



Application for Planning Permission[click here for case file](#)

Reference	PA/21/02776/A1
Site	15-27 Byng Street (odd), 29 Byng Street (Flats 1-6 Dowlen Court) and 1-12 Bellamy Close, London, E14
Ward	Canary Wharf
Proposal	Demolition of the existing buildings and structures and construction of residential dwellings (use class C3), public realm works, landscaping, access, servicing, parking and associated works (revised scheme).

Summary Recommendation Grant planning permission with conditions and planning obligations

Applicant Mount Anvil

Architect/agent Quod (agent); HTA (architect)

Case Officer Fran Haines

Key dates

- Application registered as valid on 23/12/2021
- First public consultation finished on 15/02/2022
- Received resolution to grant planning permission at SCD 21 July 2022
- Second public consultation finished 24/08/2023

EXECUTIVE SUMMARY

The proposed development is an estate regeneration scheme which re-provides the existing 24 social rented homes and intensifies the residential use with the creation of additional 194 residential units.

In total, the proposed development provides for 43% affordable housing by habitable room, inclusive of the re-provided social rented homes. Excluding the re-provision, the proposal provides for 29% affordable housing. The proposed housing accommodation would be of high quality, with the creation of varied types of accommodation. In the affordable housing tenure, 57% of the units will be family sized units.

From a design perspective, the proposal positively responds to its local context through the delivery of a unique and high-quality design in a tall building zone. A single residential tower of 32 storeys is placed centrally within the site whilst lower elements are proposed along Byng and Manilla Streets. Of particular interest are three storey dwellinghouses along Byng Street which provide an attractive streetscape.

On the northern part of the site, the proposal includes a three-storey residential block in the north-western corner. The proposed courtyard along the site's northern boundary is arranged around the two retained trees, and contains vehicle movement for servicing and deliveries, as well as 2 off-street disabled car parking spaces.

The proposal re-provides the existing link through the site, connecting Byng Street and Manilla Street, and formalises it for the use of pedestrians and cyclists only. The proposed route is landscaped and visually attractive.

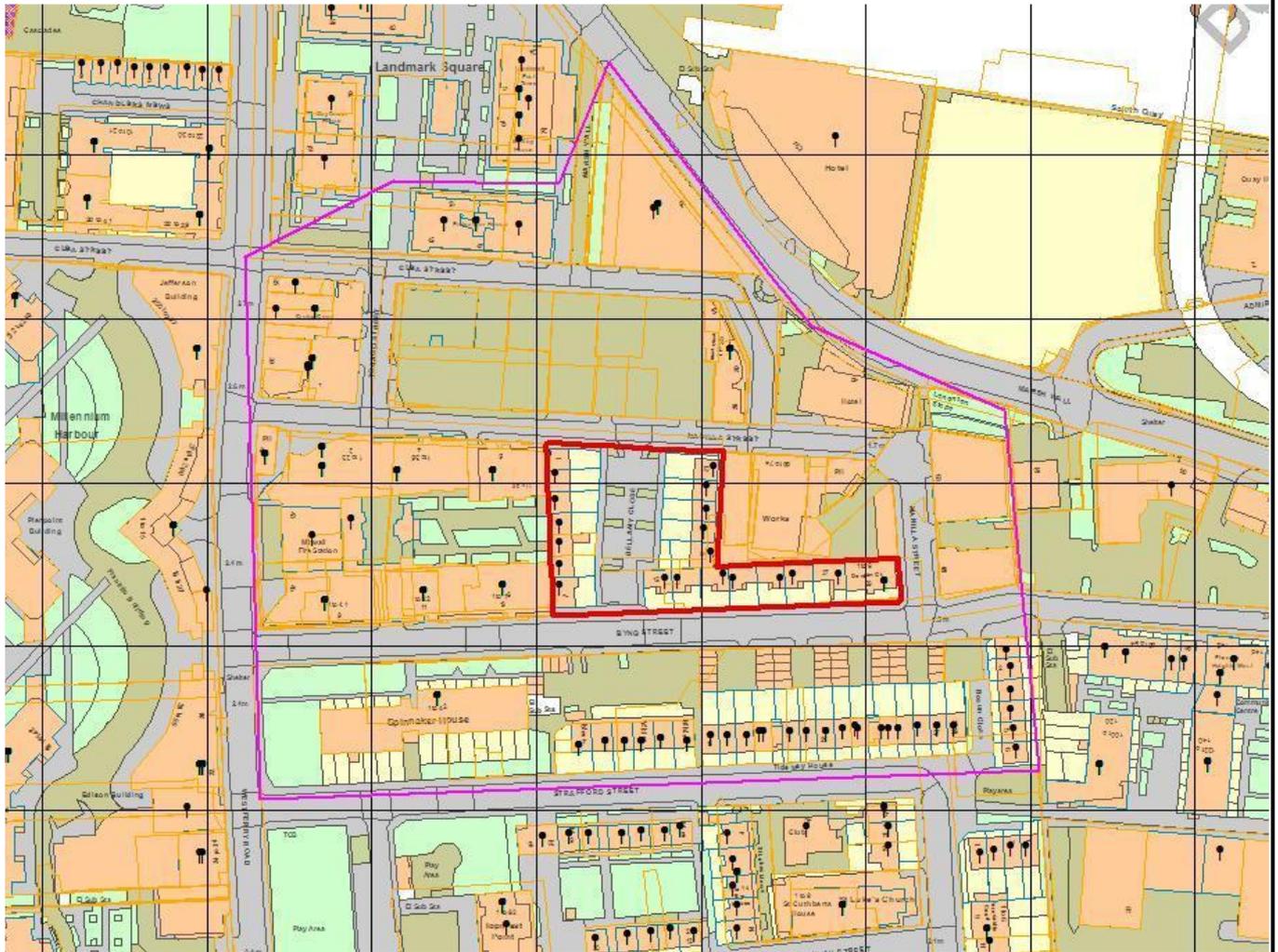
It is considered that the scheme's impact on neighbouring amenity would be acceptable on balance. Whilst some neighbouring properties would experience a reduction in daylight and sunlight, particularly the ones situated to the north of the application site, the proposed scheme delivers a number of benefits which on balance outweigh the harm caused to the amenity of neighbouring properties.

In terms of the environmental impacts of the scheme, the proposal would be air quality neutral, provide a biodiversity net gain, have acceptable microclimate conditions and a 75% reduction in carbon emission on site with the remainder offset through financial contributions.

The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to local employment and training, feasibility study, highways works and enhancement of open spaces in the area.

Considered as a whole, the proposed scheme delivers the requirements of the Local Plan Site Allocation and estate regeneration principles. Officers are satisfied that the proposed development would deliver a high quality, well integrated, inclusive sustainable place.

On this basis, the grant of planning permission is recommended.



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

Planning Applications Site Map PA/21/02776/A1

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



London Borough
of Tower Hamlets

Scale : 50m grid squares

Date: 06 October 2023

1. BACKGROUND CONTEXT

- 1.1 In July 2022, the Strategic Development Committee (SDC) resolved to grant planning permission, subject to any direction from the Mayor of London (GLA Stage 2) and a legal agreement, for a redevelopment of this site under the application reference number that is the subject of this report.
- 1.2 The proposed development, the subject of the resolution to grant permission, was for an estate regeneration scheme involving the demolition of the existing buildings on site, the re-provision of the existing social rented homes and the creation of an additional 178 residential units. The development comprised a single residential tower of 31 storeys, placed centrally within the site, with lower elements proposed along Byng Street and Manilla Street. Along Byng Street were three-storey dwelling houses and on the northern part of the site, a three-storey residential block in the north-west corner. In total, the development provided for 58% affordable housing by habitable room, inclusive of the re-provided social rented homes. Excluding the re-provision, the proposal provided for 49% affordable housing. This scheme will be referred to as the 'July 2022 scheme' hereafter.
- 1.3 It should be noted that the July 2022 scheme complied with relevant fire safety and building regulations at that time.
- 1.4 Following resolution to grant planning permission at SDC in July 2022, the LPA negotiated the legal agreement and referred the application, on the 12 December 2022, to the GLA for their Stage 2 response.
- 1.5 On the 14th of December 2022, the National Fire Chiefs Council (NFCC) released a statement calling for a requirement for all residential buildings over 18 metres, or seven storeys, to have more than one staircase. On the 23rd of December, the Government launched a consultation until March 2023 on introducing a requirement for a second staircase for residential buildings over 30 metres.
- 1.6 The GLA did not validate the submitted Stage 2 referral whilst the organisation put together a formal response to the NFCC announcement. The GLA made a statement regarding fire safety and tall buildings on the 8th February 2023. The GLA stated that, with immediate effect, all planning applications which involve residential buildings over 30 metres in height will need to be designed to provide two staircases before they are referred at Stage 2 for the Mayor's Decision. Consequently, the GLA did not accept the submitted Stage 2 referral.
- 1.7 On the 24th of July, the housing secretary announced that the Government would be mandating second staircases in new residential buildings above 18 metres, however the necessary changes to the Building Regulations and any transitional arrangements have not been made.
- 1.8 Since the GLA's announcement, the applicant and design team have been working to incorporate a second staircase into the residential tower element of the development. This has had implications for the layout of the tower and the building footprint has needed to increase by 250mm to the south to incorporate the additional stair. Furthermore, due to the delays caused by the need to revise the proposals, there have been implications on the viability of the scheme and consequently the affordable housing offer.
- 1.9 This committee report outlines the changes to the scheme which have resulted from the need to include a second stair. The changes primarily focus on the amended affordable housing offer as well as other minor alterations to the scheme more broadly.

1.10 It should be noted that residents have already been moved out of the properties on site as works were due to start in March this year.

2. SITE AND SURROUNDINGS

- 2.1 The application site is formed as an L shape of circa 0.3ha and is bounded by Manilla Street to the north and Byng Street to the south. Immediately to the west of the site are 4 storeys streetside blocks of 4 storeys in height with a central courtyard.
- 2.2 To the east and north-east is the consented scheme known as Alpha Square which is a mixed-use development with three towers ranging from 20 to 65 storeys. Backing onto 8-12 Bellamy Close is the approved 34 storey tower with its podium abutting 19-29 Byng Street.
- 2.3 The Former Millwall Fire Station development sits at the end of the urban block in which the application site is situated, where buildings reach a maximum of 9 storeys closer to the junction of Byng Street and Westferry Road. To the north of the application site on the opposite side of Manilla Street sits the consented Cuba Street site, which was granted planning permission on 21/12/2022. This development comprises a single tall residential building with retail use at ground floor and a publicly accessible park.
- 2.4 Further to the south of the application site lies a housing estate formed of several residential blocks including 4 storey Tideaway House, 3 storey block to its west and 6 storey Spinnaker House closer to Westferry Road. These properties are set back from Byng Street: Tideaway House includes garages and storage sheds to the north, the adjoining three storey block contains a car park along Byng Street and Spinnaker House is set back by a strip of green space and a footway providing access to the ground floor units.
- 2.5 The application site is currently occupied by 25 properties in total, made up of 19 houses and 6 flats. The existing houses include terraces 1-7 Bellamy Close on the western boundary of the site, 8-12 Bellamy Close on the north-east corner of the site and 15-27 (cons.) along the southern boundary of the site. The existing six flats are situated at the far eastern corner of the site facing Manilla Street to the east and Byng Street to the south.
- 2.6 There are no significant heritage constraints. The site is not listed nor situated within a conservation area. There are no listed buildings in the close proximity to the site. The closest listed building is the grade II listed Cascades along the River Thames, more than 200m to the north-west of Bellamy Close. The site is within the Strategically Important Skyline Canary Wharf and forms part of a setting of the UNESCO's Maritime Greenwich World Heritage Site.
- 2.7 The site is in an area of good access to public transport facilities with a Transport for London's PTAL (Public Transport Accessibility Level) of 4 on a scale of 0-6b where 6a and 6b are the highest. Byng street forms part of the London Cycle Network and Manilla Street is part of the National Cycle Network along with Cuba Street further to the north which also form part of the borough's Green Grid network.
- 2.8 The site is partially within the Marsh Wall West site allocation with the western part of the site included in the site allocation with 1-7 Bellamy Close being excluded. The whole of the site sits within the GLA's Isle of Dogs and South Poplar Opportunity Area and the Isle of Dogs Neighbourhood Forum's Planning Area. The site is in close proximity to the Canary Wharf Employment Area which includes the area to the north of the South Dock.
- 2.9 The site forms part of the Millwall Inner Dock Tall Building Zone and is situated within an area of deficiency to access to nature, Green Grid buffer zone and Flood zones 2 and 3a. The whole of the borough is within an Air Quality Management Area.
- 2.10 An application at this site for an estate regeneration, including the reprovion of 24 social rented homes to deliver a total of 148 residential homes, a publicly accessible pedestrian link and creative workspace was granted planning permission at Strategic Planning Committee in April 2021 subject to securing a S106 agreement and GLA Stage 2 (ref. PA/20/01065/A1).

3. PROPOSAL

- 3.1 This revised scheme seeks to deliver a total of 218 residential homes, including the re-provision of existing 24 social rented homes, an increase of 194 net additional homes and the re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.
- 3.2 The proposed layout includes the delivery of 12 three-storey houses along the southern boundary of the site on Byng Street (block A), 2 residential units within the three-storey block along the north-western corner of the site (block B) and 204 units within the 32-storey residential tower (block C) situated within the central area of the application site.

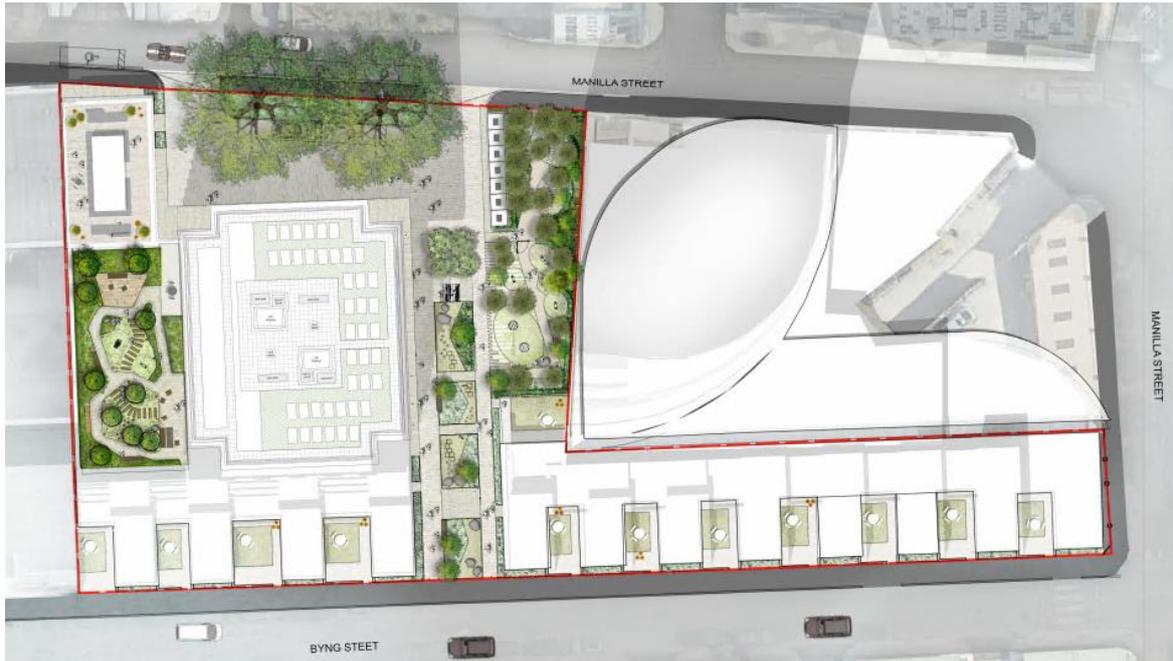


Figure 1: Proposed site layout

- 3.3 A publicly accessible and landscaped pedestrian link is proposed to the east of the residential tower. This represents a re-provision of the existing informal link formed of the front car parking of dwellinghouses on Bellamy Close.

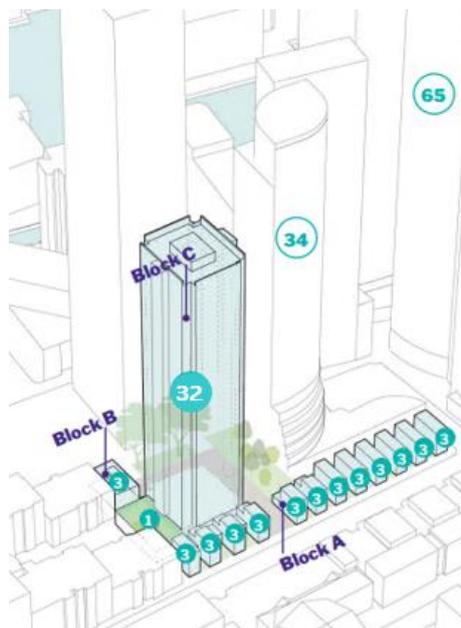


Figure 2. Heights of the proposed development and adjacent Alpha Square development.



Figure 3. Proposed 3-storey dwellinghouses and in the middle the pedestrian link.

- 3.4 The proposal would provide a total of 43% affordable housing. The re-provided social rented and additional social rented units would be situated within blocks A and B and lower levels of block C, whilst the private residential units would be within the higher floors of the residential tower.



Figure 4. Proposed housing tenure (orange – affordable rent, blue – market)

- 3.5 In terms of amenity spaces, part of the communal amenity space will be provided indoors on the first floor of Block C and further amenity space is provided outdoors at podium level. The proposal includes the provision of child play space for children under 5 years old at podium level within Block C.
- 3.6 The proposed development would provide pedestrian and cyclists access from Byng Street to the south and Manilla Street to the North. The proposed vehicle access would only occur from Manilla Street.

3.7 Servicing and deliveries would take place off-street within the northern courtyard of the proposed development. This area would also contain vehicle movement associated with the four blue badge car parking spaces.

3.8 When considering the proposed development in comparison to the July 2022 scheme, which received resolution to grant planning permission at SDC, the design changes to the development incorporate the second staircase include:

- Enlarged core layout of Block C to accommodate the second staircase
- An increase in Block C's footprint by 250mm to the south. As a result, 4 of the Byng Street townhouses have moved 250mm to accommodate the increase in footprint to Block C.
- A reduction in floor to ceiling heights within Block C to allow for an additional residential floor, whilst maintaining the overall building height. Block C has therefore increased from 31 storeys to 32 storeys, but the height of the building has not changed. The residential floor to ceiling heights for each floor would also remain unchanged.
- Minor amendments to the façade design.

3.9 In addition to the design alterations to include the second staircase, changes have also been made to the housing provision. When comparing the revised scheme to the July 2022 scheme, the housing changes include:

- 16 additional homes, including 5 additional social rented homes. The scheme will deliver a total of 218 homes (compared to 202 previously).
 - o There will be 63 affordable rented homes, comprising 24 re-provided social rent homes and 39 new social rented.
- Adjustments to the tenure and unit mix. All shared ownership units have been removed from the proposal. Instead, the scheme just delivers social rented and market sale housing.

3.10 The table below summarises the proposed tenure and unit size mix when comparing the revised scheme to the July 2022 scheme. As demonstrated below, the scheme will provide 5 additional affordable homes, comprising 3 additional 4-beds, 1 additional 2-bed and 1 additional 1-bed.

	Affordable rented		Intermediate		Market	
	July 2022	Revised	July 2022	Revised	July 2022	Revised
1-bed	12	13	12	-	72 (incl 15 studios)	116 (incl 21 studios)
2-bed	13	14	8	-	36	39
3-bed	22	22	16	-	-	-
4-bed	10	13	-	-	-	-
5-bed	1	1	-	-	-	-
Total	58	63	36	0	108	155

Table 1: Revised tenure mix and unit size mix

4. RELEVANT PLANNING HISTORY

- 4.1 A planning application was submitted for the site in June 2020 (ref. PA/20/01065/A1) (referred to as the “April 2021 Scheme” hereafter in this update report). The application was for an estate regeneration scheme to deliver at total of 148 residential homes, including the re-provision of 24 existing social rented homes, creation of creative workspace and re-provision of a new formalised and landscaped publicly accessible pedestrian link in the middle of the site.

The April 2021 scheme proposed to deliver the above across the following 4 blocks:

- Block A – 12 townhouses along Byng Street;
- Block B – 2 units within a three storey block at the north west corner of the site;
- Block C – 134 units within a 26 storey building in the centre of the site (rooftop amenity space provided within the original scheme counted as the 26th floor) and creative workspace across the basement, ground and first floors; and
- Block D – Creative workspace within a 3 storey building on the eastern side of the Site adjacent to the Alpha Square development (ref. PA/15/02671/A1). The total amount of creative workspace across Block C and D equated to 683sqm (GIA).

The application went to LBTH Strategic Development Committee on 20 April 2021, where the committee resolved to unanimously grant planning permission subject to securing the S106 agreement and subject to the GLA Stage 2 referral process (GLA reference GLA/5270). The S106 agreement for PA/20/01065/A is currently on hold whilst the applicants progress with this current application.

- 4.2 The surrounding sites have the following planning history:

30 Marsh Wall

PA/20/02588 - Demolition of existing building and erection of a 48 storey building (plus basement and lift pit) to provide 1,068 student accommodation bedrooms and ancillary amenity spaces (Sui Generis Use) along with 184.6sqm of flexible retail / commercial floorspace (Use Class E), alterations to the public highway and public realm improvements, including the creation of a new north-south pedestrian route and replacement public stairs.

- *Strategic Development Committee on 30/03/2022 resolved to grant planning permission subject to securing s.106 Agreement and GLA Stage 2 referral.*
- *Decision issued 28/07/2022.*

Alpha Square

50 Marsh Wall, 63-69 And 68-70 Manilla Street London, E14 9TP

PA/15/02671 – Planning permission granted by Mayor of London on 27/03/2017

Application for demolition of all buildings on site at 50 Marsh Wall, 63-69 and 68-70 Manilla Street to enable redevelopment to provide three buildings of 65 (217.5m AOD), 20 (79.63m AOD) and 34 (124.15m AOD) storeys above ground comprising 634 residential units (Class C3), 231 hotel rooms (Class C1), provision of ancillary amenity space, a new health centre (Class D1), a new school (Class D1), ground floor retail uses (Class A3), provision of a new landscaped piazza, public open space and vehicular access, car parking, cycle storage and plant. Retention of 74 Manilla Street as North Pole public house (Class A4).

Vacant land on Cuba Street

Land at North East Junction of Manilla Street and Tobago Street, London

PA/20/02128 - Erection of single tower block accommodating a high density residential led development (Use Class C3) with ancillary amenity and play space, along with the provision

of a flexible retail space at ground floor (Use Class E), the provision of a new publicly accessible park and alterations to the public highway.

- *Strategic Development Committee 30/03/2022 resolved to grant planning permission subject to securing S106 agreement and GLA Stage 2 referral process*
- *Decision issued 21/12/2022.*

PA/15/02528 – Planning permission refused on 11/10/2017

Redevelopment to provide a residential-led mixed use development comprising two buildings of up to 41 storeys (136m AOD) and 26 storeys (87m AOD) respectively to provision up to 434 residential units, 38 m2 flexible retail/ community uses and ancillary spaces together with public open space and public realm improvements.

Millwall Fire Station

Former Site North of Byng Street and Junction of Westferry Road, Byng Street, London

PA/02/00891 – Planning permission granted on 06/02/2003

Erection of new Fire Station with Class A3 / D2 (bar/restaurant and gym) and 173 residential flats in a development up to 9 storeys high with ancillary basement car parking.

5. PUBLICITY AND ENGAGEMENT

- 5.1 As outlined in the previous committee report, the applicant has carried out extensive non-statutory engagement with the residents of the site since 2016.
- 5.2 The Council carried out re-consultation in respect of the revised scheme in July - August 2023. Neighbour consultation letters were sent out, a site notice was displayed and a press notice. No further objections were received during this period.
- 5.3 One letter of support has been received following the re-consultation period. This was received from the 'Byng Street and Bellamy Close Residents Steering group.' The letter states that residents have been heavily involved in the design of the estate and relevant replacement homes throughout the process, are happy with the amendments to the proposal and are keen to see the homes delivered as soon as possible.

6. RE-CONSULTATION CONSULTEE RESPONSES

- 6.1 Below is a summary of the consultation responses received from both internal and external consultees during the re-consultation period. The comments received during the initial consultation period can be viewed in the previous committee report.

External responses

Canal & River Trust

- 6.2 No further comments to make.

Crossrail Safeguarding

- 6.3 No comments to make.

Docklands Light Railway

- 6.4 No comments to make.

Environment Agency

- 6.5 No objections.

Greater London Authority

- 6.6 The GLA's assessment from the previous Stage 1 response remains largely unchanged. The land use principles remain supported.
- 6.7 The Circular Economy and WLC Statements should be secured as approved documents within the draft decision notice. Post-construction monitoring should also be secured.
- 6.8 The GLA will have a further opportunity to review the revised details at Stage 2.

Greater London Archaeology Advisory Service

- 6.9 No objections subject to the inclusion of the two-stage archaeological condition.

Historic England

- 6.10 No comments to make.

Health and Safety Executive (HSE)

- 6.11 HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

Isle of Dogs Neighbourhood Planning Forum

- 6.12 No comments received.

London Bus Services

- 6.13 No comments received.

London City Airport

- 6.14 No conflict with the current safeguarding criteria. No objections subject to the inclusion of condition regarding details on cranes.

London Fire & Emergency Planning Authority

- 6.15 No comments received.

London Underground

- 6.16 No comments to make.

Maritime Greenwich World Heritage

- 6.17 No comments received.

Metropolitan Police – Crime Prevention Design Advisor

- 6.18 A number of scheme-specific recommendations have been suggested to be secured. A Secured by Design condition is also recommended to be secured.

National Air Traffic Services

- 6.19 No conflict with the safeguarding criteria.

Thames Water Authority

6.20 No comments received.

Transport for London

6.21 The increase in cycle parking spaces is in line with London Plan policy. Previous conditions recommended remain relevant. Travel Plan should be secured in the s106 agreement.

Internal responses

LBTH Biodiversity Officer

6.22 No comments received during re-consultation.

LBTH CIL Team

6.23 The proposal would be liable for Tower Hamlets and Mayor of London CIL. Estimated CIL figures provided.

LBTH Energy Efficiency and Sustainability Officer

6.24 We are unable to offer a connection to the Barkentine District Heat network that fits with the development timeline. Air Source Heat Pumps have been agreed as a sensible alternative and the scheme is designed to allow for a future connection to a heat network.

6.25 The submitted Energy Strategy (July 2023) sets out the proposals to reduce energy demand through energy efficiency measures and a low carbon heating and hot water system (Air source heat pumps), renewable energy technologies (PV array 20.3kWp) to deliver the following CO2 emissions:

- Baseline – 208.8 tonnes CO2 per annum
- Proposed Scheme – 51.7 tonnes CO2 per annum

6.26 The total on-site site wide CO2 emission reduction is anticipated to be 75% against the building regulation baseline utilising the SAP10 carbon factors.

6.27 The proposals are for a 157 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £147,345 to offset the remaining 51.7 tonnes CO2 and achieve net zero carbon. It is recommended that a post construction energy assessment be submitted, including the 'as built' calculations to demonstrate the anticipated savings have been delivered on-site. This calculation has been based on the new SAP10 carbon factors and using the recommended GLA carbon price of £95 per tonne for a 30 year period.

6.28 Recommends conditions are attached which ensure the buildings actual energy performance will be monitored post-construction.

LBTH Environmental Health

Air quality

6.29 No further comments to make. Previous conditions recommended remain applicable.

Contaminated land

6.30 No further comments to make. Previous conditions recommended remain applicable.

Noise and vibration

6.31 Previous comments made still remain applicable.

LBTH Growth & Economic Development

6.32 No comments received.

LBTH Health Impact Assessment Officer

6.33 No comments received.

LBTH Housing Team

6.34 The scheme provides 43% affordable housing as a standalone scheme and 33% affordable housing by habitable rooms when considering the re-provided homes as like for like replacements in terms of bedroom sizes. We should not take the proposed re-provided home sizes into account when calculating the re-provision as these residents may not seek to return to the development in the future.

6.35 The development will not provide any intermediate units which the council has as a policy requirement.

LBTH Infrastructure Team

6.36 No comments received.

LBTH Occupational Therapist

6.37 Amended plans were provided and considered acceptable to ensure all affordable housing units were fully accessible.

LBTH Parks and Open Spaces

6.38 No comments received.

LBTH Place Shaping

6.39 For Building B, the applicant has relocated the private amenity space to the roof. Although this will provide the occupants with larger amenity space, since these are family units, officers would have liked to see it placed in a location where adults can easily keep an eye on children using it. There is no lift access in Building B which, although not a requirement, the practicalities of this for families should be considered.

6.40 Place shaping support the alterations made to the layout of Building C to incorporate the second staircase. The applicant should ensure the tower structure has effective noise and vibration attenuation for the bedrooms now located next to lifts.

6.41 The proposals include changes to the horizontal banding. Officers agree that these changes create a simplified architectural expression that would not alter the building's exemplary design.

LBTH Senior Arboricultural Officer

6.42 No comments received.

LBTH Street Naming and Numbering

6.43 No comments received.

LBTH Surface Water Run Off

6.44 No comments received.

LBTH Transportation & Highways

6.45 The updated scheme is an uplift of 16 units which is a fairly modest change which will not affect the overall impact of the scheme on the public highway. The details submitted for the cycle parking provision are satisfactory.

6.46 Previous comments remain applicable in terms of conditions and s106.

LBTH Viability Officer

6.47 Following the review of the Financial Viability Assessment and amendments made to appraisals over the course of negotiations, it was concluded that 43% (including re-provision) is the maximum viable affordable housing provision.

6.48 The proposed level and mix of affordable housing is the maximum viable and no further affordable housing or contribution can be provided. Early and late state review mechanisms should be secured in the s106 to assess whether additional affordable housing can be provided.

LBTH Waste Officer

6.49 No further comments received.

7. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

7.2 In this case the Development Plan comprises:

- The London Plan (adopted 2021)
- Tower Hamlets Local Plan (adopted 2020)
- Isle of Dogs Neighbourhood Plan (adopted 2021)

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

Land Use (residential)

- London Plan policies: H1
- Local Plan policies: S.H1

Housing (affordable housing, housing mix, housing quality, amenity)

- London Plan policies: D6, D7, D11, D12, H4, H5, H6, H8, H10
- Local Plan policies: S.H1, D.H2, D.H3

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

- London Plan policies: D1, D3, D4, D5, D8, D9, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7
- IoD Neighbourhood Plan – Policy D1 – infrastructure, D2 – High Density

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

- London Plan policies: D3, D6, D9
- Local Plan policies: D.DH8
- IoD Neighbourhood Plan: CC1, CC2, CC3

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

- London Plan policies: T2, T4, T5, T6, T6.1, t7, T8
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

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

- London Plan policies: G5, G6, SI1, SI2, SI5, 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.MW3
- IoD Neighbourhood Plan – SD1

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2021)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- The Mayor's Good Practice Guide to Estate Regeneration (2018)
- London View Management Framework SPG (2012)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2021)
- LBTH Development Viability SPD (2017)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH High-Density Living SPD (2020)
- Building Research Establishment's Site Layout for Daylight and Sunlight: A Guide to Good Practice (2011)
- Isle of Dogs and South Poplar Opportunity Area Planning Framework (September 2019)

8. PLANNING ASSESSMENT

8.1 The key issues raised by the proposed development are:

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

Land Use

Residential use

- 8.2 Increasing housing supply is a fundamental policy objective at national, regional and local levels. The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings.
- 8.3 The existing use of the site is residential. As such, the principle of the residential use has been established. In addition, the application falls within the Marsh Wall West Site Allocation and the Isle of Dogs and South Poplar Opportunity Area. Both designations earmark the site for high density housing delivery.
- 8.4 The delivery of housing, and particularly affordable housing, is a priority in the borough. The re-provision of the existing social rented units and intensification of the residential use with the provision of additional units is supported given the site's planning designations.
- 8.5 In summary, as per the previous schemes considered at this site, the proposed residential development is supported and considered acceptable and in accordance with the planning policy.

Housing

- 8.6 The viability of the scheme has been impacted by the need to include a second staircase, as well as the delays to starting on site. Therefore, the affordable housing offer previously presented back in July 2022 has been revised. The following sections will report the updated affordable housing offer and reassess this in line with policy.
- 8.7 London Plan Policy H1 places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. Tower Hamlets Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year.
- 8.8 The proposed development would contribute to the achievement of the Council's housing targets and will meet the requirements of the Marsh Wall West site allocation in which it is situated.

Estate Regeneration

- 8.9 London Plan policy H8 requires that loss of existing housing be replaced at existing or higher densities with at least the equivalent level of overall floorspace. This policy also seeks a consideration of alternative options before the demolition and replacement of affordable homes. In addition, the policy requires the replacements social rent units to be provided as social rent where facilitating a right of return for existing tenants.
- 8.10 Part 5 Tower Hamlets Local Plan policy D.H2 provides a set of criteria which estate regeneration schemes are required to follow. These include the following:
- Protect and enhance existing open space and community facilities
 - Protect the existing quantum of affordable and family units, with affordable units re-Provided with the same or equivalent rent levels
 - Provide an uplift in the number of affordable homes, and
 - Include plans for refurbishment of any existing homes to the latest decent homes standard.
- 8.11 The Mayor of London's Good Practice Guide to Estate Regeneration provides detailed guidance for assessing approaches to estate regeneration. The guide puts great emphasis on early consultation and engagement with residents and requires all estate regeneration schemes to provide an increase in affordable housing, full rights to return or remain for social tenants, and a fair compensation deal for leaseholders and freeholders.

- 8.12 The Mayor's Good Practice Guide to Estate Regeneration also states that when an estate is being redeveloped as part of a wider programme, then it may be possible to re-provide a different mix of affordable housing on that particular estate (taking into account the wishes of the people who want to return or remain on the estate) if like-for-like replacement is achieved across the overall programme. Households who are currently overcrowded should be offered homes large enough for their needs.
- 8.13 The proposal seeks to intensify the residential use on site and provide additional housing, and affordable housing. The alternative option with the retention of existing homes would not secure significant provision of housing on site. There are numerous benefits of the proposed scheme, including the re-provision of homes which are accord with the latest standards and policies, and fully address the housing need of existing residents on site.
- 8.14 All existing homes are social rented and managed by One Housing Group apart from one private 4 bedroom unit. The proposal includes the re-provision of all social rented units. The following table shows the existing and proposed re-provided social housing mix.

Units	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
Existing	6	4	8	5	1	24
Proposed	4	5	5	9	1	24

Table 2. Existing and proposed re-provided social rented units.

- 8.15 The applicant has carried out extensive and regular consultation with the existing residents which has fully informed the proposal. All existing residents were provided with a right to return to a new home which meets the specific current needs of their household, as evident in a slightly changed housing mix of the re-provided homes. The Mayors Good Practice Guide supports this approach. The private tenants have also had the opportunity of being rehoused.
- 8.16 The following table demonstrates the existing social housing mix and the total proposed affordable housing units. There will be an uplift of 39 social housing units on site.

Units	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
Existing	6	4	8	5	1	24
Proposed	13	14	22	13	1	63

Table 3: Existing and total proposed social rented units

- 8.17 The regeneration plans were subject to a successful resident ballot in December 2019 which resulted in 100% turnout and a total of 84% of the residents voted in favour of the regeneration proposal.
- 8.18 The proposal also includes details regarding the decant strategy which provides detailed arrangement and confirms that the decant of existing homes on site was subject to a positive ballot. As a result, the Council's Common Housing Register Forum approved the decant of the existing residents.
- 8.19 The proposal would therefore re-provide the existing affordable rented units; however, across an increased floorspace. The floorspace of the existing units amounts to 2,077sqm whilst the proposed floorspace for the re-provided units would be 2,526sqm.
- 8.20 In terms of rental levels, the returning residents would continue to pay the same rent, both during the decant status and when moved into a re-provided home on site. Adjustments to rents would be made only if there are changes to the number of bedrooms. The changed rent would match an equivalent sized home on the estate.

- 8.21 Whilst the existing site does not include community facilities and open spaces, significant focus during the pre-application stage was on the existing car parking spaces to the front of houses on Byng Street. An improved and regularised pedestrian link would be provided as part of the proposed scheme.
- 8.22 The proposal provides an intensification of the residential use which also provides an uplift in the number of the overall affordable homes. The proposed scheme was subject to a viability tested route in order to ensure that the proposed affordable housing quantum on site has been maximised.
- 8.23 In summary, the proposed development is considered to be policy compliant in terms of the principle of an estate regeneration. The applicant has followed the Mayor of London's good practice guide.

Housing Mix and Tenure

- 8.24 London Plan Policy H10 requires developments to consist of a range of unit sizes. Tower Hamlets Local Plan Policy D.DH2 also seeks to secure a mixture of small and large housing that meet identified needs which are set out in the Council's most up-to-date Strategic Housing Market Assessment (2017).
- 8.25 The table below details the overall proposed mix of the scheme, inclusive of the 24 re-provided homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	116 (incl 21 studios)	39	0	0	0	155
Affordable	13	14	22	13	1	63
Intermediate	0	0	0	0	0	0
Total	129 (59%)	53 (24%)	22 (10%)	13 (6%)	1 (1%)	218

Table 4. Proposed housing mix, including re-provided affordable rented units.

- 8.26 The table below sets out the scheme's housing mix inclusive of the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	75%	15%	-	25%	21%
2 bed	50%	25%	40%	-	30%	22%
3 bed	20%	0%	45%	-	30%	38%
4 bed +					15%	19%

Table 5. Proposed housing mix assessed against policy requirements, including re-provided affordable rented units.

- 8.27 Overall, the whole development would deliver 17% of family sized homes. Within the market sectors, there would be an overprovision of 1 bedroom homes and an under-provision of 2 bedroom and 3 bedroom units.

- 8.28 Within the affordable rented sector, there would be a significant provision of family sized homes equating to 57% of all affordable rented homes. There would be a minor under-provision of 1 bedroom and 2 bedroom homes.
- 8.29 The table below details the proposed mix of the scheme, excluding 24 re-provided affordable rented homes.

Tenure	1-bed	2-bed	3-bed	4-bed	5-bed	Total
Market	116 (incl 21 studios)	39	0	0	0	155
Affordable	9	9	17	4	0	39
Intermediate	0	0	0	0	0	0
Total	125 (64%)	48 (25%)	17 (9%)	4 (2%)	0 (0%)	194

Table 6. Proposed housing mix, excluding re-provided affordable rented units.

- 8.30 The table below sets out the scheme's housing mix excluding the re-provided homes against the policy requirements set out in D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	75%	15%	-	25%	23%
2 bed	50%	25%	40%	-	30%	23%
3 bed	20%	0%	45%	-	30%	44%
4 bed					15%	10%

Table 7. Proposed housing mix assessed against policy requirements, excluding re-provided affordable rented units.

- 8.31 Without taking into consideration the re-provided homes into the housing mix, there is an over-provision of family homes and a small under provision of 1 and 2 bedroom units within the affordable rented sector.
- 8.32 Great weight is given to the adequate re-provision of all of the existing social rented homes and the overall high provision of family sized homes, and particularly affordable homes within the proposed scheme. The proposal has been viability tested which is outlined below. On balance, the proposed housing mix and tenure are considered acceptable.

Affordable Housing

- 8.33 London Plan policy H8 states that all proposals demolishing and replacing affordable housing would be subject to a viability tested route.
- 8.34 Tower Hamlets Local plan policy S.H1 sets an overall strategic target of 50% of affordable housing, with a minimum of 35% provision sought, subject to viability. The policy refers to the GLA's Affordable Housing and Viability SPG which requires a minimum of 50% affordable housing provision for applications on industrial land to be considered under the fast track route.
- 8.35 Tower Hamlets Local Plan policy D.H2 sets the requirements of affordable housing provision within development in the borough, in terms of quantum, standard and provision. Development

is required to maximise the provision of affordable housing with a 70% affordable rented and 30% intermediate tenure split.

- 8.36 Tower Hamlets Local Plan policy D.H3 requires development to provide affordable housing which is not externally distinguishable in quality from private housing.
- 8.37 Of the total proposed 218 units, the scheme would provide 43% affordable housing by habitable room, inclusive of the re-provided homes. Of the additional 194 units, the scheme would provide 29% affordable housing by habitable room, excluding the re-provided homes.
- 8.38 The application was supported by the submitted Financial Viability Assessment (FVA) prepared by Quod, which was reviewed and scrutinised by the Council's viability officers. Following a robust review of the submitted viability evidence, LBTH viability team concluded that the proposed development proposes the maximum viable affordable housing offer. As such, it is agreed and concluded that 43% (including the re-provision) is the maximum viable affordable housing provision, the proposal therefore complies with Local Plan Policy D.H2. An early and late stage review will also be secured through the s106 to ensure that the maximum reasonable quantum of affordable housing is secured.
- 8.39 Within the affordable tenure, the proposal includes the re-provision of 24 units and additional provision of 39 units. The re-provided homes would retain the existing social rents, unless where a resident has opted to move into a larger home with more bedrooms. The additional affordable rented homes would be provided also as social rents; therefore, the scheme does not meet the policy requirement of 50:50 split between London Affordable Rent and Tower Hamlets Living Rent. However, given that the applicant will seek grant funding to partially fund the scheme, this is considered acceptable on balance.
- 8.40 The revised scheme, including the second staircase, no longer provides an intermediate affordable housing product, previously proposed as shared ownership homes. The viability response provided by the applicants demonstrated scenario testing where if a policy compliant level of intermediate affordable housing were introduced into the scheme, the development would no longer be able to provide any additional social rented homes apart from the re-provision. Officers recognise the challenges faced by the applicant when incorporating the second staircase into the previously consented scheme.
- 8.41 As outlined in Local Plan policy D.H2, the borough faces an acute housing need, in particular affordable family housing. Further, the Tower Hamlets Strategic Housing Market Assessment update (2017), which forms part of the evidence base for the Local Plan, demonstrates that the highest level of need is for social rent. Recognising this need, the revised proposed development has therefore sought to maximise the social rented family sized homes within the scheme, whilst removing the intermediate tenure homes (shared ownership) to support the viability of the scheme.
- 8.42 Although there is a policy conflict in the lack of provision of intermediate tenure, in this instance, great weight is given to the large proportion of family sized affordable rented units proposed within the scheme, which meets an identified local housing need. Of the proposed 63 social rented homes, 36 will be family sized homes, which equates to 57% of social rented provision and therefore significantly exceeds the housing mix set out in Policy D.H2.
- 8.43 The social rented units would be provided within dwellinghouses on Byng Street, a three storey building within the north-western corner of the site and lower levels of the residential tower. The table below indicates where the different tenures would sit within the residential tower (block C).

Level	Tenure
Levels 01-10	Social rented
Levels 11-31	Private market sale

Table 8. Breakdown of floor tenure of Block C.

8.44 The proposed scheme would provide a tenure blind residential tower with additional affordable housing provided separate along Byng Street and on the north-western corner of the street. The provision of affordable housing is considered to be appropriate and as such, the proposed development is considered acceptable.

Wheelchair Accessible Housing

8.45 London Plan policy D7 and Tower Hamlets Local Plan policy D.H3 require residential developments that at least 10% of dwellings must meet Building Regulation M4 (3) ‘wheelchair accessible dwellings’ and the remainder of dwellings to meet M4 (2) ‘accessible and adaptable dwellings’.

8.46 A total of 21 wheelchair accessible dwellings meeting Building Regulation M4 (3) standards are proposed, which amounts to 10% of the total units. These units are therefore wheelchair user dwellings. Of the 21 units:

- 8 are social rented tenure, all of which are wheelchair accessible (M4(3)2b)
- 13 are in the private sale tenure, all of which are wheelchair adaptable (M4(3)2a)

8.47 The remainder of the residential units in Blocks A and C (195 units) would meet Building Regulation M4 (2) standards which means they are designed so that they are ‘accessible and adaptable dwellings,’ should the need arise in the future. The 2 maisonette units in Block B are M4(1) – ‘wheelchair visitable dwellings.’ These units are limited by the stepped access to the front door of the units. The provision of this type of home in Block B is unchanged from both previous schemes at the site.

8.48 The table below sets out the location of the proposed wheelchair units:

Level	Wheelchair housing units	Building reg
Level 02 - 04	1 affordable rented unit per floor	M4(3)2b
Level 05	3 affordable rented units	M4(3)2b
Level 06	2 affordable rented units	M4(3)2b
Levels 19 - 31	1 accessible private unit per floor	M4(3)2a

Table 9. Location of wheelchair accessible units.

8.49 The detailed floor layouts within the site for the wheelchair accessible homes within the affordable tenure have been agreed by the Councils Occupational Therapist. Blue-badge accessible parking would remain in line with the July 2022 scheme.

Quality of Residential Accommodation

8.50 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings and the provision of sufficient daylight and sunlight to new dwellings.

8.51 Tower Hamlets Local Plan Policy D.H3 requires developments to meet the most up-to-date London Plan space standards and provide a minimum of 2.5m floor-to-ceiling heights.

8.52 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Local Plan Policy D.H3 sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant.

8.53 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor. Within the proposed development, a

maximum of eight dwellings per core on each floor within the residential tower is provided. All units would meet a minimum floor to ceiling of 2.5m.

- 8.54 Out of the total proposed residential units, 62 percent would be dual aspect. All of the residential units within blocks A and B would be dual aspect. Within the residential tower, the only single aspect units would be one-bedroom west-facing or east-facing units. Overall, this is considered acceptable, and it is not considered that this would represent a poor standard of residential accommodation.
- 8.55 All residential units would meet or exceed the minimum space standards set out in the London Plan Policy D6.
- 8.56 All of the residential units would satisfy the minimum private amenity space standards. The proposed dwellinghouses along Byng Street would be provided with a front garden and a first floor terrace. In addition, one of the dwellinghouses would also have a second floor terrace. The two Block B units would have rooftop (Level 03) terraces as their private amenity spaces.
- 8.57 The first floor home in Block C will have their own large garden area which is fenced off from the communal open space. The upper residential units within Block C would have balconies as their private amenity space, which meet the minimum depth and width requirements.

Daylight & Sunlight

- 8.58 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 8.59 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonable sunlight if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.
- 8.60 The results of the July 2022 scheme were presented in the previous committee report. The applicants provided an internal Daylight and Sunlight Assessment in support of the scheme and the Council's external consultants, Delva Patman Redler, reviewed the submitted information. Overall, it was concluded that the daylight and sunlight conditions within the proposed development were reasonable and acceptable on balance, given the site constraints and the high density character of the surrounding area.
- 8.61 To include the second staircase, Block C required changes to the internal layouts of the flats and façade detailing. For completeness, the applicants completed a full daylight and sunlight assessment to compare the updated scheme with the July 2022 scheme. The results to Blocks A and B remain unchanged.
- 8.62 The revised scheme shows that 92% of the rooms assessed within Block C would be fully compliant with BRE Guidelines/target values for daylight, which is considered very good and in line with the July 2022 scheme. In terms of sunlight, the results are largely comparable to the July 2022 scheme.
- 8.63 Overall, the internal daylight and sunlight levels of the proposed development would not be materially different to the July 2022 scheme which received resolution to grant planning permission. The development would still provide sufficient daylight and sunlight for future occupants.

Wind/Microclimate

- 8.64 The July 2022 scheme was supported with the submission of a Wind and Microclimate Assessment. The external consultant Temple was appointed by the Council for the review of the July 2022 proposals and the applicant provided clarifications requested by the consultants. The assessments were also reviewed by the Council's Environmental Impact Assessment (EIA) officer and were deemed acceptable.
- 8.65 A Wind Microclimate Review addendum letter was provided following the increase of the tower footprint by 250mm. This concluded that the increase in footprint is minor and would not give rise to a material change to the wind microclimate conclusions. As such, it is considered that the wind and microclimate conditions for the proposed residential units would be acceptable.

Noise/Air quality

- 8.66 As confirmed by the Council's Environmental Health officers, the proposed residential units would not be subjected to unacceptable noise or air quality conditions. Conditions would be secured to ensure that new accommodation is constructed to appropriate standards with regard to acoustic insulation.

Fire safety

- 8.67 London Plan (2021) policy D12 requires all major applications to be submitted with a Fire Statement produced by a third party, suitably qualified assessor. The policy sets out the requirements in terms of details that Fire Statement should contain. London Plan Policy D5 (B5) states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users.
- 8.68 As discussed in the background context to this application, the Government recently conducted a consultation on introducing a requirement for buildings over 30 metres to include a second staircase. In July 2023, the government announced that emerging building regulations would require buildings over 18 metres to provide a second staircase.
- 8.69 Since the Government consultation and the GLA's requirement for buildings over 30 metres to include a second stair prior to being referred to Stage 2, the applicants have worked to incorporate a second staircase into Block C. As such, the applicants fire strategy has been revised. The applicants met with the Health and Safety Executive (HSE) prior to submission to ensure the development complied with the emerging building regulations.
- 8.70 The revised scheme is supported by a Fire Statement form, London Plan Fire Statement and Stage 2 Fire Strategy, produced by BB7 who are considered to be a third party and suitably qualified assessor, a fire engineering consultancy firm.
- 8.71 The fire evacuation strategy remains as 'stay put,' but the incorporation of the second staircase would enable occupiers of Block C, who choose to self-evacuate in the event of a fire, the option of two safe routes of escape. In addition, the building will also incorporate an Evacuation Alert System, which enables the London Fire Brigade to trigger alerts to support a controlled evacuation, if necessary.
- 8.72 Block C incorporates 3 lifts, 2 of which can operate as both firefighting and evacuation lifts. These lifts would be able to stop at all floors in the event of an emergency for people that require level evacuation access.
- 8.73 HSE have provided comment on the revised scheme and raise no objection to the proposed fire strategy. HSE are satisfied with the proposed fire safety design within the revised scheme.
- 8.74 Detailed fire safety documents were provided with this revised scheme. The GLA have advised that a condition should be attached to the permission which ensures compliance with the submitted fire related documents.

Communal Amenity Space & Play Space

- 8.75 Tower Hamlets Local Plan Policy D.H3 requires a minimum of 50 sqm of communal amenity space for the first 10 units and a further 1sqm for every additional unit thereafter, as well as the provision of appropriate child play space as determined by the child yield calculator.
- 8.76 The proposed development results in a minimum requirement of 258sqm of communal amenity spaces for all residential units. The proposed development slightly under provides, delivering a total of 244sqm of communal amenity space. Part of the communal amenity space will be provided indoors on the first floor of block C, measuring 182sqm. The space is designed to be flexible to support various types of uses throughout the day. A further 62sqm of communal amenity space is provided outdoors at podium level which will overlook the 150sqm of under 5 years child play space at podium level. This tenure-blind space would be accessible to all residents of block C.
- 8.77 The dwellinghouses along Byng Street and the two residential units within block B would be provided with their own private amenity spaces of generous sizes. Therefore, the slight shortfall in communal amenity space is considered acceptable, given that 14 units will have access to their own, generous, private amenity spaces.
- 8.78 The required play provision has altered from the July 2022 scheme, as a result of the changes to the tenure mix. With respect to child play space, the following table provides details on child yield generated by the proposed development and the minimum child play space requirements based on the LBTH Child Play Space calculator:

Age group	Child yield	Child play space requirement [sqm]
Under 5 years	42	423
5-11 years	37	374
12+ years	43	426
Total	122	1,224

Table 10. Children play space requirement for the proposed development.

- 8.79 As detailed above, the development is predicted to generate 122 children in total and therefore 1,224sqm of child play space is required, split across the different age groups. Units within blocks A and B would have access to their own private amenity gardens, therefore would have their own child space provision. Block C is predicted to generate 84 children and therefore a total of 841sqm of child play space would be required, split across different age groups. For 0-4 year olds, block C would require 314sqm of play space.
- 8.80 The updated proposed development will deliver a total of 317sqm of place space for under 5 years. 167sqm of child play space for children under 5 years old is proposed to be situated within the enclosed courtyard space along the western part of the application site and within the pedestrian link, which will be accessible to all. 150sqm of play space is proposed at podium level to the west of block C, which will be accessible to all residents in block C. Below, Figure 5 demonstrates the proposed locations of play space for children under 5.

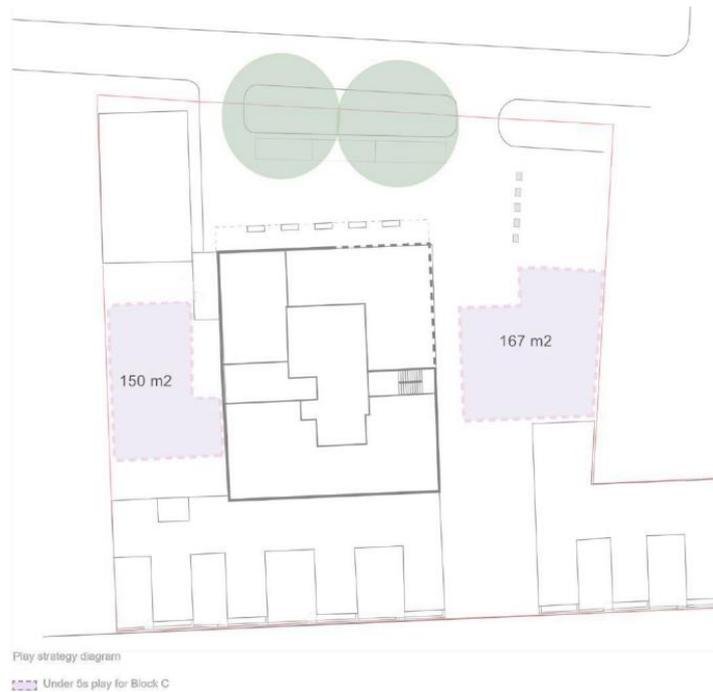


Figure 5: Play strategy diagram for children under 5.

- 8.81 Given the competing priorities for the site, including the re-provision of existing homes, delivery of a pedestrian link and on-site servicing arrangements, the remainder of the child play space required for children above 5 years old cannot be accommodated on site. As such, an appropriate off-site contribution is considered acceptable on balance given that the proposal would heavily rely on existing services.
- 8.82 The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale. As detailed in this guidance, for developments projected to accommodate between 30 – 49 children, facilities for 5 – 11s should be provided first on site; however as above if not able to be accommodate they should be located within 400m walking distance of the site. For over-12s it is expected that appropriate play space should be provided within 800m walking distance from the site.
- 8.83 The SPD provides details on the needs of different age groups, noting that 0 – 11 requires local playable space and neighbourhood playable space which includes landscaped open spaces, kickabout areas, and equipment integrated into the landscape. Youth space, for ages 12 and above, is detailed as catering towards higher intensity uses including multi-use games areas (MUGA), climbing walls, wheeled sports areas, outdoor stages and exercise equipment.
- 8.84 The application site is in close proximity to several existing areas of open spaces which provide for a variety of character and uses. The emerging Cuba Street development located to the north of the site includes a new publicly accessible park (which would be less than 50m from the application site boundary) as part of the development. Strafford Street play area is approximately 110m walking distance to the south-west from the application site. This play area is owned, managed and maintained by the applicant, and includes play facilities aged 11-16 age group which includes fixed equipment, a youth shelter and a skate park.

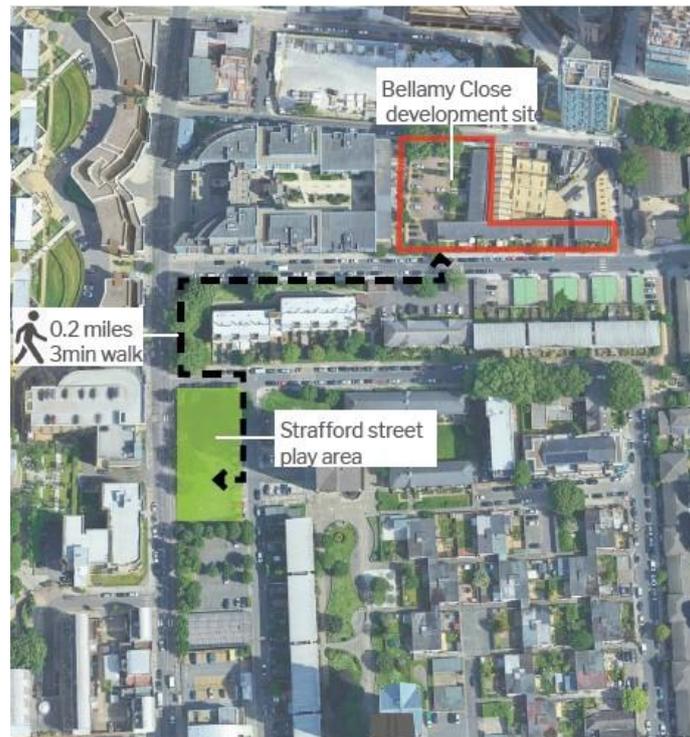


Figure 6. Location of the Stafford Street play area

- 8.85 The applicant has proposed improvements and upgrades to the Stafford Street play area due to the ownership implications and in order to improve and upgrade the existing play equipment. As detailed in the Design and Access Statement Addendum, the proposed improvements and upgrades to the play area include the following:
- Introduce facilities for 5-11 age group
 - Enhance the quality of existing facilities for 11-16 years old
 - Improve skate park features
 - Provide better quality surface finished and soft landscape design
 - Provide improvements in access and/or signage/wayfinding.
- 8.86 The Council's Parks and Open Space team did not provide comment on this application. However, the team had agreed to improvements to the Stafford Street area in the April 2021 application, subject to securing this by a S106 agreement.
- 8.87 Whilst there are other play spaces in the surrounding area, Stafford Street play area is the closest one to the proposed development. Given this proximity, it is considered that it is likely to be visited more often by the children in the proposed development than other play spaces in the area. As such, the proposed improvements and upgrades to this space are considered acceptable. Details and the commitment to the delivery will be secured by s106 agreement.
- 8.88 The provision of upgrades to the Stafford Street play area was considered acceptable in the July 2022 scheme, and this approach has not changed as a result of the revised scheme.
- 8.89 In summary, the application would provide requirements for doorstep play area catering to under-5s of Block C. The proposal's failure to provide play spaces for children above 5 years old given the number of competing priorities that the proposed development has satisfied, would be mitigated through the provision of enhancements and upgrades to the nearby play area.

Design & Heritage

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

Site Layout, landscaping and public realm

- 8.93 The site layout, landscaping and public realm largely remain as per the July 2022 scheme. The proposed layout seeks to respond to the streetscape with lower scale, three-storey dwellinghouses along Byng Street and a three-storey building in the north-west corner of the site fronting Manilla Street. The proposed residential tower is set back from the street and largely comprises the same footprint as the July 2022 scheme. The footprint of the building has increased by 250mm to the south, which is considered to be a minor alteration.

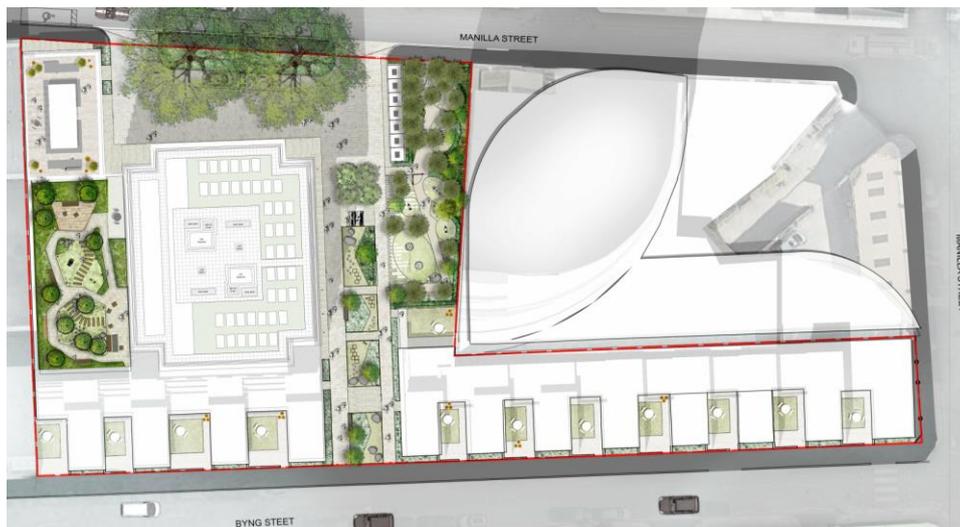


Figure 7: Proposed Site Layout

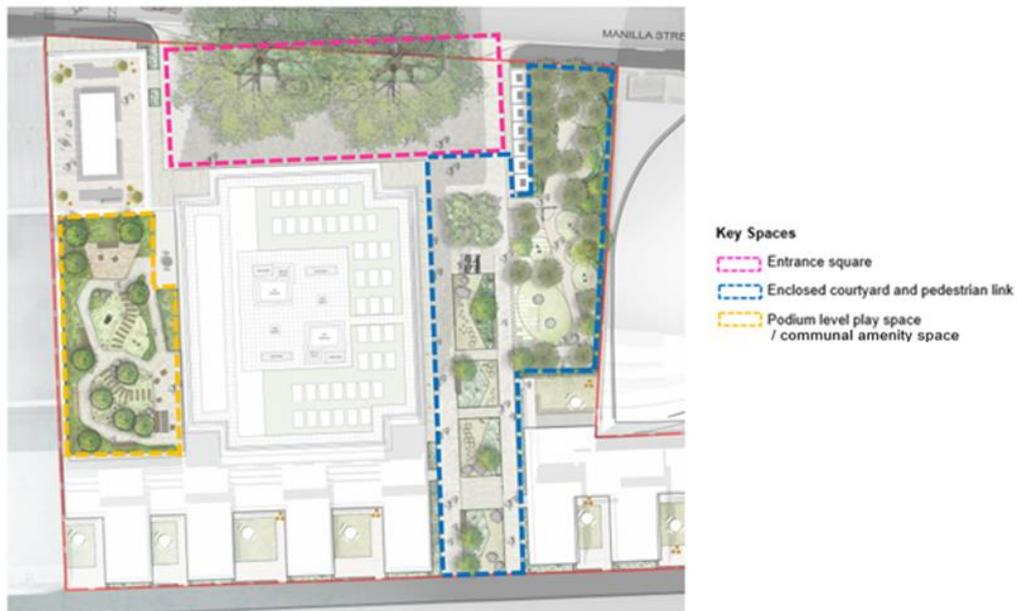


Figure 8: Proposed landscape strategy

- 8.94 The landscaping strategy remains unchanged from the July 2022 scheme. The landscape proposals create a new piece of public realm and a generous new green pedestrian link to improve connectivity between Byng Street and Manilla Street. These spaces will be fully accessible to residents and members of the public.
- 8.95 A private garden/outdoor amenity space for residents of Block C will be provided within the first floor podium level. This will be fully accessible to residents of Block C, regardless of ability.
- 8.96 The private amenity space for residents of block B has been moved from being located beside the block C podium garden, to the roof level of block B. This will provide larger outdoor space for residents of Block B, which officers welcome.

Height, massing scale

- 8.97 The revised scheme will remain in line with the AOD heights considered acceptable within the July 2022 scheme. However, the floor to floor heights of the revised scheme have been updated to allow for the insertion of an additional residential floor, without exceeding the Block C AOD height. The residential floor to ceiling heights remain unchanged, continuing to meet or exceed 2.5 metres. The July 2022 scheme comprised of a 31-storey residential tower (Block C). The revised scheme comprises of a 32-storey residential tower (Block C).



Figure 9: Proposed residential tower (Block C)

8.98 Officers raise no objection to the provision of an additional storey within the revised scheme.

Appearance & Materials

8.99 The overall appearance of Block C will largely remain as per the July 2022 scheme. The façade metal profiles of Block C have been revised and the horizontal banding has been reduced in size to align with the revised floor to floor heights. These alterations would simplify the architectural expression which would not harm the buildings overall high quality design.

8.100 The architectural approach remains largely consistent with the July 2022 scheme and the alterations are considered to be minor and acceptable.

Neighbour Amenity

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

Daylight, Sunlight & Overshadowing

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

8.103 The applicant submitted a Daylight and Sunlight Assessment in support of the July 2022 scheme, prepared by The Chancery Group. The Council's external consultants, Delva Patman Redman, reviewed the submitted information.

8.104 In respect of the July 2022 scheme, officers concluded that the identified harm caused through the loss of daylighting a sunlighting conditions of neighbouring properties was considered acceptable on balance. The full assessment of daylight and sunlight impacts to neighbouring properties can be found in paragraph 7.150 onwards of the July 2022 scheme committee report.

8.105 With regards to the revised scheme, the footprint of the Block C has increased by 250mm when compared to the July 2022 scheme. Blocks A and B remain as per their previous size. The minor changes in massing would not have any further implications for daylight and sunlight as previously report and the Council's external consultants agree with this view. The conclusions regarding daylight and sunlight impacts to neighbouring properties remains unchanged.

Transport

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

8.107 The updates to the scheme do not involve any changes to the access arrangements, car parking or blue badge bays.

8.108 As a result of the increase in unit numbers, the cycle parking provision has been revised. The proposed townhouses (block A) would continue to have dedicated cycle storage located on the ground floor of each dwelling. The 4 spaces associated with the maisonettes (block B) will be moved into the ground floor of block C.

8.109 The updated scheme results in an updated long-stay cycle parking requirement for Block C from 323 to 333 cycle parking spaces. This is an uplift of 10 spaces on the provision outlined previously. 8-short stay spaces are still sufficient to serve the development, in accordance with London Plan (2021) standards.

8.110 The revised proposal would deliver a total of 337 cycle spaces within the ground floor of Block C, accommodating the Block C requirement (333 spaces) and the Block B requirement (4 spaces). The 337 spaces will comprise of 304 two-tier stackers, 12 standard Sheffield spaces, 4 ambulant Sheffield stands and 17 stacked spaces above Sheffield stands.

8.111 The Block C cycle store has increased slightly to accommodate the additional cycle spaces, and this has been accommodated by using some of the space previously outlined for the ground floor energy centre. The storage has also been split into 3 separate rooms, improving security as well as conflicting movements.

8.112 The delivery and servicing arrangements remain consistent with the July 2022 scheme. The slight uplift in total dwelling numbers on site results in 2 additional daily delivery and servicing trips per day. The anticipated level of delivery and servicing trips can still be accommodated within the forecourt of the site.

8.113 Due to an uplift of 16 dwellings in the revised scheme, the expected trip generation will increase slightly, but this will be across non-car modes. The impact on local transport services as a result of the updated residential quantum is negligible. It is not considered that the development would have a significant impact to existing transport stations and services, as previously concluded.

Summary

8.114 Subject to securing the relevant conditions and obligations, as outlined previously, the proposal would be acceptable in terms of supporting sustainable modes of transport and would have no significant impacts on the safety or capacity of the highways network, in accordance with the planning policies.

Environment

8.115 The updated scheme did not require further environmental assessments in terms of environmental impact, air quality, biodiversity, flood risk, and land contamination. Therefore, no further assessment has been required in respect of these considerations.

Energy & Environmental Sustainability

8.116 Generally, a decarbonisation agenda has been adopted at all planning policy levels. Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.

- Use Less Energy (Be Lean),
- Supply Energy Efficiently (Be Clean), and
- Use Renewable Energy (Be Green)

8.117 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.

8.118 The updated proposed energy strategy includes energy efficiency measures, a low carbon heating and hot water system (air source heat pumps) and renewable energy technologies (PV arrays) which result in a 75% reduction in carbon emissions compared to the GLA's SAP10 baseline.

8.119 The July 2022 scheme energy strategy proposed to connect to the Barkentine Heat Network as a priority. In developing the scheme, LBTH advised that it would no longer be viable to connect to the Barkentine Heat Network. The updated scheme has therefore been progressed on the basis of utilising air source heat pumps at the roof of Block C, which was identified as a plan B option in the previous energy strategy.

8.120 Air source heat pumps would have a much higher carbon performance when compared to the previous option and LBTH Energy officers are supportive of the proposed energy strategy.

8.121 As requested by the GLA and the Council's energy officers, a condition will be secured for the scheme to provide details on the 'Be Seen' monitoring requirements.

Waste

8.122 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.

8.123 The July 2022 scheme proposed 7 x Underground Refuse System (URS) bins located in the north-east corner of the site, serving blocks B and C. The provision of 7 x URS bins remains appropriate for the revised scheme and number and size of dwellings proposed. The food waste bins will remain within the ground floor of Block C, as previously proposed, but the number of bins will increase from 18 to 20.

8.124 The proposed townhouses (Block A) would be provided with their own bin locations within their front garden areas facing Byng Street. This arrangement is consistent with the July 2022 scheme and remains unchanged.

8.125 The proposed arrangements are considered to be appropriate and compliant with planning policy, subject to securing a final Waste Management Plan via condition.

Wind/Microclimate

8.126 A Wind Microclimate Review addendum letter was provided following the increase of the tower footprint by 250mm. This concluded that the increase in footprint is minor and would not give rise to a material change to the wind microclimate conclusions.

Infrastructure Impact

8.127 Policy D1 (Part A) of the Isle of Dogs Neighbourhood Plan requires that in order to support sustainable development and in view of the strain on infrastructure in the area the shortage of publicly owned land, applicants for residential developments exceeding 1,100 habitable rooms per hectare in locations with a PTAL of 5 or less are required to complete and submit an Infrastructure Impact Assessment as part of the application.

- 8.128 The updated scheme would have no further impact on infrastructure than previously reported in regard to the July 2022 scheme.
- 8.129 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £3,319,174.96 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £719,873.01 (inclusive of social housing relief and exclusive of indexation).
- 8.130 This would result in a total of £4,039,047.97. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.
- 8.131 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. Financial Obligations have changed slightly from the July 2022 scheme, due to the increase in floorspace proposed. The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £79,000 towards construction phase employment skills training
 - £21,800 towards development co-ordination and integration
 - Formula-based carbon emission off-setting contribution (approx £147,345)

Human Rights & Equalities

- 8.132 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable. The human rights and equalities assessment remains as per the July 2022 scheme committee report. The proposed development would not result in adverse impacts upon human rights, equalities or social cohesion.

9. RECOMMENDATION

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

9.2 Financial obligations

- a. £79,000 towards construction phase employment skills training
- b. Formula-based carbon emission off-setting (approx £147,345)
- c. £21,800 towards development co-ordination and integration
- d. £16,444.35 monitoring fee

Total financial contributions: £117,244.35 (excluding carbon offsetting contribution).

Non-financial obligations:

- a. Affordable housing (43% by habitable room)
 - 63 units at Social Rent (incl re-provided units)
 - Early and Late Stage viability reviews
 - 8 affordable wheelchair accessible units
- b. Access to employment and training
 - 20% local procurement

- 20% local labour in construction
- 15 construction phase apprenticeships

c. Transport

- Approval and Implementation of Travel Plans (residential)
- Highway Works (s278)
- Parking Permit Free development

d. Maintenance of a publicly accessible pedestrian route through the site

e. Improvements and upgrade to the Stafford Street play area

f. Compliance with considerate constructors scheme

g. Environmental Sustainability

- GLA 'Be Seen' energy monitoring

9.3 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.

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

9.5 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
 - 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.
4. Provision of blue badge parking for people with disabilities.
5. Cycle storage to comply with approved plans
6. Fire statement / report

Pre-commencement

7. Construction Environmental Management Plan and Construction Logistics Plan.
8. Land Contamination Remediation Scheme (subject to post completion verification).

Pre-substructure (below ground works)

9. Written Scheme of Investigation (Archaeology) (in consultation with GLAAS).
10. Construction methodology and diagrams (in consultation with London City Airport).
11. Piling Method Statement (in consultation with Thames Water).
12. Meanwhile uses strategy

Pre-completion of superstructure works

13. Design details of security measures
14. Details of external facing materials and architectural detailing.
15. Details of hard and soft landscaping of all public realm and open spaces including play equipment, street furniture and lighting.
16. Biodiversity enhancements.

Prior to occupation

17. Deliveries and Servicing plan.
18. Waste Management Plan
19. Estate Management Plan.
20. Parking Management Plan.
21. Noise verification report (residential units).
22. Infrastructure phasing plan (in consultation with Thames Water).

Post occupation

23. Secured by design accreditation certificate
24. Submission of a post-construction assessment to report on the development's actual Whole Life Carbon emissions

9.6 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Seek Crime Prevention Officer Advice

APPENDIX 1 – LIST OF PLANS FOR APPROVAL

Schedule of Drawings

MOU-BCL_HTA-A_XX-DR_0001 – Existing Site Plan
MOU-BCL_HTA-A_XX-E01-DR_0010 – Existing Elevation 01
MOU-BCL_HTA-A_XX-E02-DR_0011 – Existing Elevation 02
MOU-BCL_HTA-A_XX-E03-DR_0012 – Existing Elevation 03
MOU-BCL_HTA-A_XX-E04-DR_0013 – Existing Elevation 04
MOU-BCL_HTA-A_XX-E05-DR_0014 – Existing Elevation 05
MOU-BCL_HTA-A_XX-SA-DR_0015 – Existing Section AA
MOU-BCL_HTA-A_XX-SB-DR_0016 – Existing Section BB
MOU-BCL-HTA-A-XX-RF_DR_0100 (revision A) – Location Plan
MOU-BCL-HTA-A-XX-RF_DR_010 (revision B) – Site Plan
MOU-BCL-HTW-A-XX-00_DR_2000 (revision D) – Level 00 General Arrangement Plan
MOU-BCL-HTW-A-XX-01_DR_2001 (revision C) – Level 01 General Arrangement Plan
MOU-BCL-HTW-A-XX-02_DR_2002 (revision B) – Level 02 General Arrangement Plan
MOU-BCL-HTW-A-XX-03_DR_2003 (revision B) – Level 03 General Arrangement Plan
MOU-BCL-HTW-A-XX-04_DR_2004 (revision B) – Level 04 General Arrangement Plan
MOU-BCL-HTW-A-XX-05_DR_2005 (revision B) – Level 05 General Arrangement Plan
MOU-BCL-HTW-A-XX-06_DR_2006 (revision A) – Level 06 General Arrangement Plan
MOU-BCL-HTW-A-XX-07-09_DR_2007 (revision A) – Level 07-09 General Arrangement Plan
MOU-BCL-HTW-A-XX-10_DR_2008 (revision A) – Level 10 General Arrangement Plan
MOU-BCL-HTA-A-XX-11_DR_2009 (revision B) – Level 11 General Arrangement Plan
MOU-BCL-HTA-A-XX-12-18_DR_2010 (revision B) – Level 12-18 General Arrangement Plan
MOU-BCL-HTA-A-XX-19-31_DR_2011 (revision A) – Level 19-31 General Arrangement Plan
MOU-BCL-HTA-A-XX-32_DR_2012 (revision B) – Level 32 Roof Plan
MOU-BCL HTA-A-E01-DR_2100 (revision A) – Elevation 01 North
MOU-BCL HTA-A-E02-DR_2101 (revision B) – Elevation 02 East
MOU-BCL HTA-A-E03-DR_2102 (revision A) – Elevation 03 South
MOU-BCL HTA-A E04-DR_2103 (revision A) – Elevation 04 West
MOU-BCL_HTA-L_XX-XX_DR_0900 (revision E) – Landscape Masterplan
MOU-BCL-HTA-A-XX-00_DR_750 (revision A) – Block C Cycle Stores General Arrangement
MOU-BCL-HTA-A-XX-00_DR_751 (revision A) – Typical Details – External Sheffield Stands

Schedule of Documents

Affordable Housing Statement, June 2023
Air Quality Assessment, December 2021
Arboricultural Impact Assessment, December 2021
Construction Management Plan, December 2021
Decant Strategy, December 2021
Design and Access Statement, December 2021
Design and Access Statement Addendum, March 2022
Design and Access Statement Addendum, July 2023
Drainage and SuDS Strategy, December 2021
Daylight, Sunlight and Overshadowing Report, December 2021
Energy Strategy, July 2023
Equality Statement, December 2021
Estate Management Plan, December 2021
External Lighting Assessment, December 2021
Fire Statement, 28 July 2023
Stage 2 Fire Strategy, 27 July 2023
London Plan Fire Statement, 31 July 2023
Flood Risk Assessment, December 2021
Health Impact Assessment, December 2021

Heritage, Townscape & Visual Impact Assessment, January 2022
HTVIA Addendum, July 2023
Highways Response to GLA, March 2022
Infrastructure Impact Assessment, December 2021/
Internal Daylight, Sunlight and Overshadowing Report, December 2021
Internal Daylight and Sunlight Matters – supplementary letter dated 03 July 2023
Noise Impact Assessment, December 2021
Outline Construction Plan, December 2021
Overheating Strategy, 27 July 2023
Planning Statement, December 2021
Preliminary Archaeological Assessment, December 2021
Preliminary Ecological Appraisal Assessment, February 2022
Preliminary Land Contamination Assessment, December 2021
Statement of Community Involvement, December 2021
Stage 1 Road Safety Audit, 14/01/2022
Sustainable Design and Construction Statement, December 2021
Sustainability Statement, 17 July 2023
Transport Statement, December 2021
Transport Statement Addendum, June 2023
Whole Life-Cycle Carbon Assessment, 27 July 2023
Wind Microclimate Report, December 2021
Wind Microclimate Letter, 9 June 2023

APPENDIX 2 – EXISTING PHOTOS



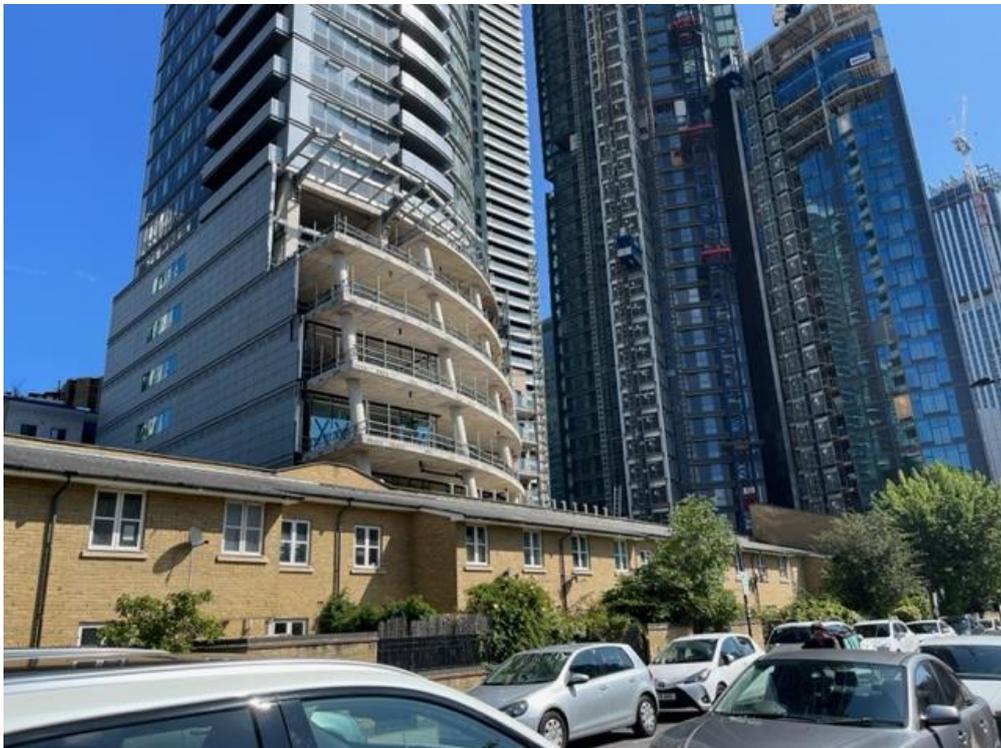
Bellamy Close looking east – Before Alpha Square development works



Bellamy Close looking east with Alpha Square development in the background (taken May 2022).

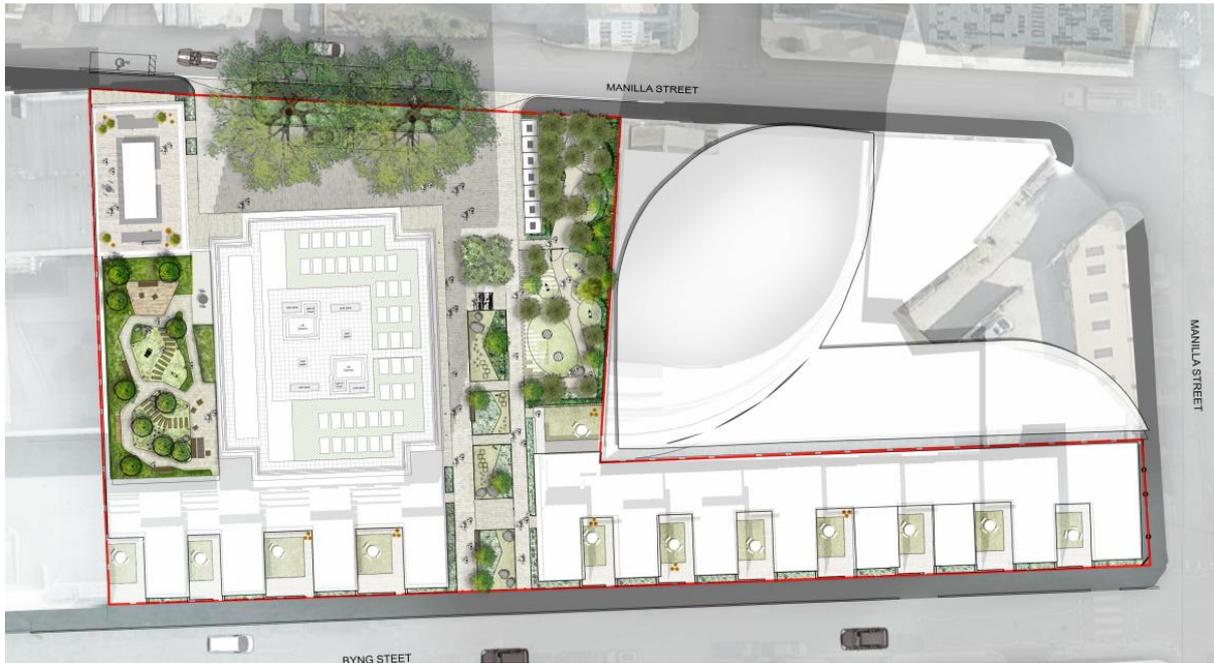


View across Bellamy Close towards north showing existing link and retained trees.

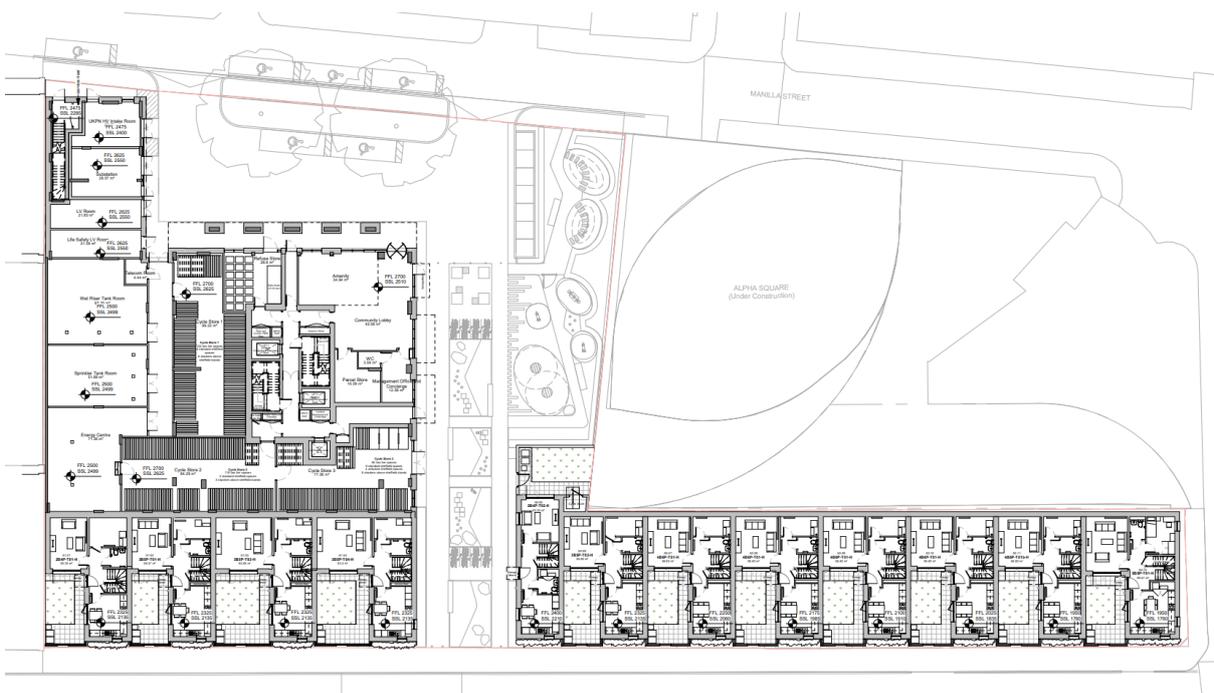


View of Byng Street facing north-west with Alpha Square development behind (taken August 2023).

APPENDIX 3 – PROPOSED DRAWINGS



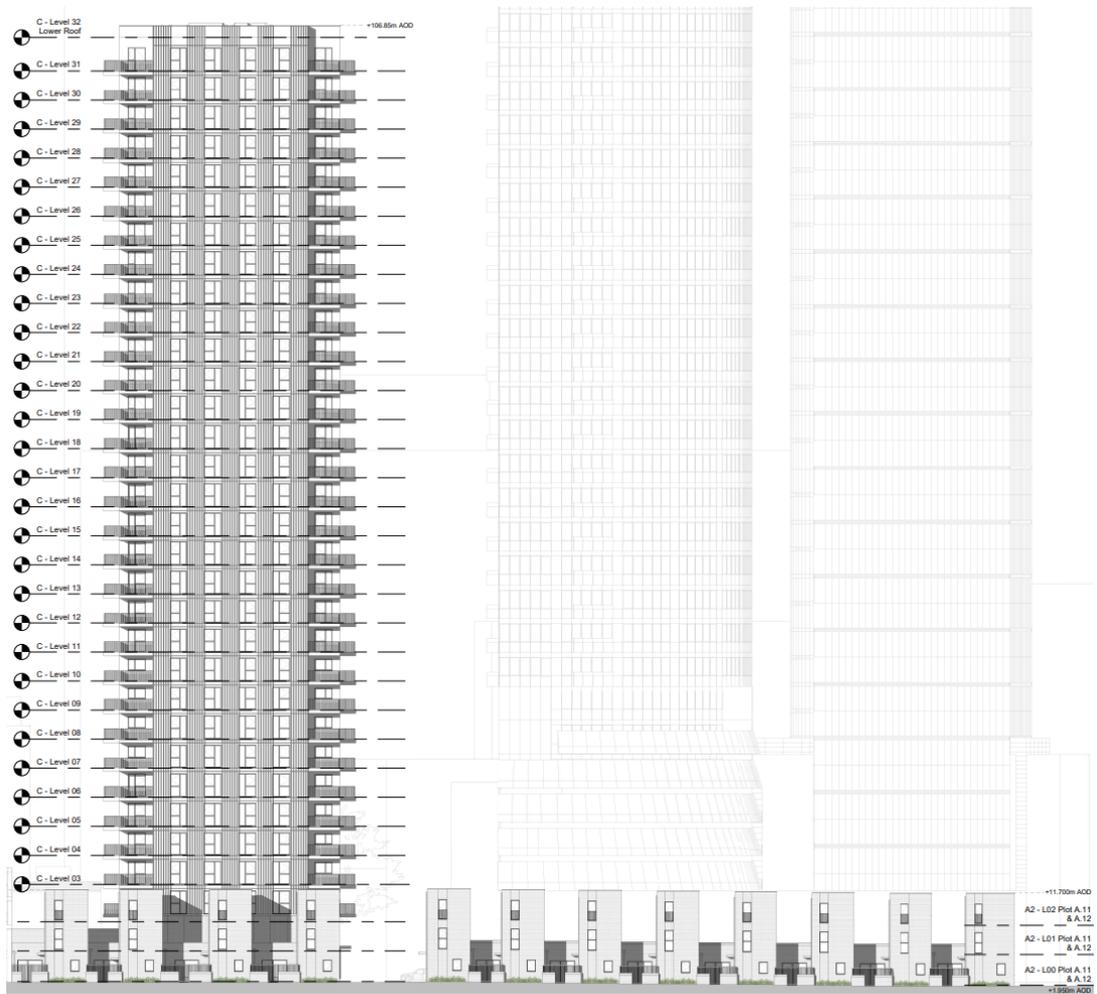
Illustrative masterplan.



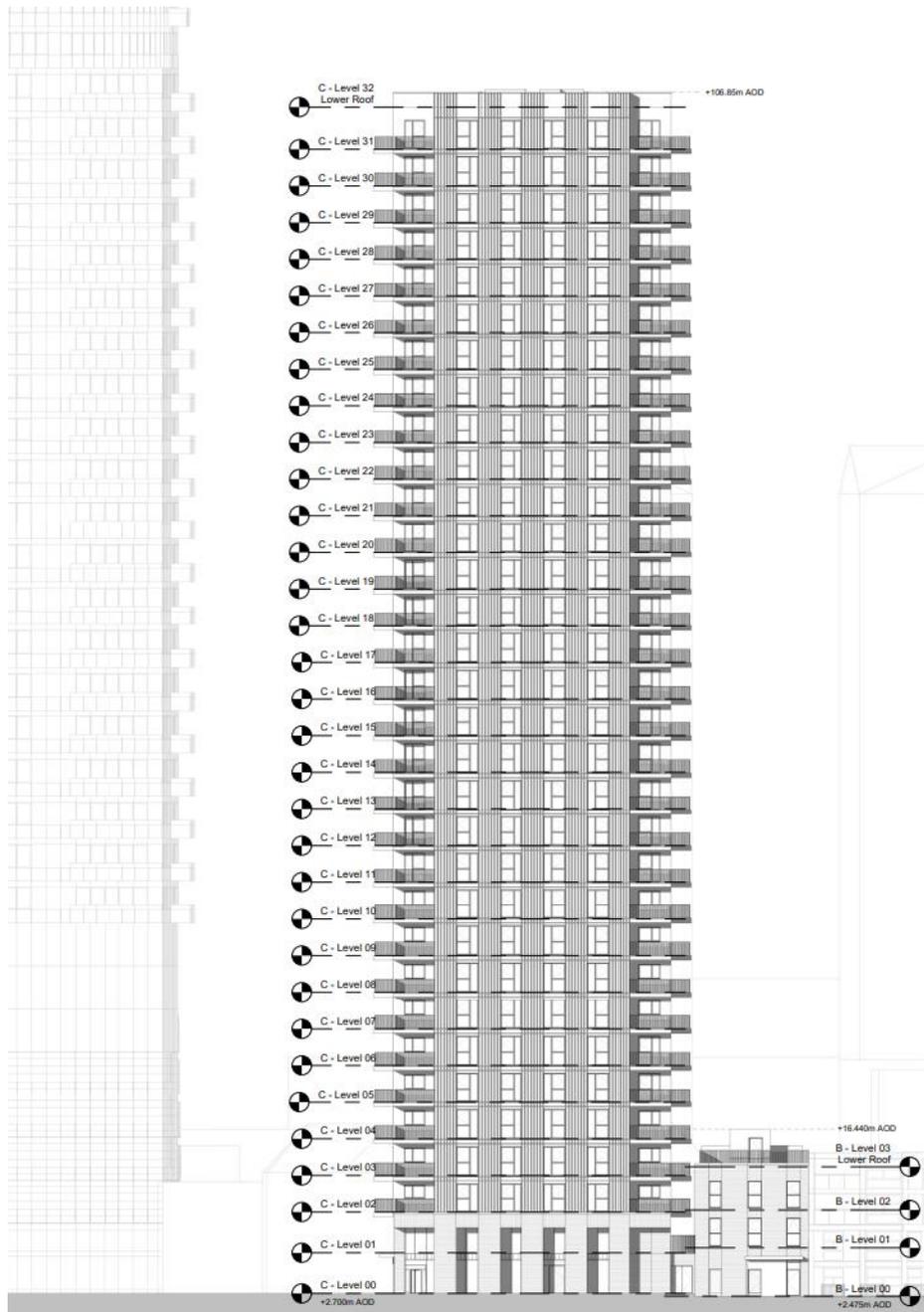
Proposed ground floor plan.



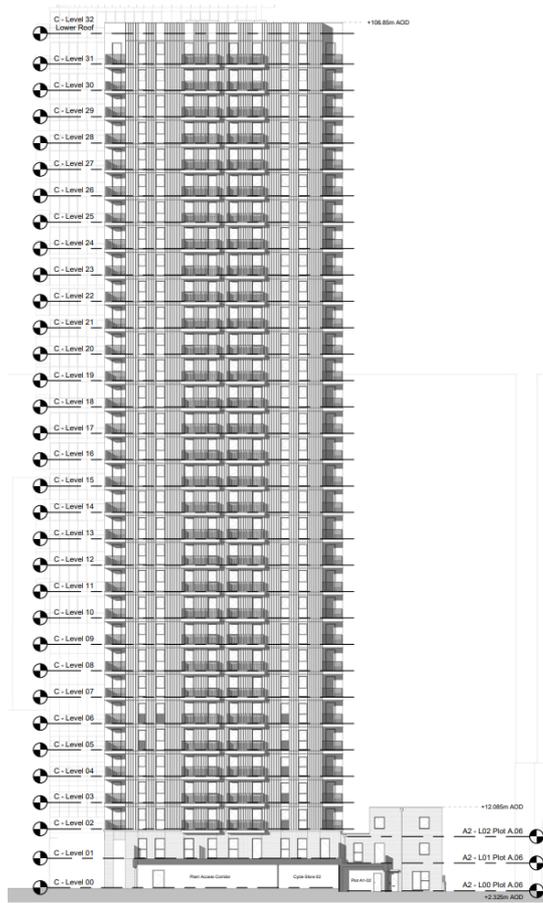
Proposed first floor plan.



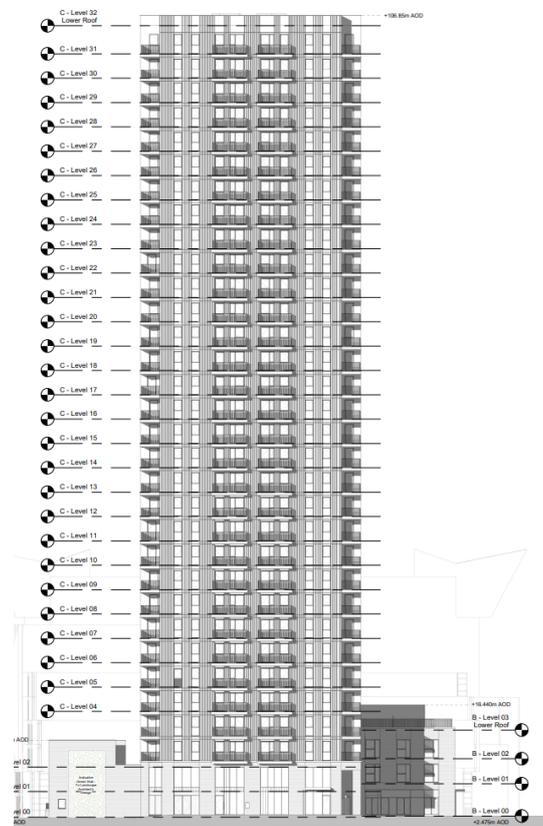
Proposed south elevation (Byng Street).



Proposed north elevation (Manilla Street).



Proposed west elevation



Proposed east elevation within the pedestrian link.