefore, once the detailed designs are developed to come forward for subsequent reserved matters planning application, the proposed massing could be smaller than the maximum parameters albeit unlikely to be significantly smaller given the density proposed. Notwithstanding this however, the illustrative masterplan proposals considered earlier in this report provides an example of how the proposed development could be articulated and includes measures which would aid in the mitigation of daylight and sunlight effects. These measures include:

- Stepping back from the maximum parameter envelope;
- Introduction of gaps between blocks;
- Rooftop setbacks;
- Chamfered edges and
- Rooftop elements reducing in size.

7.590 It is acknowledged that the above measures will not materially improve daylight and sunlight impacts to receptors Atelier Court and Leven Road Phase 3, however if the site is to be redeveloped at a higher density to meet Local Plan and national planning policy objectives of addressing the acute shortage of housing and the need to increase housing supply and optimising site capacity to facilitate the delivery of new housing, reductions (and in some instances Major Adverse impacts) in daylight and sunlight to neighbouring properties is to be expected. The only means of addressing daylight and sunlight impacts identified would be to consider an alternative development proposal; one which would require the density of the development to be substantially reduced and one which could materially further compromise the viability of the scheme. In taking all of the above into account in the round and the wider regeneration benefits of the proposal, on balance Officers accept the reductions in daylight and sunlight resulting from this development and consider that the development proposal as a whole to be acceptable.

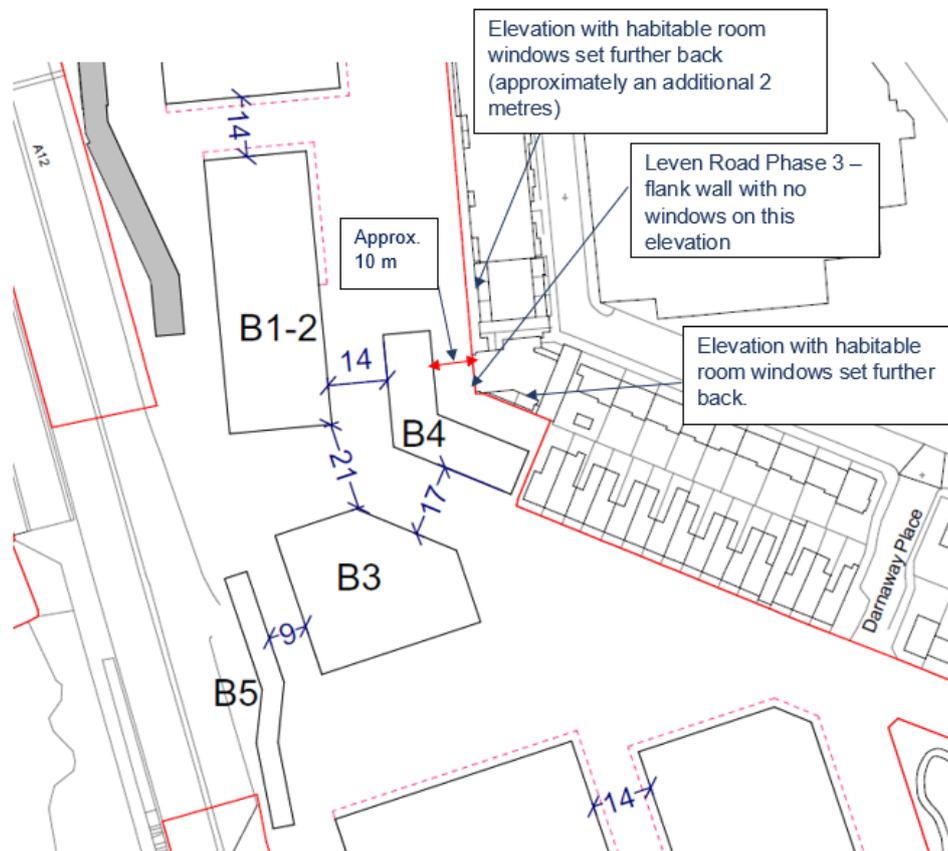
### **Overlooking, Loss of Privacy, Sense of Enclosure and Outlook**

7.591 Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.

7.592 In respect of the proposed development, the majority of the wider estate has either been redeveloped under the extant planning permission to the south of the site or will be demolished and redeveloped as part of this proposal. Areas of remaining residential within close proximity of the masterplan and the proposed buildings include low-rise 2-storey houses on Lansbury Gardens, Wooster Gardens, Ada Gardens, Goodway Gardens, Benledi Road all which run parallel to each other on a north-south axis with Lansbury Gardens closest to Aberfeldy Street and Benledi Road furthest away from Aberfeldy Street and adjacent to the western edge of

Braithwaite Park. Other residential properties include 177-195 Abbott Road and 199-225 Abbott Road with 199-225 Abbott Road forming a terrace of Victorian Houses whilst 177-195 Abbott Road are a more recent contemporary terrace of houses. Directly north of 199-225 Abbott Road are existing residential flatted blocks Atelier Court and Leven Road Phase Three.

- 7.593 Plot H3 will be sited closest to Lansbury Gardens with a separation distance of some 15m between the eastern (rear) elevation of Plot H3 and the western (front) elevations of dwellings in Lansbury Gardens. However, the proposed building maintains a similar separation distance with Lansbury Gardens as per the existing building, albeit larger in scale and height. As assessed earlier in this report, the scale and massing of Plot H3 is considered to be acceptable and will not result in any impact considered to be detrimental on occupants of Lansbury Gardens.
- 7.594 In terms of the terrace of houses comprising 177-195 Abbott Road, the closest building within the masterplan to this terrace will be Plot D1-4 which maintains a separation distance of between some 26m to 88m at its furthest point from Plot D1-4. Number 199 Abbott Road is the closest property in the Victorian terrace to Plot D1-4 however there would be a separation distance of some 21m.
- 7.595 There would be a separation distance between Outline Plot B4 and the neighbouring building Leven Road Phase 3 of approximately 10m at its closest point. However, the closest flank of Leven Road Phase 3 to Plot B4 has no windows on its elevation and is currently joined to one of the buildings proposed to be demolished within the Nairn Street estate (87-107 Nairn Street) and this flank spans a distance of some 9 metres and the remainder of the building is set further back from Plot B4 resulting in a separation distance of approximately 12 metres overall. This essentially means that whilst at its closest point, the separation distance would be approximately 10 metres, this is not the separation distance between habitable rooms which would be slightly greater. The relationship between Plot B4 and Leven Road Phase 3 can be seen in the image below.



**Figure 71:** Relationship between Plot B4 and Leven Road Phase 3

- 7.596 Other nearby residential developments are sited at greater distances than the residential blocks identified above and therefore are not considered to be impacted upon in terms of any material loss of privacy, overlooking, outlook and sense of enclosure to residential occupiers as a result of the proposed development.
- 7.597 In summary, it is considered that the proposed development has been designed to have regard to neighbouring residential buildings and the amenities enjoyed by neighbouring residential occupiers. Broadly, sufficient separation distances would be maintained between the proposed development and neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

### **Noise and Vibration**

- 7.598 The application has been accompanied by an Environmental Noise Assessment forming Chapter 10 of the Environmental Statement (ES).
- 7.599 The assessment focuses on potential noise and vibration effects during demolition and construction, in particular construction road traffic and onsite works noise. Once complete and operational, the noise and vibration assessment considers noise and vibration effects associated with operational road traffic noise on surrounding roads, internal ambient noise levels for residents of the proposed development and building services/plan.

#### Demolition and Construction Phase

- 7.600 The ES has considered the different stages of the construction programme, to identify the potential for effects at sensitive receptors in close proximity to the works. The assessment concludes that in respect of effects from demolition and construction activities at residential properties immediately adjacent to works, with mitigation measures in place the demolition and construction activities will result in short term Minor to Major Adverse (Significant) effects on noise and vibration levels. To control the impact of noise during all phases of the construction programme, the assessment reports that contractors will ensure that construction works are carried out in accordance with best practicable means and mitigation measures will ensure that noise and vibration levels are kept as low as practically possible, and that local residents are kept up to date with the planned works. The Significant Adverse effects experienced during the demolition works will be temporary in nature and will cease with the completion of the development.

#### Completed Development

- 7.601 The assessment of the operational traffic flow data for the roads surrounding the proposed development has determined that the changes in noise due to operational road traffic will be Negligible, with a Major Beneficial (Significant) effect at two locations on Abbott Road due to a decrease in traffic as a result of the public realm and traffic calming road improvements introduced by the proposed development. The new homes provided will incorporate measures such as glazing and ventilation to ensure that the required internal noise levels can be met. Mechanical ventilation is also proposed across the development which will allow for sufficient airflow whilst maintaining the integrity of the façade with regards to noise insulation. Wintergardens will be incorporated at dwellings directly overlooking the A12 whilst the remainder comprises protruding balconies and external amenity areas at ground level which are screened by the layout of the proposed development.

#### Conclusions on Noise and Vibration

- 7.602 In conclusion, the relevant ES chapter demonstrates technical compliance is achieved with regards to relevant planning policies to ensure that future residents will enjoy a satisfactory standard of living accommodation within the dwellings, whilst also safeguarding existing background noise levels through appropriate design and mitigation measures.

7.603 No objections have been received from Environmental Health Noise Team. Conditions will be imposed accordingly to ensure that a suitable noise environment is maintained to neighbouring occupiers during the construction period of the development should planning permission be granted for this development.

### **Construction Impacts**

7.604 The Council's Code of Construction Practice Guidance requires major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how the Code of Construction Practice would be met and requires the CEMP to outline how environmental, traffic and amenity impacts attributed to construction traffic will be minimised. The application is supported by an Outline Construction Environmental Management Plan.

7.605 The Outline CEMP notes an overall timeframe for construction of approximately 128 months (10 years and 8 months). Phases will be constructed in sequence (A-B-C-D) however phases may be constructed in an overlapping sequence. Phase A site establishment and demolition works are expected to commence in Quarter 3 of Year 1 (2023). Working hours within the Outline CEMP are identified as being 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working on Sundays, Bank or Public Holidays in accordance with the Council's Code of Construction Practice. Construction traffic measures will be in place to ensure that noise related impacts from construction traffic are minimised. These include:

- Vehicles will not wait or queue up with engines running on the site or the public highway;
- Vehicles will be properly maintained to comply with noise emissions standards;
- Deliveries will be restricted to be within working hours of the site; and
- Design and routing of access routes will minimise vehicle noise and the need to perform reversing manoeuvres.

7.606 It is acknowledged that demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. However, the ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction, including as mentioned above the outline CEMP. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts should planning permission be granted. These will control working hours and require the approval and implementation of an updated and detailed CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.

7.607 In addition to the above, the Council's recently adopted Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace and £100 per residential unit 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. This would be secured via the S106 legal agreement should planning permission be granted for this development.

### **TRANSPORT AND SERVICING**

7.608 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development by promoting walking, cycling and public transport use but also contributing to wider health and environmental objectives to reduce congestion and emissions, and improve air quality and public health. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.

7.609 Policies T1 to T6.1 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at local, network-wide and strategic level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network. Policy T6 of the London Plan (Part B) states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development should still ensure that as a minimum, that for 3% of dwellings at least 1

designated disabled persons parking bay per dwelling is available from the outset. Policy T7 (Part G) of the London Plan requires development proposals to facilitate safe, clean, and efficient deliveries and servicing.

7.610 The above strategic messages are similarly echoed in Local Plan Policies S.TR1, D.TR2, D.TR3 and D.TR4 which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling. Policy S.TR1 particularly promotes the need to prioritise pedestrians and cyclists as well as access to public transport, including river transport, before vehicular modes of transport.

7.611 Policy LS8 of the Leaside AAP (Regulation 18 Version) expects development to improve the quality and connectivity of walking and cycling routes in the area. Part B of the policy identifies a number of top priority interventions that would be expected to be secured to contribute to the delivery of improvements to walking and cycling connections including but not limited to:

- Creation of an east-west walking and cycling 'spine' from the River Lea to Langdon Park DLR station by delivering high quality cycle provision and improved footways along Lochnagar Street, Zetland Street, St Leonard's Road, and Langdon Park. This should include an upgraded junction between Zetland Street, A12 and Lochnagar Street, with tightened turning radii and more direct pedestrian crossings, and access to the new bridge crossing of the River Lea at Lochnagar Street.
- Creation of an east-west walking and cycling 'spine' between Abbott Road and Chrisp Street Market by delivering dedicated cycling provision and continuous footway crossings along Blair Street and Brownfield Street. This should include environmental improvements to the subway crossing at Balfron Tower, a new crossing between the top of Abbott Road and Jolly's Green, and aligning the Chrisp Street crossing with Brownfield Street and converting it to a 'toucan' crossing.
- Traffic calming on Abbott Road, including dedicated cycling provision and continuous footway crossings. Upgraded 'toucan'-style crossings should be provided at the junctions with Aberfeldy Street, Dee Street, and Blair Street.

### **Access, Movement and Connectivity**

7.612 As described in the Site and Surroundings section of this report, the site has a PTAL of 1b-4 on a scale of 1 to 6 where 6b is considered excellent. The A12 to the west of the site and the A13 approximately 100m to the south of the site causes severance by requiring pedestrians to either wait at traffic signals at grade or use one of several subways. Further barrier is created to the northeast by the River Lea as there are currently no means to cross the River Lea along pedestrian/cycle desire lines to Star Lane Docklands Light Railway Station or West Ham London Underground Station.

7.613 There are three vehicular access points to the site: The A12/Abbott Road/Abbott Road Underpass junction; The A12/Lochnagar Street/Zetland Street junction and the A13 East India Road/Abbott Road/Lanrick Road junction. Abbott Road passes through the site and connects the A12 and A13 and at its eastern end, the access operates a left-in and left-out strategy with the Abbott Road underpass leading to a slip road for the A12 which allows vehicles to egress the site and turn right onto the northbound A12.

7.614 A number of existing access points including access for pedestrian to the site include subways (north of Lochnagar Street, adjacent to the Abbott Road underpass and one which connects to Dee Street) which run beneath the A12, a two-stage at grade signalised crossing of the A12 at Lochnagar Street and multiple-stage at grade signalised crossings at A13/A102 junction, A13 East India Dock Road directly east of Nutmeg Lane and at A13/A1020/Abbott Road junction.

- 7.615 One bus route; the 309 bus service, travels through the site and operates between Canning Town and Bethnal Green. This bus route uses the A12/Abbott Road junction and the A13/Abbott Road junction. The image below shows the route of the 309 bus service whereby it can be seen that the westbound 309 bus service uses the existing Abbott Road underpass to cross the A12 and then turn left into Zetland Street. The eastbound service uses a bus-only right turn to travel from Zetland Street onto the southbound A12 and then turn left onto Abbott Road.

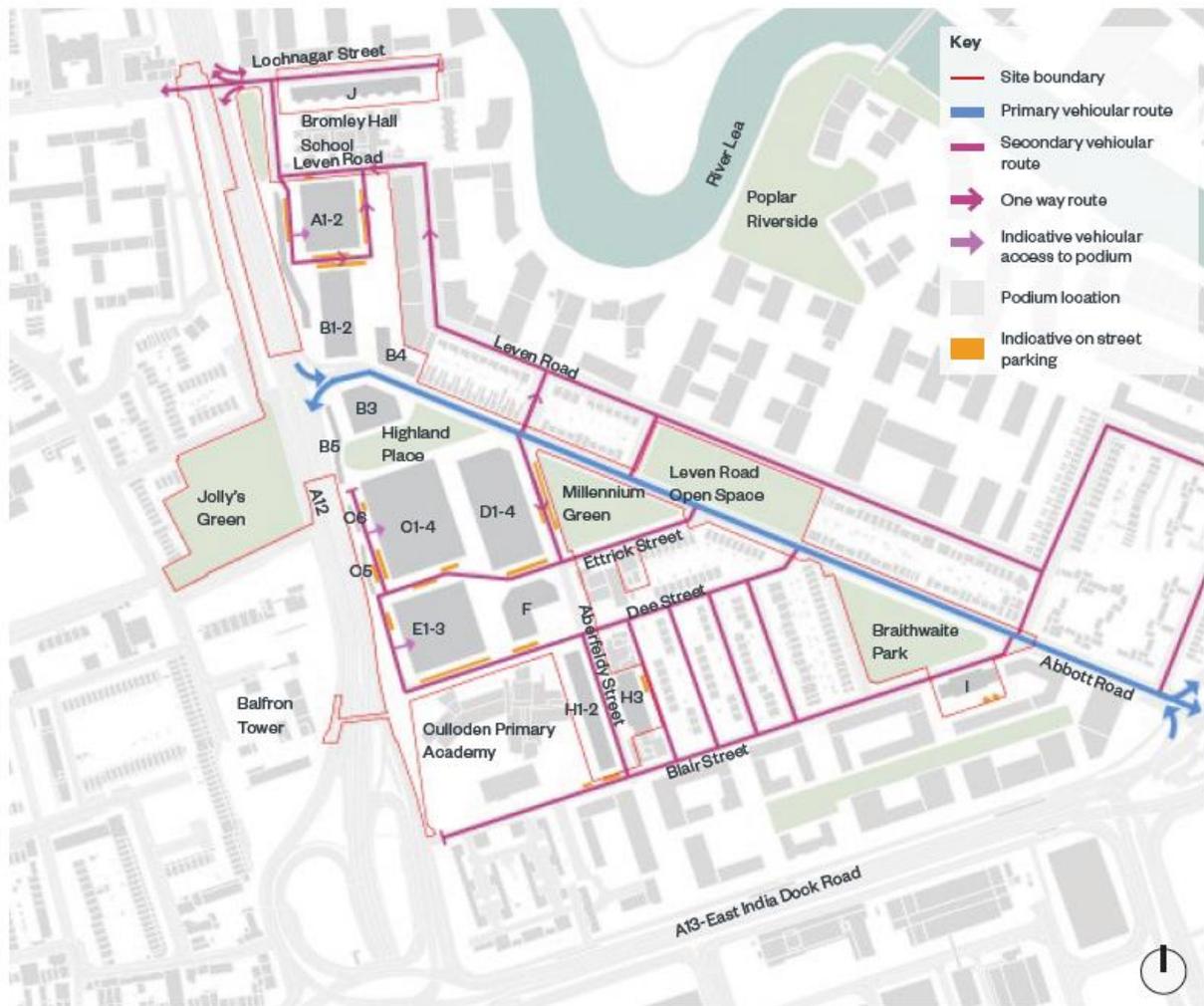


Figure 72: TfL bus routes

- 7.616 Cycle Superhighway 3 (CS3) forms the main strategic cycle route in the vicinity of the site and provides a connection into Central London.

### **Movement Strategy**

- 7.617 The proposed development seeks to overcome the severance created by the A12, A13 and the River Lea and crucially strive to reintegrate and reconnect the Aberfeldy Estate better into its surroundings. The comprehensive movement strategy and the vision for the public realm would be transformative and have driven the shaping of the masterplan to ensure significant improvements are achieved to the pedestrian and cycle experience in the area. Movement across the site and into the wider neighbourhood is considered from a 'children first' perspective and seeks to place young people at the top of the movement hierarchy.
- 7.618 Pedestrian movement would be prioritised through safe networks and crossings connecting Highland Place, Millennium Green, Leven Road Open Space, Braithwaite Park and Jolly's Green along the transformed 'Healthy Street; Abbott Road. Public realm proposals detailed earlier in this report address how traffic on this street can be reduced and calmed to allow children and families to safely walk and cycle along Abbot Road as well as cross between these spaces.
- 7.619 The network connects through to Leven Road Gasworks and Poplar Riverside Park and sets up as described by the Applicant 'safe loops' around the existing neighbourhood making ease of movement particularly for children.



**Figure 73: Masterplan movement strategy**

7.620 The movement strategy relies on a clear street hierarchy being incorporated into the masterplan. The order being the Primary Street, a Secondary Street and a Pedestrian and Cycle Route. The Primary Street being Abbott Road which will be the key vehicular connection through the masterplan. This street will be reconfigured to provide a 6m wide carriageway, 2.8m wide footpaths and a 1.5m wide strip to accommodate planting and parking. The Secondary Streets allow vehicles to move through the neighbourhood at a more local scale, whilst also ensuring good connections for pedestrian and cyclists. Important Secondary Streets include the east-west connections of Dee Street and Etrick Street and are instrumental in ensuring car and servicing access within the masterplan. Taking Etrick Street as an example, this would have a 5.5m wide carriageway, 2.7m wide strip for landscaping/accessible on-street parking and a 3 metre footpath on one side and a 4.7m footpath on the other side. Finally, the Pedestrian and Cycle Routes would be car free and promote sustainable travel with vehicles only being permitted in cases of emergency or servicing. Community Lane will be the key pedestrian and cycle connection in the masterplan and will incorporate a 4m wide pedestrian/cycle route with informal play, 3m deep front gardens either side of the pedestrian carriage way and 4m wide SUDs/planting strip.

### Road Network Changes

7.621 The submitted Transport Assessment (TA) identifies that the greatest demand for east-west crossing movement is expected to be in the centre of the site near the Abbott Road subway. The Applicant considered 3 options in addressing the severance to east-west connectivity:

- An at-grade signalised crossing;
- A bridge crossing;
- A repurposed underpass crossing.

Whilst an at-grade crossing is promoted in the Leaside AAP, this option was discounted due to the additional delay it would likely cause on the A12 and the delay to people walking and cycling which would make the facility unattractive to use, the noise pollution that would be experienced by people crossing, and the potential for vehicle collisions.

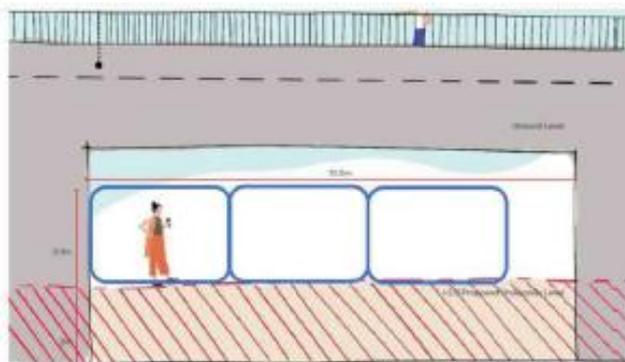
- 7.622 The bridge crossing option was also discounted as it would require a 5m headroom above the A12 and long accessible ramps which are likely to be indirect with inconvenient turns and potential climatic issues such as exposure to wind and lack of shelter on a bridge resulting in a less attractive option.

### Repurposing the Underpass

- 7.623 The option of repurposing the underpass was selected as it would allow people to cross the A12 with minimal delay. This is the most significant aspect of the movement strategy with a major physical intervention in the existing built environment,. The proposals would require partially filling in the underpass by raising the level but allowing for a headroom of at least 3m to remain which would facilitate an accessible ramp of around 70m (compared to 130m required for the bridge option) and allow for ramps to be designed into the landscape. The repurposed underpass would close the existing underpass to motorised traffic and make physical and structural changes to create an attractive public space and route for walking and cycling, including a new connection to Jolly's Green on the west side of the a12. Subsequently the existing Abbott Road pedestrian subway which runs parallel to the vehicular underpass would be closed.

- 7.624 As the delivery of the underpass falls within Outline Phase B, detailed components of this element of the masterplan have not been provided. However sufficient assessment has been undertaken to demonstrate that the structural changes could be delivered, that there would be good sight-lines through the route and that it would be DDA compliant. The TA confirms that its design will be predicated by ensuring that it provides passive surveillance, activates new spaces, includes attractive surfacing, colour and lighting. The underpass would connect Highland Place to the existing A12 slip road on the western side of the A12, which would become a pedestrian-cycle only facility and connect directly into Jolly's Green with pedestrian cycle routes to the south western corner of Jolly's Green (leading to Chrisp Street Market) and the north-west corner (leading to Langdon Park Secondary School and DLR Station).

- 7.625 The image below to the left indicates the structural changes to the underpass at an opening point where it can be seen that the underpass has a width of 10.5 metres and the ground level would be raised up by 2m leaving a 3.3m headroom. The image to the right depicts a CGI visualisation of the underpass where a shared walking/cycling route rather than a segregated route is envisaged. Design features such a lighting, play equipment and colour can be used to activate the space and enhance the feeling of safety.



**Figure 74:** Structure and CGI image of the Underpass

- 7.626 To avoid the traditional drawbacks associated with subways, the underpass has been designed to be an active, attractive space which facilitates passive surveillance. Building B3 would have a basement level fronting and activating Highland Place and the entrance to the underpass. New Poplar works buildings are proposed that would screen Highland Place from the A12, thereby reducing noise levels. In addition to the direct connection to Jolly's Green, a stairway and re-graded ramp will connect the underpass to the western side of the A12 and the existing slip road. The ramp length would be reduced to c.70m and the gradient would be reduced to 1:21 and the slip road would be provided with acoustic barriers, extensive landscaping and trees to enhance the pedestrian experience.
- 7.627 Both TfL and the Council's Transport and Highways Officers support the principle of the repurposing of the underpass. LBTH Transport Officers consider that further detailed exploration could be undertaken to assess all the potential options to deal with severance issues. Notwithstanding this, LBTH Transport Officers do not object to the repurposing of the underpass.

### New Abbott Road/A12 Junction

- 7.628 The existing Abbott Road/A12 junction would be replaced and become Highland Place however there remains a need for Abbott Road to form access with the A12, particularly to accommodate buses. Abbott Road would extend northwest reverting back to its historic alignment to form a new junction with the A12, which would provide left turns for general traffic.



**Figure 75:** New Abbott Road/A12 junction

- 7.629 A signalised right turn bus gate is proposed that would prioritise bus movement and minimise delay relative to the existing underpass. Similar right turn bus facilities exist locally to allow buses priority when turning right on or off the strategic road network i.e., the bus only right turn from Zetland Street on the A12 and from the A13 onto Abbott Road. The signalised bus gate would be linked to the traffic signals at the A12/Lochnagar Street junction and therefore the TA reports that buses would wait on average around 60 seconds at the bus gate and that a good service can be maintained. The junction would have the capability to accommodate two buses at the stop line.
- 7.630 The Applicant was required by Transport for London (TfL) to undertake further microsimulation modelling for the scheme to identify impacts on the local highway network and TfL's bus services. The results of the modelling indicate that for general traffic impact that in respect of the A12 (between Bow Roundabout and Abbott Road), average journey time per vehicle reduces in both

directions in the morning peak period by 34 seconds northbound and 7 minutes 37 seconds southbound. There would be minor increase in average journey time in the evening peak period with an improvement northbound (73 seconds) and a delay southbound (80 seconds) however the results of the modelling confirm that there are no adverse impact on the operation of the Blackwall Tunnel. The improvement in journey times is attributed to the additional northbound traffic lane being created at the A12/Zetland Street junction due to the Abbott Road underpass slip road being repurposed.

### Lochnagar Street/Zetland Street/A12 Junction

- 7.631 The removal of traffic from the underpass will change the southern arm of the Lochnagar Street/A12 junction. Traffic will no longer need to join the A12, and there is an opportunity to change the approach lanes to provide an additional ahead lane, thereby adding more capacity, and also introducing a new left turn lane into Zetland Street.
- 7.632 Lochnagar Street will undergo significant public realm improvements which incorporates additional planting, marked out car parking bays, and a new footway.

### Impact on Bus Network

- 7.633 The closure of the Abbott Road underpass and the new Abbott Road/A12 junction will require changes to the 309 bus route. This is currently the only bus route that serves the site with bus stops provided on Blair Street, Aberfeldy Street, and Abbott Road. The 309 bus service currently travels along Aberfeldy Street and then along Etrick Street however under the new proposals to facilitate the pedestrianisation of Aberfeldy Street adjacent to the new Town Square, it is proposed to permanently reroute the 309 bus route eastbound along Dee Street to then join Abbott Road and continue towards the new Abbott Road/A12 junction with the westbound buses using the new bus-only right turn at the Abbott Road/A12 junction. The comparative routes for the 309 bus service can be seen in the image below.



**Figure 76:** Existing and proposed bus route 309

- 7.634 The proposed re-routing of the bus route requires changes to bus stop locations on Dee Stee and Aberfeldy Street which are also illustratively indicated above however, their final location may be subject to change. There is also the potential that the 488 bus service may be introduced to this area in the future as part of the Leven Road Gasworks scheme. Should this occur, the 488 bus service would also follow this route along Abbott Road.
- 7.635 The modelling results submitted to TfL indicate that average delays to bus services are forecast to reduce by 37% in the AM Peak and 27% in the PM Peak. The 309 westbound journey time would increase by 77 seconds in the morning and increases by 80 seconds in the evening due to the introduction of the bus gate. The 309 eastbound journey time reduces by 6m46s in the morning largely due to reduced congestion between Zetland Street and Abbott Road and increases by 3 seconds in the evening. TfL have confirmed that the Applicant will be required to

mitigate the impact in terms of the forecast increase in journey times to the 309 route and the increase in bus passenger trips from the site and have requested that bus priority measures should be prioritised to improve the reliability and performance of the bus network overall. The provision of bus priority measures along the affected route 309 would enable bus journey time spent at the A12 bus gate junction to be offset elsewhere on the route or local bus network. To this end TfL are seeking a financial contribution of £450,000 to be secured via a S106 agreement. It should be noted that the Applicant does not consider that the amount requested by TfL is justified on the basis that the bus network will improve overall as a result of the proposals and as such as the time of writing of this report discussions on this matters are still on-going between the Applicant and TfL. Members are therefore advised that should planning permission be granted for this development, the final contribution sought for bus priority measures may be subject to change.

7.636 LBTH Transport Officers have expressed concerns that the proposals have not considered any potential delays to school buses, many of which are Special Educational Needs which currently use the underpass. The Applicant has advised that surveys undertaken in May 2022 of the underpass indicates that a total of 8 school minibuses and one school coach used the underpass in a 2-hour period between 7am and 9am. LBTH Transport Officers have requested that the Applicant should explore whether exceptions could be made for the bus gate to incorporate school buses if unacceptable delays are caused. The Applicant has advised that some modelling has already been undertaken the preliminary results of which indicate that there may be scope to allow additional vehicles through the bus gate junction during off-peak periods at the very least. However, further modelling would need to be conducted at the detailed design stage to understand how often the bus can be used and how many vehicles (or vehicle types) can be permitted to use this junction during peak periods.

#### Impact on Vehicular Movement

7.637 There are 6 key existing roads within the site that will be impacted by the proposals: Abbott Road, Lochnagar Street, Aberfeldy Street, Dee Street, Etrick Street and Leven Road. Abbott Road is a two-way road subject to a 20mph speed limit and has various double yellow line restrictions and permit car parking. Lochnagar Street historically serviced the previous industrial uses within the vicinity and as detailed earlier, provides the most northern access from the site to the A12 via an at grade signalised junction. Aberfeldy Street a two-way route is the most commercial in character serving the Neighbourhood Centre with parking provided along both sides of Aberfeldy Street carriageway and outside of the shops. Aberfeldy Street also provides the highest concentration of cycle parking of any road within the site, including a Cycle Hire docking station. Dee Street is residential in character with a two-way eastbound and westbound single carriageway road that is subject to a 20mph speed limit and has on-street permit parking (Zone B3). Etrick Street is also residential in character with two-way eastbound and westbound vehicular movement and subject to a 20mph speed limit and as per Dee Street also includes on-street permit parking (Zone B3). Finally, Leven Road is predominately a residential Road which restricts southbound movement along the eastern part of the road on the most northern part of Leven Road. The road is subject to a 20mph speed limit and has on-street permit parking (Zone B3).

7.638 Following implementation of the proposals, some sections of the site will become pedestrianised as detailed earlier in this report and traffic calming measures will be implemented to reduce vehicle speeds on-site including the narrowing of carriageways, footpaths widened and the introduction of raised table 'tiger crossings' along Abbott Road and the pedestrianisation of part of Aberfeldy Street however, the general principles of vehicle movement for the proposals will remain similar to the existing site. The key difference being that general traffic will no longer be able to egress northbound from the Abbott Road underpass. The following routes are available for motorists:

- Leave the site via Abbott Road southbound and the A13.
- Turn left at the Abbott Road junction and go southbound on the A12.
- Use Leven Road and exit at the Lochnagar Street junction to go northbound or southbound on the A12, or westbound on Zetland Street.
- Turn left at the Abbott Road junction, go round the island along the A12/A13 interchange and then northbound along the A12.

7.639 The broader movement principles around the site can be seen in the images below.

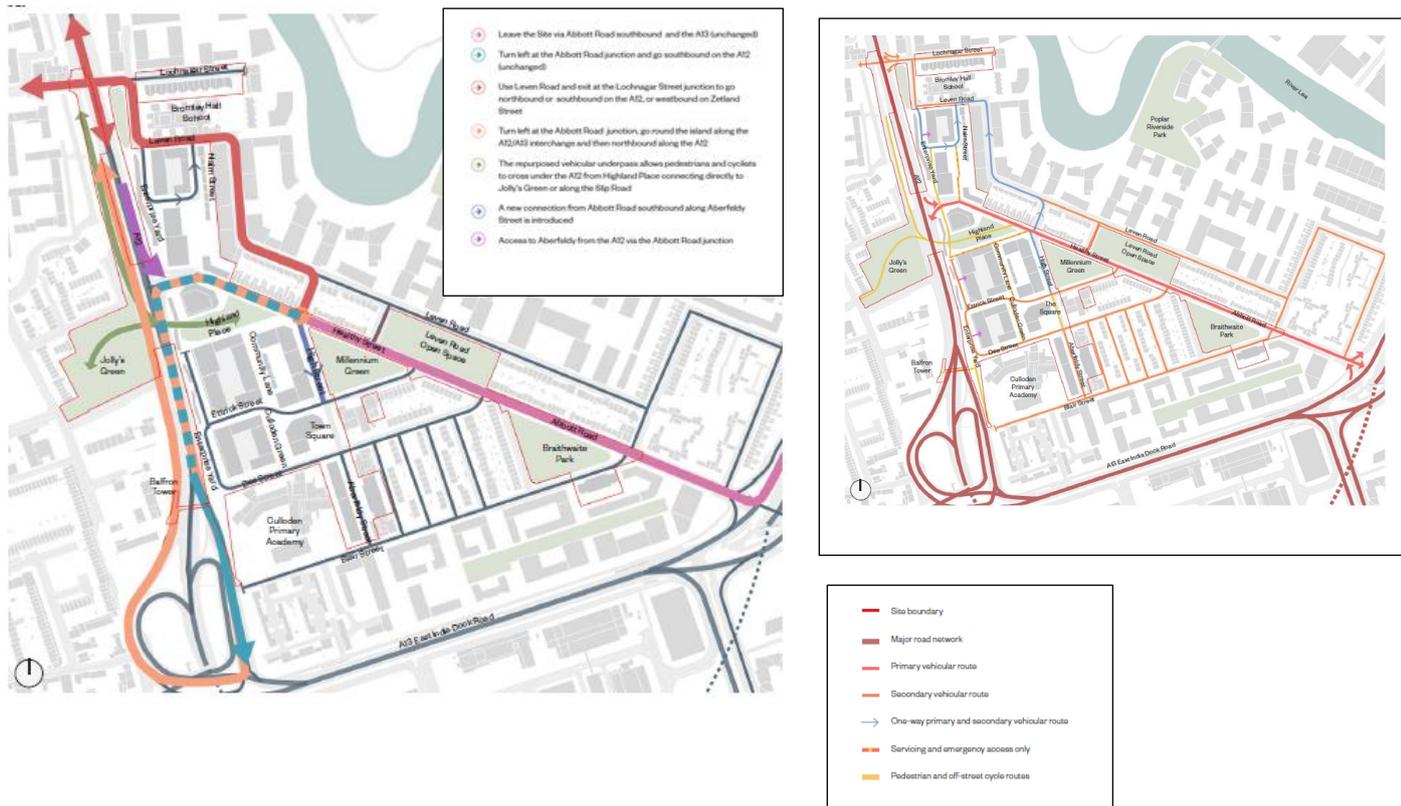


Figure 77: Movement principles across the masterplan

7.640 The proposals will still allow for vehicle movements to be facilitated within the site however, in accordance with Local Plan and National Planning Policy objectives, the proposed development prioritises walking, cycling and connections to public transport, with new one-way vehicle routes and pedestrianised areas along desire lines being introduced as part of the proposals. This would support the wider parking strategy for the site, as the vast majority of future residents will not have the capability to park a car and therefore it would be expected that future residents will not own a car and the proportion of residents without a car is expected to increase over time as a result of the parking strategy for the site which is detailed later in this report.

7.641 The modelling presented to TfL demonstrates that for general traffic, delays across the network are reduced significantly with a 40% reduction in the AM Peak period and 27% reduction in the PM Peak period although there are some journey times that would increase namely general traffic wishing to leave Aberfeldy Estate and travel northbound on the A12 with estimated journey times to increase by 32 seconds in the AM Peak period and 42 seconds in the PM Peak period.

7.642 It is noted that LBTH Transport Officers have expressed concerns with regards to the pedestrianisation of Aberfeldy Street between Dee Street and Etrick Street which provides part of the new Town Square proposals. St Nicholas Church had objected to this specific part of the proposal on the grounds that the pedestrianisation of part of Aberfeldy Street would interfere with Church operations such as weddings and funerals. The Church have advised that they have liaised with the Applicant who has put forward a proposal to provide a drop-off point/space integrated into the pedestrianised part of Aberfeldy Street which would be accessed and controlled by bollards at either end with the bollards opened and the parking/drop off space used for funerals, weddings and other special events. The Church have advised that this would satisfy their objections provided that a plan incorporating the vehicle space was included as part of any approved drawings.

7.643 LBTH Transport Officers have advised however, that such a solution that favours one particular user group over others on the public highway cannot be supported. Moreover, the use of bollards

at either end may restrict emergency access and therefore the Applicant would need to consider further arrangements to ensure that access for the Church is not restricted by the proposed development. The Transport and Highways Team are satisfied that this matter could be addressed via the imposition of a suitable planning condition.

### Summary of Improvements

- 7.644 In summary, Officers welcome and support the new and improved connections proposed which would facilitate greater opportunities for walking and encouraging active and healthy travel. The wider site is currently moderately suitable for walking and hindered by greater freedom of movement and connectivity by physical severance and barriers in the arterial roads. The masterplan will deliver a much improved network of new and improved streets which have been designed to improve the pedestrian experience; creating green and leafy routes with enhanced safety which enable walking and cycling to be prioritised and critically enhance and create opportunities for greater east-west connections.

### **Cycle Parking**

- 7.645 Policy T5 of the London Plan and Policy D.TR3 of the Local Plan requires adequate cycle parking provision to be provided for the development. Cycle parking provision for the Outline component of the masterplan should be provided in accordance with Table 10.2 of the London Plan. The final residential cycle parking provision for the proposed development will be dependent on the final number of units in the outline element of the proposals and the unit mix, however the TA confirms that cycle parking will be provided in accordance with the London Plan cycle parking standards. Similarly commercial cycle parking provision will be provided in accordance with the London Plan. This would be secured in future Reserved Matters applications for the Outline component.
- 7.646 In terms of Phase A, the proposal is required to provide 485 long stay cycle parking and 7 short stay cycle parking for the residential component of the development. In terms of the commercial component, 12 long stay cycle parking and 68 short stay cycle parking is required to be provided. The TA confirms that Phase A will provide as a minimum the required provision of cycle parking for both the residential and commercial components of the scheme. Cycle parking will be distributed based on each building's requirement. Should planning permission be granted, Officers would be seeking to secure full details of these spaces via condition including the requirement to provide cycle parking in accordance with TfL's London Cycle Design Standards to ensure that cycle parking is provided to accommodate accessible and larger cycles to ensure that a diverse range of cycle parking spaces are provided.

### **Car Parking**

- 7.647 Most of the existing parking on the site is located on-street and the site is located within Controlled Parking Zone (CPZ) B3, which restricts parking to permit holders Monday to Friday between 8.30 am and 5.30pm. There are 149 private car parking spaces and 92 public permit spaces that would be directly affected by the development. The development is proposed to be car-lite with aspirations to achieve car-free status. Returning decantee residents will be permitted to keep their existing parking permits (up to a maximum of 3 permits) whilst residents from elsewhere in the Borough who qualify to move into the estate could apply for one parking permit under the Permit Transfer Scheme. The TA suggests that approximately 70 returning residents have applied for permits. However, this figure could be subject to change. New residents would be prohibited from obtaining on-street parking permits and only Blue Badge spaces for all land uses will be provided. The development will deliver 3% Blue Badge parking spaces from the offset which equates to 47 spaces. Parking will be provided on-street and within the development (i.e., podium parking or within private streets). The maximum car parking provision proposed across the development according to each phase is set out in the table below.

PHASE	PERMIT PARKING SPACES (MAXIMUM)	ACCESSIBLE PARKING SPACES	CAR CLUB SPACES	TOTAL
Phase A	17	7	2	26
Phase B	25	17	1	43
Phase C	30	20	1	51
Phase D	8	6	0	14
<b>Total</b>	<b>80</b>	<b>50</b>	<b>4</b>	<b>134</b>

**Figure 78:** Distribution of car parking spaces

- 7.648 In addition to the above, the scheme proposes to provide 4 car club spaces which will offer a mixture of standard and larger vehicles that may be more useful for older people with disabilities. One car club space will be provided in each of the four phases. It should be noted that both TfL and the Council's Transport and Highways Team do not support the proposed car club spaces and have suggested that in initially, the car club spaces previously approved under the Leven Road Gas Works site should be monitored for usage to provide an indication of demand. This together with the provision of a 3-year car club membership for residents will be secured via the S106 legal agreement.
- 7.649 In accordance with Policy T6.1(C), 20% of the total spaces are required to be fitted with an electric vehicle charging point with passive provision for all remaining spaces. The Applicant proposes to provide 35% active electric vehicle spaces from the outset on completion of all four phases with passive provision for the remaining spaces. For Phase A, a minimum of at least 5 spaces (20% of spaces within Phase A) should be fitted with active electric vehicle charging points and this can be secured via condition should planning permission be granted.
- 7.650 It should be noted however, that the scheme proposes to provide 14 on-street car parking spaces on Loghnagar Street as indicated in the submitted landscaping plans. LBTH Transport and Highways Officers have reservations with the proposal to provide car parking on Lochnagar Street as Lochnagar Street is not considered to be suitable for car parking given the potential increase in traffic from the underpass diversion together with the new developments at Ailsa Wharf, Poplar Bus Depot and Poplar Gasworks and the potential of this arrangement potentially restricting access for emergency vehicles. The Applicant has however subsequently submitted tracking diagrams that demonstrate that two-way traffic can be maintained on Lochnagar Street at all times with the parking bays in situ. Moreover, if the Applicant is able to demonstrate that access for emergency vehicles can also be maintained, this would overcome the concerns raised by Transport Officers.

### Healthy Streets and Vision Zero

- 7.651 Policy T2 of the London Plan requires Development Plans to promote the Mayor's Healthy Streets Approach and directs development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Part C of the policy states that in Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport.
- 7.652 The Healthy Streets approach seeks to improve health and reduce inequalities. The aims of the strategy is to improve air quality, reduce congestion and make attractive places to live, work and do business. The approach seeks to encourage all Londoners to do at least 20 minutes of active travel each day by 2041 to stay healthy. To this end TfL has defined 20-minute walking and cycling distances as an Active Travel Zone (ATZ). There are ten Healthy Streets indicators, which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to road networks to improve the safety of vulnerable road users.

7.653 The TA has undertaken an Active Travel Zone (ATZ) assessment that covers active travel routes to and from six grouped key routes that would be used by future residents in order to identify deficiencies and appropriate improvements along these routes against the healthy street criteria. These key routes are as follows:

- Key Route One: Bromley-by-Bow Underground Station.
- Key Route Two: Langdon Park DLR Station, Langdon Park School, Jolly's Green.
- Key Route Three: All Saints DLR Station, Chrisp Street Market.
- Key Route Four: Canary Wharf.
- Key Route Five: East India DLR Station.
- Key Route Six: Canning Town Underground Station.

7.654 Routes 1, 2 and 4 assessed the existing crossing points at the A12, namely Lochnagar Street subway and at-grade crossing, Abbott Road subway and Dee Street subway. All crossings were found to be the worst points for each route which highlighted the need to reduce the severance that the A12 causes. The assessment identifies that improvements could be made to the routes including the introduction, design for and enforcing of lower speed limits, raised tables and better/clearer crossing facilities where appropriate i.e., Abbott Road, improvements could include providing grade-separated crossing facilities for people walking and cycling across the highest trafficked and highest speed routes such as the A12, traffic calming improvements along Abbott Road, introduction of the new repurposed Abbott Road underpass and improvements to the Balfron Subway to make this a more attractive crossing for people walking and cycling. The proposed development has therefore been designed to support the Healthy Streets and Vision Zero principles.

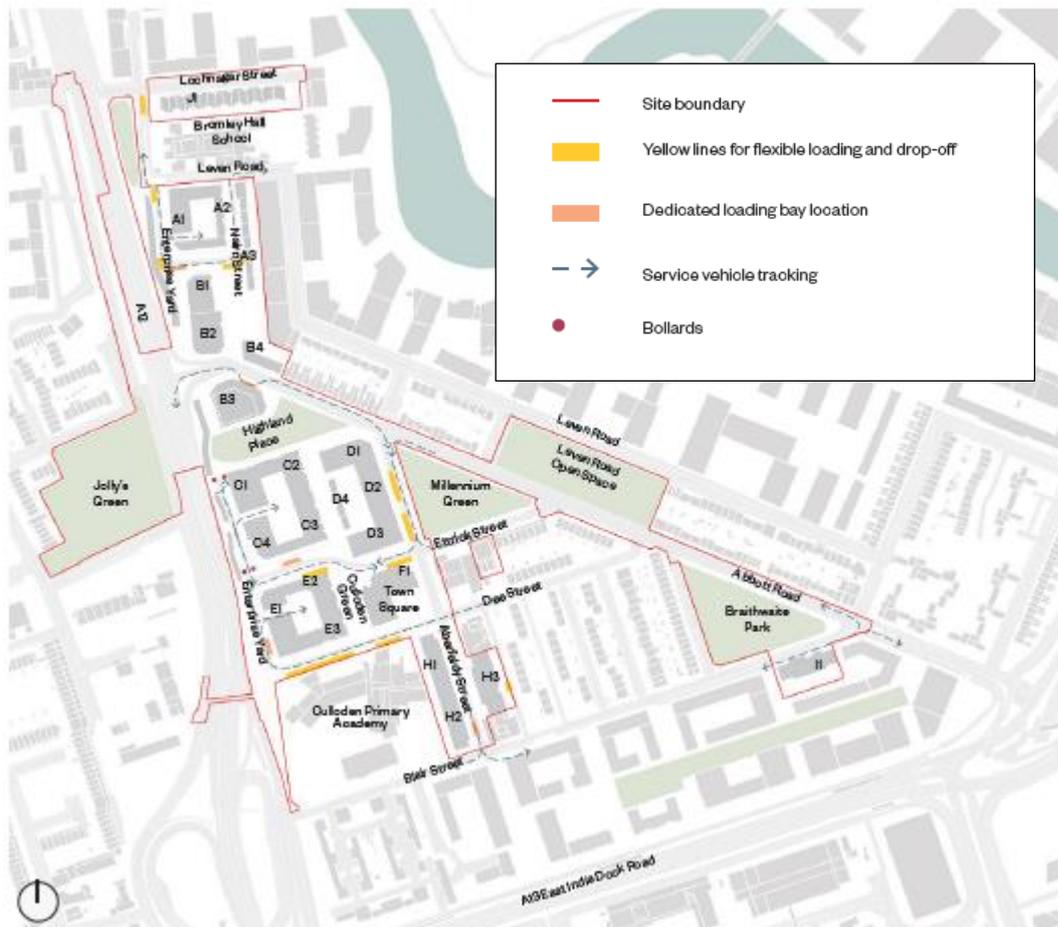
### **Servicing and Deliveries (Including Waste)**

7.655 The proposed deliveries and servicing of the existing dwellings and commercial units is currently undertaken from the public highway, such as parking bays and sections of single or double yellow lines without loading restrictions. The section of the Aberfeldy Street that functions as a local high street are serviced from Aberfeldy Street itself and from the streets to the rear of the commercial units; Kirkmichael Road and Lansbury Gardens.

7.656 The proposed development would provide a mixture of facilities for servicing including dedicated loading bays to support commercial uses and the residential hub, yellow lines for more ad hoc use and deliveries to residential areas; and on-stie podium servicing space for waste collection vehicles only. Six dedicated on-street loading bays will be provided across the masterplan which have been carefully considered to ensure access to all buildings can be achieved from each location. The illustrative location of the loading bays would be as follows:

- 2 x Aberfeldy Street, west side of the road;
- 1 x Dee Street, east side of the road, west of Building E1;
- 1 x Ettrick Street, north side of the road, south of Building C3;
- 1 x Abbott Road, south side of the road, north of Building B3; and
- 1 x Nairn Street, south side of the road, north of Building B1.

7.657 Sections of single and double yellow line markings are proposed to allow for flexible loading and drop-off when required. Several of the proposed residential blocks would allow the refuse collection to occur off-street within the podiums, including Block A, Block C and Block E. The layout has been designed to minimise the need for vehicles to reverse and no vehicles would need to reverse on the public highway. The illustrative proposed loading bays and sections of yellow line are indicated in the image below.



**Figure 79:** Location of loading bays (Note: Plot A3 now removed from scheme)

- 7.658 The bays are designed to accommodate various vehicle sizes include large refuse vehicles to ensure a flexible approach to delivery and collection and street widths and layouts have been designed to accommodate the passage of 10m long vehicles for waste collection. Whilst the outline Delivery and Servicing Plan is broadly acceptable, TfL have advised that the Delivery and Servicing Plan will need to be updated to reflect TfL’s latest guidance and therefore an updated Delivery and Servicing Plan will be secured via condition should planning permission be granted.
- 7.659 In terms of the proposed waste collection strategy, the masterplan will incorporate a range of refuse storage/collection strategies which includes traditional communal Eurobin collections (Plots F, H1, H2 and H3), SULO underground collection (Plot I), traditional individual wheelie bin collections (Plot J) and portable waste compactors in podiums (Buildings A, B, C, D and E). Bin stores would be located at the ground floor close to the communal entrance of each core and have been integrated to minimise their frontage and impact on the public realm. There are three proposed collection points for the buildings served by the compactors located within each of the courtyard building’s podium car park. The buildings within Phase A would be served by four collection points, three of which are traditional Eurobin collection (F1, H1, H2 and H3) and the fourth will be a SULO collection adjacent to Plot I, which stitches into the SULO network in the extant development; Aberfeldy Phases 103. All the houses within Phases A and B (Plots A3, J and B4) would be served by individual collection points via residential wheelie bin collection.
- 7.660 In terms of commercial waste, commercial tenants in each building will be provided with access to shared commercial waste stores at ground level. The commercial waste stores are at the locations that all commercial residual waste and food waste generated by the proposed development will be stored prior to collection. A commercial waste contractor will be appointed to service the proposed development once operational and will collect the bins directly from each of the commercial waste stores on an agreed schedule. No commercial waste contractor will be permitted to access the commercial waste stores from Aberfeldy Street.

- 7.661 Overall, the servicing, deliveries and waste strategies for the proposal are considered to be acceptable in principle and are supported by the Highways Officer and the Waste Team these are illustrative only at this stage detailed strategies would be secured via planning conditions should planning permission be granted for this development.

### **Trip Generation**

- 7.662 The submitted TA has undertaken a standard TRICS-based assessment of the proposed development to determine the anticipated level of traffic generation for the proposed development. The total person residential trip rates forecast demonstrates that in the AM Peak Hour (08:00–09:00) there would be 755 two-way person trips and 588 two-way person trips in the PM Peak Hour (17:00-18:00).
- 7.663 In terms of mode of transport used, the mode share has been adjusted based on proposed transport provisions, site location and car parking levels for the proposed development and as agreed with TfL and LBTH Highways Officers. The assessment demonstrates that during the AM Peak Hour (08:00-09:00) the majority of trips are expected to be taken by public transport accounting for 53.6% of AM Peak Hour journeys. The second highest expected mode of transport would be pedestrian journeys accounting for 28.9% of total mode journeys whilst vehicle drives in the AM Peak Hour account for 5.4% of the total mode journeys. In the PM Peak Hour (17:00-18:00), public transport users would account for 48.7% of journeys, pedestrians would account for 28.1% whilst cycling would be the least used mode of travel accounting for 6.3% of journeys. Vehicle drivers would account for 8.6% whilst vehicle passengers (i.e. taxi passengers) would account for 8.4%.
- 7.664 The public transport trip generation assessment has been updated to cover a three-hour assessment period and presented to TfL in a technical note. The assessment indicates that there would be 760 two-way person movements in the AM period (07:00-10.00) and 707 two-way person movements in the PM period (16:00-19:00). The assessment indicates that the DLR and the Underground account for the most used mode of transport in the AM period whilst the bus accounts for the most used mode in the evening with the DLR and Underground jointly accounting for the second most mode of travel accounting for 191 two-way trips each in the PM period. Morning trips whilst bus, DLR and Underground account for the most evening trips.
- 7.665 With regards to the retail uses, as the proposed scale and nature of the units would generally serve local residents and the quantum of retail floorspace would be comparable to existing provision, the assessment considers that trips will primarily be visitors on foot, no trip generation has been undertaken for this element on the basis. For workspace trips, the assessment indicates that there would be 67 two-way trips in the AM Peak Hour (08:00-09:00) and 65 two-way trips in the PM Peak Hour (17:00-18:00).
- 7.666 In terms of delivery and servicing trip generation, the assessment indicates that on average there would be up to 219 deliveries per day expected of which 187 would be for residents, 24 for retail spaces and 9 for workspaces). Of these trips, 189 will be undertaken by LGVs (Light Goods Vehicle) and 30 by HGVs (Heavy Goods Vehicle) spread across all uses.
- 7.667 With regards to the net change in trip generation, the site currently accommodates 330 dwellings and the net increase in dwellings would be up to a maximum parameter of 1252 dwellings. The TA indicates that the proposed development is forecast to generate only a relatively minor increase in Peak Hour traffic with a total of 31 vehicle movements in the AM Peak Hour and 39 vehicle movements in the PM peak hour, primarily associated with servicing activity. The net increase across vehicle trips in both the Peak AM and PM Hour can be seen in the table below.

MODE	AM PEAK HOUR (8:00-9:00 AM)			PM PEAK HOUR (17:00-18:00)		
	In	Out	Total	In	Out	Total
Cars	2	3	5	2	3	5
Taxis	4	3	7	6	6	13
Servicing vehicles - LGV	9	9	17	10	10	19
Servicing vehicles - HGV	1	1	3	1	1	2
<b>Total</b>	<b>16</b>	<b>15</b>	<b>31</b>	<b>19</b>	<b>20</b>	<b>39</b>

*Figure 80: Forecast Net Vehicle Trips*

7.668 Overall, there are no objections to the assessment provided and it is not considered that the proposal will detrimentally impact on the local highway network.

7.669 The Applicant has confirmed via a supplementary letter that the amendments to the planning application (the removal of Block A3, reduction in unit numbers and unit mix) will not materially change the impacts or the conclusions of the Transport Assessment previously submitted. The trip generation methodology for the proposed development has been agreed with TfL and the LBTH Transport Officers and is based on quantum of dwellings and does not take account of the unit mix. As such the change in unit mix since the original submission will not impact the trip generation as assessed in the Transport Assessment. The reduction in dwellings is predicted to result in a minor change in trip generation representing a reduction and the change in the quantum of dwellings and trip generation does not change the results of the Transport Assessment.

### **Travel Plan**

7.670 The Transport Assessment includes a Framework Travel Plan application has been accompanied by an indicative Travel Plan forming Appendix H of the TA. The Framework Travel plan sets out a range of preliminary management strategies and measures to support and encourage sustainable travel, including walking, cycling and the use of public transport. The proposed development also provides facilities to encourage the use of travel to the site by active modes such as cycle parking facilities, lockers and shower/changing facilities. The Framework Travel Plan is considered acceptable in principle and Officers would be seeking to secure either via a condition or through the S106 legal agreement, the submission of a finalised detailed Travel Plan should planning permission be granted for this development.

### **Demolition and Construction Traffic**

7.671 Outline Construction Logistics Plan and a Construction Environmental Management Plan have been submitted with the application. Finalised versions of these would be secured via a planning condition to ensure that they consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

### **Conclusion**

7.672 In summary, subject to securing relevant conditions identified above, the proposal is supported in terms of transport matters and promotes sustainable modes of transport. Both TfL and the Council's Transport and Highways Officers support the principle of the transport and road network changes proposed and the aspiration to improve the east-west connectivity across the A12. The proposal is not considered to have any material impact on pedestrian or vehicular safety or result in undue pressure on the local highway network in accordance with Policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies contained in the London Plan.

## **ENVIRONMENT**

### **Environmental Impact Assessment**

- 7.673 The planning application represents an Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) co-ordinated by Trium.
- 7.674 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.
- 7.675 The Council issued an EIA Scoping Opinion (PA/21/01820) on 08/09/2021. The submitted Environmental Statement (ES) accords with this Opinion and assesses the environmental impacts of the development under the following topics:
- Socio-Economics;
  - Traffic and Transport;
  - Air Quality;
  - Noise and Vibration
  - Archaeology
  - Water Resources, Drainage and Flood Risk
  - Wind Microclimate;
  - Daylight, Sunlight and Overshadowing, Solar Glare and Light Pollution;
  - Built Heritage;
  - Townscape, and Visual; and
  - Climate Change.
- 7.676 The EIA Scoping Opinion also considered that ecology and biodiversity and materials were to be scoped into the ES based on the information provided within the EIA Scoping Report. Following submission of the application and further assessment and detail being provided, it was agreed these matters could be scoped out of the ES.
- 7.677 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).
- 7.678 The Council has 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 21<sup>st</sup> January 2022 identified clarifications and potential '*further information*' required under Regulation 25. Clarifications and potential Regulation 25 '*further information*' requests were identified within the following topics:
- Site and Proposed Development;
  - ES Format, Presentation and Scope;
  - Socio-Economics;
  - Traffic and Transport;
  - Air Quality;
  - Climate Change;
  - Noise and Vibration;
  - Archaeology;
  - Water Resources and Flood Risk;
  - Wind Microclimate;
  - Daylight, Sunlight, Overshadowing, Solar Glare
  - Built Heritage
  - Townscape and Visual Impact Assessment

- 7.679 The application was amended on the 8<sup>th</sup> April 2022 and on the 14<sup>th</sup> April 2022 the Applicant submitted an ES Addendum together with ES replacement chapters 11 (Archaeology), 12 (Water Resources), 14 (Daylight, Sunlight, Overshadowing, Solar Glare and Pollution) and 15 (Effects Interactions), replacement Appendices relating to Archaeology, Cumulative Scheme and Flood Risk Assessment and Drainage and various other supplementary documents and an Interim Review Report Response document.
- 7.680 On the 20<sup>th</sup> May 2022, Temple issued a Final Review Report (FRR) that took account of the Applicant's Interim Review Report Response which identified that clarifications sought and Potential Regulation 25 requests remained unacceptable under the following topics:
- Site and Proposed Development;
  - Traffic and Transport;
  - Noise and Vibration;
  - Water Resources and Flood Risk;
  - Wind Microclimate;
- 7.681 In response to the FRR, the Applicant submitted on the 24<sup>th</sup> June 2022 a Final Review Report Response together with an updated Non-technical Summary, Appendix Updated Landscaping Plans Plots H and Plot I and Appendix Revised Cumulative ZVI. Subsequently a consultation under Regulation 25 of the EIA regulations commenced on 4<sup>th</sup> July 2022.
- 7.682 The Applicant's response to the FRR was reviewed by Temple and a FRR002 was provided by Temple and issued to the Applicant on the 8<sup>th</sup> July 2022. FRR002 identified that Clarification and Potential Regulation 25 requests remained outstanding under the following topics:
- Air Quality (Originally deemed acceptable under the initial FRR)
  - Wind Microclimate
  - Daylight, Sunlight and Overshadowing
- 7.683 In response to the FRR002, the applicant submitted updated landscaping plans with regards to the outstanding wind microclimate clarification, and an ES replacement Chapter 14 (Daylight, Sunlight, Overshadowing, Solar Glare and Pollution).
- 7.684 On the 25<sup>th</sup> July 2022, Temple issued a FFR003 identifying that Potential Regulation 25 requests regarding Air Quality still remained unacceptable. Since the FRR003 was issued further details have been provided by the Applicant in relation to the original air quality Defra modelling, and it is considered that this modelling can be relied upon. LAEI (London Atmospheric Emissions Inventory) modelling and modelling verification have also been submitted and subsequently reviewed.
- 7.685 Further amendments were made to the planning application on 21<sup>st</sup> October 2022 which was accompanied by an updated Non-technical Summary and an Environmental Statement – Statement of Conformity. On 14<sup>th</sup> November 2022, Temple issued a Statement of Conformity Review (072-SOC-001-1.0) identifying that clarification was required as to the figures for housing mix and tenure used in the calculation of revised socio-economic figures, child yield calculations and confirmation of the play space proposed. The Applicant submitted an amended Statement of Conformity on the 16<sup>th</sup> December 2022 addressing the above clarifications. On 19<sup>th</sup> December 2022, the Council's EIA Officer confirmed that outstanding clarifications have been addressed. The application was amended further in January 2023 and accompanied by an updated Statement of Conformity on 26<sup>th</sup> January 2023 and following receipt of this the EIA Officer confirmed on the 26<sup>th</sup> January 2023 that further consultation under Regulation 25 of the EIA Regulations was not required.
- 7.686 The Council's EIA Officer and the Council's Appointed EIA Consultants have confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations.

- 7.687 The 'environmental information' has been fully examined by the Council and has been taken into consideration by Officers to reach a reasoned conclusion of the significant effects of the proposed development, which forms the basis of the assessment presented in this report.

### **Wind/Microclimate**

- 7.688 Policies D3, D8 and D9 of the London Plan requires developments, particularly those with tall buildings, to be considerate of microclimate impacts associated with their scale and mass. Similarly, Local Plan Policies S.DH1 and D.DH6 seeks to ensure that new developments do not adversely impact on the microclimate and amenity of the application site and the surrounding area.
- 7.689 Chapter 13 of the Environmental Statement reports the findings of the wind and microclimate study. The assessment is based on worst-case wind speeds, expected to be encountered during the winter seasons (December-February) in the UK. Additional consideration has been made for summer (June-August) wind conditions due to the presence of above ground amenity spaces within the proposal.
- 7.690 Wind microclimate conditions have been assessed at various street and elevated level locations such as: pedestrian thoroughfares, entrances, amenity areas (ground floor, podium, balcony and roof terrace), roadways, car parks, bus stops and pedestrian crossings. The assessment of wind comfort and safety is based on the City of London (CoL) Lawson Comfort Criteria; an industry-standard practice for wind microclimate assessments which sets out the threshold windspeed and threshold frequency to the suitability of an activity namely; sitting, standing, strolling and walking. Under this assessment method if the measured wind conditions exceed the threshold for more than 5% of the time, then they are unacceptable for the stated pedestrian activity.
- 7.691 The ES reports that several window tunnel assessments of the proposed development (Outline Proposal, Detailed Proposals and Illustrative Scheme) have been undertaken to support the hybrid planning application, both with and without the proposed landscaping and wind mitigation measures. Ten configurations were assessed to simulate different phases of the proposed development as it comes forward including existing baseline and future baseline scenarios, taking into account other cumulative schemes in the locality which have identified a number of exceedances as each configuration were tested.
- 7.692 The testing of scenarios leads to Configuration Ten which tests the proposed development (Illustrative Scheme) and Phase A with cumulative surrounding buildings with proposed landscaping and wind mitigation measures in place. The wind assessment finds that with regards to pedestrian comfort, with the inclusion of proposed landscaping and wind mitigation measures wind conditions would improve at the majority of areas compared to the earlier Configuration 9 and would range from suitable for sitting to strolling use during the windiest season with the exception of the north-western corner of Plot C which would be suitable for walking use. During the summer season, wind conditions are either the same category or one category calmer and range from suitable for sitting to strolling use.
- 7.693 In terms of thoroughfares, in both the Detailed proposals and Illustrative scheme wind conditions would range from suitable for sitting to strolling use during the windiest season representing Moderate Beneficial to Negligible effects (Not Significant) for both with the exception of probe location 177 in the illustrative scheme which would be one category windier than suitable for strolling use during the windiest season and represent a Minor Adverse (Significant) effect. Wind mitigation measures would likely to improve wind conditions at this location. All off-site thoroughfares in the vicinity of the site would be suitable for sitting, standing and strolling use during the windiest season and would represent a Negligible (Not Significant) effect.
- 7.694 Wind conditions for entrances in both the Detailed proposals and the Illustrative scheme wind conditions at the majority of entrances would range from suitable for sitting to standing use during the windiest season, representing a Minor Beneficial (Not Significant) to Negligible (Not Significant) effect for both. The exception being that at location 116 of the Detailed proposals, which would be one category windier than suitable for the intended use, thus representing a Minor

(Significant) effect. In the Illustrative Scheme, there would be exception at probe locations 195, 276, 280, 287, 306, 309 and 339 which would be one category windier than suitable for entrance use and represent a Minor Adverse (Significant) effect.

- 7.695 Bus stops around the site would have wind conditions suitable for sitting and standing during the windiest season and as such would represent Minor Beneficial (Not Significant) to Negligible (Not Significant) effect. Pedestrian crossings would have wind conditions suitable for standing use during the windiest season representing a Moderate Beneficial (Not Significant) effect.
- 7.696 Ground level amenity spaces would have wind conditions that range from suitable for sitting to standing use during the summer season for both the Detailed proposals and the Illustrative scheme and off-site amenity representing a Negligible (Not Significant) effect. Wind conditions at designated seating areas within both the Detailed proposals and Illustrative scheme would be suitable for sitting use during the summer season, representing a Negligible (Not Significant) effect. The exception being at probe location 265 which would be one category windier than suitable for the intended use representing a Minor Adverse (Significant) effect.
- 7.697 Podium level amenity spaces and roof terraces within the Detailed proposals and Illustrative scheme and off site roof terraces would all have wind conditions suitable for sitting use during the summer season and represent a Negligible (Not Significant) effect. Wind conditions at balconies within the Detailed proposals, Illustrative scheme and off-site locations would range from suitable for sitting to standing use during the summer season, representing a Negligible (Not Significant) effect.
- 7.698 Finally, the assessment concludes that there would be no instances of strong winds exceeding the safety threshold within the Detailed proposals however there would be instances of strong winds exceeding the safety threshold at probe location 177 within or around the proposed development including roads and car parks.
- 7.699 Following the October 2022 amendment to the planning application, the Environmental Statement; Statement of Conformity reports that the removal of Block A3 may reduce the amount of blockage to the wind which is being channelled between blocks A1/A2 and B1, and therefore this may lead to a slight increase in acceleration of winds in these areas. However, the introduction of dense landscaping in the form of trees and hedging to the west of this channel (in place of Block A3) would also act as a form of blockage, and therefore is likely to have a similar effect. At the Reserved Matters application stages, when the detailed design (including the landscaping proposals) are developed, further wind tunnel testing will be undertaken and will inform the landscaping design to be incorporated within the scheme.
- 7.700 The introduction of the amenity spaces to replace Block A3 introduces new intended uses from those assessed within the submitted Environmental Statement. The Statement of Conformity reports however that none of the amenity spaces are being proposed as bistro seating, therefore wind conditions would be required to be suitable for sitting use at seating areas and standing use at active amenity areas. These spaces are generally well sheltered to the west by trees and hedging, and the northern allotments and seating area should also be well sheltered by the landscaping and Blocks A1/A2. The report summarises that it is expected that the proposed landscaping in situ wind conditions would not materially change from that presented in the submitted Environmental Statement. The new amenity spaces which would replace Block A3 would be expected to have wind conditions suitable for the intended uses.
- 7.701 The ES identifies that further wind mitigation have been suggested in addition to the proposed development with proposed landscaping and implemented wind mitigation measures which would be expected to improve wind conditions at the remaining windy areas of the proposed development. The proposed wind mitigation measures identified in the ES include the following:
- Proposed landscaping (as described in the Design and Access Statement as amended).
  - 2 x evergreen 6m tall evergreen trees with shrubs 1m in height underneath at the north-western corner of Block A.

- 2 x evergreen 6m tall trees with shrubs 1m in height underneath along the northern elevation of Block B1.
- 1 x deciduous 6m tall tree with shrubs 1m in height underneath at the centre of the southern elevation of Block A.
- 5 x evergreen 6m tall along the northern elevation of Building B3 with shrubs underneath 1-1.5m in height.
- 3 x deciduous trees 3m tall at the south-western corner of Building B3 with shrubs underneath 1-1.5m in height.
- Shrubs 1-1.5m in height along the southern elevation of Building B3 to the eastern side of the proposed seating area.
- 1 x deciduous trees 6m tall to the existing building north-west of Block C.
- Balustrades 1.5m in height around the perimeter of the roof terraces of Buildings B1 and C4.
- Balcony level (probe location 455): the stack of balconies represented by this receptor would require 1.5 tall solid balustrade or alternatively the use of 50% porous balustrade of similar height.
- Shrubs 1.5m in height along the western and northern edges of Building B1 roof terrace.
- 4 x evergreen 6m tall trees with shrubs 1m in height underneath along the western elevation leading to the south-western corner of Block C.
- 4 x evergreen 6m tall trees with shrubs 1m in height underneath along the southern elevation leading to the south-western corner of Block C.
- 3 x evergreen 6m tall trees with shrubs 1m in height underneath along the northern elevation of Block E.
- 5 x evergreen 6m tall trees with shrubs 1m in height underneath along the southern elevation of Block B3.
- Shrubs 1.5m in height along the western and south edges of Building C4 roof terrace.
- 4 x trees 3m in height along the western edge of the roof terrace of Buildings B1 and C4.
- Replaced 5 x deciduous trees at the north-western corner of Block B1 to 6m tall evergreen with 1m tall shrubs underneath.
- Bus Stop (probe location 105): The existing bus stop would be retained with a bus stop shelter that would be expected to provide the adequate protection.
- New semi-mature trees to be provided at Jolly's Green to reduce effects of north-easterly winds.
- Further testing at reserved matters stage to ensure conditions are suitable for use.

7.702 As a result of the removal of Block A3, the following additional wind mitigation measures have been identified in addition to the above:

- The height of trees to the west should range between 4m and 7m in height, and that planters or hedges should be included at ground level to reduce the effective length of the clear stem of the trees.
- Evergreen varieties or species with large dense crowns are also recommended.

7.703 With the above mitigation measures incorporated the Illustrative scheme would improve such that the majority of areas would be safe and suitable for the intended use. The relevant ES chapter has been reviewed by Temple Group who with the exception of some clarifications sought, have found the wind/microclimate assessment to be acceptable.

7.704 It is relevant to note that some configurations reported in the original Environmental Statement reports that significant adverse effects could occur as a result of the development, for example Configuration Three which assess the Outline proposals and Detailed proposals in the current baseline without mitigation for the Outline proposals. However, as demonstrated by Configuration Five (Proposed Development (Illustrative Scheme) and Phase A with Existing Surrounding Buildings, Proposed Landscaping and Wind Mitigation Measures) and Ten (Proposed Development (Illustrative Scheme) and Phase A with Cumulative Surrounding Buildings, Proposed Landscaping and Wind Mitigation Measures), reasonable conditions can be achieved by the development.

7.705 Overall, it is considered that the development would not result in any unreasonable impacts with respect to wind/microclimate within or outside of the development boundaries. Should planning permission be granted for this development, the additional mitigation measures identified and further tunnel testing at the Reserved Matters stage to ensure suitable wind conditions will be secured by way of condition.

## **Energy Efficiency and Sustainability**

### Energy

7.706 At the national level, the NPPF sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate. In this regard, the planning system should help to amongst other things, shape places in ways that contribute to radical reductions in greenhouse gas emissions and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

7.707 At the strategic level, Chapter 9 of the London Plan requires development to contribute to mitigation and adaptation to climate change. Specifically, Policy S12 requires development proposal to make the fullest contribution to minimising carbon dioxide emissions and directing that major developments should be net zero-carbon. This means reducing greenhouse gas emissions and minimising energy demand in accordance with the following hierarchy:

1. Be Lean: Use Less Energy
2. Be Clean: Supply Energy Efficiently
3. Be Green: Use Renewable Energy
4. Be Seen: Monitor and Report

7.708 At the local level, the national and strategic messages are similarly echoed in Policies S.ES1 and D.ES7 of the Local Plan. Policy D.ES7 specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution. Policy LS14 of the Leaside Area Action Plan requires residential development within the AAP area to achieve zero carbon development through a minimum 60% reduction in regulated carbon dioxide emissions on-site, with the remaining regulated carbon dioxide emissions to be offset through a cash in lieu contribution.

### *Detailed Component:*

7.709 The application has been accompanied by an Energy Strategy prepared by Meinhart. The Energy Strategy demonstrates that for the Phase A, the scheme is anticipated to achieve an overall on-site reduction in carbon dioxide emissions of 46.3% over Part L of the 2013 Building Regulations through Be Lean measures in the form of passive and active design measures i.e., through significantly improving the building fabric, smart meters and low energy lighting. Be Clean measures include connection to the existing site wide heating network provided at the north of Phase 3B under the extant planning permission for proposed Plots F and H, air-to-water heat pumps and water-to-water heat pumps for Plot I and air-to-water heat pumps, solar thermal and individual MVHR (Mechanical Ventilation with Heat Recovery) heat pumps for Plot J. Be Green measures in Phase A will be the installation of photovoltaic panels on all the plots within Phase A. The non-residential element of Phase A will achieve an overall reduction of 51.8% in regulated carbon dioxide emissions over Part L 2013 of the Building Regulations and as such both the residential and non-residential component of Phase A will exceed both London Plan and the Local Plan requirement of a 45% in on-site carbon dioxide reductions. The overall carbon dioxide emissions savings expected for the Detailed component (residential and non-residential combined) will equate to 47.1% over Part L 2013 of the Building Regulations.

7.710 The Energy Strategy identifies a baseline emission rate of 206.6 tonnes per annum after each step of the energy hierarchy for Phase A using a mixture of SAP10 and SAP12 factors. The proposal results in a carbon off-set contribution of £588,810.00 (£95/Tonne for a period of 30 years) to achieve net zero carbon for Phase A of the development and deliver a policy compliant

scheme. This would be secured via S106 legal agreement should planning permission be granted for this development.

#### *Outline Component:*

- 7.711 The Energy Strategy for the Outline component (Phases B, C and D) will also follow the London Plans energy hierarchy approach of 'Be Lean', 'Be Clean' and 'Be Seen'. The residential element of the Outline application is anticipated to achieve an overall on-site reduction in carbon dioxide emissions of 61.2% over Part L of the Building Regulations. The non-residential element of the Outline component is anticipated to meet a 50% on-site reduction in carbon dioxide emissions over Part L of the Building Regulations. The Energy Strategy identifies a baseline emission rate of 5587 tonnes per annum after each step of the energy hierarchy for the Outline component which will be off-set through a contribution of approximately £1,672,909. However, as the Outline component is only illustrative at this stage, and therefore should planning permission be granted for this development, Officers would be seeking updated energy strategies and details of recalculated carbon off-setting contribution to be submitted as part of the Reserved Matters applications.

#### Overheating and Cooling

- 7.712 In terms of overheating and cooling, for the Detailed component of the application, modelling have been undertaken in line with guidance contained in line with industry guidance CIBSE (The Chartered Institution of Building Services Engineers) TM49, TM52 and TM59 (Technical Memorandum) as required by Policy SI4 of the London Plan. The Outline component has been assessed in accordance with guidance CIBSE TM49 and TM59.
- 7.713 In respect of the Detailed component, the Energy Strategy confirms that for domestic element, the CIBSE compliance criteria are met in all rooms modelled for the 2020s DSY1 weather scenario (a moderately warm summer), DSY2 (a year with a very intense single warm spell) and DSY3 (a year with a prolonged period of sustained warmth). weather scenario without blinds through the use of natural ventilation via openable windows/doors and increased mechanical ventilation, together with an improvement of the glazing g-value to 0.33. The assessment demonstrates that the risk of overheating has been reduced as far as practical, with all available passive measures such as low energy lighting, improved fabric 'U' values, no boilers in apartments, energy efficient appliances and external shading. Overheating mitigation measures in the Energy Strategy are identified as use of natural ventilation (openable windows/doors) and increased mechanical ventilation will be sufficient to reduced overheating. In terms of the non-domestic element, the CIBSE compliance criteria cannot be met for the 2020's DSY1, 2 and 3 weather scenarios without blinds through the use of natural ventilation via openable windows/doors and increased mechanical ventilation and as such for the retail, marketing suite and other appropriate areas active cooling is proposed.
- 7.714 With regards to the Outline element, a sample of west facing apartments at differing levels between the 2<sup>nd</sup> and 20<sup>th</sup> floor with both recessed and projecting balconies have been tested as west facing apartments are expected to be the most difficult to reduce the risk of overheating as external shading is less effective. The Energy Strategy confirms that the CIBSE compliance criteria are met in almost all rooms modelled for the 2020s DSY1 weather scenario for both recessed and projecting balconies, without blinds through the use of natural ventilation via openable windows/doors and increased mechanical ventilation, together with an improvement of the glazing g-value to 0.33. The CIBSE criteria are met for a significant portion of the rooms modelled for 2020s DSY2 and DSY3 weather scenarios without blinds through the use of natural ventilation via openable windows/doors and increased mechanical ventilation, together with an improvement of the glazing g-value to 0.33. The results demonstrate that the outline design provides a suitable reduction in the risk of heating at this stage of the design. As the detailed design progresses design measures aimed at reducing the risk of overheating will include optimisation of window sizes and opening areas; optimisation of glazing g-value; external shading; lighter colour palette for the facades to reflect heat and maximising floor to floor height.

7.715 No testing have been undertaken at this stage with regards to the non-residential element of the Outline component, this would be undertaken for and submitted with any future Reserved Matters applications should planning permission be granted for this development.

### BREEAM

7.716 Policy D.ES7 of the Local Plan also requires all new non-residential development over 500sqm floorspace to meet or exceed BREEAM 'excellent' rating. The submitted BREEAM Pre-Assessment Report indicates that the non-residential units will achieve a BREEAM rating of 'Excellent' with target scores of 73.32% and 72.44% for the retail and workspace units respectively and therefore accords with Development Plan policy in this regard.

### Circular Economy

7.717 The application has been accompanied with a detailed Circular Economy Statement that sets out key circular economy commitments for the proposed development across all phases are summarised below:

- Provide robust and durable materials to ensure longevity.
- Maximise material efficiency in the design through specifying recycled content in materials.
- Reduce energy and water consumption, both-in-use and during construction, as far as possible.
- Design for flexibility in commercial spaces by designing to shell only specification.
- Reuse materials from existing structures where possible. Pre-demolition audits to be carried out, for each phase, to inform this.
- Minimise construction, excavation and demolition waste being sent to landfill.
- Follow waste hierarchy and provide adequate space and facilities to segregate waste streams and divert as much waste from landfill as feasible.
- At least 20% of the total value of materials used should derive from recycled and reused content in the products and materials selected.
- Achieve a non-hazardous construction waste generation target of  $\leq 7.5\text{m}^3$  ( $\leq 6.5$  tonnes) per 100sqm for commercial spaces.
- Achieve the target of reusing/recycling/recovering 95% of construction and demolition waste.
- Achieve the target of placing 95% of excavation waste to beneficial use.
- All commercial elements will achieve 65% recycling target and seek a zero landfill waste contract.
- Demonstrate that all development designs have adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- Separate residential and commercial bin stores with segregated areas for residual waste, mixed recycling and food waste sized in line with calculations based on LBTH waste storage requirements.

7.718 All of the above key commitments identified within the submitted Circular Economy Statement are considered acceptable and in accordance with Policy SI7 of the London Plan.

### Summary and Securing the Proposals

7.719 It is considered that the proposals are in accordance with adopted policies for sustainability and CO2 emission reductions and it is recommended that should planning permission be granted for this development, they are secured through appropriate conditions to deliver:

- Submission of a Zero Carbon Futureproofing Statement.
- Submission of post construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO2 emissions have been delivered on-site.

- Implementation of the submitted Energy Strategy, including a minimum of 47.1% in carbon reduction compared to the baseline for Phase A and 61.2% in carbon reduction for the Outline Phases (Phases B-D).
- BREEAM rating of 'Excellent' for the non-residential units.

7.720 The GLA have advised that the energy strategy for the scheme is generally compliant with the London Plan however have requested further information is provided which can be submitted in advance of any Stage 2 referral of the planning application. GLA recommended conditions will also be imposed should planning permission be granted for this development.

7.721 Should planning permission be granted for this development, a carbon off-setting contribution of £588,810.00 for Phase A and carbon off-set contributions for subsequent Outline phases which will be calculated at Reserved Matters stage would be required to deliver a policy compliant net zero carbon development and this would be secured via the S106 legal agreement.

### **Air Quality**

7.722 Policy SI1 of the London Plan requires amongst other things that development proposals must be at least Air Quality Neutral. At the local level, Policy D.ES2 of the Local Plan requires development to meet or exceed the 'air quality neutral' standard.

7.723 The Air Quality Assessment comprises Chapter 8 of the Environmental Statement and has considered the potential of both the demolition and construction phase and completed phase of the development, to result in air quality impacts. The site is within the borough-wide Air Quality Management Area (AQMA) (due to the exceedance of the air quality objectives for annual mean NO<sub>2</sub>, 24-hour mean PM<sub>10</sub> objective). NO<sub>2</sub> refers to Nitrogen Oxide and PM<sub>10</sub> is any particulate matter in the air with a diameter of 10 micrometers or less (i.e., smoke, dust, soot, salts, acids and metals).

7.724 A summary of the predicted annual mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations at existing receptors for the operational phase opening years (2026 and 2031) has been presented. The change in pollutant concentrations is less than 0.5% of the relevant objectives at all receptors in all scenarios as such operational traffic associated with the proposed development is expected to have a Negligible impact on local air quality on existing receptors.

7.725 In terms of introduced receptors, the ES reports on the basis of modelling undertaken using Defra background that annual mean NO<sub>2</sub> concentrations are predicted to be below or at the objectives of 40µg/m<sup>3</sup> at the proposed residential receptors in the operational phase opening years (2026 and 2031).

7.726 The ES considers that where the annual mean NO<sub>2</sub> concentration is below 60µg/m<sup>3</sup>, it is unlikely that the hourly mean NO<sub>2</sub> objective will be breached. As the predicted annual mean NO<sub>2</sub> concentrations are well below 60µg/m<sup>3</sup>, the assessment states that it is extremely unlikely that the operation of the proposed development will lead to any breaches in hourly mean AQS objective level at the proposed receptors and therefore finds the impact with regards to new exposure to be Negligible.

7.727 Predicted annual PM<sub>10</sub> concentrations are well below (less than 75%) the objective of 40µg/m<sup>3</sup> at the proposed residential receptors and therefore the ES reports that the risk of an exceedance of the long-term air quality objective is Negligible. Predicted annual mean PM<sub>2.5</sub> concentrations are well below (less than 75%) the Air Quality System objective level of 25µg/m<sup>2</sup> at the proposed development receptors and therefore the risk of exceedance is Negligible.

7.728 The ES finds that the impact of the operation of the proposed development on existing sensitive receptors and proposed receptors will be Negligible. Following the implementation of mitigation measures (mechanical ventilation), all the effects of the proposed development on air quality are assessed to be Negligible (Not Significant).

- 7.729 Following review of the ES by Temple Group and comments received from LBTH Air Quality Officer, further modelling using LAEI (London Atmospheric Emissions Inventory) data was requested, in accordance with LBTH's EIA Scoping Opinion. Modelling using LAEI and modelling verification were provided to LBTH. In addition, further details as requested, have been provided in relation to the original modelling using Defra background, and it is considered that this modelling can be relied upon.
- 7.730 To ensure the NO<sub>2</sub> objective limit of 40 µg/m<sup>3</sup> is not exceeded, modelling concentrations should be below 36 µg/m<sup>3</sup> at the time of occupation – this gives a 10% allowance for uncertainty in the modelling that the 40 µg/m<sup>3</sup> objective limit will not be exceeded. The Defra modelling reports that all proposed residential receptors modelled would be exposed to NO<sub>2</sub> concentrations above 36 µg/m<sup>3</sup> upon occupation. Results for 2026 are shown in Table 8.19 of the ES, and result for 2031 are shown in Table 8.23 of the ES. However, it is considered that the LAEI modelling was likely to better represent conditions at this location, because LAEI estimates are made at a higher resolution than Defra estimate.
- 7.731 Review of the submitted LAEI modelling and modelling verification by Temple confirms that 8 residential receptors would have exceedances of the 36 µg/m<sup>3</sup> limit upon the proposed date of occupation. These are 3 ground and first floor receptors in Phase A and 5 ground and first floor receptors in Phase B. Exceedance of these receptors range between 36.1 µg/m<sup>3</sup> and 36.9 µg/m<sup>3</sup>. Temple have advised that given the limited number of exceedances anticipated, and that the exceedances are considered to be marginal, the exceedance could be sufficiently addressed by way of a phased occupation condition for ground and first floors in this location to prevent occupation until such time as acceptable air quality is anticipated at these locations. Should planning permission be granted for this development, Officers would be seeking to impose such a condition accordingly.
- 7.732 In terms of the Air Quality Neutral Assessment, space heating and hot water will be provided to the residential dwellings by air/water source heat pumps as well as the existing energy centre. There will be no building-related emissions directly associated with the proposed development. The daily operational traffic associated with the site will be insignificant and therefore the ES concludes that the proposed development is considered to be Air Quality Neutral.

### **Flood Risk & Drainage**

- 7.733 Policies SI12 and SI13 of the London Plan seeks to ensure that flood risk is minimised and mitigated, should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within the London Plan. The policy aspirations are also reiterated at the local level in policies D.ES4 and D.ES5 which seek to reduce the risk of flooding.
- 7.734 The site falls within Flood Zone 3a and is protected to a high standard by the River Thames Tidal Flood defences. There are no overall objections to the proposal from the Environment Agency and the Council's Flood and Water Management Team however, Council Flood and Water Management Officers have identified that there are still risks associated with a breach of defences. As a result, it is essential that there are flood defence mitigation measures in place throughout the development to protect residents and these should include but not limited to; set freeboard threshold levels above 300mm, all finished floor levels and electricity sensitive and critical infrastructure set above the TE2100 threshold to improve the site's overall flood resilience.
- 7.735 The Flood and Water Management Team have expressed concerns with regards to the basement's (proposed under building B3) potential flood risk and therefore a further Floor Risk Assessment is required which includes further details of the basement. In addition, the submitted drainage strategy for the site will need to be updated to demonstrate how surface water will be managed throughout the whole site including footways, car parks, open spaces and park space. This can be secured by conditions should planning permission be granted for this development.

## **Land Contamination**

- 7.736 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition approval process and will ensure that the site is made safe prior to any construction or demolition works taking place.

## **HEALTH IMPACT ASSESSMENT**

- 7.737 Policy D.SG3 of the Local Plan requires developments that are referable to the Mayor to be supported by a Health Impact Assessment (HIA). A detailed HIA, given the scale of the application is required and has been submitted and forms and Appendix to the Socio-Economic chapter of the ES.
- 7.738 The submitted HIA considers the potential health impacts (during the demolition and construction phase, and occupation following completion) arising from the development. The HIA is structured around the following key themes: delivering healthy layouts, promoting neighbourhood cohesion, enabling active living and creating the healthiest of environments.
- 7.739 In consideration of the above themes, the HIA concludes that the proposed development is likely to have an overall positive impact on health. These include the delivery of up to 1628 high quality energy efficient and comfortable new homes of varying size and tenure, the provision of communal outdoor space, new public open space and improvements to existing open space, access to work and training through the provision of new commercial floorspace, promotes community engagement and cohesion and the proposed development has strong public transport links and prioritises pedestrian and cycling modes of travel.
- 7.740 A number of measures have been identified within the ES or other documents submitted with the planning application that will result in an enhanced positive impact, reduced negative or neutral health impact following implementation such as the proposed development will generate a substantial Community Infrastructure Levy (CIL) which can be used to fund education and healthcare, health facilities and early years provisions are to be provided within Phase 3B of the extant planning permission and implementation of all mitigation and monitoring measures proposed in the Environmental Statement together with those set out in the Energy Assessment and Sustainability Strategy.

## **INFRASTRUCTURE IMPACT**

- 7.741 The Applicant has not submitted a standalone Infrastructure Impact Assessment however has advised that infrastructure impact has been considered within Chapter 6 (Socio-Economics) of the ES.
- 7.742 The ES has conducted an audit of existing social infrastructure facilities and an assessment of the potential level of demand for such facilities resulting from the proposed development. The most notable in respect of this proposal are considered below:

### **Early Years Education Provision**

- 7.743 The ES estimates that the proposed development is expected to yield a gross additional early years population of around 248 children, generating an increased demand for early years places within the Local Impact Area (LIA) however in reality, not all of these children will attend an early years setting and a proportion of the children are likely to already attend settings within the LIA, therefore resulting in an overall lower demand for early years places. The ES reports that there are currently 3369 children aged 0 to 4 years old within the LIA and the addition of 248 children, following delivery of the proposed development will lead to an increase of 7%. An early years facility is to be provided within Phase 3B of the extant planning permission which was planned to meet the needs of the occupants of Phases 4-6 of the extant planning permission, now replaced by the proposed development. The ES concludes that the likely effect of the proposed development on demand for early years provision within the LIA would be Minor Adverse (Not Significant).

## Primary and Secondary Education

- 7.744 The ES reports that the estimated yield for primary school age population resulting from the proposed development would be around 201 children however notes that a proportion of the children are likely to already attend settings within the LIA, thereby resulting in an overall lower demand for primary school places. It is identified that 14 schools within the Poplar Planning Area face a deficit of 52 places which is below the DfE's recommended benchmark of maintaining between 5% to 10% spare capacity to allow for inter-school movements. Under the worst-case scenario, the ES assumes that all of the 201 primary school children are net additional. Taking these children into consideration would see deficit capacity in primary schools within the LIA go up to 253 places above current capacity. However, the ES reports that there are a number of interventions proposed to increase capacity in the LIA and therefore the significance of effect on the demand for primary school places within the LIA is assessed as Minor Adverse (Not Significant).
- 7.745 In terms of secondary school children, the ES estimates that the proposed development is expected to yield a gross additional secondary school age population of around 190 children however, a proportion of the children are likely to already attend settings within the LIA, thereby resulting in an overall lower demand for secondary places. The ES identifies there are 9 secondary schools in LBTH with a total pupil roll of 9003 and overall capacity of 10,444 places within LBTH and this indicates that there is a 14% spare capacity within LBTH which is above DfE's lowest recommended margin of 5%. The ES concludes that under the worst-case scenario, the additional demand generated by the development will increase the current pupil roll by 2% and can be absorbed within the existing capacity and therefore the ES ascribes the effect on demand for secondary school places to be Negligible (Not Significant).
- 7.746 Following the October 2022 and January 2023 amendments to the planning application, the estimated gross child yield will increase across all age groups including an increase to 282 (+34 children) for age band 0-4 years old, 239 (+38 children) for age band 5-10 years old and an increase to 250 (+60 children) for age band 11-18 years old. However, the Environmental Statement; Statement of Conformity reports that there will be no material changes to the assessment and significance of effect on demand for early years, primary school and secondary school places remains as reported above as per the submitted Environmental Statement.

## Healthcare Facilities

- 7.747 The ES reports that there are currently 8 GP surgeries with 42.4 FTE GPs within one-mile of the proposed development. Combined these GP surgeries have 92, 630 registered patients, which puts the average number of patients per GP at 2,185, which is higher than the London HUDU's benchmark of 1,800 patients per FTE GP. Once completed and fully occupied, the population of the proposed development is expected to add up to 3,285 net people in the LIA and under the worst-case scenario the demand is assumed for all additional residents.
- 7.748 The ES reports that a health centre is to be provided within Phase 3B of the extant planning permission which was planned to meet the needs of the occupants of Phases 4-6 of the extant planning permission and now replaced by the proposed development. The new health centre has been designed to serve a much larger demand than just phases 4-6 of the extant planning permission, increasing capacity from the current GP Practice at 2 Etrick Street from 9,000 patients to 17,000 patients in the new health centre in Phase 3B. The ES therefore assumes that the 3,372 new residents within the proposed development will increase the number of registered patients within the LIA by 4%, and therefore creating a demand for an additional 1.8 FTE GP. The ES concludes that the significance of the effect on demand for health care facilities is therefore assessed as Minor Adverse (Not Significant) at the LIA level.
- 7.749 Overall, the ES concludes that the proposed development would lead to the increase in demand for health care services within the LIA, early years provision and primary school capacity and open space however the development will generate a substantial Community Infrastructure Levy (CIL) payment, which will be used to fund a wide range of infrastructure, including education and

healthcare and therefore such contributions could help mitigate the potential for Minor Adverse effects with respect to facilities identified above. Following mitigation, the residual effect in terms of demand for social infrastructure is expected to be Negligible (Not Significant).

### Open Spaces and Play Space Provision

- 7.750 The ES reports that the baseline assessment indicates that at the Borough level, there is an average of 0.89 ha of open and play space per 1,000 residents in the Borough and this is lower than the local standard of 1.2ha per 1,000 population and in line with the FIT benchmark of 0.8 ha per 1,000 residents. The ES goes on to state that the additional 3,285 (now increased to decreased to 3,372 as a result of the January 2023 amendments) residents will increase demand for open and play space requiring approximately 2.6 ha of open space. The ES puts forward that the proposed development will bring forward 0.34ha of new public open space and whilst the additional demand for open space will place further pressure on existing provision, this will not significantly reduce the level of provision per 1,000 residents within the Borough and therefore on this basis the ES considers that the magnitude of impact on open space provision within the Borough is therefore assessed as Negligible. The ES Statement of Conformity submitted for the January 2023 amendments to the planning application confirms that there are no material changes to the assessment of effects on the demand for open space.

### **CIL and S106 Obligations**

- 7.751 It is estimated that Phase A of the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of £589,682.97 (subject to indexation) and Mayor of London CIL of approximately £782,420.75 (subject to indexation). These figures are indicative only and have been estimated using the most up to date available information provided by the developer on floorspace and current indexation values. This estimate is also subject to a full in-depth assessment following the grant of planning permission as required by the CIL Regulations. The CIL payments required for the Outline component of the scheme will be calculated on submission of each Reserved Matters application.
- 7.752 The CIL Regulations 2010 (as amended) allow CIL to be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals and other health and social care facilities. The levy can be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, educational facilities, district heating schemes and other community facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan and the London Plan in London).
- 7.753 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. These financial and non-financial planning obligations are expected to be secured by S106 legal agreement. The requested planning obligations have been assessed by Officers to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

### **Other Infrastructure Impacts**

- 7.754 In terms of surface water and foul water drainage, Thames Water have confirmed that there is sufficient capacity within the system to accommodate the development. With regards to water supply, Thames Water have requested a planning condition be imposed which prevents occupation of the development until confirmation has been provided that either: (a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or (b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. This will ensure that there is sufficient water supply to serve the proposed development. Should planning permission be granted for this development, this suggested conditions will be imposed.

## **HUMAN RIGHTS & EQUALITIES**

- 7.755 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and Officers consider it to be acceptable.
- 7.756 The proposed new residential accommodation meets inclusive design standards and 10% of the new homes will be wheelchair accessible. The proposal will also provide blue badge spaces which will be allocated based according to need. The development will also secure cycle parking in accordance with the London Design Cycling Standards to enable cycle parking for different user groups i.e., wider cycle parking spaces to accommodate non-standard sized cycles.
- 7.757 The application has undergone the appropriate level of consultation with the public and Council consultees. The Applicant has also carried out engagement with nearby residents and occupiers prior to the submission of the planning application.
- 7.758 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **PLANNING BALANCE**

- 7.759 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF emphasises the need to deliver sustainable development.
- 7.760 This concluding section of the report will examine the overall planning balance of the proposed scheme and consider the public benefits of the scheme against identified departure from relevant Development Plan policies.
- 7.761 The application proposes a comprehensive masterplan approach to regenerating this part of the Aberfeldy estate. Whilst the proposed housing densities are high, these are off-set by well-considered approaches to place-making, connectivity and community cohesion.
- 7.762 The masterplan would deliver new homes, including affordable homes. If permission is granted and the scheme delivered, these homes would make a major and substantial contribution to Tower Hamlets housing supply.
- 7.763 A total of 38.8% affordable housing based on habitable rooms of which 15.3% would be re-provision is proposed. This represents a net uplift of 23.6% affordable housing by habitable rooms. The provision of affordable would be below the target of 50% affordable housing required to be delivered on public land and the minimum 35%. However, following rigorous testing, it is accepted that the Financial Viability Appraisal has demonstrated that the scheme is providing slightly above the maximum reasonable amount of affordable housing.
- 7.764 The housing tenure and size mix would depart from Local Plan policies. However, the 66% of the net additional homes in the Social/Affordable Rent tenure would be larger family units (three, four and five-bedroom homes) which exceeds Local Plan policies and would make a significant contribution to meeting housing needs
- 7.765 The scheme would not meet Development Plan policy standards for the quantity of dedicated play space required to accommodate the maximum parameters of the masterplan. The scheme's play strategy includes the provision of 2,937sqm of dedicated play and 4,663sqm of playable landscape totalling to a combined play provision of 7,600sqm. The masterplan play strategy adopts good urban design principles to ensure provision of a range of play environments throughout the masterplan, suitable for children of all ages.
- 7.766 The scheme will provide substantial east-west connectivity improvements and deliver a major strategic infrastructure intervention in the form of the repurposed underpass for pedestrians and

cyclists, helping to address the severance caused by the A12 road. The repurposing of the underpass is necessary to justify the acceptability of tall buildings outside of a Tall Building Zone, but would also be transformative in nature, helping to promote greater community cohesion. As such Officers consider that substantial weight should be attributed to this element of the proposal.

- 7.767 The scheme would provide new well designed, high quality public open spaces spread across the site in Highland Place, Town Square, Nairn Square/Nairn Park. The scheme also relies heavily on improvements to existing public open space to support the housing density proposed. Given the scale and density of this scheme and the expected population coming forward as result of this development, the amount of new open space provision would be a disadvantage to the scheme. However, the proposed areas of new public open space and improvements to existing public open space have been designed to an exceptionally high standard and would cater for all members of the wider community; offering greater opportunities for recreation and play than that which currently exists within the wider estate. Officers therefore afford moderate weight to this element of the scheme.
- 7.768 The scheme will deliver high quality public realm and landscaping improvements throughout the site. The landscaping and public realm strategy is considered to be of exemplary design, that would improve connectivity and permeability in the area and demonstrate very good placemaking principles. Delivery would be controlled through conditions and therefore, Officers afford this element substantial weight.
- 7.769 The scheme will provide a replacement Neighbourhood Centre in Aberfeldy Street which has been designed to a standard of exceptionally high quality. A replacement Neighbourhood Centre forms part of the extant planning permission under Phase 4. There would be an uplift in quantum of retail floorspace in the Neighbourhood Centre compared to the extant planning permission, with community facilities re-provided, to support the day to day needs of the existing and new residents. Officers afford this element moderate weight.
- 7.770 There are a number of financial and non-financial contributions to be secured as a result of the proposed development. The development would also be liable for the Council and Mayor of London's Community Infrastructure Levy. However, these obligations and CIL would be required as a direct consequence of the scheme, to mitigate its impacts.
- 7.771 The daylight and sunlight impacts to neighbouring properties from the proposed development has been set out in detail in this report. The conclusion is that the development would cause harm to the residential amenity of some neighbouring properties that surround the site when assessed against the BRE Guideline. There would be some significant reductions in daylight and sunlight levels to certain properties. However, these impacts should be weighed against the wider regeneration and place-making benefits of the proposal, which will provide a much improved setting for neighbouring buildings and in some cases improve the outlook by increasing distance separations, compared with the existing layout.
- 7.772 In conclusion, the application is generally in accordance with strategic policies in the Development Plan. However, this report has identified areas of departure from certain detailed policies. This is an Estate Regeneration scheme and Officers consider to which significant weight should be attributed. Policies S.H1 and D.H2 of the Local Plan supports Estate Regeneration schemes whereby they protect and enhance existing public open space and community facilities, re-provide affordable housing at existing quantum and provide an uplift in affordable housing.
- 7.773 This scheme meets these policy objectives and will deliver a net increase in up to a maximum of 1252 additional homes; a significant benefit of the scheme; contributing to the supply of much needed new housing in the Borough and nationally. The scheme would provide up to 447 affordable homes (including an uplift in 111 Affordable Rent/Social Rent homes based on the minimum housing mix) and deliver like-for-like replacement of Social Rent units with new modern sustainable homes for returning and new residents. All of the new residential units within the Detailed phase meet or exceed minimum Development Plan housing standards and it would also be expected that dwellings within the Outline component would be policy compliant in this regard.

7.774 The scheme will significantly improve existing areas of public open space and notwithstanding the quantum of new public open space proposed, the new areas of public open space would create high quality spaces that will be universally accessible by all members of the community and significantly strengthen and enhance the connectivity and legibility of the locality. Overall, in considering the above in the round and the transformational nature of the scheme which will directly benefit existing and new residents, Officers therefore on balance, find the proposal to be acceptable and consider that the wider regeneration benefits associated with the estate regeneration outweighs the departure from identified Development Plan policies and the NPPF objectives to deliver sustainable development.

## 8 **RECOMMENDATION**

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

### 8.2 **Planning Obligations with financial contributions**

- £610,244.00 towards construction phase employment and skills training.
- £116,668.81 towards end phase employment and skills training.
- £450,000.00 towards bus priority measures for TfL.
- £588,810.00 towards carbon offsetting for Phase A and submission of New Energy Strategy and calculation of carbon offsetting for future phases per Reserved Matter application.
- £100 per residential units and £1 per sqm of non-residential floorspace towards development Co-ordination and Integration.
- Monitoring Contribution

### 8.3 **Non-Financial Planning Obligations**

#### 1. Housing

Affordable Housing across the Development:

- 38.8% Affordable Housing overall by habitable room.
- A minimum required distribution of affordable housing to be secured for each Outline phase.
- Affordable Housing Conformity Statement to be submitted with each Reserved Matters for each phase of the development.
- 89.2%:10.8% affordable housing split Affordable/Social Rent: Intermediate.
- A minimum of 1556 units (4405 habitable rooms) in accordance with the housing size mix as presented in Table 10 (Illustrative Affordable Housing Unit Mix) of this report.
- Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- Early Stage, 2 Mid-Stage (the first to be triggered on submission of the first Reserved Matter application and the second to be triggered on occupation of 50% of the total Market units) and Late Stage viability review mechanisms.

Affordable Housing across Phase A of the Development:

- 49% Affordable Housing in Phase A (based on habitable rooms)
- 92.7%:7.8% affordable housing split Affordable/Social Rent: Intermediate
- 277 units within Phase A in accordance with the unit mix presented in Table 14 (Phase A Unit Mix) of this report.

#### 2. Access to Employment

- 20% of goods, services and construction phase workforce to be secured locally.
- 91 construction phase apprenticeships.
- 1 end use phase apprenticeships.

- 10% Affordable Workspace at 25% discount for a 15-year period.

### 3. Transport Matters

- Funding strategy for delivery and maintenance for the proposed A12 bus gate, Abbott Road underpass works and A12/Zetland Street junction works.
- Restricted commencement of development within Phases B-D to the delivery of the underpass improvements and A12 bus-gate junction and Highland Place.
- Car and Permit Free development
- Scheme of Highway Works to be secured under Section 278 of the Highways Act
- Travel Plan
- Car Club spaces including 3 years membership

### 4. Open Spaces

- Public Realm Management Plan
- Specification and Delivery Programme for provision of enhancement works to Leven Road Open Space, Braithwaite Park and Millennium Green.

### 5. Compliance with Considerate Constructors Scheme.

### 6. Reprovision of Faith Centre.

### 7. Conversion of Marketing Suite to Use Class E.

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

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

### 8.6 **Planning Conditions**

#### Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Submission of reserved matters (approval of details of Appearance, Layout, Scale, Means of Access and Landscaping).
4. Timing of reserved matters (all reserved matters to be submitted within 10 years)
5. 2 years deadline for commencement of development for each Outline Phase (from the approval of the last reserved matters in each phase).
6. Quantum of development for Outline component (maximum floorspace for Class E(a) and (g) and Class C3 uses).
7. Quantum of development for Detailed component (maximum floorspace for Class E(a) and Class C3 uses).
8. Reserved matters conformity statement (reserved matters to be in accordance with parameter plans and Design Code).
9. Control documents (Reserved matters for outline component to be in accordance with control documents).
10. Phasing plan (compliance with)
11. CIL phasing (phasing plan for each CIL chargeable development phase to be submitted).

12. Environmental Statement mitigation measures (development to be implemented in accordance with).
13. Restrictions on demolition and construction activities:
  - a. All works in accordance with Tower Hamlets Code of Construction Practice;
  - b. Standard hours of construction and demolition;
  - c. Air quality standards for construction machinery;
  - d. Ground-borne vibration limits; and
  - e. Noise pollution limits.
14. Air quality standards for CHP and emissions.
15. Air quality restriction on occupation.
16. Erection of cranes (submission of construction methodology for London City Airport).
17. Restriction to at least 40% of Neighbourhood Centre units to be in Class E(a).
18. Permitted development restriction on erection of fences and painting of external brickwork and masonry (Plots J and B4).
19. No plant on roof.
20. No pipes on building face.
21. Shopfront frontage (to be maintained as wholly transparent).
22. No roller shutters.
23. Tree protection.
24. Inclusive access (10% of dwelling to be M4(3) and 90% M4(2)).
25. Wheelchair unit marketing (9 months prior to completion of first wheelchair housing unit within a phase).
26. Fire strategy Phase A (in accordance with approved Fire Statement).
27. Noise from plant.
28. Opening hours restriction (for food and drink uses under Class E(b)).
29. Compliance with approved Energy Strategy Phase A.
30. Smart meters.
31. Timing of vegetation clearance (for breeding birds).
32. Unexploded Ordnance Risk Assessment

Pre-commencement (to be agreed with the applicant)

33. Noise insulation verification report for new residential units (restriction on ambient noise and vibration levels).
34. Archaeology (Written Scheme of Investigation).
35. Submission of foundation design and construction method to protect archaeological remains.
36. Piling Method Statement.
37. Details of Ariels on roof.
38. Construction Environmental Management Plan and Construction Logistics Plan.
39. Demolition and Construction Traffic Management Plan.
40. Air Quality Dust Management Plan and PM10 monitoring.
41. Construction Plant and Machinery (including proof of registration of All Non-Road Machinery (NRMM)).
42. Contamination land (submission of a remediation scheme, as site investigation scheme and risk assessment and verification, monitoring and maintenance plans).

43. TfL safeguarding (design, construction, methodology, demolition, excavations, foundations and superstructure details to be submitted).
44. Zero carbon futureproofing statement.
45. Protected species licence to be obtained prior to demolition of Jura House.
46. Basement Impact Assessment
47. Materials – submission of details (including 1m x 1m cladding panels, details of external cladding, brick or other material, details of bond, mortar, pointing, samples, drawings of fenestration, details of entrances, shopfronts, roofings, balconies, terraces, balustrades, soffits and drainage, details of external rainwater goods, flues, grilles, louvres and vents, external plant and a Green Procurement Plan).
48. Landscaping – submission of details (including ground surfaces, kerbs, plant enclosures, species and location of plants including 5-year maintenance and watering provisions, details of light spill, biodiversity and SuDs features, play equipment, boundary treatment including railings, walls, bollards, street furniture, external cycle stands, wind mitigation measures and public art, signage and wayfinding).
49. Details of plant equipment.
50. Water efficiency measures.
51. Biodiversity mitigation and enhancement measures (including biodiverse roofs, nectar-rich plants, wildflower meadows, mixed native hedges, ornamental landscaping, climate resilient plant species, communal roof gardens, tree and new woodland planting, details of bat boxes, insect boxes, nest boxes and maintenances regimes).
52. Sustainable Urban Drainage Scheme.
53. Secure by Design
54. Details of mechanical ventilation system for residential buildings.
55. Overheating strategy.
56. Car Parking and Parking Management Phase A (details of car parking spaces including location and layout, 3% of dwellings to have blue badge spaces and car parking management plan).
57. Cycle Parking and cycle parking management plan Phase A (compliance with London Plan standards, cycle management plan and 5% of long stay spaces to be designed to London Cycling Design Standards)
58. Temporary Children's Play Area Phase A

#### Pre-occupation

59. Scheme of permanent heritage interpretation, landscaping and display.
60. Inclusive communal amenity and play space access management plan.
61. Details of frontages of commercial units (shopfronts, doors, glazing, reveals, stallrisers, pilasters, corbels, fascias, awnings, internal security shutters and indicative signage).
62. Car Parking (maximum of 134 car parking spaces to be provided inclusive of permit parking spaces, blue badge spaces and car club spaces and 20% spaces fitted with electric vehicle charging points with 80% passive provision).
63. Delivery and servicing plan.
64. Site waste management plan.
65. Post construction whole life carbon assessment.
66. Access for St Nicholas Church

#### Details to accompany reserved matters submissions

67. Car Parking and Car Parking Management Plan (details of car parking spaces including location and layout, 3% of dwellings to have blue badge spaces and car parking management plan).
68. Cycle parking and cycle parking management plan (compliance with London Plan standards, cycle management plan and 5% of long stay spaces to be designed to London Cycling Design Standards).
69. Energy strategy (new strategy for each reserved matters application).
70. Photovoltaic panels (details of roof layout(s) and demonstration that installation has been maximised).
71. Children's play space (10sqm of play spacer per child).
72. Wind microclimate assessment and mitigation.
73. Daylight, sunlight and overshadowing (to be submitted for internal and assessment of neighbouring receptors).
74. Light pollution study.
75. Solar glare study.
76. Communal amenity space (to provide minimum quantum of required communal amenity space).
77. Wintergardens (demonstrate wintergardens are incorporated along A12)

#### Other conditions

78. Fire Strategy (for reserved matters, outline component)
79. TfL restriction on occupation of Phases B-D (bus gate works and underpass works to be delivered first).
80. TfL technical assurance (evidence of TfL surface and highways structures technical assurance process to be completed)
81. Estate Management Framework (to be established for maintenance of public realm and highways).
82. Underpass and bus gate details (detailed design to be submitted pre-reserved matters to TfL).
83. Infrastructure phasing plan/all water network upgrades.
84. No construction within 5m of water main.
85. No hot food preparation (details of air extraction and filtration systems to be submitted).

### 8.7 **Informatives**

1. Permission subject to legal agreement.
2. Development liable for CIL.
3. Street naming and numbering.
4. Cadent Gas asset protection.
5. Flues heights.
6. Archaeological WSI to be prepared in accordance with Historic England's guidelines.
7. Interpretation scheme required under condition 59 to be undertaken by a recognised specialist.
8. TfL technical approval in principle for A12 bus gate and underpass works required.

## **APPENDIX 1: LIST OF DRAWINGS AND DOCUMENTS**

### **EXISTING PLANS**

<b>Application Drawing No:</b>	<b>Revision No:</b>	<b>Description</b>
3663-LB-ZZ-00-DR-A-000001	1	Site Location Plan
3663-LB-ZZ-00-DR-A-000002	1	Existing Site Plan
3663-LB-ZZ-00-DR-A-000004	1	Existing Site Levels
3663-LB-ZZ-XX-DR-A-000003	1	Existing Buildings Plan
3663-LB-ZZ-XX-DS-A-000005	1	Existing Site Section

### **PARAMETER PLANS**

<b>Application Drawing No:</b>	<b>Revision No:</b>	<b>Description</b>
3663-LB-ZZ-00-DR-A-000020	2	Parameter Plan – Extent of Outline and Detailed Proposals
3663-LB-ZZ-00-DR-A-000021	2	Parameter Plan – Building Plots
3663-LB-ZZ-00-DR-A-000022	2	Parameter Plan – Proposed Site Levels: Lower Ground Floor
3663-LB-ZZ-00-DR-A-000024	2	Parameter Plan – Principal Public Realm Areas
3663-LB-ZZ-00-DR-A-000025	2	Parameter Plan – Access and Circulation
3663-LB-ZZ-00-DR-A-000027	2	Parameter plan – Land Use: Lower Ground Floor
3663-LB-ZZ-01-DR-A-000029	2	Parameter Plan – Land Use: First Floor
3663-LB-ZZ-B1-DR-A-000023	2	Parameter Plan – Proposed Site Levels: Basement
3663-LB-ZZ-B1-DR-A-000026	2	Parameter Plan – Land Use: Basement
3663-LB-ZZ-UG-DR-A-000028	2	Parameter Plan – Land Use: Upper Ground Floor
3663-LB-ZZ-ZZ-DR-A-000030	2	Parameter Plan – Land Use: Upper Floors
3663-LB-ZZ-XX-DS-A-000040	2	Parameter Section 01
3663-LB-ZZ-XX-DS-A-000041	2	Parameter Sections 02
3663-LB-ZZ-ZZ-DR-A-000031	2	Parameter Plan – Building Heights

### **ILLUSTRATIVE MASTERPLAN DRAWINGS**

<b>Application Drawing No:</b>	<b>Revision No:</b>	<b>Description</b>
3663-LB-ZZ-XX-DE-A-001005	2	Illustrative Scheme – Elevations 01
3663-LB-ZZ-XX-DE-A-001006	1	Illustrative Scheme – Elevations 02
3663-LB-ZZ-XX-DE-A-001007	1	Illustrative Scheme – Elevations 03
3663-LB-ZZ-XX-DS-A-001000	2	Illustrative Scheme – Sections 01
3663-LB-ZZ-XX-DS-A-001001	1	Illustrative Scheme – Sections 02
3663-LB-ZZ-XX-DS-A-001002	1	Illustrative Scheme – Sections 03
3663-LB-ZZ-00-DR-A-000201	2	Illustrative Scheme – Lower Ground Floor Plan
3663-LB-ZZ-01-DR-A-000203	2	Illustrative Scheme – First Floor
3663-LB-ZZ-28-DR-A-000206	2	Illustrative Scheme – Roof Plan
3663-LB-ZZ-B1-DR-A-000200	2	Illustrative Scheme – Basement Plan

3663-LB-ZZ-UG-DR-A-000202	2	Illustrative Scheme – Upper Ground Floor Plan
3663-LB-ZZ-XX-DR-A-000204	2	Illustrative Scheme – Typical Intermediate Floor Plan
3663-LB-ZZ-XX-DR-A-000205	2	Illustrative Scheme – Typical Upper Floor Plan

## LANDSCAPE PLANS

Application Drawing No:	Revision No:	Description
AVL-LDA-SBX-XX-XX-DR-L-0001	P03	Masterplan General Arrangement Ground Floor
AVL-LDA-SBX-XX-XX-DR-L-0002	P03	Masterplan General Arrangement Podiums
AVL-LDA-SBX-XX-XX-DR-L-0003	P03	Masterplan General Arrangement Roofs
AVL-LDA-SBX-XX-XX-DR-L-0004	P03	Illustrative Colour Masterplan for Support (Committed Works and Indicative Wider Works)
AVL-LDA-SBX-XX-XX-DR-L-0006	P02	Illustrative Colour Masterplan for Support (Committed Works)
AVL-LDA-SBX-XX-XX-DR-L-0100	P03	Phase A – Retained/Removed Trees Sheet 01 of 04
AVL-LDA-SBX-XX-XX-DR-L-0101	P03	Phase A – Retained/Removed Trees Sheet 02 of 04
AVL-LDA-SBX-XX-XX-DR-L-0102	P03	Phase A – Retained/Removed Trees Sheet 03 of 04
AVL-LDA-SBX-XX-XX-DR-L-0103	P03	Phase A – Retained/Removed Trees Sheet 04 of 04
AVL-LDA-SBX-XX-XX-DR-L-0200	2	Phase A Public Realm and Landscape Detail Plan 01 – Plot J
AVL-LDA-SBX-XX-XX-DR-L-0201	2	Phase A Public Realm and Landscape Detail Plan 02 – Town Square
AVL-LDA-SBX-XX-XX-DR-L-0202	P03	Phase A – Public Realm and Landscape Detail Plan 03 – Plot H
AVL-LDA-SBX-XX-XX-DR-L-0203	P03	Phase A – Public Realm and Landscape Detail Plan 04 – Plot I
AVL-LDA-SBX-XX-XX-DR-L-0204	2	Phase A – Public Realm and Landscape Detail Plan 05 – Leven Road Open Space
AVL-LDA-SBX-XX-XX-DR-L-0205	2	Phase A – Public Realm and Landscape Detail Plan 06 – Braithwaite Park
AVL-LDA-SBX-XX-XX-DR-L-0206	2	Phase A – Roof Terraces GA 01 – Plot F and H3
AVL-LDA-SBX-XX-XX-DR-L-0207	2	Phase A – Roof Terraces GA 02 – Plot I
AVL-LDA-SBX-XX-XX-DR-L-0300	2	Phase A – Sections 01 – Town Square
AVL-LDA-SBX-XX-XX-DR-L-0301	2	Phase A – Sections 02 – The High Street & Kirkmichael Road
AVL-LDA-SBX-XX-XX-DR-L-0304	2	Phase A – Sections 06 – Plot J Allotment Gardens
AVL-LDA-SBX-XX-XX-DR-L-0305	2	Phase A – Sections 07 – Roof Terraces
AVL-LDA-SBX-XX-XX-DR-L-0306	2	Phase A – Sections 08 – Plot I
AVL-LDA-SBX-XX-XX-DR-L-0208	1	Phase A – Temporary Play Space GA – For Support.
AVL-LDA-SBX-XX-XX-DR-L-0010	P02	Urban Greening Factor Illustrative Plan

## PHASE A PLANS

Application Drawing No:	Revision No:	Description
<b>Plot F</b>		
A303-MCO-BF-00-DR-A-05110	P02	Plot F – Existing Ground Floor Plan
A303-MCO-BF-ZZ-DR-A-05111	P02	Plot F and Clinic – Existing Ground Floor Plan
A303-MCO-BF-ZZ-DR-A-05210	P02	Plot F – Existing Elevations 1
A303-MCO-BF-ZZ-DR-A-05211	P02	Plot F – Existing Elevations 2
A303-MCO-BF-ZZ-DR-A-05212	P02	Plot F and Clinic – Existing Elevations
A303-MCO-BF-ZZ-DR-A-05310	P02	Plot F – Existing Sections
A303-MCO-BF-00-DR-A-06110	P05	Plot F – Proposed Ground Floor Plan
A303-MCO-BF-01-DR-A-06111	P06	Plot F – Proposed First Floor Plan
A303-MCO-BF-02-DR-A-06112	P06	Plot F – Proposed Second Floor Plan
A303-MCO-BF-07-DR-A-06117	P06	Plot F – Proposed Seventh Floor Plan
A303-MCO-BF-08-DR-A-06118	P06	Plot F – Proposed Eighth Floor Plan
A303-MCO-BF-R1-DR-A-06122	P03	Plot F – Proposed Roof Plan
A303-MCO-BF-ZZ-DR-A-06210	P03	BF – Proposed North Elevation
A303-MCO-BF-ZZ-DR-A-06211	P03	BF – Proposed East Elevation
A303-MCO-BF-ZZ-DR-A-06212	P03	BF – Proposed South Elevation
A3030-MCO-BF-ZZ-DR-A-06213	P03	BF – Proposed West Elevation
A3030-MCO-BF-ZZ-DR-A-06214	P04	BF- Proposed North East/North West Elevation
A303-MCO-BF-ZZ-DR-A-06310	P05	BF-Proposed Section AA
A303-MCO-BF-ZZ-DR-A-06311	P03	BF-Proposed Section BB
A303-MCO-BF-ZZ-DR-A-06312	P03	BF-Proposed Section CC
A303-MCO-BF-ZZ-DR-A-06410	P03	Plot F – Proposed MA Unit Layouts
A303-MCO-BF-ZZ-DR-A-06412	P03	Plot F- Proposed MA Unit Layouts
<b>Plot H</b>		
A303-MCO-BH-00-DR-A-05130	P02	Plot H – Existing Ground Floor Plan
A303-MCO-BH-ZZ-DR-A-05230	P02	Plot H – Existing Elevations 1
A303-MCO-BH-ZZ-DR-A-05231	P02	Plot H – Existing Elevations 2
A303-MCO-BH-ZZ-DR-A-05330	P02	Plot H – Existing Sections
A303-MCO-BH-00-DR-A-06130	P05	Plot H – Proposed Ground Floor Plan
A303-MCO-BH-01-DR-A-06131	P03	Plot H- Proposed First Floor Plan
A303-MCO-BH-02-DR-A-06132	P03	Plot H – Proposed Second Floor Plan
A303-MCO-BH-03-DR-A-06133	P03	Plot H – Proposed Third Floor Plan
A303-MCO-BH-04-DR-A-06134	P03	Plot H – Proposed Fourth Floor Plan
A303-MCO-BH-05-DR-A-06135	P03	Plot H – Proposed Fifth Floor Plan
A303-MCO-BH-R1-DR-A-06138	P03	Plot H – Proposed Roof Plan
A303-MCO-BH-ZZ-DR-A-06230	P03	BH1/H2 – Proposed North/South Elevation
A303-MCO-BH-ZZ-DR-A-06231	P03	BH1/H2 – Proposed East Elevation
A303-MCO-BH-ZZ-Dr-A-06232	P03	BH1/H2 – Proposed West Elevation
A303-MCO-BH-ZZ-DR-A-06240	P03	BH3 – Proposed North/South Elevation
A303-MCO-BH-ZZ-DR-A-06241	P03	BH3 – Proposed East Elevation
A303-MCO-BH-ZZ-DR-A-06242	P03	BH3 – Proposed West Elevation
A303-MCO-BH-ZZ-DR-A-06330	P03	BH – Proposed Section AA
A303-MCO-BH-ZZ-DR-A-06331	P03	BH – Proposed Section BB
A303-MCO-BH-ZZ-DR-A-06332	P03	BH – Proposed Section CC

A303-MCO-BH-ZZ-DR-A-06430	P03	Plot H1/H2 – Proposed SR Unit Layouts
A303-MCO-BH-ZZ-DR-A-06431	P03	Plot H1/H2 – Proposed SR Unit Layouts
A303-MCO-BH-ZZ-DR-A-06440	P03	Plot H3 – Proposed SO Unit Layouts
A303-MCO-BH-ZZ-DR-A-06441	P03	Plot H3 – Proposed SO Unit Layouts
A303-MCO-BH-ZZ-DR-A-06442	P03	Plot H3 – Proposed MA Unit Layouts
<b>Plot I</b>		
A303-MCO-Bi-00-DR-A-05150	P02	Plot I – Existing Ground Floor Plan
A303-MCO-Bi-ZZ-DR-A-05250	P02	Plot I – Existing Elevations
A303-MCO-Bi-ZZ-DR-A-05350	P02	Plot I – Existing Sections
A303-MCO-Bi-00-DR-A-06150	P05	Plot I – Proposed Ground Floor Plan
A303-MCO-Bi-01-DR-A-06151	P05	Plot I – Proposed First Floor Plan
A303-MCO-Bi-02-DR-A-06152	P05	Plot I – Proposed Second Floor Plan
A303-MCO-Bi-06-DR-A-06156	P06	Plot I – Proposed Sixth Floor Plan
A303-MCO-Bi-07-DR-A-06157	P06	Plot I – Proposed Seventh Floor Plan
A303-MCO-Bi-08-DR-A-06158	P05	Plot I – Proposed Eighth Floor Plan
A303-MCO-Bi-R1-DR-A-06161	P03	Plot I – Proposed Roof Plan
A303-MCO-Bi-ZZ-DR-A-06250	P03	Bi – Proposed North Elevation
A303-MCO-Bi-ZZ-DR-A-06251	P03	Bi – Proposed East/West Elevation
A303-MCO-Bi-ZZ-DR-A-06252	P03	Bi – Proposed South Elevation
A303-MCO-Bi-ZZ-DR-A-06350	P04	Bi – Proposed Section AA
A303-MCO-Bi-ZZ-DR-A-06351	P04	Bi – Proposed Section BB
A303-MCO-Bi-ZZ-DR-A-06450	P03	Bi – Proposed SO Unit Layouts
A303-MCO-Bi-ZZ-DR-A-06452	P03	Plot I – Proposed MA Unit Layouts
<b>Plot J</b>		
A303-MCO-BJ-00-DR-A-05170	P02	Plot J – Existing Ground Floor Plan
A303-MCO-BJ-00-DR-A-06170	P03	Plot J – Proposed Ground Floor Plan
A303-MCO-BJ-01-DR-A-06171	P03	Plot J – Proposed First Floor Plan
A303-MCO-BJ-02-DR-A-06172	P03	Plot J – Proposed Second Floor Plan
A303-MCO-BJ-03-DR-A-06173	P03	Plot J – Proposed Third Floor Plan
A303-MCO-BJ-04-DR-A-06174	P03	Plot J – Proposed Fourth Floor Plan
A303-MCO-BJ-05-DR-A-06175	P03	Plot J – Proposed Fifth Floor Plan
A303-MCO-BJ-R1-DR-A-01676	P03	Plot J – Proposed Roof Plan
A303-MCO-BJ-ZZ-DR-A-05270	P02	Plot J – Existing Elevations
A303-MCO-BJ-ZZ-DR-A-05370	P02	Plot J – Existing Sections
A303-MCO-BJ-ZZ-DR-A-06270	P03	BJ – Proposed North/South Elevation
A303-MCO-BJ-ZZ-DR-A-06271	P03	BJ – Proposed East/West Elevation
A303-MCO-BJ-ZZ-DR-A-06370	P03	BJ – Proposed Section AA/BB/CC/DD
A303-MCO-BJ-ZZ-DR-A-06473	P03	BJ – Proposed SR Unit Layouts
A303-MCO-BJ-ZZ-DR-A-06474	P03	BJ-Proposed SR Unit Layouts
<b>Strategic Drawings</b>		
3663-LB-ZZ-00-DR-A-000010	1	Demolition Plan
3663-LB-ZZ-00-DR-A-000011	2	Indicative Construction Phasing
3663-LB-ZZ-01-SK-A-SK00188	1	Potential Winter Garden Locations

## APPLICATION DOCUMENTS

DOCUMENT TITLE	PREPARED BY
Planning Statement inc. Draft S.106 Heads of Terms Revision N – February 2023 – Updated Submission	DP9
Development Specification Revision H January 2023	DP9
Design and Access Statement: The Masterplan Revision B – 11 <sup>th</sup> August 2022	Levitt Bernstein

Design and Access Statement: The Masterplan Addendum Revision D – January 2023	Levitt Bernstein
Tall Building Statement Revision A – 4 <sup>th</sup> April 2022	Levitt Bernstein
Design Code Revision C – December 2022	Levitt Bernstein
Play Strategy	Levitt Bernstein
Design and Access Statement Detailed Proposals Revision A – 4 <sup>th</sup> April 2022	Morris & Company
Design and Access Statement: Detailed Proposals Addendum Rev A – January 2023	Morris & Company
Construction Environmental Management Plan Rev A	Blue Sky Building
Community Infrastructure Levy (CIL) Form dated 08.04.22	
Daylight & Sunlight Internal Daylight, Sunlight and Overshadowing Report Rev C – 30 <sup>th</sup> January 2023	GIA Chartered Surveyors
Daylight Sunlight and Overshadowing Impacts Letter – 14 <sup>th</sup> October 2021	GIA Chartered Surveyors
Decant Strategy – January 2023	Poplar Harca
Tree Survey and Arboricultural Assessment	Arbeco
Commercial Strategy August 2022	AND
Retail Capacity Study August 2022	AND
Biodiversity Impact Assessment October 2021	Greengage
Preliminary Ecological Appraisal – October 2021	Greengage
Ecology Addendum – 31 <sup>st</sup> March 2022	Greengage
Ecology Addendum – 23 <sup>rd</sup> December 2022	Greengage
BREEAM Ecology Assessment	Greengage
BREEAM Ecology Assessment (Update Report)	Greengage
BREEAM Assessment	Greengage
Bat Survey Report August 2022	Greengage
Circular Economy Statement October 2022	Greengage
Sustainability Statement – October 2022	Greengage
Urban Greening Factor Assessment – October 2021	Greengage
Habitat Regulations Screening Letter – 10 <sup>th</sup> August 2022	Greengage
Whole Life-Cycle Carbon Assessment October 2022	Greengage
Equalities Impact Assessment – January 2023	Greenage
Arboricultural Addendum – October 2022	Tim Moya Associates
Arboricultural Report CAVAT Assessment – December 2022	Tim Moya Associates
Flood Risk Assessment Revision 1.5 – 21 <sup>st</sup> October 2022	Parmarbrook
Health Impact Assessment Revision A – April 2022	Hatch
Health Impact Assessment: Statement of Conformity	Hatch
Transport Assessment with Appendices: Framework Travel Plan, Delivery and Servicing Plan and Car Park Management Plan Revision A	Velocity Transport Planning

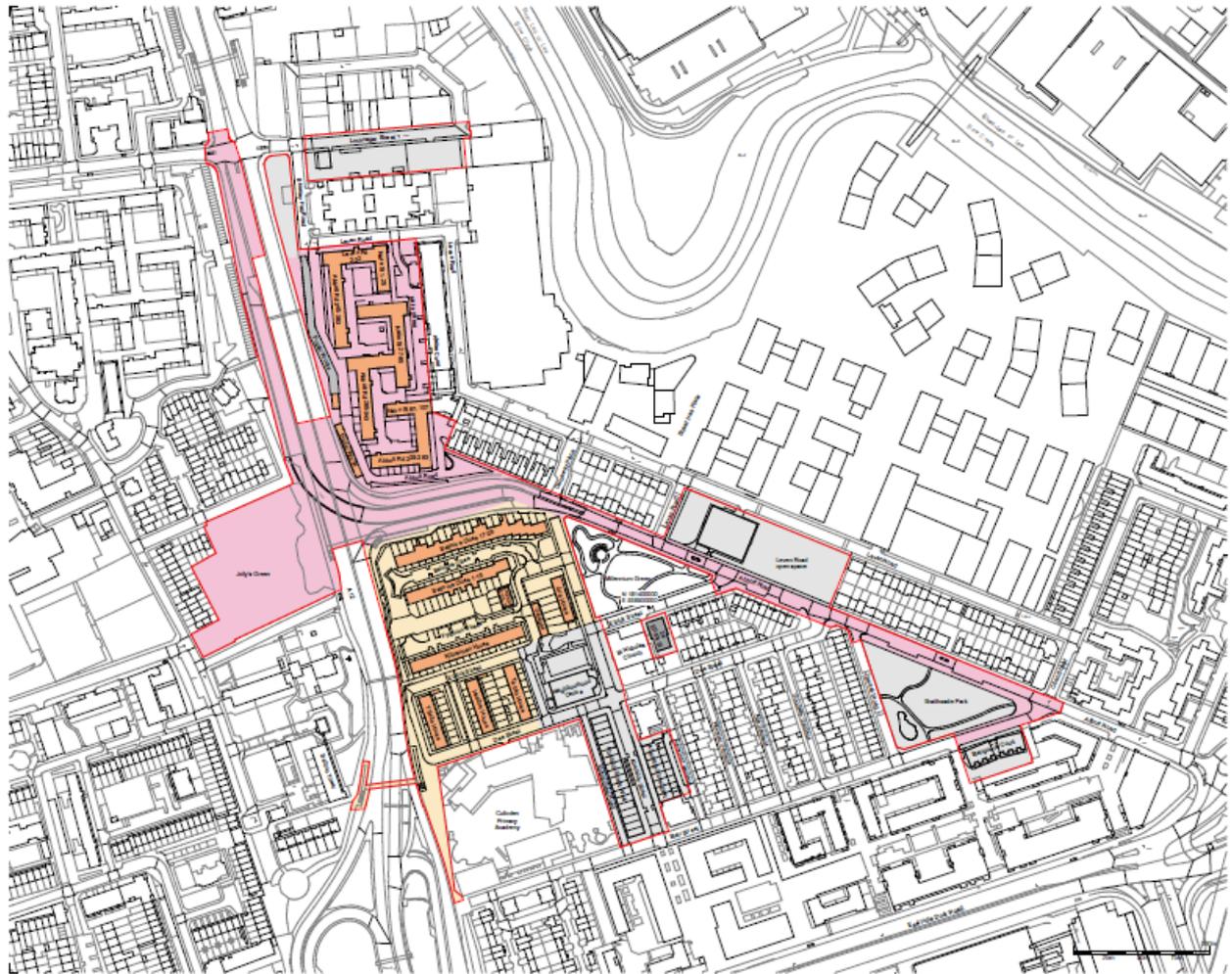
Transport Letter dated 25 January 2023	Velocity Transport Planning
Waste Management Strategy – Version 2.1 January 2023	Velocity Transport Planning
Aviation Safeguarding Assessment KLG119/R1/Issue 2 – September 2022	K L Grant Consulting Ltd
Energy Statement Issue P4 – 21 October 2022	Meinhardt
Utilities and Foul Sewage Assessment Issue P06 – 21 October 2022	Meinhardt
Masterplan, Below Ground Drainage Strategy – Issue P09 – 20 October 2022	Meinhardt
Financial Viability Assessment	DS2
Affordable Housing Statement Addendum V4 – October 2022	DS2
DS2 Letter dated 26 <sup>th</sup> January 2023 – Updated Viability Appraisal Letter	DS2
Fire Statement Detailed Stage 2 Fire Strategy October 2021	Elementa
Fire Statement Outline Stage 2 Fire Strategy October 2021	Elementa
Lighting Impact Assessment Revision P3 – 19 <sup>th</sup> August 2022	Equation
Statement of Community Involvement – August 2022	Lowick

## ENVIRONMENTAL STATEMENT DOCUMENTS

VOLUME/REPORT	DOCUMENT	PREPARED BY
	Non-Technical Summary (NTS)	Trium
VOLUME 1	Chapter 1: Introduction	Trium - All Volume 1 Chapters
	Chapter 2: EIA Methodology	
	Chapter 3: Alternatives and Design Evolution	
	Chapter 4: The Proposed Development	
	Chapter 5: Demolition and Construction	
	Chapter 6: Socio-Economics	
	Chapter 7: Traffic and Transport	
	Chapter 8: Air Quality	
	Chapter 9: Climate Change	
	Chapter 10: Climate Change	
	Chapter 11: Archaeology	
	Chapter 12: Water Resources	
	Chapter 13: Wind Microclimate	
	Chapter 14: Daylight, Sunlight, Overshadowing and Solar Glare	
	Chapter 15: Effect Interactions	
	Chapter 16: Likely Significant Effects	
	Chapter 17: Mitigation and Monitoring	

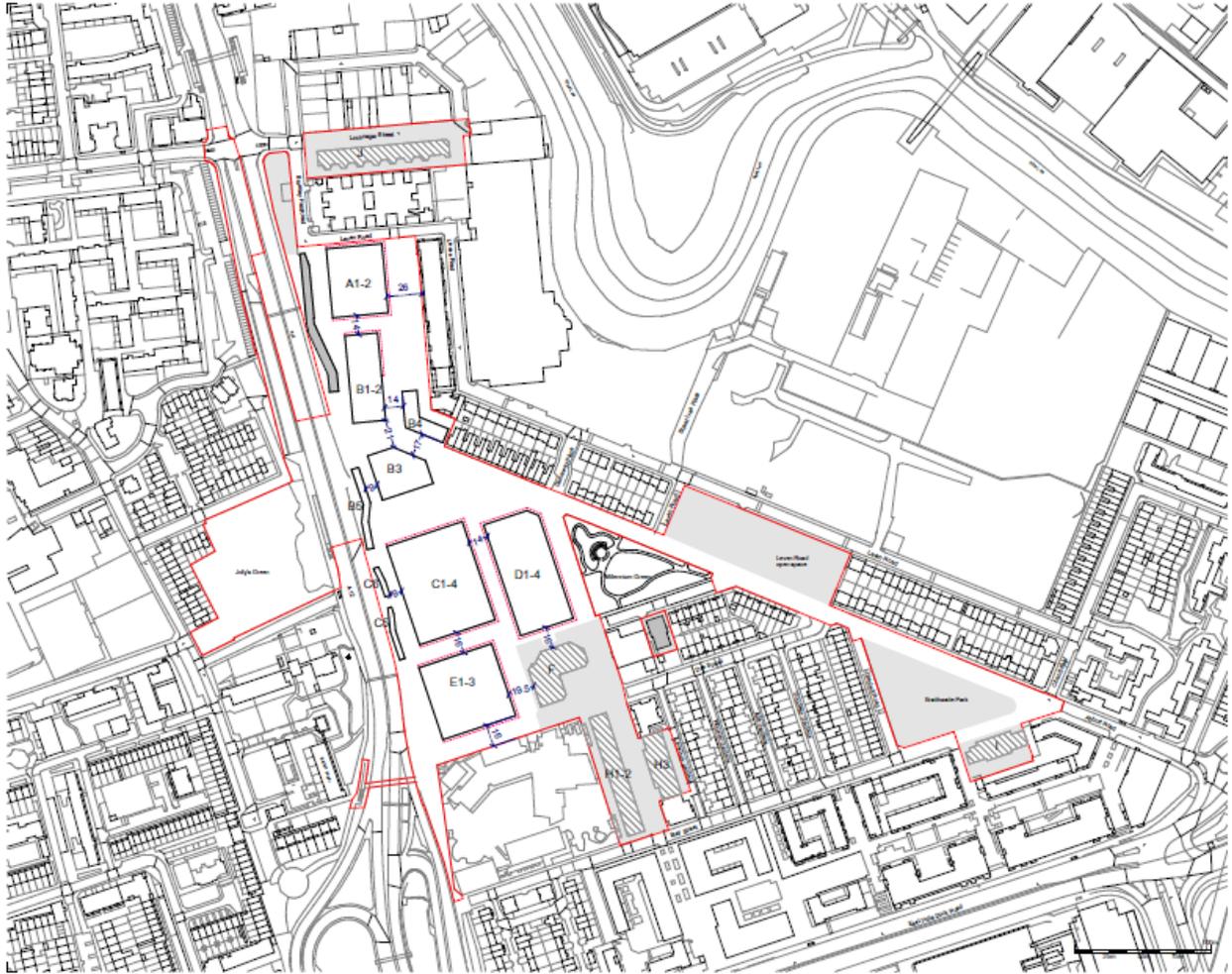
	Chapter 18: Glossary and Abbreviations	
VOLUME 2	Townscape and Visual Impact Assessment and Built Heritage Assessment	Trium
VOLUME 3 (TECHNICAL APPENDICES)	Introduction	Trium – All Volume 3 Appendices
	Methodology	
	Demolition and Construction	
	Socio-Economics	
	Air Quality	
	Climate Change	
	Noise and Vibration	
	Water Resources, Flood Risk and Drainage	
	Archaeology	
	Wind Microclimate	
	Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare	
	Built Heritage	
ENVIRONMENTAL STATEMENT	Statement of Conformity – January 2023 (Rev 1)	Trium
THIRD PARTY REVIEW	Interim Review Report: January 2022	Temple Group
	Final Review Report 001: May 2022	Temple Group
	Final Review Report 002: July 2022	Temple Group
	Final Review Report 003: July 2022	Temple Group
	Aberfeldy Village Further Review of Air Quality Site Suitability Information – 8 <sup>th</sup> September 2022	Temple Group
ES FURTHER/OTHER INFO	Appendix 5 ES Interim Review Report Response Document	Trium
	Environmental Statement Addendum	Trium
	Final Review Report Response June 2022	Trium
	Entran Technical Note – Air Quality: 17 <sup>th</sup> August 2022	Entran

## APPENDIX 2: DEMOLITION PLAN

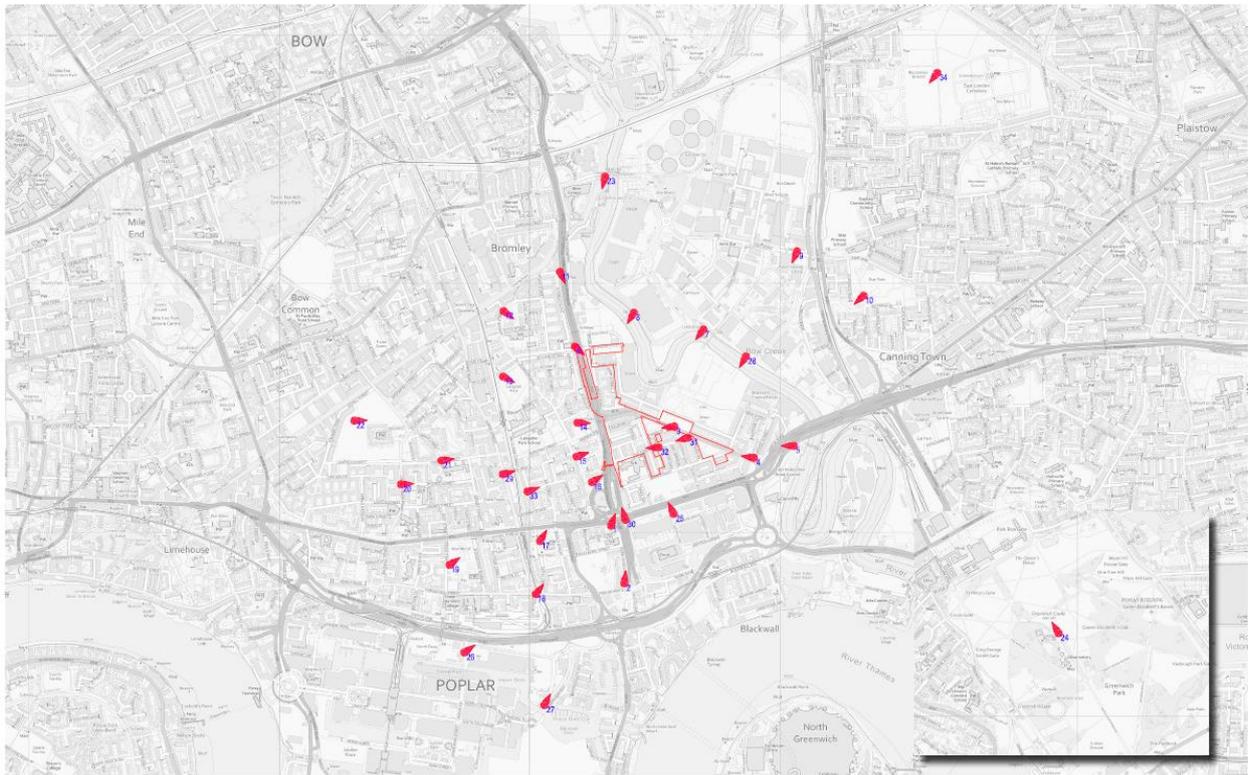


- Hybrid planning application boundary
- Existing buildings to be retained
- Buildings to be demolished
- Buildings to be demolished - refer to detailed planning application
- Demolition Phase A
- Demolition Phase B
- Demolition Phase C and D

**APPENDIX 3: BUILDING PLOTS PLAN**

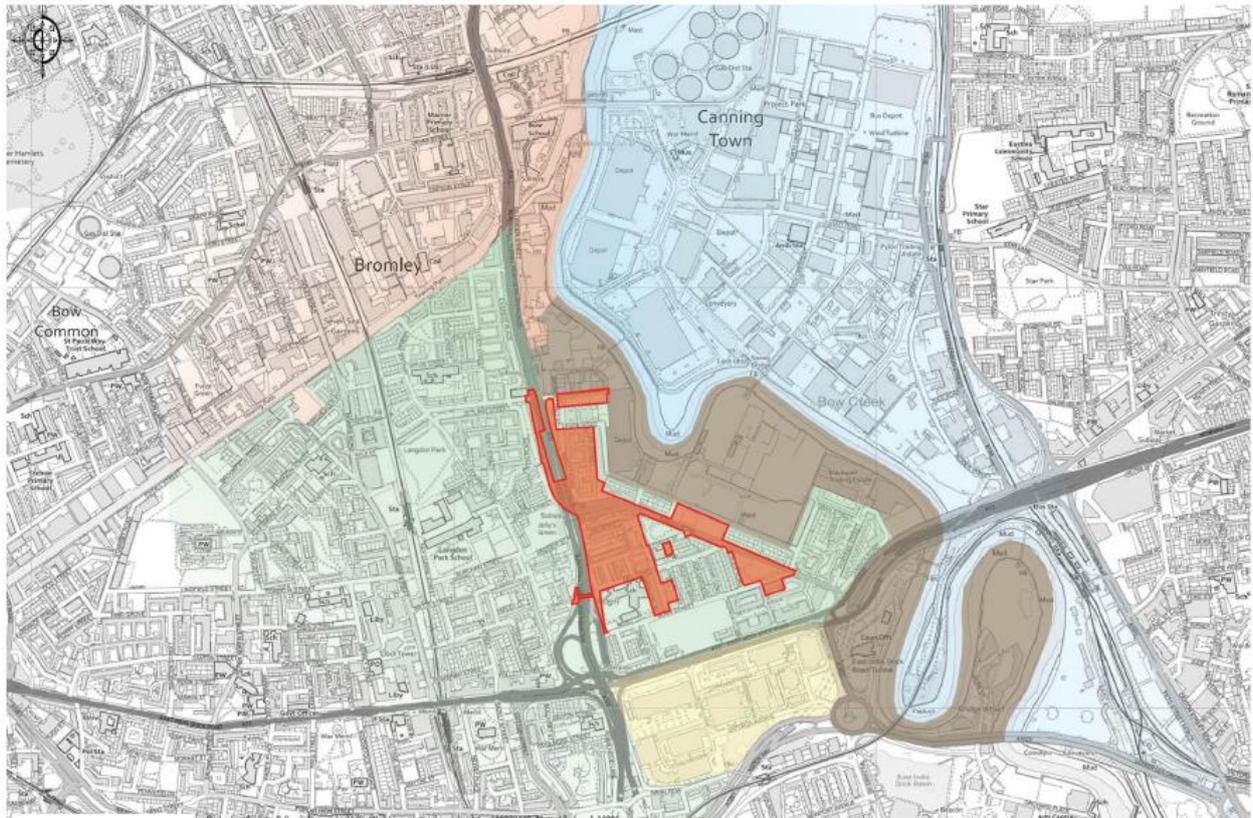


# APPENDIX 4: VIEW LOCATION MAP

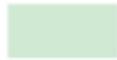


View	Description	MH Reference	Type	Method	Camera Location			Camera	Lens	HFOV		Photo date/time	Bearing	distance (km)
					Easting	Northing	Height			Photo	Image			
1	South of East India Dock Road	0700	outline	Verified	538324.0	1810247	6.49	Canon EOS SD Mark IV DSLR	24mm	73.5	73.1	29/03/2021 12:59	56.6	0.5
2	Junction of Robin Hood Lane and Poplar High Street	0590	outline	Verified	538376.8	180792.4	5.40	Canon EOS SD Mark IV DSLR	24mm	73.1	73.1	11/04/2021 10:51	36.0	0.6
3	Abbott Road / Etrick Street	0120	outline/rendered	Verified	538576.9	181423.1	3.44	Canon EOS SD Mark IV DSLR	24mm	73.5	73.1	30/03/2021 10:37	124.5	0.2
4	Portree Street, junction with Abbott Road	0500	outline	Verified	538895.1	181297.1	4.32	Canon EOS SD Mark IV DSLR	24mm	73.5	73.1	29/03/2021 12:09	273.1	0.2
5	LBTH borough designated view 6: View from East India Dock Road to Balton Tower & Canary Wharf in the back-ground	0660	outline	Verified	539054.2	181345.3	8.84	Canon EOS SD Mark IV DSLR	24mm	73.7	73.2	13/04/2021 09:54	262.5	0.3
6	A12, junction with Zeland Street	0150	outline/rendered	Verified	538179.7	181744.7	5.01	Canon EOS SD Mark IV DSLR	24mm	73.2	73.2	29/03/2021 17:45	127.7	0.7
7	Riverside footpath north of River Lea / Bow Creek	0710	outline	Verified	538692.8	181813.2	6.89	Canon EOS SD Mark IV DSLR	24mm	73.5	73.3	13/04/2021 08:50	173.7	0.5
8	Bow Creek River Lea bridge	0780	outline	Verified	538414.9	181880.5	6.96	Canon EOS SD Mark IV DSLR	24mm	73.5	73.3	30/03/2021 08:30	149.9	0.7
9	Cody Road	0560	outline	Verified	539067.0	182127.3	2.70	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	11/04/2021 09:15	201.1	0.9
10	Star Lane park	0570	outline	Verified	539333.1	181949.4	3.21	Canon EOS SD Mark IV DSLR	24mm	73.2	73.1	11/04/2021 09:46	222.2	0.9
11	A12, junction with Twist Street	0200	outline	Verified	538120.0	182045.1	7.34	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	29/03/2021 18:30	139.6	1.0
12	Uxmar Street	0210	outline	Verified	537894.3	181887.3	6.99	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	29/03/2021 18:14	124.3	1.0
13	LBTH borough designated view 5: View from Langdon park to Balton Tower & Canary Wharf in the background	0720	outline	Verified	537892.7	181623.8	6.94	Canon EOS SD Mark IV DSLR	24mm	73.5	73.1	12/04/2021 17:52	110.4	0.9
14	Jolly's Green	0730	outline	Verified	538190.2	181438.3	5.89	Canon EOS SD Mark IV DSLR	24mm	73.3	73.2	12/04/2021 17:39	103.4	0.6
15	St Leonards Road	0240	outline	Verified	538186.7	181302.1	7.02	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	29/03/2021 17:17	89.7	0.6
16	Pedestrian path from A102 / St Leonards Road	0640	outline	Verified	538247.8	181199.3	5.65	Canon EOS SD Mark IV DSLR	24mm	73.5	73.4	11/04/2021 15:07	78.1	0.5
17	All Saints Churchyard, inside west entrance gates	0620	outline	Verified	538040.3	180962.4	7.50	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	12/04/2021 17:25	64.2	0.8
18	Poplar High Street, bridge over railway tracks	0810	outline	Verified	538023.5	180749.3	7.95	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	29/03/2021 14:03	52.5	0.9
19	Poplar Recreation Ground	0740	outline	Verified	537678.3	180866.5	7.22	Canon EOS SD Mark IV DSLR	24mm	73.5	73.3	14/04/2021 12:17	67.7	1.2
20	Upper North Street	0290	outline	Verified	537484.6	181190.4	6.81	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	29/03/2021 16:38	84.8	1.3
21	Cordelia Street	0510	outline	Verified	537465.5	181286.5	5.37	Canon EOS SD Mark IV DSLR	24mm	73.7	73.2	29/03/2021 16:25	89.0	1.1
22	Bartlett park	0840	outline	Verified	537298.2	181446.6	7.16	Canon EOS SD Mark IV DSLR	24mm	73.5	73.2	24/04/2021 17:35	95.6	1.5
23	Twelvetrees Crescent, bridge over River Lea and Bow Creek	0830	outline	Verified	538299.6	182428.2	12.23	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	30/03/2021 07:51	158.2	1.2
24	LWMF SA.1 - Greenwich park, the General Wolfe statue - at the orientation board	0330	outline	Verified	538922.5	177335.2	48.17	Canon EOS SD Mark IV DSLR	24mm	73.3	73.3	29/03/2021 08:46	357.5	4.0
25	Nutmeg Lane	0750	outline	Verified	538574.1	181071.6	6.63	Canon EOS SD Mark IV DSLR	24mm	73.3	73.2	14/04/2021 11:44	36.9	0.3
26	Upper Bank Street	0790	outline	Verified	537737.7	180514.2	7.87	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	29/03/2021 14:52	52.0	1.3
27	Trotalgar Way	0800	outline	Verified	538057.5	180302.9	13.87	Canon EOS SD Mark IV DSLR	24mm	73.5	73.2	29/03/2021 14:25	34.6	1.2
28	South side of Bow Creek	0670	outline	Verified	538862.8	181704.8	7.00	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	14/04/2021 10:31	195.9	0.4
29	Chisp Street, looking along Willis Street	0380	outline	Verified	537891.8	181231.2	8.14	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	29/03/2021 15:59	85.1	0.9
30	A12, junction with East India Dock Road, looking north	0770	outline	Verified	538381.3	181048.3	5.84	Canon EOS SD Mark IV DSLR	24mm	73.5	73.2	11/04/2021 15:11	55.1	0.5
31	Dee Street, looking north	0540	outline/rendered	Verified	538630.9	181377.9	3.47	Canon EOS SD Mark IV DSLR	24mm	73.3	73.1	11/04/2021 10:27	121.7	0.1
32	Dee Street, midway	0760	outline/rendered	Verified	538513.9	181339.2	3.17	Canon EOS SD Mark IV DSLR	24mm	73.2	73.2	14/04/2021 11:28	98.3	0.2
33	Brownfield Street, outside no.30	0420	outline	Verified	537990.1	181162.0	8.12	Canon EOS SD Mark IV DSLR	24mm	73.4	73.2	02/04/2021 14:54	79.3	0.8
34	Memorial Recreation Ground	0850	outline	Verified	539627.6	182845.1	2.94	Canon EOS SD Mark IV DSLR	24mm	73.7	72.9	29/09/2021 10:21	209.7	1.8

## APPENDIX 5: TOWNSCAPE CHARACTER AREAS



Townscape character areas:

-  Townscape character area 1:  
Poplar
-  Townscape character area 2:  
Poplar Riverside
-  Townscape character area 3:  
East India Dock
-  Townscape character area 4:  
East of The River Lea
-  Townscape character area 5:  
Limehouse Cut

**APPENDIX 6: ENTERPRISE YARD – LANDSCAPING AND SQUARES**



Works Square



Dee Street Underpass

# APPENDIX 7: KIRKMICHAEL STREET AND LANSBURY GARDENS



- ① Santander bike stands and cycle parking
- ② Bike store with green roof
- ③ Dedicated play along School Street
- ④ New tree planting
- ⑤ Kirkmichael Road - School Street
- ⑥ Communal amenity spaces
- ⑦ Culloden Primary Academy exit
- ⑧ Lansbury Gardens



## APPENDIX 8: COMPLETED DEVELOPMENT EFFECTS ON HERITAGE RECEPTORS

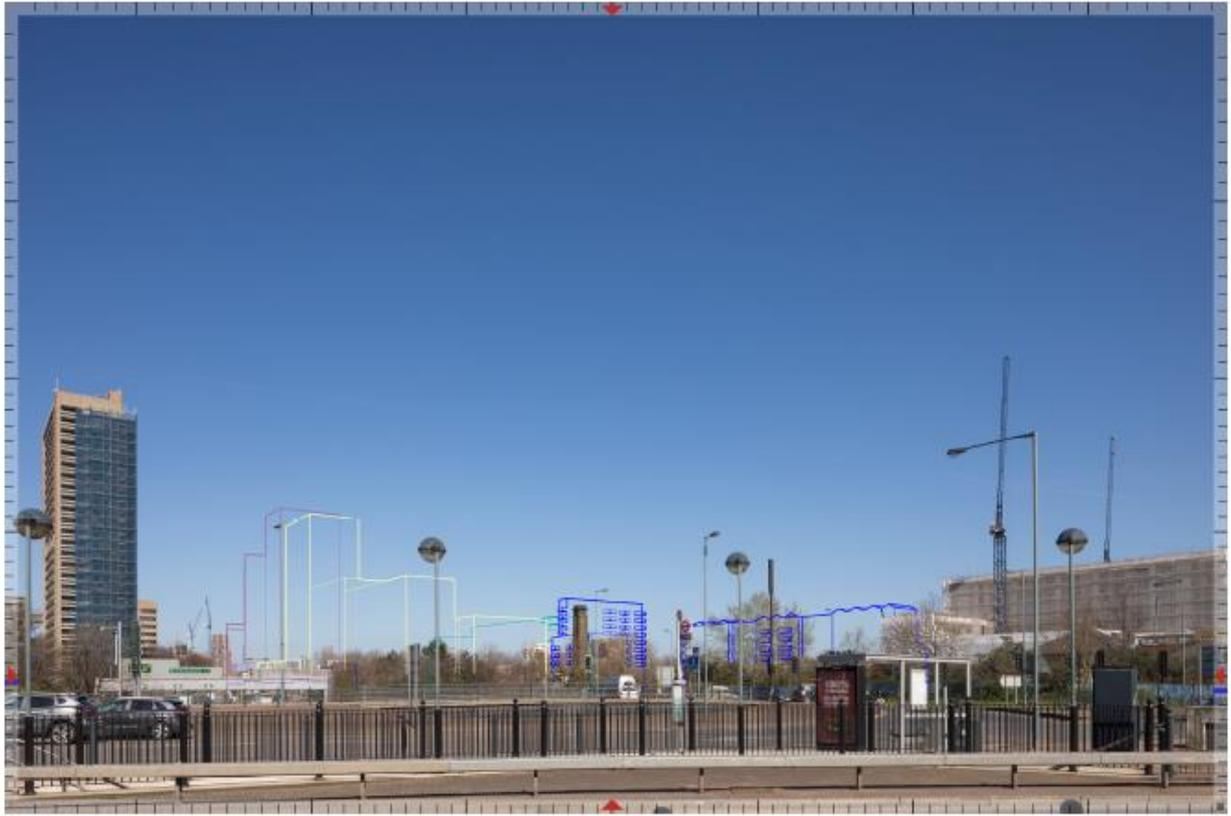
Table 10: Completed Development Effects

Completed Development Effects				
Receptor	Sensitivity	Impact magnitude	Significance of Effect	Nature of Effect
<b>Conservation Area</b>				
All Saints Church Poplar Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
Bazeley Street E14: 1-3, 24 (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
East India Dock Road: All Saints' with St Frideswide Church (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Mountague Place E14: 5, 6, 7, 8, 9, 10, 11 (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Newby Place: All Saints Rectory & Gate Piers (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Balfron Tower Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
Balfron Tower (GII*)	Medium	Negligible	Negligible	Negligible/None-Neutral
Carradale House (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Glenkerry House (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Langdon Park Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
St Leonard's Road: Church of St Michael and All Angels & War Memorial (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral

<b>Locally Listed Buildings</b>				
St Leonards Road: 159-167 (odd) & 162 (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Lansbury Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
Chrisp Street E14: Market Clock Tower (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Cordelia Street E14: Susan Lawrence and Elizabeth Lansbury School (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Upper North Street E14: Church of St Mary and St Joseph (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Limehouse Cut Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
Gillender Street: Bromley Hall (GII*)	High	Negligible	Negligible	Negligible/None-Neutral
Gillender Street: Dowgate Wharf, (22-23) (GII); Former Fire Station (38) (GII); Poplar Public Library (45) (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Naval Row Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
East India Dock Pumping Station (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
St Frideswide's Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Locally Listed Buildings</b>				
Follett Street: 18	Medium	Negligible	Negligible	Negligible/None-Neutral
Lodore Street: Tabard Court; St Frideswide's Mission Hall	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
St Matthias Church, Poplar Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings</b>				
East India Dock Road: War memorial to the children of Upper North Street School (GII*)	Medium	Negligible	Negligible	Negligible/None-Neutral
Hale Street E14: Pope John House (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
Poplar High Street E14: Poplar Technical College (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
<b>Conservation Area</b>				
Three Mills Conservation Area	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Listed Buildings: N/A</b>				
<b>Locally Listed Buildings: N/A</b>				
<b>Listed Buildings Not in a Conservation Area</b>				

Blackwall Way E14: Dry Dock at Blackwall Engineering (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
Bromley Hall Road: former Bromley Hall School (GII)	Medium	Minor	Minor	Minor-Beneficial
East India Dock Road: Former Financial Times printworks (GII*)	High	Negligible	Negligible	Negligible/None-Neutral
East India Dock Road E14: Plaque on modern dock wall facing west (GII); Poplar Baths (GII); Statue of Richard Green (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
Leamouth Road E14: East India Dock Wall and Gateway (GII); Entrance Gateway (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
Northumbria Street E14: Church of St Saviours (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
Poplar High Street E14: Northern portal and parapet to the Blackwall Tunnel (GII)	Low	Negligible	Negligible	Negligible/None-Neutral
Twelvetrees Crescent E3: Twelvetrees Crescent Bridge (GII); Group of Gasholders, former Bromley-by-Bow gasworks (GII)	Medium	Negligible	Negligible	Negligible/None-Neutral
<b>Non-Designated Heritage Assets Not in a Conservation Area</b>				
Aberfeldy Street; St Nicholas Church	Low	Negligible	Negligible	Negligible/None-Neutral
Bright Street, E14: Langdon Park School LSB building of 1907	Low	Negligible	Negligible	Negligible/None-Neutral
Leven Road, E14: Former Poplar Bus Depot	Low	Negligible	Negligible	Negligible/None-Neutral

**APPENDIX 9: PROPOSED HTIVIA VIEW 1 (SOUTH OF EAST INDIA DOCK ROAD)**



Proposed

# APPENDIX 10: SELECTION OF PHASE A DRAWINGS



**Plot F**



**Plot H1H2**



### Plot H3



### Plot I



**Plot J**